NOTE: Where it is feasible, a syllabus (headnote) will be released, as is being done in connection with this case, at the time the opinion is issued. The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See *United States* v. *Detroit Lumber Co.,* 200 U. S. 321, 337.

SUPREME COURT OF THE UNITED STATES

Syllabus

AMERICAN DREDGING CO. *v.* MILLER

CERTIORARI TO THE SUPREME COURT OF LOUISIANA

No. 91–1950. Argued November 9, 1993—Decided February 23, 1994

After respondent was injured while working as a seaman on a tug operating on the Delaware River and owned by petitioner, a Pennsylvania corporation with its principal place of business in New Jersey, he filed this action in a Louisiana state court pursuant to the ``saving to suitors clause,'' 28 U. S. C. §1333(1), seeking damages under the Jones Act, 46 U. S. C. App. §688, and relief under general maritime law. The trial court granted petitioner's motion to dismiss under the doctrine of *forum non conveniens,* holding that it was bound to apply that doctrine by federal maritime law. The Court of Appeal affirmed, but the Supreme Court of Louisiana reversed, holding that a state statute rendering the doctrine of *forum non conveniens* unavailable in Jones Act and maritime law cases brought in state court is not pre-empted by federal maritime law.

Held: In admiralty cases filed in a state court under the Jones Act and the ``saving to suitors clause,'' federal law does not pre-empt state law regarding the doctrine of *forum non conveniens.* Pp. 2–13.

(a) In exercising *in personam* jurisdiction over maritime actions under the ``saving to suitors clause,'' a state court may adopt such remedies, and attach to them such incidents, as it sees fit, so long as those remedies do not ``wor[k] material prejudice to the characteristic features of the general maritime law or interfer[e] with the proper harmony and uniformity of that law in its international and interstate relations.'' *Southern Pacific Co.* v. *Jensen,* 244 U. S. 205, 216. Pp. 2–3.

(b) Because *forum non conveniens* did not originate in admiralty or have exclusive application there, but has long been a doctrine of general application, Louisiana's refusal to apply it does not work ``material prejudice to [a] characteristic

featur[e] of the general maritime law'' within *Jensen*'s meaning. Pp. 4–7.

Syllabus

(c) Nor is *forum non conveniens* a doctrine whose uniform application is necessary to maintain ``the proper harmony'' of maritime law under *Jensen,* 244 U. S., at 216. The uniformity requirement is not absolute; the general maritime law may be changed to some extent by state legislation. See *ibid. Forum non conveniens* is in two respects quite dissimilar from any other matter that this Court's opinions have held to be pre-empted by federal admiralty law: First, it is a sort of venue rule —procedural in nature—rather than a substantive rule upon which maritime actors rely in making decisions about how to manage their business. Second, it is most unlikely ever to produce uniform results, since the doctrine vests great discretion in the trial court, see, *e.g., Piper Aircraft Co.* v. *Reyno,* 454 U. S. 235, 257, and acknowledges multifarious factors as being relevant to its application, see *Gulf Oil Corp.* v. *Gilbert,* 330 U. S. 501, 508–509. Pp. 7–11.

(d) The foregoing conclusion is strongly confirmed by examination of federal legislation. The Jones Act permits state courts to apply their local *forum non conveniens* rules. See 46 U. S. C. App. §688(a); *Missouri ex rel. Southern R. Co.* v. *Mayfield*, 340 U. S. 1, 5. This supports the view that maritime commerce in general does not require a uniform rule on the subject. The implication of the Court's holding in *Bainbridge* v. *Merchants & Miners Transportation Co.,* 287 U. S. 278, 280–281 —that although §688(a) contains a venue provision, Jones Act venue in state court should be determined in accordance with state law—is that federal venue rules in maritime actions are a matter of judicial housekeeping, prescribed only for the federal courts. Pp. 11–13.

595 So. 2d 615, affirmed.

SCALIA, J., delivered the opinion of the Court, in which REHNQUIST, C. J., and BLACKMUN, O'CONNOR, SOUTER, and GINSBURG, JJ., joined, and in Part II–C of which STEVENS, J., joined. SOUTER, J., filed a concurring opinion. STEVENS, J., filed an opinion concurring in part and concurring in the judgment. KENNEDY, J., filed a dissenting opinion, in which THOMAS, J., joined.