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# Unwinding The “Preclusion Trap”—*Knick v. Township Of Scott* Upends Thirty Years Of Federal Takings Precedent.

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In June, the United States Supreme Court dismantled what many considered to be an untenable “preclusion trap” in Fifth Amendment takings law when it decided *Knick v. Township of Scott, Pennsylvania*. The key issue in *Knick* was whether the Court should overturn its often criticized 1985 decision *Williamson County Regional Planning Commission v. Hamilton Bank*. *Williamson County* held that before a property owner could bring a takings action in federal court for “just compensation,” that property owner must first (1) obtain a “final decision” from the relevant local or state agency implementing the action effectuating the taking, and then (2) exhaust all available state court remedies to obtain compensation for the alleged taking. Unfortunately for takings plaintiffs, the second *Williamson County* requirement meant that, after pursuing takings claims to an adverse resolution in state court, they were then precluded from challenging the state decision in federal court under the full faith and credit doctrine.

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