



LONG ARM “STATUTES”

Zachary D. Clopton

[T]o the degree that the majority worries these doctrines [of personal jurisdiction and venue] are not enough to protect the economic interests of multinational businesses (or that our long-standing approach to general jurisdiction poses “risks to international comity”), the task of weighing those policy concerns belongs ultimately to *legislators*, who may amend state and federal *long-arm statutes* in accordance with the *democratic process*.

— *Justice Sonia Sotomayor*¹

LIKE COUNTLESS LAWYERS and a not insubstantial number of civil procedure professors, I was introduced to law school by Professor Arthur Miller and *Pennoyer v. Neff*.² At the time, it was Miller’s practice to call on a student from Oregon to answer questions about *Pennoyer*. A few classes later, I had my own turn to answer questions about the vexing personal jurisdiction decision in *Asahi v. Superior Court*.³

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¹ *Daimler AG v. Bauman*, 571 U.S. 117, 156 (2014) (Sotomayor, J., concurring in the judgment) (emphasis added).

² 95 U.S. 714 (1877).

³ 480 U.S. 102 (1987). As it happens, I was called on for *Asahi* within minutes of my laptop (with my notes) going on the fritz. These events seemed related at the time, though I couldn’t say whether my terrified attempts to fix the computer got Miller’s attention, or whether the tangled opinions in the case fried the mainframe.

Somewhere in between *Pennoyer* and *Asahi*, we were introduced to the concept of the “long arm statute.” Long arm statutes, we were told, are statutes that regulate personal jurisdiction. These statutes extend a court’s jurisdictional reach beyond the state’s borders – hence the “long arm” metaphor. At the same time, because an exercise of personal jurisdiction also must satisfy a constitutional test, long arms often have the effect of cutting back a court’s jurisdictional reach relative to what the Due Process Clauses would permit.

According to Westlaw, more than 3,000 law review articles have referred to “long arm statutes,” and almost 10,000 court decisions have done so *since 2013*. A closer look at cases discussing “long arm statutes” reveals a frequent quirk, in phrases such as:

- “Alabama’s long-arm ‘statute,’ which is actually Rule 4.2”⁴
- “New Jersey’s Long Arm Statute, Rule 4:4-4(c)(1)”⁵
- “Montana’s long-arm statute is contained in Rule 4B”⁶
- “The Arizona long-arm statute, Rule 4.2(a) of the Arizona Rules of Civil Procedure. . . .”⁷
- “Rule 4(k)(2) is commonly referred to as the federal long-arm statute.”⁸
- “Ind. Trial Rule 4.4(A) performs the same function as a long-arm statute. Although technically a trial rule, courts commonly refer to it as the ‘long-arm statute.’”⁹

Long arm “statutes,” it seems, may not be statutes at all. They may be judge-made rules of procedure. This point is more than semantic. Statutes are creatures of the legislature. Rules of procedure, typically, are judicial creations. And this distinction has resonance in ongoing debates about federal personal jurisdiction law and about procedural lawmaking generally.

⁴ *Leithead v. Banyan Corp.*, 926 So. 2d 1025 (Ala. 2005).

⁵ *Regency Oldsmobile, Inc. v. General Motors Corp.*, 685 F. Supp. 91 (D.N.J. 1988).

⁶ *Richardson v. American Family Ins. Co.*, 643 F. Supp. 364 (D. Mont. 1986).

⁷ *Strojnik v. Edalat*, 2008 WL 11338791 (D. Ariz. 2008).

⁸ *Wanachek Mink Ranch v. Alaska Brokerage Intern., Inc.*, 2009 WL 1247039 (W.D. Wash. 2009).

⁹ *Woodruff v. S. Cent. Conf. of Seventh Day Adventists*, 2004 WL 612821 (S.D. Ind. 2004).

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In search of a better label – and a deeper understanding – I attempted to determine which long arm statutes are statutes and which are something else. I asked this question based on current law, as well as based on the law of each state when that state adopted its first set of judge-made rules of procedure. This short essay presents those results and offers some thoughts on what these findings have to say about federal procedure and about the institutional design of procedure-making in American law.

