

The Supreme Court Update - April 18, 2023

by Brock Huebner

Today, the Supreme Court of the United States issued one decision:

New York v. New Jersey, No. 22O156: This case was heard pursuant to the Court's original jurisdiction and addressed whether New York could prevent New Jersey from unilaterally withdrawing from the states' Waterfront Commission Compact. The Compact, created in 1953 by laws passed in both states and approved by Congress under Article I § 10 of the U.S. Constitution, granted the Waterfront Commission of New York Harbor broad powers to regulate and enforce laws for the Port of New York and New Jersey. After New Jersey passed a state law to withdraw from the Compact, New York sought relief from the Supreme Court. Today, in a unanimous decision authored by Justice Kavanaugh, the Court sided with New Jersey and agreed the state could unilaterally exit the Compact notwithstanding New York's opposition. Because the Compact itself did not address withdrawal conditions, the Court applied default contract law rules and state sovereignty principles to conclude that unilateral withdrawal was allowed under the Compact.

Read the Court's [decision](#).

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