

AFJ INSIDER



Dear Friend,

In the last several years, the end of June into the start of July has come to symbolize a time of great peril for our democracy. This period is when the U.S. Supreme Court issues its most nervously anticipated and far-reaching decisions. This year was no different. Of note, is the disastrous Trump v. Casa decision, otherwise known as the birthright citizenship case. In a 6-3 decision, the Court handed President Trump a colossal victory not on the question of birthright citizenship, but to gut the power of lower courts to hold back his unlawful actions.

In short, the Court's conservative majority has issued Trump a license to get away with unconstitutional actions unless **every single individual impacted by those actions joins a lawsuit**. Without universal injunctions, the lower courts have no mechanism to stop illegal executive branch actions for everyone.

As Justices Sotomayor and Jackson write in their dissents, this is a complete abdication of the judiciary's responsibility to protect the rule of law. Justice Sotomayor warns that *"no right is safe in the new legal regime"* - words that should chill us all. Justice Jackson warns: *"... if judges must allow the Executive to act unlawfully in some circumstances... executive lawlessness will flourish, and from there, it is not difficult to predict how this all ends. **Eventually, executive power will become completely uncontrollable, and our beloved constitutional Republic will be no more.**"*

For greater insight into the damage this decision is likely to inflict, and how advocates are already fighting back, you can check out my piece in Ms. Magazine earlier this month - [The Supreme Court Decision Undermining Lower Courts Is Worse Than You Think - Ms. Magazine.](#)

Another example of SCOTUS's disgraceful end of term was the 6–3 decision in *U.S. v. Skrmetti*, which upheld Tennessee's ban on gender-affirming care for transgender youth. **This is the Court's latest restriction on controlling people's bodies and denying them access to the health care that they need and deserve.** Justice Sotomayor, writing for the three liberal justices, noted in her dissent that the majority “*contorts logic and precedent*” to arrive at the conclusion that this law does not discriminate on the basis of sex and transgender status and, in doing so, “*abandons transgender children and their families to political whims.... By circumventing the Equal Protection Clause in this way, the majority “invites legislatures to engage in discrimination by hiding blatant sex classifications in plain sight.”*”

But while these decisions are horrific gut punches, disappointing, and frightening — they remind us that collectively, we are not powerless. With respect to *Trump v. Casa*, already immigrant rights groups have filed class action suits on behalf of those impacted by Trump's executive order banning birthright citizenship. Others are determining creative litigation strategies such as filing suits on behalf of states or cities.

And AFJ continues to educate and empower partner organizations to fight back. Just last week, AFJ's own Brittney Hacker published her piece on the steps advocates can take to fight back against *Skrmetti* and the impact of this and other profoundly anti-LGBTQIA+ decisions this term. In her piece Brittney poses **ten** ways advocates can double down on their fight for equal rights. **Read about all the ways in which AFJ is fighting back, and find resources to join us, below!**

I am inspired by the ways in which our side refuses to back down in our fight for justice and equity. We bring scrappiness. We bring tenacity. We bring creativity. **But most of all, we bring collective power.** Thank you for being in the fight with us.

Thank you,

Rachel Rossi

President of Alliance for Justice

P.S. [I was on MSNBC Friday evening talking about Trump's patently unfit nominee, Emil Bove.](#) For more on what makes him unfit, and how to fight back, you can check out our [Research Hub](#), our July 17 blog post: [10 Reasons Emil Bove Should Not Become a Judge \(A Non-Exhaustive List\) - Alliance for Justice](#)



How We Fight Matters

Federal Courts

The Supreme Court

The Supreme Court [granted an order](#) to allow the mass firing of over 1,000 employees at the Department of Education, dismantling key parts of the agency, including offices that manage federal student loans and enforce civil rights protections in schools. The Court's decision marks a troubling shift. It gives the green light for Trump to unilaterally gut a federal agency created by Congress — without any legislative approval.

Trump's Judicial Nominees:

- The Senate confirmed the first judicial nominee of Trump's second term. [Whitney Hermandorfer](#), who will serve on the U.S. Court of Appeals for the Sixth Circuit, is one of the youngest nominees to the federal judiciary in recent history.
- The Senate also voted 51-46 to confirm [Joshua Divine](#) (E.D. & W.D. Missouri) and 50-47 to confirm [Stevens](#) (E.D. Missouri).

