

News Release

MARQUETTE UNIVERSITY



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This release is also available online.

New Marquette Law School national survey finds 63% say U.S. Supreme Court should limit Trump's tariff authority

Also:

- Public supports independence of Federal Reserve, opposes firing of member of Board of Governors
- 57% say Court is going out of its way to avoid ruling against Trump
- 44% approve of job the Court is doing, 56% disapprove—a decline from early 2025

MILWAUKEE — A new Marquette Law School Poll national survey finds that 63% of adults think the U.S. Supreme Court should uphold a lower court ruling that limits the president's authority to impose tariffs, while 36% think the Court should overturn the lower court's ruling and rule for the president. The Supreme Court heard oral arguments in the case, Learning Resources, Inc. v. Trump, on Nov. 5 but has not issued a decision as of Feb. 3.

Public views of the case have been consistently in favor of finding limits on the tariff authority since the Marquette poll first asked about this case in September. Table 1 shows opinion over three national surveys. (All results in the tables are stated as percentages.)

Table 1: Limit president's tariff authority

Among adults

Poll dates	Court should	
	Uphold the appeals court ruling that limits the presidents' authority to impose tariffs	Overturn the appeals court ruling and hold that the President has the authority to set tariffs
1/21-28/26	63	36
11/5-12/25	62	38
9/15-24/25	61	39

Marquette Law School Poll, national surveys, latest: Jan. 21-28, 2026

Question: A federal appeals court has issued a ruling that substantially limits the president's authority to impose tariffs on imports to the United States. This decision has been appealed to the Supreme Court. How do you think the Supreme Court should rule?

The survey was conducted Jan. 21-28, 2026, interviewing 1,003 adults nationwide, with a margin of error of +/-3.4 percentage points.

A majority of the public, 56%, say that tariffs hurt the U.S. economy, while 30% think they help the economy and 14% say tariffs don't make much difference. Of those who think tariffs help the economy, 77% are in favor of overturning the limits on the president's authority. But, even among this group, almost one-in-four (23%) think the president's authority should be limited. Among those who say tariffs harm the economy, 89% think the Court should limit presidential authority. Among those who say tariffs don't make much difference, opinion as to the president's authority is evenly divided. Table 2 shows how views of the effect of tariffs are related to opinion of how the Court should rule.

Table 2: Limit president's tariff authority, by effect of tariffs

Among adults

Effect of tariffs	Court should	
	Uphold the appeals court ruling that limits the president's authority to impose tariffs	Overturn the appeals court ruling and hold that the president has the authority to set tariffs
Helps U.S. economy	23	77
Hurts U.S. economy	89	11
Doesn't make much difference	47	52

Marquette Law School Poll, national survey: Jan. 21-28, 2026

Question: A federal appeals court has issued a ruling that substantially limits the president's authority to impose tariffs on imports to the United States. This decision has been appealed to the Supreme Court. How do you think the Supreme Court should rule?

Question: In general, do you think imposing tariffs or fees on products imported from other countries helps the U.S. economy, hurts the economy, or doesn't make much of a difference either way?

Approval of President Donald Trump's handling of tariffs is similarly related to opinion about how the Court should rule. Thirty-seven percent of adults approve of how Trump is

handling tariffs. Among this group, 78% say the Court should sustain the president's authority over tariffs, while 22% say the Court should limit that authority. Among those who disapprove of Trump's handling of tariffs, 89% say the Court should limit his authority and 11% say the president should have the power to set tariffs.

Opinion of this case is not purely a partisan divide. While 67% of Republicans think the Court should rule for the president's authority, 33% think the authority should be limited. Democrats overwhelmingly favor such limits (92%), and 69% of independents also favor limiting the president's authority.

Federal Reserve

On Jan. 21, the Court heard oral arguments in *Trump v. Cook* concerning the president's attempt to fire a member of the Federal Reserve's Board of Governors. In the current poll, 35% say the Court should rule that the president can remove Federal Reserve governors, while 64% say the president should not be held to have that power.

In the January survey, 76% say the Federal Reserve should be independent of political control. Among this group, 78% say the president should not be able to remove members of the Board of Governors and 22% say he should have this authority. Among the 24% of adults who say the president should have more influence over the Federal Reserve, 78% say the president should be able to remove members and 22% say he should not be able to do so.

Partisans are divided on how the Court should rule, with 35% of Republicans saying the president should not be able to remove members, while 65% think that he should. Independents largely oppose giving the president authority over membership on the Board of Governors (68%), as do 92% of Democrats.

The Court and the President

More than half, 57%, of those polled say the Court is going out of its way to avoid ruling against Trump, while 43% say the Court is not doing so. Among Republicans, 34% think the Court is avoiding ruling against Trump, as do 59% of independents and 78% of Democrats.

A large majority (82%) of adults believe that the president must obey a Supreme Court decision, with 17% who say the president can ignore a decision with which he disagrees. These views have been quite stable in 10 Marquette polls since 2019, never dipping below 76% saying the president must obey the Court. The percentage saying that has not fallen below 82% since January 2025.

