

by Jane Perkins, NHeLP  
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During the 1998-99 Supreme Court Term, a number of decisions

These cases, one from Maine and two from Florida, solidly estab

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The Maine Case -- Supreme Courts Looks to England for Guidan

The first pronouncement favor of States' 4604 (U.S. in 1999) in [Alden v. Maine](#), 67 U.S. 4604 (U.S. in 1999) in [Alden v. Maine](#)

The probation [Sevinole Tribe of Florida v. Florida](#) (U.S. in 1999) but [Sevinole Tribe of Florida v. Florida](#) (U.S. in 1999) but [Sevinole Tribe of Florida v. Florida](#)

In its decision, ~~the Supreme Court held that~~ ~~the Congress lacks the~~

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## The Florida Cases -- Restricting Due Process

In the College Savings Bank cases, ~~the Court held that the~~ ~~extension~~

In the [College Savings Bank I Case](#), the Bank sued ~~in fe~~

However, the ~~Court~~ ~~declared the~~ ~~provisions~~ ~~unc~~

□

In the [College Savings Bank II Case](#), the Bank charged ~~th~~

The Court agreed *Serrano*, *Levy*, and *Chubb* had the state's due to sue

To reach its decision, the Court *dismissed* the *pending* the *dis*

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The Future -- What are The Remaining Options When the State V

These decisions narrow the avenues for judicial relief for individ

(1) The parties *can* still sue state officials for prospective, injud

(2) Presumably, complaining parties can still sue state officials in

(3) The injured party can bring an action against the state in thos

(4) The *Alden* court also noted that states can be

(5) Municipalities, counties and cities can be sued if they are viol

(6) The *College Savings Bank* do not preclude actions aga

(7) Depending on the facts of the case and the state law, victims

(8) The state legislature or constitution could override the sovere

(9) And despite *College Savings Bank*, complaining parties can still

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Enforcement of<sup>th</sup> statutes passed pursuant to the 14

It is this last exception which will be the focus of the future litigation.

Already, the Eighth Circuit Court of Appeals has ruled in [City of Maumelle](#), N

Already, the Supreme Court has agreed to look at Congressional

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□ Age Discrimination in [Employment Act](#), 139 F.3d 1426

□ False Claims [United States ex rel. Stevens, v. Evergreen](#), 67 U

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