

87-1207

Will v Michigan Dept

1983 - who a St & its officials (so sued) r "persons"
Sued as Mich Dept & its Dir

Tot 1. State is not real p in suit - St is

2. Do 11 Am bar a claim aware?

Where has st stat gives Ct Cls JD + deter all obs. ∴ winner

3 150 Vt laws.

Mich 4a -id

1. Ct Cl has JD

2. But St is n a person U 1983. S Ct had n resolve in

Quern v Jordan 440/332 (Dir reach per direction - I joined)

Wd b so only if long meant + absolute sov immunity, on St connects

3 Officials r "ps", but removed + @ immunity

Mich S Ct + 455

± Neither St nor official is a "p" - Quern did n resolve +?

Had long so intended, it wd be set up a fed - ct rem.

Dis 1983 s Sts r "ps"

So immunity do n bar 1983 we found fed court st r ct issue

I am -

? is open. Quern did n say a St is n a p.

Ct tm was driven by a concern for St immunity

Ct had s 4 St ca b sued U 1983 if it waived immunity U 11 Am

this implies a St is a "p" for 1983.

Straight constr → St as a p. No hard + fact line

Dictionary Act '71 s "p" included bodies politic & corporate

But 1871 retro chy is bothersome. ypt n absolute

I go for broad reading

Thus not b + d, b-3 on 5-4
no 70 JD

It's little coming

Emf here + so St is a p. ∴ →

? or community remains.

I will leave this for + St it on demand.

1 Dec 88