

US Supreme Court Will Hear Jenner's Case Seeking to Reaffirm that Civil-Rights Plaintiffs Don't Have to Exhaust State Administrative Remedies in State Court

News

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The US Supreme Court granted a petition for *certiorari* in which Jenner & Block represents Alabama residents who experienced extreme delays and other irregularities in their attempts to secure unemployment compensation. The residents filed a Section 1983 suit in state court claiming that the state's failure to act on their applications and provide required notices and hearings violated their federal rights. The Alabama Supreme Court held that the complaint must be dismissed on the ground that the plaintiffs had failed to exhaust the state administrative process governing unemployment compensation claims.

Our petition for *certiorari* asks the Court to hold that exhaustion of state administrative remedies is not required when filing a Section 1983 suit in state court. "The question presented is of great legal and practical significance, both in clarifying the proper roles of federal and state courts in enforcing federal civil rights laws, and in ensuring that civil-rights plaintiffs have certainty as to the procedural rules that will govern their choice of forum," the petition reads.

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Partner Adam Unikowsky and Associate Arjun Ramamurti said in a statement: "We are pleased the Supreme Court granted *certiorari*. This case is an opportunity for the Court to reaffirm that civil-rights plaintiffs do not need to exhaust state administrative remedies before relief can be sought in state courts. We look forward to presenting our argument later this year."

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