

Congress provides funds to states that can be used to reimburse medical providers for procedures they perform for low-income individuals. A state that participates in this federal program enacted a statute that prohibits reimbursing providers for the cost of performing vasectomies for men.

A doctor who routinely performs vasectomies for low-income men has submitted numerous requests for reimbursement pursuant to the program. However, the commissioner of the state agency administering the program has repeatedly denied the doctor's requests pursuant to the state statute.

The doctor sued the commissioner in a federal district court, seeking an injunction against the enforcement of the statute on the ground that it violates men's right to privacy.

Assuming that this federal district court has previously held that men have a privacy right to obtain vasectomies, how should the district court proceed with the doctor's suit?

- A. Determine the merits of the suit, because federal courts have exclusive jurisdiction over federal-law claims.
- B. Determine the merits of the suit, because the doctor has standing.
- C. Refuse to adjudicate the merits of the suit and dismiss it, because the Eleventh Amendment bars this type of action in federal court.
- D. Refuse to adjudicate the merits of the suit and stay the suit until a man seeking a vasectomy joins the suit.

## Explanation:

### Article III standing

(suing on another's behalf)

<b>Organization members</b>	Organization has standing if: <ul style="list-style-type: none"><li>• members have standing to sue on their own behalf</li><li>• their injuries relate to organization's purpose AND</li><li>• lawsuit does not require member participation (if damages sought)</li></ul>
<b>Third party</b>	Injured plaintiff has standing when: <ul style="list-style-type: none"><li>• parties share inextricably close relationship (eg, doctor/patient) AND</li><li>• obstacle prevents third party from suing (eg, privacy/retaliation concern)</li></ul>
<b>Child</b>	Parent has standing unless parental rights have been limited by court OR lawsuit may adversely affect child
<b>Assignor</b>	Assignee has standing if assigned legal claim for ordinary & good faith business purpose

In federal litigation, parties are generally limited to asserting their own rights and not the rights of a third party. That is because the third party will likely be the most effective advocate of his/her own interests. However, the **third-party standing doctrine** permits an injured **plaintiff to assert the rights of a third party** when:

- the plaintiff and the third party share an **inextricably close relationship** *and*
- **genuine obstacles** prevent the third party from asserting his/her rights.

Here, enforcement of the statute harmed the doctor since he was denied reimbursement for performing vasectomies for men. Doctors share an inextricably close relationship with their patients. Additionally, the men's low-income status, fear of retaliation, and privacy concerns pose genuine obstacles that may prevent the men from challenging vasectomy restrictions. Therefore, the doctor has standing to assert that the statute violates men's right to privacy, and the court should hear the merits of the doctor's suit.

**(Choice A)** Federal and state courts have concurrent jurisdiction over federal-law claims unless the Constitution or Congress expressly provides federal courts with **exclusive jurisdiction** (not seen here).

**(Choice C)** The [Eleventh Amendment](#) generally bars federal courts from adjudicating suits against a state *government* for monetary relief—not suits against a state *official* for injunctive relief (as seen here).

**(Choice D)** A federal court can stay (ie, suspend) a suit to force a party to comply with a court order or protect a party's rights. But here, the federal court need not stay the action until a man seeking a vasectomy joins the suit because the doctor has third-party standing.

**Educational objective:**

Under the third-party standing doctrine, an injured plaintiff may assert a third party's rights when (1) the parties share an inextricably close relationship and (2) genuine obstacles prevent the third party from asserting his/her rights.

**References**

- Singleton v. Wulff, 428 U.S. 106, 118 (1976) (concluding that "it generally is appropriate to allow a physician to assert the rights of women patients as against governmental interference").
- U.S. Const. art. III, § 2 (case-or-controversy requirement).
- 16 Am. Jur. 2d Constitutional Law § 145 (2020) (explaining third-party standing requirements).