

1.02 | QUESTION 2: HAVE I SUFFERED THE TYPE OF INJURY OR HARM THAT A COURT CAN HELP ME WITH?

You cannot sue someone just because you are angry at him or her, nor can you sue someone simply because he or she has committed some illegal act. In order to bring a lawsuit that the Court will not dismiss right away, the person you are suing must have caused you to be harmed or wronged in some real, concrete way.

The person bringing the lawsuit, called the "plaintiff," must be asserting his or her own personal legal interests. Typically, a person may not sue to assert the rights of a third party. In other words, a plaintiff normally must assert that he or she has suffered the injury, or that a distinct group of individuals of which he or she is a part, has suffered the injury. A Court generally will not address a "generalized grievance," which is an injury that is shared in "substantially equal measure by all or a large class of citizens."¹ Further, the plaintiff must have actually suffered the harm already, or else the plaintiff must be about to suffer the harm "imminently," meaning that the plaintiff will actually suffer the harm in the immediate future. Lastly, remember that some cases (such as **False Claims Act** claims) cannot be handled without an attorney.

(Federal Bar Association: Access to Justice Task Force. © 2019.

Honorable Mention: USNYND, USCAND)

Footnotes

¹ Warth v. Seldin, 422 U.S. 490, 499 (1975); see U.S. v. Hays, 515 U.S. 737, 743 (1995).

