

Index

- Act of March 3, 1875, 201
Air Measurement Tech., Inc. v. Akin Gump Strauss Hauer & Feld, L.L.P. (2007), 222, 224
 Alien Tort Claims Act, 89–92
 ALI/UNIDROIT Principles of Transnational Civil Procedure, 106–107, 163–164
American Dredging Co. v. Miller (1993), 71, 92–93
American Well Works Co. v. Layne & Bowler Co. (1916), 196–198, 201, 229
 Antiformalism, 10
 Aristotle, 179
Asahi Metal Ind. Co. v. Sup. Ct. (1987), 35, 44–45
- Babeock v. Jackson* (1963), 124
 Belgium, 243–252
 Blair, Paxton, 77–82
 Brazil, 253–266
 Brilmayer, Lea, 152
Brown v. Board of Education (1954), 13, 18
Burger King v. Rudzewicz (1985), 35, 145, 153
Bumham v. Sup. Ct. (1990), 37, 157, 177
- Calder v. Jones* (1984), 39–42, 146
 Cardozo, Benjamin, 175
Christianson v. Colt Industries Operating Corp. (1988), 213–215, 228
 Clermont, Kevin, 162–163, 171
 Collins, Michael, 196, 199
 Conflict of laws, 112–136, 175–176
 England, 122–123
 Germany, 120
 Italy, 118–120
 United States, 123–126
 Connecting factors, 23, 25–27
 Constitutional courts, 17–18, 20–21
 Constitutional democracy, 21
Cooper v. Aaron (1958), 18–19
 Currie, David, 119, 124
- Due process, 24–25, 63–70, 72–75
Dym v. Gordon (1965), 125
- Empirical jurisprudence, 5–6, 16
 England, 122–123
Ehrenfeld v. Bin Mahfouz (2007), 50
Empire Healthchoice Assurance, Inc. v. McVeigh (2006), 217–221, 228, 232–233
England v. Louisiana State Bd. of Med. Examiners (1964), 219
 European Council Regulation 44/2001, 136–139, 142–143, 152–155, 164, 168, 172
- Fallon, Richard, 8–11
 Federalism, 14–15, 17
Forum non competens, 77
Forum non conveniens, 71–103, 160–165
 France, 121–122
Franchise Tax Bd. v. Const. Laborers Vacation Trust (1983), 199, 205–209, 214–215, 228
 Frickey, Philip, 9–10
- Germany, 120, 267–280
Grable & Sons Metal Products, Inc. v. Darue Eng. & Man. (2005), 215–221, 223, 225, 228, 233
Gray v. American Radiator & San. Corp. (1961), 42–43
 Greece, 281–293
Gulf Oil Corp. v. Gilbert (1947), 82–84, 86, 95, 147–148
Gully v. First Nat'l Bank (1936), 200–205, 215, 224, 226–227, 229–232
Gunn v. Minton (2012), 221–237
- Hague Convention on Jurisdiction and Recognition and Enforcement of Judgments, 117, 173
Hanson v. Denckla (1958), 31–35, 154, 177
 Harmonization, 104–194

