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## Subject Matter Jurisdiction

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## **SUBJECT-MATTER JURISDICTION**

Subject-matter jurisdiction is the judicial power to decide a particular type of case. Unlike the state court systems, which can entertain nearly any type of dispute, the federal

courts are courts of strictly limited subject-matter jurisdiction. Those limitations are defined by the U.S. Constitution, congressional enactments, and judicial precedents.

Article III of the Constitution sets forth a list of the types of disputes the federal courts can resolve. These include, among others: cases that arise under federal law (often called federal-question cases), disputes between citizens of different states (known as diversity cases), admiralty cases, cases to which the United States is a party, suits between states, and suits to which one party is a foreign country or foreign citizen. Article III further specifies that the Supreme Court may exercise original jurisdiction (i.e., has the power to act as a trial court) in cases involving states or foreign dignitaries; in all other types of cases within the grant of federal jurisdiction, it acts as an appellate court. The Constitution does not itself create the lower federal courts, but it authorizes Congress to create them, which the first Congress did.

The categories of jurisdiction enumerated in Article III form an outer boundary beyond which Congress cannot extend the federal judicial power, but long-standing practice shows that Congress has significant flexibility in structuring federal jurisdiction within those confines. For example, until 1914 the Supreme Court could review cases in which a claimant with a federal right lost in state court but not those in which the federal claimant prevailed, and even in the early twenty-first century the statute conferring the Supreme Court's appellate jurisdiction over cases from state courts does not permit review based on diversity of citizenship. The subject-matter jurisdiction of the lower federal courts has, likewise, never extended as far as the Constitution allows. The diversity jurisdiction statute requires "complete diversity" (no plaintiff having the same state citizenship as any defendant) and a minimum amount in controversy, for example, whereas Article III diversity jurisdiction has neither requirement. Just how far Congress can go in restricting the jurisdiction of the federal courts remains sharply debated.

Several of the Supreme Court's most storied cases involved subject-matter jurisdiction. For example, the famous pronouncements on judicial review in *Marbury v. Madison*, 5 U.S. 137 (1803) were occasioned by a dispute over the Supreme Court's original jurisdiction; Chief Justice John Marshall determined that Congress had attempted to expand the Court's jurisdiction beyond what Article III provided and held the relevant statutory provision unconstitutional. Facing fierce resistance from some states, the Court in *Martin v. Hunter's Lessee*, 14 U.S. 304 (1816) beat back the state courts' challenge and firmly established that the Supreme Court's appellate jurisdiction extended to reviewing their decisions. Last, the infamous *Dred Scott v. Sandford*, 60 U.S. 393 (1857) held that descendants of African slaves could not sue in diversity,

because they were not "citizens" within the meaning of the Constitution. In so doing, the decision may have hastened the Civil War (1861–1865).

**SEE ALSO** *Diversity Jurisdiction; Federal Jurisdiction; Original Jurisdiction*

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