



THE BENCHLINE

Hello, friends. Welcome back to the Benchline, your bi-weekly email about judicial (and some Justice Department) nominees, as well as issues and decisions regarding the federal courts. A lot has happened over the past two weeks. T

The Supreme Court

Last Friday, the Supreme Court affirmed a lower [court order](#) that instructed President Trump to temporarily reinstate the head of the [Office of Special Counsel](#), a vital independent federal agency intended to protect federal government employees from things such as discrimination, improper hiring practices, and retaliation.

Justice Gorsuch, joined by Justice Alito, dissented from the court's decision. Justice Sotomayor and Justice Jackson indicated, without explanation, that they would have denied the government's request. We presume it was because the Trump Administration's firing of the Office of Special Counsel was so clearly illegal that it had no place before the Supreme Court to begin with.

This week, the court resumed oral arguments and updated its calendar after a brief break. Check out our [Supreme Court Term Preview](#) to see which cases we'll be following as the Court starts its Spring session.



Senate Judiciary Committee

Executive Nominees

This week, the Senate Judiciary Committee held hearings for three more of Trump's nominees to the Department of Justice: Harmeet Dhillon for Assistant Attorney General for Civil Rights, Dean John Sauer for Solicitor General, and Aaron Reitz for Assistant Attorney General for the Office of Legal Policy. These nominations continue to set off alarm bells that Trump is reshaping the Department to serve his political interests rather than to uphold justice, while also undermining our fundamental rights and liberties.

Harmeet Dhillon, nominated to lead the Civil Rights Division, has a long history of extreme work undermining voting rights and supporting election denialism. She has promoted harmful conspiracies and falsehoods about the integrity of federal elections, which directly contradicts the mission of the Civil Rights Division.

Dean John Sauer, if confirmed as Solicitor General, would represent the federal government before the Supreme Court. A former personal lawyer for Trump, Sauer has shown unwavering loyalty to the President. He recently argued before the Supreme Court in ***Trump v. United States*** that the President could not be indicted even if he ordered an assassination of political rivals, unless impeached first. This dangerous view poses a threat to the rule of law and to the integrity of the judicial system.

Aaron Reitz, nominated as Assistant Attorney General of the Office of Legal Policy, would be responsible for shaping policies affecting the American people. Reitz previously worked on numerous lawsuits against the former Biden administration, including efforts to restrict access to abortion medication. His record raises serious concerns about his commitment to protecting health care access and upholding the rule of law.

AFJ strongly opposes these nominees because they have demonstrated a clear disregard for civil rights, voting rights, the rule of law, and fundamental freedoms. Their confirmation would serve to further entrench political interests at the expense of justice for all Americans.

As of today, the Trump administration has not made any nominations for the 53 current or announced future Article III vacancies on our federal courts.

HOLDING

THE BENCHLINE

Last week, **Judge Adam Abelson**, a former magistrate judge elevated to the District Court for the District of Maryland by President Biden, held the Benchline in a **crucial decision** that challenges Trump's harmful executive orders that target diversity, equity, and inclusion initiatives. Judge Abelson ruled that Trump's policies are overly vague and likely violate the First Amendment by penalizing private organizations based on their viewpoints.

In upholding longstanding legal precedent, Judge Abelson emphasized that the federal government cannot leverage its funding to restrict the First Amendment rights of federal contractors and grantees. His ruling is a vital step in protecting free speech, democracy, and the rule of law. At a time when Trump's administration sought to stifle diversity efforts and suppress marginalized voices, Judge Abelson's decision reaffirms that the courts are vital in preventing such overreach and must stand firm in defense of our constitutional rights.

HOLDING COURT:
From Visibility to Victory — Defending Trans Rights

Shayna Medley (they/she), Senior Litigation Staff Attorney at **Advocates for Trans Equality**, and **Meghann Burke (she/her)**, Executive Director of the **National Women's Soccer League Players Association**, will join us to discuss the fight for authentic identity and the current state of trans rights in the U.S., including recent federal courts developments and updates on *United States v. Skrametti*.

• Additional panelists will be announced soon.

ALLIANCE FOR JUSTICE

WHEN:
Wednesday, March 26
1 PM ET

WHERE:
Virtual

Holding Court

From Visibility to Victory – Defending Trans Rights

In honor of Transgender Day of Visibility on March 31, Alliance for Justice is inviting you to join us on Wednesday, March 26 at 1pm ET for Holding Court: From Visibility to Victory — Defending Trans Rights. This virtual conversation will feature Shayna Medley, Senior Litigation Staff Attorney at Advocates for Trans Equality and Meghann Burke, Executive Director of the National Women's Soccer League Players Association. Panelists will discuss the importance of fighting for the freedom to live authentically and explore the current state of trans rights in the United States, including recent developments in the Supreme Court and lower courts.

The event will explore the ways in which the progressive movement can come together to combat these efforts and protect the rights of trans people. Panelists will discuss strategies for advocacy, legal intervention, and grassroots organizing to fight back against regressive policies. The conversation will emphasize the importance of solidarity and will highlight opportunities for activists to work alongside each other to secure a future where trans rights are recognized, solidified, and celebrated.

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