

**SECTION 1581(i): THE CIT'S
"UGLY DUCKLING" OF JURISDICTION**

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**SECTION 1581(i):
THE CIT'S "UGLY DUCKLING" OF JURISDICTION**

- I. Introduction: Should the Duckling be Thrown Out of the Nest?**
- II. The Structure of 28 U.S.C. § 1581**
- III. The "Manifest Inadequacy" Standard**
- IV. The Inherent Inadequacies of Section 1581(a)**
 - a. The Requirement of a Trial *De Novo* per 28 U.S.C. § 2640(a)**
 - b. The Inconsistency with 19 U.S.C. § 1625(c)**
 - c. The Barriers to Prompt Relief**
 - d. The Barriers to Prospective Relief**
 - e. The Barriers to Permanent Relief**
- V. The Inherent Inadequacies of Section 1581(h)**
 - a. The Requirement of Irreparable Injury**
 - b. The Requirement of Pre-Importation Litigation**
 - c. The Limitation to Declaratory Relief per 28 U.S.C. § 2643(c)**

Conclusion: The Swan Emerges