

Supreme Court Review

ALUMNI REUNION
September 27, 2025

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I. Administrative law

Federal Communications Commission v. Consumers Research, 145 S.Ct. 2482 (2025). The universal-service contribution scheme does not violate the Constitution's nondelegation doctrine; Congress sufficiently guided and constrained the discretion that it lodged with the Federal Communications Commission to implement that scheme, and the FCC has retained all decision-making authority within that sphere, relying on the Universal Service Administrative Company only for non-binding advice.

II. Civil rights

Lackey v. Stinnie, 145 S.Ct. 649 (2025). A plaintiff who obtains a preliminary injunction and then the case becomes moot does not qualify as attorney's fees as a prevailing party under 42 § U.S.C. 1988.

Medina v. Planned Parenthood South Atlantic, 145 S.Ct. 2219 (2025). Medicaid Act's any-qualified-provider provision does not clearly and unambiguously confer an individually enforceable right under § 1983.

Williams v. Reed, 145 S.Ct. 465 (2025). Where a state court's application of a state exhaustion requirement in effect immunizes state officials from 42 U.S.C. § 1983 claims challenging delays in the administrative process, state courts may not deny those claims on failure-to-exhaust grounds.

III. Criminal law

Barnes v. Felix, 145 S.Ct. 1353 (2025). The U.S. Court of Appeals for the 5th Circuit's moment-of-threat rule — a framework for evaluating police shootings which requires a court to look only to the circumstances existing at the precise time an officer perceived the threat inducing him to shoot — improperly narrows the Fourth Amendment analysis of police use of force.

Glossip v. Oklahoma, 145 S.Ct. 2726 (2025). The court has jurisdiction to review the judgment of the Oklahoma Court of Criminal Appeals; the prosecution violated its constitutional obligation to correct false testimony under Napue v. Illinois.

Andrew v. White, 145 S.Ct. 75 (2025). Introduction of prejudicial evidence violates due process and this is clearly established for purposes of habeas corpus.

IV. Equal protection

United States v. Skrmetti, 145 S.Ct. 1816 (2025). Tennessee’s law prohibiting certain medical treatments for transgender minors is not subject to heightened scrutiny under the equal protection clause of the 14th Amendment and satisfies rational basis review.

Louisiana v. Callais, No. 24-109. (set for argument) 1) Whether the majority of the three-judge district court in this case erred in finding that race predominated in the Louisiana legislature's enactment of S.B. 8; (2) whether the majority erred in finding that S.B. 8 fails strict scrutiny; (3) whether the majority erred in subjecting S.B. 8 to the preconditions specified in Thornburg v. Gingles; and (4) whether this action is non-justiciable.

V. Federal judicial power

Trump v. CASA, 145 S.Ct. 2540 (2025). Because universal injunctions likely exceed the equitable authority that Congress has granted to federal courts, the court grants the government’s applications for a partial stay of the injunctions entered below regarding the implementation and enforcement of the Trump administration’s Jan. 20 executive order ending birthright citizenship, but only to the extent that the injunctions are broader than necessary to provide complete relief to each plaintiff with standing to sue.

V. First Amendment: religion

Catholic Charities Bureau, Inc. v. Wisconsin Labor & Industry Review Commission, 145 S.Ct. 1583 (2025). The Wisconsin Supreme Court’s decision denying Catholic Charities Bureau a tax exemption available to religious entities under Wisconsin law on the grounds that they were not “operated primarily for religious purposes” because they neither engaged in proselytization nor limited their charitable services to Catholics violated the First Amendment.

Mahmoud v. Taylor, 145 S.Ct. 2332 (2025). Parents challenging the Montgomery County Board of Education’s introduction of certain “LGBTQ+-inclusive” storybooks, along with the board’s decision to withhold parental opt outs from that instruction, are entitled to a preliminary injunction.

Oklahoma Statewide Charter School Board v. Drummond, lower court affirmed by an evenly divided court. (1) Whether the academic and pedagogical choices of a privately owned and run school constitute state action simply because it contracts with the state to offer a free educational option for interested students; and (2) whether a state violates the First Amendment's free exercise clause by excluding privately run religious schools from the state’s charter-school program solely because the schools are religious, or instead a state can justify such an exclusion by invoking anti-establishment interests that go further than the First Amendment's establishment clause requires.