I

For those who do not remember 1L Civil Procedure, or for those who never took it, long arm statutes are a component of the law of personal jurisdiction.¹⁰ Personal jurisdiction defines the power of a court to reach a party in a given case.¹¹ One aspect of personal jurisdiction is constitutional: The Due Process Clauses of the Fifth and Fourteenth Amendments limit the personal jurisdiction of federal and state courts. A second aspect is “statutory”: Typically, a court may only exercise personal jurisdiction (beyond certain traditional common-law bases) if it is authorized to do so by the relevant lawmaker.¹² As it is taught in Civil Procedure, this authorization takes the form of the “long arm statute,” through which a legislature defines the personal jurisdiction of its courts.¹³

Some long arm statutes are enumerated lists of jurisdictional bases. Alaska, for example, lists twelve types of activities that authorize jurisdiction over a person regardless of their citizenship or residence.¹⁴ Other long arms simply authorize jurisdiction to the extent permitted by the Due

¹⁰ See, e.g., WRIGHT & MILLER, 4 FED. PRAC. & PROC. CIV. § 1068 (4th ed.) (“Growth and Use of Long-Arm Statutes”).

¹¹ See, e.g., WRIGHT & MILLER, 4 FED. PRAC. & PROC. CIV. §§ 1063 *et seq.* (4th ed.).

¹² See, e.g., BLACK’S LAW DICTIONARY (11th ed. 2019) (“[L]ong-arm statute (1951). A statute providing for jurisdiction over a nonresident defendant who has had contacts with the territory where the statute is in effect.”).

¹³ The illustration on the next page appeared in a law firm’s client bulletin on a New York long arm case, *D&R Global Selections, S.L. v. Bodega Olegario Falcon Pineiro*, 29 N.Y.3d 292 (N.Y. 2017). The illustrator, Hank Blaustein, has granted permission for use of the image in this article.

¹⁴ Alaska Stat. § 09.05.015.



Process Clause.¹⁵ And some, oddly, do both.¹⁶ Importantly, unless the long arm extends all the way to the constitutional limit, it has the effect of restricting a state’s personal jurisdiction relative to what the Constitution would permit.¹⁷

For shorthand, I tell my students that personal jurisdiction has both a “constitutional” basis and a “statutory” or “legislative” basis. But then when

¹⁵ See, e.g., Cal. Civ. P. § 410.10.

¹⁶ See, e.g., 735 ILCS 5/2-209 (listing bases but also providing for personal jurisdiction to the extent permitted by the Due Process Clause). See also Appendix Table A (categorizing state long arms).

¹⁷ One can find cases in which the long arm is satisfied but the Constitution is not, see, e.g., *Bunch v. Lancair Int’l, Inc.*, 202 P.3d 784 (Mont. 2009), but even in those states, the long arm can only restrict (and not expand) jurisdiction relative to the Constitution.

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we discuss federal jurisdiction, I have to tell them that the so-called federal long arm statute is not a statute at all, but a Federal Rule of Civil Procedure adopted by the Supreme Court pursuant to the Rules Enabling Act.¹⁸ So, channeling Mike Myers as Linda Richman, I tell the students that the statutory or legislative basis of federal personal jurisdiction is neither statutory nor legislative.

I might have left well enough alone except for the recent attention on the federal long arm “statute.” A member of the federal Advisory Committee on Civil Rules,¹⁹ Professor Benjamin Spencer, has argued that the federal rule addressing personal jurisdiction should be repealed.²⁰ Spencer suggests that the current rule is “artificial and unwarranted” as a matter of policy.²¹ Spencer goes further to suggest that the rule might exceed the court’s authority under the Rules Enabling Act.²² In other words, if there is to be a federal long arm statute, then Spencer says that it should be a statute, not a rule.

II

In light of this debate, I returned to the states to answer a seemingly simple question: Are state “long arm statutes” statutes? I will admit that I assumed the answer to this question would be “always” or “nearly always.” This section shows that I was wrong.

