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SUPREME COURT, U.S.

No. 26-369

In the Supreme Court of the United States

JOHN TORSTEN LOOP,

Petitioner,

v.

WASHINGTON, ET AL.,

Respondents.

**ON PETITION FOR WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

PETITION FOR WRIT OF CERTIORARI

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QUESTIONS PRESENTED

1. Whether the *Rooker-Feldman* doctrine bars an independent action under 42 U. S. C. §1983 alleging constitutional injuries caused by constitutionally deficient procedures preceding and producing a state-court judgment, rather than by the judgment itself.

2. Whether the Fourteenth Amendment permits a State to delegate adjudication substantially affecting a fit parent's fundamental liberty interest to a private arbitrator without the procedural safeguards constitutionally required before the State may interfere with the parent-child relationship.

PARTIES TO THE PROCEEDINGS

Petitioner, and plaintiff-appellant below is John Torsten Loop.

Respondents, and defendants-appellees below are the State of Washington, JAMS Mediation, Arbitration, and ADR Services, Helen L. Halpert, and Bob Ferguson.

RELATED PROCEEDINGS

Superior Court of Washington, King County:

In re Marriage of John Torsten Loop and Lisa Michelle Loop, No. 21-3-00225-1 (Feb. 23, 2024) (arbitration award confirmed in part; final parenting plan, findings and conclusions on domestic violence and parenting issues, and restraining order entered)

In re Marriage of John Torsten Loop and Lisa Michelle Loop, No. 21-3-00225-1 (Apr. 15, 2025) (final orders entered confirming the arbitration decision)

In re Marriage of John Torsten Loop and Lisa Michelle Loop, No. 21-3-00225-1 (May 13, 2025) (reconsideration denied)

Court of Appeals of Washington, Division One:

In re Marriage of John Torsten Loop and Lisa Michelle Loop, No. 86382-7-I (Jan. 21, 2025) (restraining order affirmed)

In re Marriage of John Torsten Loop and Lisa Michelle Loop, No. 86382-7-I (Jul. 8, 2025) (reconsideration granted and opinion amended)

In re Marriage of John Torsten Loop and Lisa Michelle Loop, No. 88157-4-I (Apr. 20, 2026)
(final orders in dissolution proceeding affirmed;
attorney fees and costs awarded)

Supreme Court of Washington:

In re Marriage of John Torsten Loop and Lisa Michelle Loop, No. 103830-5 (Sept. 3, 2025)
(petition for review denied; respondent's request for attorney fees granted)

United States District Court (W. D. Wash.):

John Torsten Loop v. State of Washington, et al.,
No. 2:24-cv-00669-KKE (Aug. 8, 2024) (motions to dismiss granted; complaint dismissed with prejudice)

United States Court of Appeals (CA9):

John Torsten Loop v. State of Washington, et al.,
No. 24-5020 (Mar. 20, 2026) (judgment affirming the district court; judgment sought to be reviewed)

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The order denying panel rehearing and rehearing en banc of the United States Court of Appeals for the Ninth Circuit, No. 24-5020 (June 30, 2026), is unreported and reproduced at App. 4.

The order of the United States District Court for the Western District of Washington granting defendants' motions to dismiss, No. 2:24-cv-00669-KKE (Aug. 8, 2024), is unreported and reproduced at App. 6.

The underlying state-court restraining order is reproduced at App. 13.

JURISDICTION

The Ninth Circuit's judgment was entered on March 20, 2026. The Ninth Circuit denied rehearing on June 30, 2026. This Court has jurisdiction under 28 U.S.C. §1254(1).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

U.S. Const., Amdt. 14, §1, provides:

"All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny

to any person within its jurisdiction the equal protection of the laws." U. S. Const., Amdt. 14, §1.

42 U. S. C. §1983 provides:

"Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable. For the purposes of this section, any Act of Congress applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia." 42 U. S. C. §1983.

STATEMENT

These proceedings resulted in orders that effectively ended petitioner's ability to maintain a parental relationship with his child. The restriction was imposed without a petition, without notice, and without any meaningful evidentiary hearing addressing parental fitness, through a restraining order enforceable by criminal sanctions.

The Superior Court ordered the parties to arbitrate the dissolution proceedings. Petitioner did not receive notice that the arbitration would adjudicate restrictions effectively terminating his relationship with his child, nor was such relief sought in any pleading. His agreement therefore reflected compliance with a court-directed process, not an informed waiver of the constitutional protections required before the State could substantially interfere with his fundamental liberty interest in the care, custody, and control of his child. At no point was petitioner notified that the elimination or severe restriction of his relationship with his child, or the imposition of restrictions functionally equivalent to the loss of his parental relationship, would be at issue, nor was such relief requested in any pleading, motion, or submission to the arbitrator. To the contrary, the Superior Court had ordered a parenting evaluation, which recommended the entry of a parenting plan with parenting time rather than the termination of the parent-child relationship. Petitioner never consented to the adjudication of restrictions of this magnitude through private arbitration. The resulting multi-year restraining order, which ended his ability to maintain a relationship with his child, was neither reasonably anticipated nor within the scope of the issues submitted for arbitration.

