

Supreme Court of Virginia v. Consumers Union

446 U.S. 719 (1980)

Supreme Court of the United States

Issue: Absolute (legislative) immunity for judges' rule-making

Holding on Judicial Immunity

A state supreme court and its chief justice were absolutely immune — under legislative immunity — for promulgating attorney disciplinary rules, and would have judicial immunity for adjudicative acts. (They remained subject to suit only in their independent enforcement capacity.) The Court reversed an attorney's-fee award premised on acts for which the justices were immune.

Key Quotations (verbatim)

“[T]he Virginia Court and its members are immune from suit when acting in their legislative capacity.”

— Supreme Court of Virginia v. Consumers Union, 446 U.S. 719, 734 (1980).

Full opinion (authoritative source): <https://www.courtlistener.com/opinion/110273/supreme-court-of-virginia-v-consumers-union-of-the-united-states-inc/>

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