Before delving into these results, though, I should note that the state experience cannot answer the formal question regarding the interpretation of the federal Rules Enabling Act. State long arms are contingent on each

¹⁸ See Fed. R. Civ. P. 4(k); 28 U.S.C. §§ 2072 *et seq.*

¹⁹ For more on the committee, see www.uscourts.gov/rules-policies/about-rulemaking-process/committee-membership-selection.

²⁰ See A. Benjamin Spencer, *The Territorial Reach of Federal Courts*, 71 FLA. L. REV. 979 (2019); A. Benjamin Spencer, *Substance, Procedure, and the Rules Enabling Act*, 66 UCLA L. REV. 654 (2019); A. Benjamin Spencer, *Nationwide Jurisdiction for our Federal Courts*, 87 DENV. U.L. REV. 325 (2010). Of course, Spencer is not alone in this critique. See, e.g., Leslie M. Kelleher, *Amenability to Jurisdiction as a Substantive Right: The Invalidity of Rule 4(k) Under the Rules Enabling Act*, 75 IND. L.J. 1191 (2000).

²¹ See Spencer, *Territorial Reach*, *supra* note 20 at 981.

²² See Spencer, *Substance, Procedure*, *supra* note 20 at 711-17; see also 28 U.S.C. §§ 2072 *et seq.* (Rules Enabling Act).

state's separation of powers,²³ which often vary from the federal model. Yet despite these differences, the state experience might provide some guidance on the exercise of rulemaking discretion within the formal limits.

With that in mind, the results: Twelve states have judge-made long arm rules alone or a mix of statutory and rule sources: Alabama, Arizona, Indiana, Iowa (mixed), Missouri (mixed), Montana, New Jersey, North Dakota, Ohio (mixed), Oregon, Texas (mixed), and Wisconsin.²⁴ Thirty-eight states rely solely on statutory long arm statutes.²⁵ Note, though, that nine of these states typically rely on their legislatures to make rules of procedure, so judge-made jurisdictional rules were less realistic options in these states.²⁶ To put it another way, roughly 30% of states with judge-made rules of civil procedure include a long arm provision in their rules today. Also note that long arm rules, like long arm statutes, vary from enumerated lists to provisions that extend to the edge of the Due Process Clause.²⁷ The results are summarized in Table 1 below and elaborated in

²³ I am using “separation of powers” to cover two concepts. First, it includes the background division of authority within the state, such as whether the court has the inherent authority to make rules. *See, e.g.*, *Winberry v. Salisbury*, 5 N.J. 240, 244-45 (1950). Second, it includes any further division articulated in the state's equivalent to the Rules Enabling Act, if one exists. *See generally* Zachary D. Clopton, *Making State Civil Procedure*, 104 CORNELL L. REV. 1 (2018) (citing sources). For a discussion of separation of powers and the federal Rules Enabling Act, see Stephen B. Burbank, *The Rules Enabling Act of 1934*, 130 U. PA. L. REV. 1015 (1982).

²⁴ Ala. R. Civ. P. 4.2; Ariz. R. Civ. P. 4.2; Ind. R. Tr. Pro. 4.4; Mo. R. Civ. P. 54.06; Mont. R. Civ. P. 4B; N.J. Ct. R. 4:4-4; N.D. R. Civ. P. 4(b); Ohio R. Civ. P. 4.3; Or. R. Civ. P. 4; Tex. R. Civ. P. 108; Wis. Stat § 801.05. The Wisconsin rule is labeled a statute but adopted by court order. *See* Sup. Ct. Order, 67 Wis. 2d 585 (1975).

²⁵ *See* Appendix Table A (collecting citations).

²⁶ *See* Charles Alan Wright, *Procedural Reform in the States*, 24 F.R.D. 85 (1959); John B. Oakley & Arthur F. Coon, *The Federal Rules in State Courts: A Survey of State Court Systems of Civil Procedure*, 61 WASH. L. REV. 1367 (1986); Clopton, *supra* note 23. These states are frequently referred to as “code states.” *See id.*

²⁷ *Cf.* Mont. R. Civ. P. 4b (listing bases) with N.J. Ct. R. 4:4-4 (extending to constitutional boundary). *See also* Appendix Table A (categorizing state long arms); ROBERT C. CASAD, WILLIAM M. RICHMAN & STANLEY E. COX, 1 JURISDICTION IN CIVIL ACTIONS § 4.02 (4th ed. 2014); Keith H. Beyler, *The Illinois Long Arm Statute: Background, Meaning, and Needed Repairs*, 12 S. ILL. U. L.J. 293, 296 n.2 (1988); David S. Welkowitz, *Going to the Limits of Due Process: Myth, Mystery and Meaning*, 28 DUQ. L. REV. 233, 237 (1990).

