

## Case Brief

Civ Pro F1: evolution of personal jurisdiction

Bauer, 2/18/15

### Identity of Case

International Shoe Co. v. Washington, 326 U.S. 310 (1945)

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### Summary of Facts/Procedural History

International Shoe Co operated a "suit proof" shoe business, that insulated them from liability in the opinion of their attorneys. They did not operate any stores, but hired commissioned sales persons. They gave them 1 left shoe in each size, and the purchasers ordered shoes from the company, which were shipped "free on board" meaning that once the shoes were shipped, risk of loss transferred to the customer. International shoe laid off some of their employees in Washington.

Washington had strict laws for unemployment compensation, which required Int'l shoe to pay these laid-off sales persons. Int'l shoe failed to comply. The state of Washington filed suit against the company, int'l shoe appeared specially to contest personal jurisdiction (in administrative court) and it appealed all the way up to the supreme court.

### Statement of the Issue

Does the state of Washington have personal jurisdiction over a company that sold shoes in its state through commissioned salespersons and special orders?

### Holding

Where a company does business in a state, even through sales people and without a storefront, that business has established sufficient minimum contacts to establish specific personal jurisdiction.

### Reasoning

Corporations are "persons", but they are much more flexible. That requires a more flexible test than physical presence within a state.

Regular and systematic contacts with the state resulting in a continuous flow of appellants product in the state was sufficient to constitute doing business in the state for personal jurisdiction. Presence like this is especially sufficient when those contacts give rise to the claim - without being dispositive of liability, the fact that contacts caused some injury is sufficient to do the trick.

### Evaluation