JURISDICTION OVER THE PARTIES

I. Constitutional Issues

A. Power

1. In Personam Jurisdiction over the defendant

a. Physical Presence:

i) Pennoyer v. Neff, page 71

ii) Grace v. McArthur, page 79

iii) Burnham v. Superior Court, page 175

b. Consent: page 186

c. Voluntary Appearance: Adam, page 81

d. Citizenship: Blackmyer; Milliken; page 80

e. Implied Consent: Hess, page 82

f. Forum Selection: pages 188-190

g. Necessity: fn. 37, page 166

h. Continuing Jurisdiction

i. Two part test of today

(1) Minimum Contacts (leading cases and principles)

i) International Shoe

ii) Worldwide Volkswagen

iii)

iv)

v)

vi)

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vii)

viii)

ix)

x)

(2) Reasonableness

i)

ii)

iii)

2. In Rem Jurisdiction

a. Definition

b. Examples

i)

ii)

iii)

iv)

v)

3. Quasi in rem jurisdiction over the defendant

a. Definition

b. Harris v. Balk, page 160

cc. Shaffer v. Heitner, page 161

d. Insurance: #5, page 174

e. Admiralty:

B. Notice

1) Mullane, page 199

2) 2) Walker, Schroeder; Adams; Pope; page 207

3) Greene, page 208

4) Jones, page 209

5) Worksheet 09/5

C. Hearing

1) The Basic Principle

2) Fuentes, page 240

3) Doehr, page 254

4) Patterson, page 264

II. Statutory Issues

A. Gray, page 93

C. ACA §§ 16-58-120

D. Arkansas Long Arm Statute, ACA §§ 16-4-101

E. Worksheet 09/6

III. Procedural

A. Acquiring Jurisdiction; Rule 4; Worksheet 09/6

B. Challenging Jurisdiction; Worksheets 09/7,8,9