

SCOTUS Overrules “State Compensation” Ripeness Requirement for Takings Claims

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Today, the United States Supreme Court issued its long-awaited decision in *Knick v. Township of Scott*. In a 5-4 decision, the Court overruled the requirement that property owners first pursue takings claims in state court before bringing a takings claims under the Fifth Amendment to the United States Constitution in federal court. That requirement (known as ripeness) was established in *Williamson County Regional Planning Commission v. Hamilton Bank*, 473 U.S. 172 (1985). In the wake of *Knick*, property owners may now bring Fifth Amendment takings claims directly in federal court without first going to state court. The majority opinion was authored by Justice Roberts and joined by Justices Thomas, Alito, Gorsuch, and Kavanaugh. Justice Thomas wrote a concurring opinion. Justice Kagan, joined by Justices Ginsburg, Breyer, and Sotomayor, dissented.

The decision in *Knick v. Township of Scott* is available [here](#).

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