

NEWS RELEASES

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Service

Appellate

Professional

JOSEPH S. DIEDRICH

MILWAUKEE:

414.978.5425

WASHINGTON:

202.378.2300

MADISON:

608.255.4440

JOSEPH.DIEDRICH@

HUSCHBLACKWELL.COM

Joseph Diedrich Honored with Seventh Circuit Advocacy Award

Husch Blackwell partner Joseph Diedrich was recognized as the Wisconsin recipient of the 7th Circuit Bar Association's Advocacy Award, which honors attorneys with offices in Illinois, Indiana, or Wisconsin who have significantly contributed to developing law within the Seventh Circuit through their work.

Diedrich was recognized for his advocacy in *Gilbank v. Wood County Department of Human Services* in which he and the Husch Blackwell team successfully convinced a majority of the en banc Seventh Circuit to adopt a new standard for evaluating federal subject-matter jurisdiction under the *Rooker-Feldman* doctrine.

Specifically, Diedrich represented Michelle Gilbank after one of her children was taken by the Wood County Department of Human Services. After the child was returned to her, Gilbank filed suit in the Western District of Wisconsin against the agencies and individuals involved in the taking, arguing they violated her federal constitutional rights to due process and against unlawful search and seizure. The district court held that it lacked subject-matter jurisdiction under the *Rooker-Feldman* doctrine, which limits federal courts from reviewing certain state court decisions. Gilbank appealed to the United States Court of Appeals for the Seventh Circuit.

Recognizing the case's significance, the Seventh Circuit appointed Diedrich to represent Gilbank pro bono. After oral argument to a panel, the Seventh Circuit decided *sua sponte* to rehear the case en banc. Although the 11-judge court ultimately split 6-5 against Gilbank and affirmed the lower court's dismissal, it agreed with Husch Blackwell's position that the *Rooker-Feldman* doctrine did not apply and that the district court did have subject-matter jurisdiction. In doing so, the Court adopted a new standard for applying the doctrine—the standard Husch Blackwell advocated for.

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In addition to Diedrich, the Husch Blackwell team included attorneys AJ Fabianczyk and Alyssa LeRoy.

Diedrich was recognized on May 4 in Chicago at the 7th Circuit Bar Association Conference.