

Federal Court Abstention Tip Sheet

What is abstention?

- In certain circumstances, the federal district court will **abstain** from getting involved in your legal case out of deference to the state court.

When might the federal district court abstain from hearing my case?

- When your case is about *abuse by the state criminal court* and you have an active *state court criminal case*. This is called **Younger Abstention**.
- When you have parallel state and federal court litigation pending at the same time. This is called **Colorado River Abstention**.
- When your case challenges the *constitutionality of prior state administrative proceedings*, and you had an *opportunity* to raise these issues in those proceedings.
- When you lost your case in state court and want to “appeal” an unconstitutional state court decision. This is called **Rooker-Feldman Abstention**.

This Tip Sheet is designed to provide information to pro se civil litigants in Colorado and is updated as of 6/18/18. It is not a substitute for legal advice from an experienced attorney. If you have any questions, please call the Federal Pro Se Clinic at (303) 380-8786.