Nothing in petitioner's agreement to arbitrate the dissolution proceedings constituted consent to waive the procedural protections the Fourteenth Amendment requires before the State may severely restrict a fit parent's fundamental liberty interest. Nor did it authorize the State to accomplish through private arbitration what the Constitution would otherwise

require a court to do only after providing the procedural safeguards recognized in *Troxel*, *Santosky*, and this Court's other parental-rights precedents.

This case arises from the alleged deprivation of petitioner's fundamental liberty interest in the care, custody, and control of his child through proceedings in which adjudicatory authority was exercised by both state actors and a private arbitrator alleged to have acted under color of state law. In modern domestic-relations proceedings, courts increasingly rely on delegated decisionmaking structures, including private arbitration and court-appointed actors. While such mechanisms may promote efficiency, they do not always provide the procedural safeguards traditionally associated with judicial proceedings.

Petitioner alleges that these actions resulted in the functional termination of the parent-child relationship without constitutionally adequate process. Petitioner further alleges that the conduct giving rise to this deprivation constituted independent constitutional violations, including actions taken under color of state law and conduct exceeding lawful authority.

Petitioner pursued parallel but distinct proceedings. In state court, petitioner sought appellate review of the underlying order through the Washington state court system, culminating in the denial of discretionary review by the Supreme Court of Washington.

Separately, petitioner filed an independent action in federal court under 42 U. S. C. §1983 alleging that adverse parties, including JAMS, Retired Judge Helen L. Halpert, and others, acted under color of state law to deprive him of rights secured by the United States Constitution. Specifically, the complaint alleged that the defendants, acting under color

of state law, deprived petitioner of his fundamental liberty interest in the care, custody, and control of his child through constitutionally deficient procedures that culminated in the imposition of extraordinary restrictions on the parent-child relationship. The complaint sought redress for those independent constitutional injuries, not review of the merits of the underlying domestic-relations judgment. Having pursued review through the Washington appellate courts, petitioner did not seek to continue litigating the underlying dispute between former spouses in federal court. Instead, he deliberately brought an independent action challenging the constitutionality of the governmental process through which the State substantially interfered with his fundamental liberty interest in the care, custody, and control of his child. The gravamen of the action was that the State, acting directly and through a privately delegated adjudicator alleged to have acted under color of state law, deprived petitioner of that liberty interest without the constitutional floor of procedural protections required by the Fourteenth Amendment. Any request for interim injunctive relief was ancillary to those independent constitutional claims and did not transform the action into a *de facto* appeal of the state-court proceedings.

Both proceedings have now concluded. As applied, the decision below leaves petitioner without any federal forum to adjudicate his constitutional claims.

The district court dismissed the complaint for lack of jurisdiction under the *Rooker-Feldman* doctrine, holding that the action constituted a "de facto appeal" of a state-court judgment and that petitioner's claims were "inextricably intertwined" with that judgment. The court of appeals affirmed, holding that

petitioner's claims constituted a "de facto appeal" or were "inextricably intertwined" with a state-court judgment.

This petition follows.

SUMMARY OF THE ARGUMENTS

This petition presents unresolved constitutional questions at the intersection of parental rights, state delegation of adjudicatory authority, and federal jurisdiction.

For more than a century, this Court has recognized that the parent-child relationship is among the oldest and most fundamental liberty interests protected by the Fourteenth Amendment. *Meyer v. Nebraska*, 262 U.S. 390 (1923); *Pierce v. Society of Sisters*, 268 U.S. 510 (1925); *Stanley v. Illinois*, 405 U.S. 645 (1972); *Santosky v. Kramer*, 455 U.S. 745 (1982); *Troxel v. Granville*, 530 U.S. 57 (2000). The Constitution protects not only parental decisionmaking but also the parent-child relationship itself. This Court has recognized that family relationships occupy a unique constitutional status because they are among the most intimate associations protected from unjustified governmental interference. *Roberts v. United States Jaycees*, 468 U.S. 609, 617–620 (1984). This Court has long recognized that the constitutional protection afforded the parent-child relationship rests on a fundamental presumption: that fit parents act in the best interests of their children. *Parham v. J. R.*, 442 U.S. 584, 602 (1979). As *Parham* explained, "our constitutional system long ago rejected any notion that a child is the mere creature of the State," and the law presumes that fit parents act in their children's best interests.

Yet the Court has never defined the minimum procedural safeguards required when a State delegates adjudication substantially affecting that liberty interest to a private decisionmaker and thereafter adopts and enforces the resulting decision through the judicial power of the State.