The sources of court rulemaking authority in the states with long arm rules are also

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Appendix A.

Of course, the content of today’s laws may not be the only source of relevant information. Spencer observed that the original 1938 version of the Federal Rules did not include a long arm rule,²⁸ and I would add that the Federal Equity Rules in place in 1938 also did not have a long arm provision.²⁹

To determine whether the states followed this path, I looked into the history of every state long arm: When the state first adopted judge-made rules (if ever), did those rules include a long arm provision? Reviewing these rules was not so easy, and it required law librarians around the country to provide scans of original materials or hard copies through interlibrary loan. In any event, with their help I found that the original rules in six states included a long arm rule: Alabama, Indiana, Montana, Ohio (mixed), Oregon, and Wisconsin.³⁰ All of these states still have them today. The other six states with long arms rules today added those provisions after promulgating their original rules.³¹ No state had a long arm in

mixed. Alabama, Arizona, Missouri, Montana, and Texas rely on both constitutional and statutory provisions; Iowa, Oregon, and Wisconsin rely on statutory provisions only; New Jersey, North Dakota, and Ohio rely on constitutional provisions only; and Indiana relies on a statutory provision and an inherent authority not tied to a specific constitutional grant. See Clopton, *supra* note 23 (collecting sources). My own view is that the sources of authority as well as the terms of those sources provide little guidance in an area such as personal jurisdiction that is not so obviously judicial versus legislative or substantive versus procedural.

²⁸ See Spencer, *Substance, Procedure*, *supra* note 20 at 711-17; see also Fed. R. Civ. P. 4(f) (1938).

²⁹ Amended Rules of Practice for the Courts of Equity of the United States, Promulgated by the Supreme Court of the United States, November 4, 1912 (as amended).

³⁰ Ala. R. Civ. Pro. 4(b)(8) (1973); Ind. R. Tr. Pro. 4.4 (1970); Mon. R. Civ. P. 4B (1960); Ohio R. Civ. P. 4.3 (1970) & Ohio Stat. § 2307.382 (1965); Or. R. Civ. P. 4 (1980); Wis. Stat § 801.05 (1975).

³¹ These states are Arizona (1963), Iowa (mixed) (1975), Missouri (mixed) (1973), New Jersey (1962), North Dakota (1971), and Texas (mixed) (1975). See *Heat Pump Equipment Co. v. Glen Alden Corp.*, 380 P.2d 1016 (Ariz. 1963) (en banc); Iowa Acts 1975 (66 G.A.) ch. 260 at 587-88 (report of Iowa Supreme Court); Mo. R. Civ. P. 54.06, Committee Note; *Hoagland v. Springer*, 74 N.J. Super. 275 (N.J. Super. Ct. Law Div. 1962); N.D. R. Civ. P. 4, Explanatory Note; *Fox v. Fox*, 559 S.W.2d 407 (Tex. Civ. App. 1977). For what it’s worth, it appears that two of these states (North Dakota and Missouri) adopted their original rules after long arms appeared on the scene. The other four states’ original rules predated the rise of long arms.

its original rules but does not have one today. These results are also included in Table 1 below.

