

Supreme Court Decision Favors Private Property Rights

A recent U.S. Supreme Court ruling is favorable for private property owners, according to NCBA. The court decided in Knick v. Township of Scott that landowners should have direct access to federal court in takings cases. In this case, Pennsylvania resident Rose Mary Knick was forced by a local ordinance to allow anyone to access an alleged burial site on her 90-acre farm. Knick challenged the ordinance as a violation of her property rights, but due to a 1985 Supreme Court decision known as the Williamson County doctrine, she was prohibited from taking her case directly to federal court. Under this doctrine, Knick could not go to federal court without first going through state court, but if she went to state court and lost, her takings claim would be barred from federal court. NCBA submitted a brief in support of Knick. The Supreme Court decision overturns the Williamson County doctrine and ensures landowners get their day in court.