The constitutional question extends well beyond arbitration. States increasingly rely upon delegated decisionmaking—including private arbitrators, unelected court commissioners, parenting coordinators, guardians ad litem, and custody evaluators—to exercise substantial influence over parental rights. While these mechanisms may promote efficiency, administrative convenience cannot displace the procedural protections the Fourteenth Amendment requires before the State substantially interferes with one of the Nation's oldest recognized liberty interests.

The principle at stake is straightforward. A State may not accomplish indirectly, through private delegation, what the Constitution would prohibit it from accomplishing directly. This Court has repeatedly recognized that arbitration derives its authority from the parties' agreement. But the governmental deprivation of a parent's fundamental liberty interest does not derive from private contract; it derives from the State's sovereign authority. Once the State adopts, confirms, and enforces an arbitrator's decision restricting a parent's fundamental liberty interest, the State—not the arbitrator—is exercising sovereign judicial power. Private contractual consent may authorize arbitration between private parties, but it cannot enlarge the State's sovereign authority or diminish the constitutional protections governing

governmental interference with a parent's fundamental liberty interest.¹

This petition also presents an important jurisdictional question. Petitioner does not seek appellate review of a state-court judgment. Rather, he brought an independent action under 42 U.S.C. §1983 alleging that constitutionally deficient governmental procedures—including the delegation of adjudicatory authority, the absence of constitutionally adequate notice, the lack of meaningful judicial review, and the absence of a judicial finding of parental unfitness—caused the deprivation of his fundamental liberty interest in the care, custody, and control of his child. Nevertheless, the federal courts dismissed the action under the *Rooker-Feldman* doctrine without ever reaching the merits of those constitutional claims.

That result conflicts with this Court's repeated instruction that *Rooker-Feldman* is a narrow jurisdictional doctrine limited to cases seeking appellate review of state-court judgments themselves. *Exxon Mobil Corp. v. Saudi Basic Industries Corp.*, 544 U.S. 280 (2005); *Skinner v. Switzer*, 562 U.S. 521 (2011). If the decision below is correct, States may substantially interfere with fundamental parental rights

¹ This Court has consistently recognized that arbitration is a matter of consent and that an arbitrator's authority derives from the parties' agreement. See *Stolt-Nielsen S. A. v. Animal-Feeds Int'l Corp.*, 559 U.S. 662 (2010); *AT&T Mobility LLC v. Concepcion*, 563 U.S. 333 (2011); *Oxford Health Plans LLC v. Sutter*, 569 U.S. 564 (2013). Petitioner does not dispute those principles. Rather, he asks whether the Constitution imposes independent limits upon a State's decision to adopt and enforce an arbitrator's determination substantially restricting a parent's fundamental liberty interest.

through delegated adjudication, obtain judicial enforcement of those decisions, and thereafter prevent any federal district court from considering independent constitutional challenges to the procedures employed. Section 1983 would cease to provide the federal forum Congress intended for vindicating constitutional injuries committed under color of state law.

This case therefore presents two recurring questions of exceptional national importance: whether the Fourteenth Amendment places constitutional limits upon a State's delegation of adjudicatory authority affecting a fit parent's fundamental liberty interest, and whether *Rooker-Feldman* bars federal courts from hearing independent constitutional challenges to the procedures by which those rights were deprived. Both questions arise with increasing frequency as States expand the use of delegated decisionmaking in family-law proceedings, yet neither has been resolved by this Court.

This case presents an appropriate vehicle to answer those questions. The jurisdictional issue was dispositive below, the relevant facts are established for purposes of that issue, and the questions presented are purely legal. The Court's guidance is needed to ensure that fundamental parental rights remain protected by meaningful constitutional safeguards, that States remain subject to the constitutional limitations accompanying the exercise of sovereign judicial power, and that independent constitutional claims remain subject to meaningful federal review.

Throughout this petition, "constitutional floor" refers to the minimum procedural protections required by the Fourteenth Amendment before the State may substantially interfere with a fit parent's

fundamental liberty interest in the care, custody, and control of his child.

REASONS FOR GRANTING THE PETITION

This petition presents a recurring constitutional question of exceptional national importance. As States increasingly delegate substantial aspects of domestic-relations adjudication to private ADR providers, unelected court commissioners exercising judicial authority, and other delegated decisionmakers, lower courts increasingly confront constitutional challenges concerning the procedural safeguards required before fundamental parental rights may be substantially impaired. This Court's guidance is needed to establish the constitutional minimum governing such proceedings.

The question presented is whether a State may substantially interfere with a parent's fundamental liberty interest in the care, custody, and control of his child through delegated adjudication that lacks the procedural safeguards the Constitution ordinarily requires before governmental deprivation of fundamental rights. Although this Court has repeatedly recognized the parent-child relationship as one of the oldest and most fundamental liberty interests protected by the Fourteenth Amendment, it has never addressed whether a State may delegate adjudication of that interest to a private arbitrator without those constitutional safeguards.