TABLE 1: LONG ARM SOURCES

Statute Only			Rule Only
Alaska	<i>Louisiana</i>	<i>Oklahoma</i>	Alabama
Arkansas	Maine	Pennsylvania	Arizona*
<i>California</i>	Maryland	Rhode Island	Indiana
Colorado	Massachusetts	South Carolina	Montana
<i>Connecticut</i>	Michigan	South Dakota	New Jersey*
Delaware	Minnesota	Tennessee	North Dakota*
Florida	Mississippi	Utah	Oregon
<i>Georgia</i>	Nebraska	Vermont	Wisconsin
Hawaii	Nevada	Virginia	Mixed
Idaho	New Hampshire	Washington	Iowa*
<i>Illinois</i>	New Mexico	West Virginia	Missouri*
<i>Kansas</i>	<i>New York</i>	Wyoming	Ohio
Kentucky	<i>North Carolina</i>		Texas*

This table reflects the current source of the long arms. States with asterisks added a long arm rule sometime after original adoption. Italicized states are “code states” where we would not expect a judge-made jurisdictional rule.

III

So long arm statutes aren’t always statutes. OK, pedant.³² But characterizing long arm statutes as long arm provisions has consequences that are more than pedantic.

Turning first to the federal courts, the state long arm experience may have something to say in the ongoing debate about the Federal Rules. As mentioned above, there are good reasons that state law should not guide the formal interpretation of the Rules Enabling Act. But when exercising rulemaking discretion, the U.S. Supreme Court and its rules committees

³² Cf. *Babb v. Wilkie*, No. 18-882, Tr. at 20 (in which Chief Justice Roberts discusses “okay, boomer”).

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might (and often will) consider the states’ experiences.³³ Professor Spencer and his allies might point out that the vast majority of states have left the jurisdiction-defining responsibility to the legislature. But the fact that twelve states have judge-made long arm “statutes” suggests there is nothing inherently legislative about long arms.³⁴ Judge-made long arms are not wholly foreign to American law – the courts of these states have operated with judge-made long arms, and the sky has not fallen. Instead, the fact that states deal with jurisdiction through different institutional designs suggests that the question who writes the long arm is one that should be answered with reference to other considerations.³⁵

The proper characterization of state long arms also has legal and institutional consequences in the states. In many states, the procedures to change rules or statutes, and the relationships between rules and statutes, differ. States, for example, take different positions on whether rules trump statutes or vice versa.³⁶ States also assign different institutions the power to make changes. The Arkansas Constitution, for example, gives the Supreme Court exclusive authority to make rules of procedure, though the Arkansas legislature recently proposed a constitutional amendment that would permit statutes to supersede rules of procedure by a three-fifths vote.³⁷ Whether a state’s long arm is a statute or rule, therefore, may determine the process by which it can be changed.

This choice also has implications for institutional analysis. Fair or not, legislative versus judicial enactments may prompt different intuitions with respect to legitimacy, accountability, or competence. One might think differently about a legislature closing courthouse doors (with a restrictive long arm) than about state judges doing the same. Justice Sotomayor im-

³³ See, e.g., *In re Mandatory Initial Discovery Pilot Project in the District of Arizona*, General Order 17-08 (D. Ariz. Nov. 1, 2018) (adopting for the federal court in Arizona a pilot project on initial disclosures modeled on Arizona state procedure).

³⁴ See also Helen Hershkoff, *State Courts and the “Passive Virtues”: Rethinking the Judicial Function*, 114 HARV. L. REV. 1833 (2001).

³⁵ The considered judgment of most state legislatures might be one of these considerations, but its relevance does not derive from some essential characteristic of the long arm.

³⁶ This question of “supersession” was important to federal procedure too. See, e.g., Burbank, *supra* note 23; Linda S. Mullenix, *Judicial Power and the Rules Enabling Act*, 46 MERCER L. REV. 733 (1995).

³⁷ See ARK. CONST. amend. 80, § 3; S.J.R. 8, 91st Gen. Assemb., Reg. Sess. (Ark. 2017).

plied such a preference when she suggested that personal jurisdiction is best left to “legislators” and the “democratic process.”³⁸ Policy judgments might turn, therefore, on whether we are talking about a long arm statute versus a long arm rule.

Finally, the experience of state long arms – and of state procedure overall – delivers a broader lesson about law. When I teach Civil Procedure, I use examples from state procedure (as well as foreign procedure) to help students realize that the current approach in federal court is not the only answer. Just because the Federal Rules of Civil Procedure or five justices of the Supreme Court say X does not mean that X is how things ought to be. This is true in the context of long arms, just as it is true for pleading standards or class actions or methods of judicial selection.³⁹ Lawyers, in particular, seem to be susceptible to the is-ought fallacy. Observing differences in law can at least complicate what “is” is.

