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## Client Alert: U.S. Supreme Court Overrules the Chevron Doctrine; Major Changes Coming to Administrative Law

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### Download Client Alert: U.S. Supreme Court Overrules the *Chevron* Doctrine; Major Changes Coming to Administrative Law

On Friday, the United States Supreme Court overruled *Chevron v. Natural Resources Defense Council* (1984), one of the most significant precedents in modern administrative law.

*Chevron* set out the framework for courts reviewing administrative agency interpretations of the statutes that they administer. For the past 40 years, the courts applying *Chevron's* two-part test were required to defer to agency interpretations of ambiguous statutes. This gave government agencies a significant advantage in lawsuits against regulated entities, because it essentially allowed one of the parties to a case (i.e., the federal agency) to determine disputed questions of law.

On Friday, June 28, in its decision in *Loper Bright Enterprises v. Raimondo* and *Relentless, Inc. v. Department of Commerce*, the Supreme Court overruled this longstanding framework. The Supreme Court held that judicial deference to an agency's interpretation of a statute is inconsistent with the Administrative Procedures Act (APA), 5 U.S.C. § 706, which requires courts (not agencies) to decide "all relevant questions of law."

Shumaker attorneys Larry Obhof and Mark Wagoner represented the Ohio Chamber of Commerce in both *Loper Bright* and *Relentless, Inc.*, filing "[friend of the court](#)" briefs in support of the Petitioners in each case. The amicus briefs argued that the *Chevron* doctrine was inconsistent with the APA and that the courts, rather than federal agencies, are responsible for interpreting ambiguous statutes. The Supreme Court's decision to overrule *Chevron* was consistent with the arguments made by Shumaker in these amicus briefs.

The Supreme Court's decision could have significant effects on the regulatory landscape. Shumaker attorneys are available to assist clients in understanding and navigating these changes.

Please feel free to contact the following service line leaders with any questions:

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