This case also presents an important jurisdictional question concerning the availability of federal review under 42 U. S. C. §1983 when constitutional injuries arise from the procedures employed during state-

authorized adjudication rather than from the state-court judgment itself.

I. The Decision Below Conflicts With This Court's Parental Rights and Due Process Precedents

This case presents an important and recurring question whether States may delegate adjudication of fundamental parental rights to private arbitrators without the constitutional floor of procedural protections required whenever the State authorizes deprivation of a parent's liberty interest in the care, custody, and control of his child.

A. Fundamental parental rights require heightened constitutional protection

This Court has repeatedly held that a parent's fundamental liberty interest in the care, custody, and control of his or her child occupies the highest tier of constitutional protection. *Troxel*, 530 U.S., at 65; *Stanley*, 405 U.S., at 651; *Santosky*, 455 U.S., at 753; *Pierce*, 268 U.S., at 534–535; *Meyer*, 262 U.S., at 399; *May v. Anderson*, 345 U.S. 528, 533 (1953).

That protection rests on the presumption that fit parents act in the best interests of their children. *Parham v. J. R.*, 442 U.S. 584, 602 (1979). And where fundamental liberty interests are at stake, the Constitution requires both heightened justification and constitutionally adequate procedures. *Washington v. Glucksberg*, 521 U.S. 702, 720–721 (1997); *Santosky*, 455 U.S., at 753–754.

The constitutional presumption recognized in *Parham* and *Troxel* does not disappear merely because

the State authorizes a private arbitrator to adjudicate disputes affecting a parent's fundamental liberty interest in the care, custody, and control of a child. Whether sovereign judicial power is exercised directly by a judge or indirectly through delegated adjudication later confirmed and enforced by a state court, the Fourteenth Amendment continues to govern. Private agreement may authorize arbitration between the parties, but it cannot enlarge the State's sovereign authority or diminish the constitutional protections that govern governmental interference with a parent's fundamental liberty interest.

The record here reflects a departure from those principles. Petitioner's fundamental liberty interest in the care, custody, and control of his child was terminated in proceedings that lacked the procedural safeguards traditionally required for the deprivation of such a liberty interest.² The Superior Court compelled the parties into arbitration in the course of dissolution proceedings that included a court-ordered parental evaluation, which recommended a parenting plan—not termination of parental contact. Petitioner was found to be a fit parent, and no finding of unfitness was ever made. Nevertheless, a restraining order was imposed barring all contact with his child, enforceable through the threat of criminal sanctions. In substance, the State achieved the functional equivalent of termination while sidestepping the constitutional and statutory protections required

² The Ninth Circuit has long recognized that the parent-child relationship is a constitutionally protected liberty interest actionable under §1983. See *Kelson v. City of Springfield*, 767 F.2d 651, 654–655 (CA9 1985), overruled on other grounds by *Daniels v. Williams*, 474 U.S. 327 (1986).

for formal termination proceedings. Petitioner never stipulated that an arbitrator could impose termination-level restrictions on his parental rights, nor that such authority—traditionally reserved to duly elected judges—had been delegated. During the arbitration proceedings, petitioner was not provided notice that the termination or severe restriction of his parenting rights was at issue, and no pleadings identified such relief. While such features may be acceptable in private commercial disputes, they are constitutionally inadequate where the proceedings result in the termination or severe restriction of fundamental parental rights—especially where the resulting award is not subject to meaningful *de novo* judicial review. Nor was petitioner afforded a meaningful opportunity to challenge the credibility or evidentiary basis of the allegations underlying the restriction. When the arbitrator nevertheless imposed a restraining order eliminating contact with his child, petitioner objected, but the Superior Court adopted the arbitration ruling without meaningful *de novo* review. The resulting order was thus imposed without a finding of unfitness, despite its termination-level effect, and without constitutionally adequate notice or the type of adversarial process required when fundamental rights are at stake.

Compounding these deficiencies, the restriction was imposed through reliance on nonjudicial decisionmaking—specifically, an arbitration ruling—later adopted by a state court without constitutionally meaningful review. The Constitution does not permit the effective termination or severe restriction of a parent's rights through such processes.

The decision below nevertheless permits a State to restrict a fit parent's fundamental rights without a finding of unfitness and without constitutionally adequate procedures. That result cannot be reconciled with this Court's parental-rights and due-process precedents.

B. The Constitution limits the State's ability to delegate adjudication of fundamental parental rights to private actors

Although arbitration derives its authority from private agreement, the Constitution imposes independent limits upon the State's ability to delegate adjudication affecting petitioner's fundamental liberty interest in the care, custody, and control of his child.

Petitioner does not challenge arbitration generally. Rather, he asks whether a State may rely upon a private adjudicator exercising only delegated contractual authority to impose restrictions upon the parent-child relationship without the constitutional safeguards this Court has required before fundamental parental rights may be curtailed.