In sum, the story of state long arms reminds us that it is a mistake to ignore the states or to treat them as an undifferentiated mass – especially when doing so perpetuates misleading information with consequences for law and policy.

³⁸ *Daimler AG*, 571 U.S. at 156 (Sotomayor, J., concurring in the judgment).

³⁹ For some examples, see Zachary D. Clopton, *Procedural Retrenchment and the States*, 106 CALIF. L. REV. 411 (2018) (collecting examples of states reaching different choices from federal courts on issues of pleading, class actions, summary judgment, arbitration, standing, personal jurisdiction, and international law).

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APPENDIX A

CITATIONS TO CURRENT LONG ARMS

“Type” column: “Statute” means statute; “Rule” means judge-made rule; and “Mixed” means a combination of the two.

“Style” column: “DPC” means provisions that expressly extend to the limits of the Due Process Clause; “List” means provisions that list bases for personal jurisdiction; and “Hybrid” means provisions that employ both approaches.

“Bases listed” column: If a state’s long arm lists bases of jurisdiction, then “Traditional bases” refers to in-state activities such as presence, domicile, etc.; “State-directed acts” refers to activities giving rise to specific jurisdiction; “Doing business” refers to outmoded grants of general jurisdiction based on substantial in-state activity.

“Rule authority” column: “Constitution” means state constitutional provisions expressly authorize court rulemaking; “Statute” means state statutes expressly authorize court rulemaking; and “Code state” means that the legislature has primary authority for rulemaking. *See* Zachary D. Clopton, *Making State Civil Procedure*, 104 CORNELL L. REV. 1 (2018).

State	Citation	Type	Style	Bases listed (if any)	Rule authority
Alabama	Ala. R. Civ. P. 4.2	Rule	DPC	*	Constitution and statute
Alaska	Alaska Stat. § 09.05.015	Statute	List	Traditional bases and state-directed acts	Constitution
Arizona	Ariz. R. Civ. P. 4.2	Rule	DPC	*	Constitution and statute
Arkansas	Ark. Stat. § 16-4-101(B)	Statute	DPC	*	Constitution
California	Cal. Civ. Proc. Code § 410.10	Statute	DPC	*	Code state
Colorado	Colo. St. § 13-1-124	Statute	List	State-directed acts only	Constitution and statute
Connecticut	Conn. Stat. §§ 33-929 & 52-59b	Statute	List	State-directed acts only	Code state
Delaware	Del Stat. Title 10 § 3104	Statute	List	State-directed acts only	Statute
Florida	Fla. Stat. § 48.193	Statute	List	State-directed acts and doing business	Constitution

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State	Citation	Type	Style	Bases listed (if any)	Rule authority
Georgia	Ga. Stat. § 9-10-91	Statute	List	State-directed acts only	Code state
Hawaii	Haw. Stat. § 634-35	Statute	List	State-directed acts only	Constitution
Idaho	Idaho Stat. § 5-514	Statute	List	State-directed acts only	Statute
Illinois	735 ILCS 5/2-209	Statute	Hybrid	Traditional bases and state-directed acts	Code state
Indiana	Ind. R. Tr. Pro. 4.4	Rule	Hybrid	State-directed acts and doing business	Statute (and inherent constitutional authority without express provision)
Iowa	Iowa Stat. § 617.3 & Iowa R. Civ. P. 1.306	Mixed	Rule DPC, Statute List	State-directed acts only [statute]	Statute
Kansas	Kan. Stat. § 60-308	Statute	Hybrid	State-directed acts and doing business	Code state
Kentucky	Ky. Stat. § 454.210	Statute	List	State-directed acts only	Constitution
Louisiana	La. Rev. Stat. § 13:3201	Statute	Hybrid	State-directed acts only	Code state
Maine	Me. Stat. Title 14 § 704-A	Statute	Hybrid	State-directed acts only	Statute
Maryland	Md. Cts & Jud. Pro. §§ 6-101 et seq.	Statute	List	Main “long arm” includes state-directed acts only, but separate provision covers traditional bases	Constitution and statute
Massachusetts	Mass. Stat. 223A §§ 1 et seq.	Statute	List	Main “long arm” includes state-directed acts only, but separate provision covers traditional bases	Statute
Michigan	Mich. Comp. Laws Ann. 600.701 et seq.	Statute	List	Traditional bases and state-directed acts (in separate sections)	Constitution
Minnesota	Minn. Stat. § 543.19	Statute	List	State-directed acts only	Statute

