

SUPREME COURT OF THE UNITED STATES

Scheuer v. Rhodes

416 U.S. 232 (1974) · No. Nos. 72-914 and 72-1318 · Decided April 17, 1974

SUMMARY

The Supreme Court held that civil damages actions under 42 U.S.C. § 1983 against Ohio executive officials were not barred by the Eleventh Amendment at the pleading stage because the complaints sought individual and personal liability. The Court further held that the officials' potential executive immunity was qualified rather than categorically absolute and could not be resolved without a factual record. The judgments were reversed and the cases remanded for further proceedings.

CASE DETAILS

COURT	Supreme Court of the United States
WRITING FOR THE COURT	Chief Justice Burger
JURISDICTION	Federal
DECIDED	April 17, 1974
DOCKET	Nos. 72-914 and 72-1318
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Petitioners sought review of judgments affirming dismissal of their 42 U.S.C. § 1983 damages complaints for lack of subject-matter jurisdiction under the Eleventh Amendment and, alternatively, on the ground of absolute executive immunity.
STANDARD OF REVIEW	On a motion to dismiss, the court must construe the complaint's allegations favorably to the pleader and determine whether the plaintiff is entitled to offer evidence to support the claims, not whether the plaintiff will ultimately prevail.
PRECEDENTIAL VALUE	binding
PARTIES	Scheuer, administratrix, Krause, administrator, Miller, personal representative v. Rhodes, Governor of Ohio, Ohio state officials, Ohio National Guard officers and enlisted personnel, President of Kent State University

TOPICS

section 1983

qualified immunity

eleventh amendment immunity

motions to dismiss

civil procedure

PRACTICE AREAS

civil rights litigation

constitutional law

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QUESTIONS PRESENTED

1. Whether the complaints were barred by the Eleventh Amendment because the defendants were sued in their official or representative capacities and the actions were effectively against Ohio.
2. Whether the complaints were properly dismissed at the pleading stage based on an asserted absolute executive immunity.
3. Whether the allegations, construed favorably to the plaintiffs, were sufficient to permit them to offer evidence supporting their claims.

HOLDINGS

1. The complaints were not barred by the Eleventh Amendment at the pleading stage because, fairly read, they sought to impose individual and personal liability on the named defendants for alleged deprivations of federal rights under color of state law.
2. Dismissal was premature because the complaints placed in issue facts bearing on jurisdiction, the defendants' official duties, the scope of their discretion, and their good faith, and the plaintiffs were entitled to have those allegations judicially resolved.
3. State executive officials are not categorically entitled to absolute immunity from § 1983 damages claims; qualified immunity may apply depending on the officials' functions, responsibilities, discretion, the circumstances reasonably appearing at the time, and their good-faith and reasonable grounds for action.

KEY QUOTATIONS

“The issue is not whether a plaintiff will ultimately prevail but whether the claimant is entitled to offer evidence to support the claims.” (416 U.S. at 236)

“It is the existence of reasonable grounds for the belief formed at the time and in light of all the circumstances, coupled with good-faith belief, that affords a basis for qualified immunity of executive officers for acts performed in the course of official conduct.” (416 U.S. at 248)

“We hold only that, on the allegations of their respective complaints, they were entitled to have them judicially resolved.” (416 U.S. at 250)

FACTUAL BACKGROUND

The cases arose from the May 1970 civil disorder at Kent State University, during which three students died. The complaints alleged that the Governor of Ohio, National Guard officials and personnel, and the university president intentionally, recklessly, willfully, and wantonly caused an unnecessary Guard deployment and ordered

allegedly illegal actions that resulted in the deaths. The plaintiffs sought damages under 42 U.S.C. § 1983, alleging deprivation of federal rights under color of state law.

PROCEDURAL HISTORY

The District Court dismissed the complaints before answers were filed and without receiving evidence, reasoning that the suits were effectively against Ohio and were therefore barred by the Eleventh Amendment. The Sixth Circuit affirmed on the same ground and alternatively held that executive immunity barred the claims. The Supreme Court granted certiorari, reversed, and remanded for further proceedings.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The cases were remanded for further proceedings consistent with the opinion, including further factual development by summary judgment or trial concerning jurisdiction, the defendants' duties and discretion, and their good faith and potential immunity.

CASES CITED

- Gilligan v. Morgan, 413 U.S. 1 (1973)
- Conley v. Gibson, 355 U.S. 41, 45-46 (1957)
- Gardner v. Toilet Goods Assn., 387 U.S. 167, 172 (1967)
- Edelman v. Jordan, 415 U.S. 651 (1974)
- Poindexter v. Greenhow, 114 U.S. 270, 287 (1885)
- Cunningham v. Macon & Brunswick R. Co., 109 U.S. 446 (1883)
- Ex parte New York, 256 U.S. 490, 500 (1921)
- Ex parte Young, 209 U.S. 123, 159-160 (1908)
- Sterling v. Constantin, 287 U.S. 378 (1932)
- Kennecott Copper Corp. v. State Tax Comm'n, 327 U.S. 573 (1946)
- Ford Motor Co. v. Department of Treasury, 323 U.S. 459 (1945)
- Great Northern Life Insurance Co. v. Read, 322 U.S. 47 (1944)
- Myers v. Anderson, 238 U.S. 368 (1915)
- Monroe v. Pape, 365 U.S. 167, 171-172, 184 (1961)
- Moor v. County of Alameda, 411 U.S. 693 (1973)
- Pierson v. Ray, 386 U.S. 547, 554-557 (1967)
- Tenney v. Brandhove, 341 U.S. 367, 372-379 (1951)
- Spalding v. Vilas, 161 U.S. 483, 498-499 (1896)
- Barr v. Matteo, 360 U.S. 564, 572-574 (1959)
- Moyer v. Peabody, 212 U.S. 78, 85 (1909)

- United States v. Classic, 313 U.S. 299, 326 (1941)
- Gravel v. United States, 408 U.S. 606 (1972)
- United States v. Brewster, 408 U.S. 501 (1972)
- Kilbourn v. Thompson, 103 U.S. 168 (1881)
- United States v. Johnson, 383 U.S. 169, 182 (1966)
- Dalehite v. United States, 346 U.S. 15, 57 (1953) (Jackson, J., dissenting)
- Laird v. Tatum, 408 U.S. 1, 15-16 (1972)
- Duncan v. Kahanamoku, 327 U.S. 304 (1946)
- Yaselli v. Goff, 12 F.2d 396, 399 (2d Cir. 1926), aff'd per curiam, 275 U.S. 503 (1927)
- Randall v. Brigham, 7 Wall. 523, 535 (1869)
- Bradley v. Fisher, 13 Wall. 335 (1872)