Petitioner's claim does not depend upon whether the arbitrator exceeded the authority granted by the parties' agreement. Even assuming the arbitration agreement purported to authorize the challenged restrictions, contractual consent cannot eliminate the constitutional protections guaranteed by the Fourteenth Amendment. The constitutional question therefore is not one of contract interpretation but of constitutional structure: whether the State may accomplish through private delegation what it could not accomplish directly without satisfying the procedural

protections required by *Troxel*, *Santosky*, *Parham*, and this Court's longstanding parental-rights jurisprudence.

This Court's arbitration precedents recognize that arbitrators derive their authority solely from the parties' agreement. They do not suggest that private contractual consent authorizes the State to dispense with constitutional safeguards governing the deprivation of one of the oldest and most fundamental liberty interests protected by the Constitution.

II. The Decision Below Improperly Expands the *Rooker-Feldman* Doctrine and Eliminates Any Federal Forum for Fundamental Rights

A. *T.M.* does not control this case and confirms *Rooker-Feldman* remains narrow

While this petition was being prepared, this Court decided *T. M. v. University of Md. Medical System Corp.*, 608 U.S. ____ (2026). *T. M.* held that *Rooker-Feldman* may apply even when a state-court decision remains subject to further state appellate review. But the decision did not transform *Rooker-Feldman* into a broad family-court abstention doctrine. It left the doctrine within its existing narrow limits: cases in which a federal plaintiff complains of injury caused by a state-court judgment and asks a lower federal court to review and reject that judgment.

T. M. does not control this case because petitioner does not ask a federal district court to exercise appellate jurisdiction over a state-court judgment as such. Petitioner alleges independent constitutional injuries arising from the deprivation of his fundamental

liberty interest in the care, custody, and control of his child arising from the State's delegation of adjudicatory authority to a private arbitrator, the lack of notice that parent-child restrictions were at issue, the absence of consent to such adjudication, and the lack of meaningful judicial review.

The question presented here is therefore antecedent to any ordinary family-court balancing: whether a State may structure proceedings so that a private actor imposes restrictions affecting the parent-child relationship without constitutionally adequate process, and then invoke *Rooker-Feldman* to bar any federal forum for the resulting constitutional claims. *T. M.* does not authorize lower federal courts to treat every constitutional challenge arising from family-court proceedings as a forbidden appeal.

B. This case does not present a *de facto* appeal of a state-court judgment

The decision below rests on the premise that petitioner's federal action constitutes a forbidden "de facto appeal" of a state-court judgment. That premise is incorrect.

This Court has repeatedly emphasized that the *Rooker-Feldman* doctrine is a "narrow" jurisdictional rule, confined to "cases brought by state-court losers complaining of injuries caused by state-court judgments." *Exxon Mobil Corp. v. Saudi Basic Industries Corp.*, 544 U. S. 280, 284 (2005); *Lance v. Dennis*, 546 U. S. 459, 464 (2006). It does not bar jurisdiction where a plaintiff asserts an independent claim based on unconstitutional conduct, even if that conduct is related to state-court proceedings. *Skinner v. Switzer*, 562 U. S. 521, 532 (2011).

Properly understood, *Rooker-Feldman* is not a broad abstention doctrine but a narrow consequence of Congress's allocation of appellate jurisdiction under §1257. Treating it as a sweeping bar to federal jurisdiction departs from that statutory foundation.

Petitioner's claims fall squarely within that category.³ The federal action does not seek appellate review of a state-court judgment. Instead, it challenges independent constitutional violations arising from the processes and conduct that produced the deprivation of petitioner's parental rights, including actions taken without notice, without a petition, and through delegated authority exceeding lawful limits.

The source of the alleged injury is not the state-court judgment itself, but the unconstitutional process and conduct that preceded and produced that

³ The courts below characterized petitioner's complaint as seeking to "overturn" a state-court order. But that characterization misapprehends the nature of the claims. Petitioner did not seek appellate review of the state-court judgment as such; rather, he challenged the constitutionality of the process and conduct that produced that judgment, including the imposition of severe parental restrictions without notice, pleadings, or constitutionally adequate procedures. Any request for injunctive or declaratory relief—including a stay of enforcement—was ancillary to those claims and does not transform them into a forbidden *de facto* appeal. This Court has made clear that the relevant inquiry is the source of the injury—not the form of the relief—and *Rooker-Feldman* does not bar jurisdiction where a plaintiff alleges independent constitutional violations arising from unlawful conduct or deficient process. *Exxon Mobil Corp. v. Saudi Basic Industries Corp.*, 544 U. S. 280, 293 (2005); *Skinner v. Switzer*, 562 U. S. 521, 532 (2011). To hold otherwise would allow any constitutional violation to be insulated from federal review merely because it culminated in a state-court order.

judgment. That distinction is dispositive under this Court's precedents.