- Hart, Henry, 9, 14, 16
Hungary, 294–308
- Immunocept, L.L.C. v. Fulbright & Jaworski, L.L.P.* (2007), 222, 224
Institutional settlement, 10
Int'l Shoe v. Washington (1945), 27–29, 32–34, 45, 47, 116, 143–144
Italy, 118–120, 309–338
- J. McIntyre Mach. Ltd. v. Nicastro* (2011), 45–49, 55–56
Judicial review, 17–22
Juenger, Friedrich, 113, 116, 126–127
Jurisdiction, personal, 23–70, 74–75, 142–180
Asahi Metal Ind. Co. v. Sup. Ct. (1987), 35, 44–45
Burger King v. Rudzewicz (1985), 35, 145, 153
Burnham v. Sup. Ct. (1990), 37, 157, 177
Calder v. Jones (1984), 39–42, 146
Connecting factors, 23, 25–27, 66
Doing business, 150–151
Effects test, 39–41, 51–54, 144
Ehrenfeld v. Bin Mahfouz (2007), 50
General jurisdiction, 151–153
Gray v. American Radiator & San. Corp. (1961), 42–43
Hanson v. Denckla (1958), 31–35, 154, 177
Int'l Shoe v. Washington (1945), 27–29, 32–34, 45, 47, 116, 143–144
J. McIntyre Mach. Ltd. v. Nicastro (2011), 45–49, 55–56
Kopke v. A. Hartrdt S.R.L. (2002), 61–62
Kulko v. Sup. Ct. (1978), 37–39
Long-arm statute, 57–63
McGee v. Int'l Life Ins. Co. (1957), 30
Minimum contacts, 27–29, 144
Perkins v. Benguet Consol. Mining Co. (1952), 143, 152
Purposeful availment, 32, 47, 50
Reasonable expectations, 23, 25–27
Shaffer v. Heitner (1977), 36, 66, 145, 153, 158–159, 177
Sibley v. Sup. Ct. (1976), 49–50
Stream of commerce, 44–45, 48, 55, 144
Tag jurisdiction, 147–148, 155–160, 179
Territoriality, 26
Transient jurisdiction, 147–148, 155–160
World-Wide Volkswagen v. Woodson (1980), 43–44, 66, 146
Yahoo! Inc. v. La Ligue Contre Le Racisme et L'Antisemitisme (2006), 51
Jurisdiction, subject matter, 195–237
Air Measurement Tech., Inc. v. Akin Gump Strauss Hauer & Feld, L.L.P. (2007), 222, 224
American Well Works Co. v. Layne & Bowler Co. (1916), 196–198, 201, 229
Christianson v. Colt Industries Operating Corp. (1988), 213–215, 228
Creation test, 195–196
Empire Healthchoice Assurance, Inc. v. McVeigh (2006), 217–221, 228, 232–233
Franchise Tax Bd. v. Const. Laborers Vacation Trust (1983), 199, 205–209, 214–215, 228
Grable & Sons Metal Products, Inc. v. Darue Eng. & Man. (2005), 215–221, 223, 225, 228, 233
Gully v. First Nat'l Bank (1936), 200–205, 215, 224, 226–227, 229–232
Gunn v. Minton (2012), 221–237
Immunocept, L.L.C. v. Fulbright & Jaworski, L.L.P. (2007), 222, 224
Merrell Dow Pharm. Inc. v. Thompson (1986), 209–213, 216–217, 228, 232, 235
Osborn v. Bank of the United States (1824), 233
Shoshone Mining Co. v. Rutter (1900), 196–197, 200–201
Shulthis v. McDougal (1912), 197, 201
Smith v. Kansas City Title & Trust Co. (1921), 198–199, 201, 229
Starin v. City of New York (1885), 202
Jurisprudence of conceptions, 5–6, 16
Jurisprudence of premises, 5–6, 16
Justinian Code, 113
- Kiobel v. Royal Dutch Petroleum* (2013), 90
Kopke v. A. Hartrdt S.R.L. (2002), 61–62
Koster v. Lumbermens Mut. Cas. Co. (1947), 84–86, 147–148
Kulko v. Sup. Ct. (1978), 37–39
- Legal Process, 8–14
Lithuania, Republic of, 339–354
Logan v. Bank of Scotland (1906), 78
- Marbury v. Madison* (1803), 15, 18
Mastafa v. Australian Wheat Bd. Ltd. (2008), 90
McGee v. Int'l Life Ins. Co. (1957), 30, 32–33
Mechanical jurisprudence, 24
Merrell Dow Pharm. Inc. v. Thompson (1986), 209–213, 216–217, 228, 232, 235
Miliken v. Meyer (1940), 115
Minimum contacts, 27–29
Mulligan, Lumen, 199–201
- Neutrality principle, 12–13, 14
Norway, 355–357
- Ordre public*, 119
Osborn v. Bank of the United States (1824), 233

Cambridge University Press

978-1-107-02805-0 - The U.S. Supreme Court's Modern Common Law Approach to
Judicial Decision Making

Simona Grossi

Index

[More information](#)

414

Index

- Pennoyer v. Neff* (1877), 26–27
Perkins v. Benguet Consol. Mining Co. (1952),
 143, 152
 Personal jurisdiction, see Jurisdiction,
 personal
Piper Aircraft Co. v. Reyno (1981), 85–89, 94,
 147–148
 Post, Robert, 10, 12–13
 Pound, Roscoe, 2–3, 5–8, 16, 33, 42, 44, 69

 Reasonable expectations, 23, 25–27
 Reasoned elaboration, 11–12
Renvoi, 118
 Resnick, Judith, 99
 Restatement (Second) Conflict of Laws, 131, 135
 Roman law, 113–117
 Rome I, 129–130, 137
 Rome II, 133–137
 Rule of law, 11
 Russia, 358–361

 Sacks, Albert, 9
 Samuels, Joel, 93–94
 Savigny, Friedrich Carl von, 112
 Separation of Powers, 14–15, 17
Shaffer v. Heitner (1977), 36, 66, 79–80, 145,
 153, 158–159, 177
Shoshone Mining Co. v. Rutter (1900),
 196–197, 200–201

Shulthis v. McDougal (1912), 197, 201
Sibley v. Sup. Ct. (1976), 49–50
 Slovak Republic, 367–377
Smith v. Kansas City Title & Trust Co. (1921),
 198–199, 201, 229
 South Korea, 378–386
 Spain, 387–396
Starin v. City of New York (1885), 202
 Structural interpretation, 14, 16
 Supplemental jurisdiction, 70
 Symeonides, Symeon C., 112, 116, 136

 Taiwan, 397–400

 United States, 123–126
 Uruguay, 401–406

 Venue, 75–76

 Wechsler, Herbert, 11, 13–14, 16
Williamson v. Northeastern Ry. Co. (1884),
 79
 Woolhandler, Ann, 196, 199
World-Wide Volkswagen v. Woodson (1980),
 43–44, 66, 146

*Yahoo! Inc. v. La Ligue Contre Le Racisme et
 L'Antisemitisme* (2006), 51