

Virginia Attorney General Jay Jones Shifts Office Priorities

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Upon taking office Jan. 17, Democratic Virginia Attorney General Jay Jones issued a series of pronouncements in quick succession that signal his administration's core priorities, and that are sure to reverberate through Virginia's legal landscape. They include actions involving [consumer protection](#), [health data privacy](#), [immigration](#), [education](#), and environmental issues.

Although hundreds of career assistant attorneys general perform most of the office's legal duties and maintain office continuity, new attorneys general appoint a chief deputy attorney general, solicitor general, and deputy attorneys general who, in addition to administering the office, implement politically sensitive initiatives that align with that AG's vision. Virginia attorneys, their clients and the citizenry are thus wise to heed new AG pronouncements to assess potential business and legal impacts, including associated opportunities and hurdles.

Consumer Protection

Consumer protection is a key function of the attorney general's office and a special focus of AG Jones, who previously focused on consumer protection as an assistant attorney general in the Washington, D.C., attorney general's office. Virginia's attorney general's office has long maintained a dedicated section tasked with enforcing Virginia's consumer protection laws and handling consumer complaints. To augment those efforts, Jones has reorganized this consumer protection section along with the civil rights and utilities regulation and insurance sections into a new [Public Advocacy Division](#).

Jones also announced that Virginia would join *New York v. Vought*, 0:25-cv-02384 (D. Ore. 2025), a multistate lawsuit involving 20 other state attorneys general suing the Trump administration over its decision to stop requesting operating funds for the Consumer Financial Protection Bureau (CFPB), which the lawsuit characterizes as an unlawful attempt to shut the agency down.

The congressionally established CFPB writes and enforces federal consumer financial laws, supervises certain financial institutions for compliance, handles consumer complaints, conducts investigations and enforcement actions, issues guidance and regulations aimed at preventing unfair, deceptive or abusive acts or practices, and promotes transparency in consumer financial products. The Trump administration views the CFPB as overly aggressive against the financial industry, and asserts that its funding mechanism, based on Federal Reserve

earnings, is unlawful and unsustainable, particularly in the wake of recent Fed losses.

The Vought lawsuit alleges that the defunding attempt violates separation of powers principles and that the Dodd-Frank Act requires the CFPB director to seek funding from the Federal Reserve to carry out its statutory duties. Already, the Trump administration's emphasis on deregulation and efforts to restructure the CFPB have resulted in a significant decrease in enforcement actions, including dismissal and reduction of some settlements and consent orders, and reduced overall budgetary resources.

Attorneys with a stake in these matters should closely monitor this suit as the outcome is likely to significantly affect consumers (as it relates to resources and recourse) and the financial industry (as it relates to regulatory risk).

Privacy and Immigration

Privacy and immigration have become flashpoints in recent years among state AGs, and Jones is redirecting the Commonwealth's efforts in these areas as well.

The AG announced Virginia would join *California v. U.S. Department of Health and Human Services*, 3:25-cv-05536 (N.D. Cal. 2025), a multistate lawsuit challenging the federal government's use and sharing of state [Medicaid data](#) with the U.S. Department of Homeland Security (DHS), including Immigration and Customs Enforcement for immigration enforcement purposes.

The plaintiff states allege that the Department of Health and Human Services and the Centers for Medicare and Medicaid Services abruptly changed longstanding confidentiality and data-use practices by transferring protected Medicaid health information to DHS for non-health care purposes, violating the Administrative Procedure Act, statutory privacy protections and constitutional limits on federal conditions attached to Medicaid funding. They seek declaratory and injunctive relief to stop the federal agencies from using this data for purposes unrelated to administering Medicaid, arguing that the practice harms state programs, undermines public trust and deters eligible individuals — particularly noncitizens and mixed-status families — from seeking necessary medical care. Attorneys involved in health care and immigration practices should stay tuned for further developments at this intersection of sensitive information and immigration enforcement.

Education

In *United States v. Commonwealth of Virginia*, No. 3:25cv01067 (E.D. Va. 2025), the U.S. Department of Justice (DOJ) is challenging Virginia's 2020 law allowing Virginia students to qualify for [instate tuition](#) at public colleges regardless of immigration status if they meet certain residency and schooling requirements. The DOJ asserts the law conflicts with federal immigration law and violates the Supremacy

Clause.

Jones announced that he will reverse the position of his Republican predecessor, former Attorney General Jason Miyares, who aligned with the DOJ and argued that federal immigration law preempted Virginia's law. Jones has indicated that he will "fully defend" the law, and his office has already withdrawn the state's previous filing and

filed opposition pleadings. The federal district court's decision in this case could have lasting import for hundreds of Virginia students.

Further along the education front, Jones indicated that he would be “reviewing” Miyares’ 2023 opinion advising that a state college or university board of visitors’ primary duty is to the Commonwealth and not the school. In the wake of several controversies involving boards of visitors upon former Gov. Glenn Youngkin taking office, Miyares argued that boards of visitors are state agencies and the “vehicle by which the General Assembly has chosen to exercise control over its colleges and universities.”

Jones has asserted that the opinion threatens the autonomy of colleges and universities and subjects them to political control. Both of Jones’ education-related actions could have a material effect on higher education enrollment and governance in Virginia.

Environmental Policy

Finally, the new AG has waded into environmental controversy by pausing the Commonwealth’s appeal in the case challenging Virginia’s 2023 withdrawal from the Regional Greenhouse Gas Initiative (RGGI), Virginia State Air Pollution Control Board, et al., v. [Association of Energy Conservation Professionals](#), 114 Va. Cir. 264 (2024).

RGGI is an agreement of 11 Northeast and mid-Atlantic states mandating that power plants of a certain size buy allowances for their carbon dioxide emissions. The resulting collections are then funneled into conservation, sustainability and disaster prevention programs around the state. The General Assembly voted to join the RGGI in 2020.

After the Air Pollution Control Board withdrew from RGGI, the Association of Energy Conservation Professionals sued the board, and a Floyd County judge ultimately ruled that the Youngkin administration lacked authority to withdraw from RGGI by regulation without legislative approval. The Commonwealth appealed the decision under AG Miyares, and the case remained pending when Jones took office.

Jones’ pause of the appeal comes as part of an effort to foster alternative energy sources and to maintain RGGI funding, which is currently playing out in the legislature. This interplay between legislation and litigation is likely to affect energy costs and sustainability initiatives in the short term across the state.

Virginia attorneys general wield significant influence over the state’s legal and business landscape as they direct the state’s legal efforts, impacting a significant swath of the citizenry. Their power is often most evident when a newly elected AG takes office, particularly in transitions between political parties. And indeed, AG Jones’ early actions portend an administration that starkly contrasts with his predecessor. Virginia attorneys should monitor developments from the AG’s office to stay abreast of a rapidly shifting legal environment and adjust accordingly.

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