The record confirms that the challenged deprivation did not originate solely from a judicial determination. The restraining order expressly states that it was entered "pursuant to an arbitration ruling," demonstrating that the restriction on petitioner's parental rights arose from nonjudicial decisionmaking rather than from a purely judicial adjudication. This case therefore challenges the constitutionality of that underlying process and delegated authority—not the validity of a state-court judgment itself.

Nor does the fact that a state court subsequently entered or approved the challenged order transform petitioner's claims into a forbidden appeal. *Rooker-Feldman* does not apply simply because a federal claim denies a legal conclusion reached by a state court. *Skinner*, 562 U. S., at 532; *Lance*, 546 U. S., at 464. If it did, federal courts would be barred from hearing any constitutional claim arising from state-court proceedings—a result this Court has squarely rejected.

The decision below instead relies on the formulation that petitioner's claims are "inextricably intertwined" with the state-court judgment. But this Court has cautioned that such language "has no independent content" and cannot expand the scope of *Rooker-Feldman* beyond its proper bounds. *Exxon Mobil*, 544 U. S., at 286, n. 1. Properly understood, the doctrine turns on the source of the injury—not on whether issues overlap with a state-court proceeding. Here, the source of the injury is the alleged unconstitutional process and conduct, not the judgment itself.

Concerns about parallel proceedings or federal-state comity are adequately addressed through doctrines such as preclusion and abstention; they do not justify expanding a jurisdictional bar beyond its narrow statutory limits.

Because petitioner seeks redress for independent constitutional violations, this case falls outside the narrow scope of the *Rooker-Feldman* doctrine.

C. The decision below extends *Rooker-Feldman* to bar federal review of independent constitutional violations

The decision below reflects an increasingly expansive application of *Rooker-Feldman* that cannot be reconciled with this Court's precedents.

This Court has made clear that federal jurisdiction exists where a plaintiff alleges injury caused by the conduct of adverse parties or by unconstitutional procedures, even where those claims relate to state-court proceedings. *Exxon Mobil Corp. v. Saudi Basic Industries Corp.*, 544 U.S. 280, 293 (2005); *Skinner v. Switzer*, 562 U.S. 521, 532 (2011). The critical inquiry is the source of the injury: if the injury is caused by unlawful conduct or deficient process, rather than by the state-court judgment itself, *Rooker-Feldman* does not apply.

Recent decisions from the courts of appeals—particularly the Ninth Circuit—confirm that *Rooker-Feldman* remains narrow and does not bar jurisdiction merely because a federal claim overlaps with issues addressed in state court. In *Searle v. Allen*, the Ninth Circuit emphasized that the doctrine “occupies narrow ground” and applies only in “limited circumstances,” and reiterated that *Rooker* and *Feldman*

remain the only cases in which this Court has found the doctrine to bar lower federal jurisdiction. See also *Brown v. Durringer Law Group, PLC*, 86 F.4th 1251 (CA9 2023) (reaffirming that *Rooker-Feldman* applies only in limited circumstances). The court further reaffirmed that claims based on wrongful acts by adverse parties, rather than legal errors by the state court, fall outside the doctrine.

Similarly, in *Benavidez v. County of San Diego*, the Ninth Circuit held that §1983 claims alleging misrepresentations and misconduct preceding state proceedings were not barred because the asserted injury arose from unlawful conduct by adverse actors, not from the judgment itself. And in *Maldonado v. Harris*, the court held that *Rooker-Feldman* does not bar a challenge to the continued enforcement of an allegedly unconstitutional regime, even where a state-court order exists in the background. See also *Kougasian v. TMSL, Inc.*, 359 F.3d 1136 (CA9 2004) (same); *Miroth v. County of Trinity*, 136 F.4th 1141 (CA9 2025) (reaffirming that claims based on independent misconduct are not barred by *Rooker-Feldman*).

Courts across the circuits have likewise emphasized that *Rooker-Feldman* does not bar claims alleging independent constitutional violations arising from unlawful conduct. See, e.g., *Great W. Mining & Mineral Co. v. Fox Rothschild LLP*, 615 F.3d 159 (CA3 2010).

Despite these settled principles, the courts below treated any overlap with a state-court proceeding as sufficient to trigger jurisdictional dismissal. That approach collapses the critical distinction between a prohibited appeal and a permissible independent

claim, effectively expanding *Rooker-Feldman* beyond its narrow scope.

That is precisely what occurred here. The district court concluded that petitioner's claims were barred because they were "inextricably intertwined" with a state-court judgment, even though petitioner alleged independent constitutional violations arising from nonjudicial conduct and constitutionally deficient process. As applied, that reasoning expands *Rooker-Feldman* beyond its proper limits and conflicts with this Court's repeated instruction that the doctrine remains narrow.

The consequences of that expansion are significant. If the decision below is correct, a State may restrict a fit parent's fundamental rights through constitutionally deficient processes and then insulate that deprivation from any federal review simply by obtaining a state-court order adopting or enforcing the result. That would transform *Rooker-Feldman* from a jurisdictional rule into a mechanism for shielding constitutional violations from scrutiny.

