

State Attorneys General Will Dominate Post-Chevron Litigation

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Ashley L. Taylor, Jr., co-leader of Troutman Pepper Locke's [State Attorneys General](#) Practice Group, appeared in the September–October 2026 issue of *The Journal of Federal Agency Action* for his article, “State Attorneys General Will Dominate Post-Chevron Litigation.” The article was co-authored with Paul Nolette, a professor at Marquette University, and Aaron M. Frey, the attorney general of Maine.

In *Loper Bright Enterprises v. Raimondo*,¹ the Supreme Court of the United States overturned its long-standing Chevron doctrine. The Court thus shifted from judicial deference to executive agency decision-making instead to the rule that “[c]ourts must exercise their independent judgment in deciding whether an agency has acted within its statutory authority.” While the general public focused on the impact of the overturning of *Chevron* as it related to federal agencies such as the Consumer Financial Protection Bureau, Environmental Protection Agency, and the Federal Trade Commission, we argue that the real action and the most meaningful impact will occur at the state administrative level. The law will be shaped by key state actors—state Attorneys General (AGs)—as they both challenge federal agencies and defend state agencies in this new environment.

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