- In a markup session, the Senate Judiciary Committee voted on party line votes to advance five more nominees to the floor. The meeting devolved into chaos as Republicans rammed through their controversial judicial nominees, including [Emil Bove](#), [Ed Artau](#), and [Jordan Pratt](#), despite serious misconduct allegations. Democrats, in an attempt to understand the credibility of these allegations, invoked procedural rules to call a hearing with the DOJ whistleblower, Mr. Reuveni. Chairman Grassley [refused](#) to acknowledge Senator Booker's request.
- Trump announced his third slate of nominees. This latest slate includes two circuit court nominees: [Eric Tung](#) for the Ninth Circuit and [Joshua Dunlap](#) for the First Circuit. Trump also nominated two district court judges: [Chad Meredith](#) for the Eastern District of Kentucky and [William Mercer](#) for the District of Montana. Stay tuned for fact sheets on our website coming soon.

Holding the Benchline

In a powerful ruling, District Judge Joseph LaPlante (D. N.H.) [blocked](#) Trump's ongoing attempt to strip citizenship from children born in the U.S. — a direct attack on the 14th Amendment's guarantee that anyone born on U.S. soil is a citizen, regardless of their parents' immigration status. Judge LaPlante certified a nationwide class of impacted children and granted a preliminary injunction sought by immigrant rights advocates.

State Courts

Will you be at Netroots Nation in New Orleans next month? AFJ's State Courts team will gather with the leading experts and advocates to discuss how state supreme courts are uniquely positioned to exclusively interpret their state's constitution, shielding them from federal review. With rising attacks on vulnerable communities from the Trump administration, state courts can provide critical protections. We hope to see you at Netroots Nation on Friday, August 8 at 10am Eastern.

Bolder Advocacy

As nonprofits across the country are facing challenges to their missions, their funding, and their advocacy, the Bolder Advocacy team is hard at work developing new resources to meet the moment. We recently wrapped up an [issue-specific podcast series](#) celebrating recent advocacy wins, identifying current threats, and discussing the rules nonprofits need to know when advocating for democracy and voting rights, criminal legal reform, gender and reproductive justice, and more! In response to recent Supreme Court decisions, we also published a blog on [“Advocating for the LGBTQ+ Community in a Post-Scrametti and Post-Mahmoud World.”](#)

But that’s not all! Our team is also busy responding to an influx of [technical assistance](#) questions related to how nonprofits can respond to Executive Orders and recent challenges to the Johnson Amendment, which prohibits 501(c)(3)s from engaging in partisan advocacy. Simultaneously, we continue to provide [public webinars and customized workshops](#) for grassroots advocates and organizations in Texas, Michigan, California, Florida, and beyond. And, we maintain a library of on-demand training options, which we recently expanded to include content on [preparing for politically motivated attacks](#).

We’re not just watching threats to nonprofits from the executive branch. We’ve been tracking numerous House committee hearings, including Rep. Marjorie Taylor Greene’s facetiously-named [“Public Funds, Private Agendas: NGOs Gone Wild.”](#) Following the June announcement of the House Committee on Homeland Security’s Subcommittee on Oversight, Investigations, and Accountability’s [probe into over 200 specific nonprofits](#), just last week House Members introduced a bill to revoke the National Education Association’s charter. Our team will continue monitoring these threats and speaking out about the importance of protecting nonprofit advocacy.

But we won’t stop there. Our expertise also extends to advocacy capacity building and evaluation. If you are interested in learning more about how to assess your organization’s strengths and identify areas for growth, Bolder Advocacy is here for you! Our new [Advocacy Evaluation Hub](#) provides a good starting point. You can also reach out to us at advocacy@afj.org for more information.



Membership & Outreach

In case you haven't heard: AFJ member organizations can now [connect directly with experts from our Communications and Development teams](#) for customized support, whether it's reworking a logo, sharpening messaging, or strengthening fundraising plans. Sign up for a personalized [one-on-one consultation with AFJ staff here!](#)

Team Spotlight



AFJ President Rachel Rossi

MSNBC spotlight: Rachel Rossi warns of Trump's unqualified nominee, Emil Bove.

[\[Click Here To Watch The Video\]](#)

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