**D. The decision below converts
fundamental parental rights into
ordinary state-court balancing and
then uses *Rooker-Feldman* to prevent
any federal review**

Washington's own jurisprudence illustrates why the constitutional question presented cannot be reduced to ordinary family-court balancing. In *In re Marriage of King*, 162 Wash.2d 378, 385–386, 174 P.3d 659 (2007), the Supreme Court of Washington distinguished dissolution proceedings from termination and dependency proceedings on the ground that

a parenting plan ordinarily allocates parental rights between two parents rather than terminating the parent-child relationship. The court reasoned that both parties remain parents and retain substantial parental rights.

That distinction has become significant in subsequent Washington family-law jurisprudence. See *In re Marriage of Katare*, 175 Wash. 2d 23, 42, 283 P. 3d 546 (2012); *In re Marriage of Chandola*, 180 Wash. 2d 632, 646, 327 P. 3d 644 (2014). Those decisions treat ordinary parenting disputes as involving parents occupying equivalent constitutional positions and therefore distinguish them from proceedings in which the State seeks to terminate parental rights. Washington courts continue to apply that distinction.

Whatever the validity of that distinction in an ordinary allocation of parenting time, it does not resolve the materially different question presented here. Petitioner alleges that the State enforced a privately adjudicated restriction that eliminated parent-child contact for years, notwithstanding the absence of a finding of parental unfitness, constitutionally adequate notice that such a deprivation was at issue, or meaningful *de novo* judicial review. A proceeding cannot escape the procedural requirements of the Fourteenth Amendment merely because the deprivation occurred within a dissolution proceeding rather than through a proceeding formally labeled "termination."

Petitioner does not ask this Court to reweigh a family-court judgment or rebalance state interests against parental interests. The question is antecedent: whether a State may delegate adjudication of issues affecting the parent-child relationship to a private actor, without notice that such issues were before

that actor, without consent to that adjudication, and without meaningful judicial review, and then invoke *Rooker-Feldman* to bar any federal forum for the resulting constitutional claims. The Constitution does not leave fundamental parent-child rights to unreviewable procedural improvisation.

Petitioner exhausted the available avenues of review within the Washington courts. This petition does not seek to continue the underlying domestic-relations litigation or to relitigate disputes between former spouses. Rather, it reflects a different course: an independent constitutional challenge to the procedures through which the State authorized and reviewed the deprivation of petitioner's fundamental liberty interest. The constitutional question presented is not whether the underlying custody determination was correct, but whether the State may substantially interfere with a fit parent's fundamental liberty interest without first providing the constitutional floor of procedural protections required by the Fourteenth Amendment.

The practical effect of the decision below is to leave petitioner—and similarly situated litigants—without any federal forum in which to vindicate fundamental constitutional rights.

Petitioner pursued state appellate remedies and separately brought an independent action under 42 U.S.C. §1983. The federal courts declined jurisdiction, not because the claims lacked merit, but because they were characterized as a “de facto appeal.” As applied, that reasoning forecloses federal jurisdiction in precisely the category of cases for which §1983 was designed—to provide a federal forum for the

vindication of constitutional rights. See *Skinner v. Switzer*, 562 U. S. 521, 525 (2011).

This Court has never endorsed such a result. To the contrary, §1983 exists to ensure that constitutional violations—particularly those committed under color of state law—remain subject to meaningful federal review. The decision below undermines that purpose by categorically foreclosing federal jurisdiction in a class of cases involving some of the most fundamental liberty interests recognized by this Court.

The consequences are especially severe in the domestic-relations context. Family-law proceedings frequently employ informal or truncated procedures and rely on delegated decisionmaking structures, including private arbitrators and court-appointed actors. In many such proceedings, fundamental parental rights may be restricted or effectively terminated without a finding of parental unfitness, based on evidentiary standards as low as a preponderance of the evidence, relying on hearsay, and in circumstances where the accused parent lacks a meaningful opportunity to test the credibility of allegations through traditional adversarial safeguards. Yet when the State substantially interferes with other fundamental liberty interests, this Court has required heightened procedural protections commensurate with the gravity of the deprivation. See *Santosky v. Kramer*, 455 U. S. 745 (1982); *Addington v. Texas*, 441 U. S. 418 (1979). This case presents the unresolved question whether the Constitution likewise requires a comparable constitutional floor before a State may substantially interfere with the parent-child relationship through delegated adjudication.

In some instances, restrictions are imposed without formal pleadings identifying the scope of the deprivation, without adequate notice, and without a full evidentiary hearing. The cumulative effect is that a parent's fundamental liberty interest may be curtailed through procedures that fall short of the constitutional protections ordinarily required for the deprivation of such rights.

The expansion of *Rooker-Feldman* has particularly severe consequences in cases involving fundamental rights, including the parent-child relationship, where litigants are often left without any forum to vindicate constitutional violations.

