

Developments During 2009 Concerning the U.S. Court of International Trade's 'Residual' Jurisdiction Under 28 U.S.C. § 1581(I)"

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In 1980, Congress created the U.S. Court of International Trade ("CIT") as a specialized Art. III federal trial court that would relieve the overburdened federal district courts of having to hear the growing number of lawsuits that were arising out of the country's many statutes related to international trade matters. In addition to granting the CIT exclusive subject matter jurisdiction over lawsuits arising from eight specific trade-related statutes, Congress also gave the court exclusive "residual" jurisdiction over all lawsuits arising from four broad categories of other trade-related laws. Lawsuits filed under the CIT's residual jurisdiction now constitute a substantial and increasing share of that court's cases, and frequently present it with novel and complex issues. In his article, partner [Mike Coursey](#) explains the rules under which the CIT may exercise its residual jurisdiction, and examines the court's major decisions in 2009 in applying those rules.