VI. First Amendment: speech

Tik Tok v. Garland, 145 S.Ct. 57 (2025). The Protecting Americans from Foreign Adversary Controlled Applications Act, as applied to petitioners, does not violate the First Amendment.

Free Speech Coalition v. Paxton, 145 S.Ct. 2291 (2025). A Texas law requiring certain commercial websites publishing sexually explicit content that is obscene to minors to verify that visitors are 18 or older only incidentally burdens the protected speech of adults and survives intermediate scrutiny under the First Amendment's Free Speech Clause.

VI. Presidential actions – emergency docket

A. Firings

Trump v. Wilcox, 24A966 (May 22, 2025). The Supreme Court stayed the district court's orders reinstating Gwynne Wilcox and Cathy Harris to the National Labor Relations Board and Merit Systems Protection Board.

Trump v. Boyle, 25A11 (July 23, 2025). The Supreme Court stayed the district court orders reinstating members of the Consumer Products Safety Commission.

Trump v. American Federation of Government Employees, No. 24A1174 (July 8, 2025). The Supreme Court stayed the district court's order preventing President Trump from firing employees at federal agencies as part of a reduction in force.

McMahon v. New York, 24A1203 (July 14, 2025). Reversing district court's preliminary injunction preventing mass layoffs in the Department of Education.

B. Cutoff of funds

Department of State v. AIDS Vaccine Advocacy Coalition, 24A831 (March 5, 2025). Affirming district court's preliminary injunction to release frozen funds for United States Agency for International Development.

Department of Education v. California, 24A910 (April 4, 2025). Reversing district court's temporary restraining order as to the cutoff of \$65 million of Department of Education funds for teacher training.

National Institutes of Health v. American Public Health Association, 25A103 (August 21, 2025). District court lacked jurisdiction, which was properly in the Court of Federal Claims, to hear challenge to termination of grants by the NIH. District court has jurisdiction to hear challenges to policy directives to cutoff funds.

C. Detentions; Alien Enemy Act of 1798

A.A.R.P v. Trump, 24A1007 (April 19, 2025). Order halting taking individuals to El Salvador. (May 16, 2025). The Government is enjoined from removing the named plaintiffs or putative

class members in this action under the AEA pending order by the Fifth Circuit and disposition of the petition for a writ of certiorari, if such writ is timely sought.

Department of Homeland Security v. D.V.D., 24A 1153 (June 23, 2024). Reversing lower court preliminary injunction against sending individuals to South Sudan.

D. ICE stops

Noem v. Perdomo, 25A169. Staying district court's preliminary injunction against ICE agents stopping individuals without reasonable suspicion.

October Term 2025

Louisiana v. Callais, No. 24-109. (set for argument October 15, 2025) 1) Whether the majority of the three-judge district court in this case erred in finding that race predominated in the Louisiana legislature's enactment of S.B. 8; (2) whether the majority erred in finding that S.B. 8 fails strict scrutiny; (3) whether the majority erred in subjecting S.B. 8 to the preconditions specified in Thornburg v. Gingles; and (4) whether this action is non-justiciable.

Little v. Hecox, No. 24-38. Whether laws that seek to protect women's and girls' sports by limiting participation to women and girls based on sex violate the equal protection clause of the 14th Amendment.

West Virginia v. B.P.J., No. 24-43 (1) Whether Title IX of the Education Amendments of 1972 prevents a state from consistently designating girls' and boys' sports teams based on biological sex determined at birth; and (2) whether the equal protection clause of the 14th Amendment prevents a state from offering separate boys' and girls' sports teams based on biological sex determined at birth.

Case v. Montana, No. 64-624 (set for argument October 15, 2025). Whether law enforcement may enter a home without a search warrant based on less than probable cause that an emergency is occurring, or whether the emergency-aid exception requires probable cause.

Chiles v. Salazar, No. 24-539 (set for argument October 7, 2025). Whether a law that censors certain conversations between counselors and their clients based on the viewpoints expressed regulates conduct or violates the free speech clause of the First Amendment.