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State	Citation	Type	Style	Bases listed (if any)	Rule authority
Mississippi	Miss. Stat. § 13-3-57	Statute	List	State-directed acts and doing business	Statute
Missouri	Mo. Stat. 506.500 & Mo. R. Civ. P. 54.06	Mixed	List	State-directed acts only	Constitution and statute
Montana	Mont. R. Civ. P. 4B	Rule	List	Traditional bases and state-directed acts	Constitution and statute
Nebraska	Neb. Stat. § 25-536	Statute	Hybrid	State-directed acts only	Constitution and statute
Nevada	Nev. Stat. § 14.065	Statute	DPC	*	Statute
New Hampshire	N.H. Stat. § 510:4	Statute	List	State-directed acts only	Constitution and statute
New Jersey	N.J. Ct. R. 4:4-4	Rule	DPC	*	Constitution
New Mexico	N.M. Stat. § 38-1-16	Statute	List	State-directed acts only	Statute
New York	N.Y. C.P.L.R. §§ 301 & 302	Statute	List	Main “long arm” includes state-directed acts only, but separate provision covers traditional bases	Code state
North Carolina	N.C. Gen. Stat. §§ 1-75.1 et seq.	Statute	List	Traditional bases (including doing business) and state-directed acts	Code state
North Dakota	N.D. R. Civ. P. 4(b)	Rule	List	Traditional bases and state-directed acts	Constitution
Ohio	Ohio Stat. § 2307.382 & Ohio R. Civ. P. 4.3	Mixed	List	State-directed acts only	Constitution
Oklahoma	Okla. Stat. Title 12 § 2004	Statute	DPC	*	Code state
Oregon	Or. R. Civ. P. 4	Rule	Hybrid	Traditional bases (including doing business) and state-directed acts	Statute (Council)
Pennsylvania	42 Pa. Stat. § 5322	Statute	Hybrid	State-directed acts only	Constitution and statute
Rhode Island	R.I. Stat. § 9-5-33	Statute	DPC	*	Statute

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State	Citation	Type	Style	Bases listed (if any)	Rule authority
South Carolina	S.C. Stat. §§ 36-2-802 et seq.	Statute	List	Main “long arm” includes state-directed acts only, but separate provision covers traditional bases	Constitution and statute
South Dakota	S.D. Stat. § 15-7-2	Statute	Hybrid	State-directed acts only	Constitution and statute
Tennessee	Tenn. Code §§ 20-2-201 et seq.	Statute	Hybrid	State-directed acts only	Statute
Texas	Tex. Civ. Prac. & Rem. § 17.042 & Tex. R. Civ. P. 108	Mixed	Rule DPC, Statute List	State-directed acts only	Constitution and statute
Utah	Utah Code Ann. §§ 78B-3-201 et seq.	Statute	List	State-directed acts only	Constitution and statute
Vermont	Vt. Stat. Title 12 §§ 855 & 913	Statute	DPC	*	Constitution and statute
Virginia	Va. Stat. § 8.01-328.1	Statute	List	State-directed acts only	Constitution and statute
Washington	Wash. Stat. § 4.28.185	Statute	List	State-directed acts only	Statute
West Virginia	W.V. Stat. § 56-3-33	Statute	List	State-directed acts only	Constitution
Wisconsin	Wis. Stat § 801.05, see Sup. Ct. Order, 67 Wis. 2d 585 (1975)	Rule	List	Traditional bases (including doing business) and state-directed acts	Statute
Wyoming	Wyo. Stat. § 5-1-107	Statute	DPC	*	Statute