If federal courts are then barred from reviewing these constitutional deficiencies under *Rooker-Feldman*, the result is a complete jurisdictional void. A State may restrict a fit parent's fundamental rights through constitutionally deficient processes and then insulate that deprivation from any federal review simply by obtaining a state-court order adopting or enforcing the result.

That outcome would transform *Rooker-Feldman* from a narrow jurisdictional doctrine into a mechanism for shielding constitutional violations from scrutiny. It would also render the constitutional protection of parental rights largely unenforceable in practice, particularly in a domain where the risk of erroneous deprivation is high and the procedural safeguards are often limited.

This Court's intervention is necessary to restore the proper limits of the *Rooker-Feldman* doctrine and to ensure that fundamental rights remain subject to meaningful federal review.

III. The Questions Presented is Recurring and of National Importance

Family-law proceedings are among the most common matters adjudicated in state courts nationwide and increasingly rely on delegated decisionmaking structures—including private arbitrators, unelected court commissioners exercising judicial authority, parenting coordinators, guardians ad litem, custody evaluators, and other court-appointed actors. As these non-Article III and other delegated decisionmakers increasingly exercise determinative influence over fundamental parental rights, the constitutional questions presented extend well beyond private arbitration.

As States increasingly require or encourage mediation, arbitration, and other delegated decisionmaking mechanisms—often administered through private ADR providers—to resolve domestic-relations disputes before judicial adjudication, courts increasingly confront constitutional challenges concerning the procedural safeguards required before fundamental parental rights may be substantially impaired. This recurring question warrants this Court's guidance because the Constitution does not prohibit such delegation, but administrative efficiency cannot displace the constitutional floor of protections required before the State substantially interferes with a parent's fundamental liberty interest in the care, custody, and control of his child.

Because these actors increasingly exercise determinative influence over fundamental parental rights, unresolved constitutional questions arise concerning both the procedural protections required by the Due

Process Clause and the permissible delegation of governmental authority affecting fundamental liberty interests.

State family-law doctrines that distinguish ordinary parenting-plan adjudication from proceedings implicating termination-level constitutional protections further heighten the need for this Court to identify the federal procedural minimum applicable when the practical effect of a restriction approaches termination.

At the same time, lower courts' expansive application of *Rooker-Feldman* ensures that these issues routinely evade federal review. The result is a system in which the constitutional protection of the fundamental liberty interest of parents in the care, custody, and control of their children varies across jurisdictions and, in practice, may be unenforceable.

This case presents an opportunity for the Court to clarify both the constitutional minimum required before the State substantially interferes with a parent's fundamental liberty interest in the care, custody, and control of his child and the proper limits of federal jurisdiction where those constitutional rights are at stake.

The forum may change. The decisionmaker may change. The Constitution does not.

IV. This Case is an Ideal Vehicle

This case presents a clean and purely legal question. The relevant facts are not in dispute for purposes of jurisdiction: petitioner is a fit parent; his fundamental liberty interest in the care, custody, and control of his child was severely restricted without a finding of

unfitness; and federal review was denied solely on jurisdictional grounds.

The jurisdictional issue was dispositive below and is outcome-determinative, making this case an ideal vehicle for review.

The record further reflects that the restriction arose without a petition, without formal notice, and through proceedings that relied on delegated, nonjudicial authority. These features underscore that the case turns not on disputed facts, but on whether such processes satisfy constitutional requirements and whether federal courts retain jurisdiction to adjudicate such claims.

This case uniquely presents the intersection of two unresolved and recurring issues: the constitutional limits on restricting parental rights and the proper scope of the *Rooker-Feldman* doctrine when such rights are at stake.

Resolving those questions here would provide clear guidance to lower courts and ensure that the Constitution's protection of the parent-child relationship remains meaningful in practice.

* * *

This petition is not about ordinary disagreement with a custody determination. It asks whether the Constitution permits a State to authorize deprivation of one of the Nation's oldest recognized liberty interests through private adjudication without the procedural protections the Fourteenth Amendment requires. Unless this Court provides guidance, States remain free to delegate adjudication of fundamental parental rights without a clear constitutional floor protecting those rights.

This case is not about expanding constitutional rights. It is about preserving the procedural protections this Court has already held are indispensable before the State may interfere with one of the oldest and most fundamental liberty interests recognized by the Constitution.

This case presents an opportunity to clarify that while parties may agree to private dispute resolution, they cannot contract away the constitutional protections safeguarding a parent's fundamental liberty interest in the care, custody, and control of his or her child. Nor may the combination of private delegation and an expansive application of the *Rooker-Feldman* doctrine leave independent constitutional claims under 42 U.S.C. §1983 without meaningful federal adjudication.

The increasing use of delegated adjudication in family-law proceedings makes this issue one of recurring national importance.

CONCLUSION

This Court should grant certiorari.

Respectfully submitted.

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