



THE BENCHLINE

Hello, friends, and welcome back to The Benchline, your bi-weekly update on the Supreme Court, judicial and Justice Department nominees, and key issues shaping the federal courts. In this edition, we'll cover recent developments, including Trump's loss on the Shadow Docket, upcoming oral arguments at the Supreme Court, new Justice Department nominees, and how we learn to hold the Benchline.

The Supreme Court

Trump's Shadow Docket Loss

Last week, President Trump delivered his first congressional address of his second administration. After a long, divisive speech, he thanked his vice president, his congressional allies, and — surprisingly — **Chief Justice Roberts**. However, his gratitude likely wasn't related to the recent shadow docket decision in ***Department of State v. AIDS Vaccine Advocacy Coalition***.

In this case, Roberts, along with Justice Barrett, sided with the liberal justices in rejecting the administration's emergency appeal. They upheld a ruling by **Judge Amir Ali** (D.D.C.), which required the administration to fulfill its obligations to USAID contractors and grant recipients. This amounted to roughly \$2 billion in payments that had been frozen by Trump in his efforts to shut down the agency. Some legal analysts were **skeptical of the degree** to which this was a win for the rule of law, but for now, at least, we can celebrate.



Upcoming Oral Arguments

The Supreme Court is gearing up for crucial oral arguments at the end of March. On March 24, they'll hear [***Louisiana v. Callais***](#), a case that threatens the Voting Rights Act and protections for minority voters — an area where the conservative majority has steadily chipped away safeguards.

On March 25, the Court will hear [***Oklahoma v. EPA***](#), a case concerning the proper venue for challenges against the EPA's denial of state implementation plans (SIPs) under the Clean Air Act. The Court's decision could drastically impact how the EPA handles national environmental issues, like safeguarding our air quality. Furthermore, a ruling allowing such lawsuits in regional courts would strain the EPA's resources, create inconsistencies in environmental law enforcement, and lead to more litigation requiring Supreme Court resolution.

Given the Court's recent decision in [***City and County of San Francisco v. EPA***](#), where it stripped the EPA's authority to combat water pollution, we must push the Court to recognize the importance of maintaining the agency's power to ensure clean air for all of us.



On March 31, the Court will hear [***Catholic Charities Bureau v. Wisconsin Labor & Industry Review Commission***](#), which will decide whether denying a religiously affiliated organization a tax exemption that applies exclusively to religious institutions violates the First Amendment. If the Court rules in favor of Catholic Charities, it will create a whole new tax exemption for “church charities” simply because a charity is affiliated with a religious organization. That could give an undue financial benefit to charities that are religiously affiliated, blur the separation between church and state, and limit governments from collecting taxes for legitimate needs.

These decisions will likely be handed down toward the end of the term, and AFJ will provide a detailed analysis of the Court's opinions once they're released. In the meantime, check out our [***Supreme Court Case Preview***](#) to see the other important cases we're tracking.

Senate Judiciary Committee

Executive Nominees

The Senate Judiciary Committee voted along party lines to advance three of Trump's Department of Justice (DOJ) nominees to the full Senate for a vote: **Harmeet Dhillon** for Assistant Attorney General for Civil Rights, **John Sauer** for Solicitor General, and **Aaron Reitz** for Assistant Attorney General for the Office of Legal Policy. During the hearings, the nominees — two of whom have served as Trump's personal defense lawyers — made it clear that they would put loyalty to Trump above their duties to the public. Alarmingly, they even suggested that government officials **could ignore certain court orders** that they personally disagree with.

The Senate Judiciary Committee will continue holding confirmation hearings for Trump's DOJ nominees, with the next set likely scheduled for March 26. The committee will review the nominations of Brett Shumate for Assistant Attorney General for the Civil Division, John Eisenberg for Assistant Attorney General for the National Security Division, and Patrick Davis for Assistant Attorney General for the Office of Legislative Affairs. We have discovered frightening positions in Shumate's background. Stay tuned for more in the next Benchline.

HOLDING THE BENCHLINE

Judge Howell (D.D.C.) is holding the Benchline, standing firm against an executive branch that claims unchecked power. Howell recently held that Trump's removal of Gwynne Wilcox from the National Labor Relations Board (NLRB) was unconstitutional. Wilcox was the first Black woman to serve on the NLRB in its 90-year history and had recently been confirmed by the Senate for a second five-year term.

Howell, in her ruling emphasized that "an American president is not a king — not even an 'elected' one," and that the power to remove federal officers and civil servants is not absolute.

HOLDING COURT:
From Visibility to Victory — Defending Trans Rights

WHEN:
Wednesday
March 26
1pm ET

WHERE:
Virtual

Meghann Burke (she/her)
Executive Director
NWSLPA

Shayna Medley (they/she)
Senior Litigation Staff Attorney
Advocates for Trans Equity

MARCH 2025

Holding Court

From Visibility to Victory — Defending Trans Rights

Holding the Benchline is a responsibility that extends beyond our federal judges — it's something we all must actively engage in. Protecting our civil and human rights requires collective effort, which is why the Alliance for Justice invites you to join us on Wednesday, March 26 at 1pm ET for Holding Court: From Visibility to Victory — Defending Trans Rights. This event will explore how the progressive movement can unite to push back against the Trump administration's attacks on trans rights and the growing wave of legislative and judicial actions seeking to dismantle protections for transgender individuals.

This virtual conversation will feature Meghann Burke (she/her), Executive Director of the National Women's Soccer League Players Association, and Shayna Medley (they/she), Senior Litigation Staff Attorney at Advocates for Trans Equality. Panelists will discuss strategies for advocacy, legal intervention, and grassroots organizing to counter regressive policies. The conversation will highlight the power of solidarity and offer opportunities for activists to collaborate in securing a future where trans rights are recognized, protected, and celebrated.

[Register here.](#)

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Alliance for Justice
11 Dupont Circle NW
Suite 500
Washington, DC 20036
United States