



Introduction

United States federal courts cannot hear any case they choose. For a case to be heard in federal court, it must meet certain criteria laid out in the [Constitution](#) or by Congress. Generally, the case must either have “federal question” jurisdiction or “diversity of citizenship” jurisdiction for a federal court to have authority to hear the case.

Federal Question Jurisdiction

Federal question jurisdiction exists when the case involves the U.S. government, a federal law or the Constitution, an issue between two states, or the U.S. and a foreign government.

Examples of federal question jurisdiction include:

- A plaintiff claiming they are entitled to money under a federal government program such as FEMA,
- A criminal defendant is accused of breaking a federal law such as federal tax evasion,
- Two bordering states arguing over water rights of a river,
- The United States and a foreign government arguing over damages caused by a shipwreck.



Diversity Jurisdiction

Diversity of citizenship jurisdiction exists when the two sides of a case are from different states or when the two sides consist of a U.S. citizen and a citizen of another country. Additionally, a monetary threshold for damages must be met. For a case to be filed in federal court under diversity jurisdiction, the amount of damages must be more than \$75,000.

Examples of diversity jurisdiction include:

- A citizen from one state suing a company located in another state for damages from a traffic accident,
- A U.S. citizen suing a citizen of another country for parental rights for a child of which they share custody.

Bankruptcy

Bankruptcy cases are heard exclusively in federal courts according to Congress under [Title 11](#) of the United States Code. There are special bankruptcy courts set up throughout the judicial districts that only hear bankruptcy cases, which occur when individuals or companies can no longer pay their debts.