This belief in the authority of the Court is not a partisan matter. Among Republicans, 76% say the president must obey the Court, as do 79% of independents and 90% of Democrats.

Approval of the Supreme Court

Approval of the U.S. Supreme Court's handling of its job has fallen from 50% in September to 44% in January. Approval had fallen sharply in 2022 following the *Dobbs v. Jackson Women's Health Organization* decision, which overturned abortion rights established in *Roe v. Wade*. Net approval, the percentage approval minus disapproval, then remained negative throughout the remainder of 2022 and through 2024. In January 2025, net

approval moved into positive territory before turning down in July. Table 3 shows approval of the Court since September 2020.

Table 3: United States Supreme Court approval

Among adults

Poll dates	Approval		
	Net	Approve	Disapprove
1/21-28/26	-12	44	56
11/5-12/25	-12	44	56
9/15-24/25	0	50	50
7/7-16/25	-2	49	51
5/5-15/25	6	53	47
3/17-27/25	8	54	46
1/27-2/6/25	2	51	49
12/2-11/24	-4	48	52
10/1-10/24	-10	45	55
7/24-8/1/24	-14	43	57
5/6-15/24	-22	39	61
3/18-28/24	-6	47	53
2/5-15/24	-20	40	60
11/2-7/23	-18	41	59
9/18-25/23	-14	43	57
7/7-12/23	-10	45	55
5/8-18/23	-18	41	59
3/13-22/23	-12	44	56
1/9-20/23	-6	47	53
11/15-22/22	-12	44	56
9/7-14/22	-20	40	60
7/5-12/22	-23	38	61
5/9-19/22	-11	44	55
3/14-24/22	9	54	45
1/10-21/22	6	52	46
11/1-10/21	8	54	46
9/7-16/21	-1	49	50
7/16-26/21	21	60	39
9/8-15/20	33	66	33

Marquette Law School Poll, national surveys, latest: Jan. 21-28, 2026

Question: Overall, how much do you approve or disapprove of the way the U.S. Supreme Court is handling its job?

There are substantial partisan differences in views of the Supreme Court's handling of its job, with Republicans much more approving (78%) than independents (26%) or Democrats (17%). Republican net approval fell by 14 points from September to November but substantially recovered in January. Net approval among independents declined by 20 points from September to November and fell another 12 points in January. After a 26-point

approval drop from May to July, Democrats showed less change from September to November, declining just 4 points. Democrat approval was unchanged in January. The recent trend in approval by party identification is shown in Table 4.

Table 4: United States Supreme Court approval, by party ID

Among adults

Poll dates	Approval		
	Net	Approve	Disapprove
Republican			
1/21-28/26	56	78	22
11/5-12/25	48	74	26
9/15-24/25	62	81	19
7/7-16/25	62	81	19
5/5-15/25	56	78	22
3/17-27/25	58	79	21
1/27-2/6/25	68	84	16
12/2-11/24	48	74	26
10/1-10/24	36	68	32
7/24-8/1/24	34	67	33
5/6-15/24	14	57	43
Independent			
1/21-28/26	-46	26	72
11/5-12/25	-34	33	67
9/15-24/25	-14	43	57
7/7-16/25	-10	45	55
5/5-15/25	-14	43	57
3/17-27/25	-10	45	55
1/27-2/6/25	-8	46	54
12/2-11/24	-8	46	54
10/1-10/24	-18	41	59
7/24-8/1/24	-22	39	61
5/6-15/24	-48	26	74

Democrat			
1/21-28/26	-66	17	83
11/5-12/25	-66	17	83
9/15-24/25	-62	19	81
7/7-16/25	-64	18	82
5/5-15/25	-38	31	69
3/17-27/25	-38	31	69
1/27-2/6/25	-62	19	81
12/2-11/24	-58	21	79
10/1-10/24	-54	23	77
7/24-8/1/24	-58	21	79
5/6-15/24	-54	23	77

Marquette Law School Poll, national surveys, latest: Jan. 21-28, 2026

Question: Overall, how much do you approve or disapprove of the way the U.S. Supreme Court is handling its job?

Attention to the Court

The Supreme Court is not the center of attention for most of the public. In January, 23% said they had read or heard a lot about the Court in the last month, 63% had heard only a little, and 14% had heard nothing at all.

Exposure to news about the Court is linked to general attention to politics. Among the 46% of adults who say they follow what's going on in politics most of the time, 41% say they have heard a lot about the Court in the past month. That percentage drops to 10% for those who follow politics some of the time and drops below 2% for those who pay only sporadic attention to politics. The full relationship is shown in Table 5.

Table 5: Exposure to news about the Court, by attention to politics

Among adults

Attention to politics	Heard about the Court		
	A lot	A little	Nothing at all
Most of the time	41	55	4
Some of the time	10	77	13
Only now and then	1	59	39
Hardly at all	2	43	56

Marquette Law School Poll, national survey: Jan. 21-28, 2026

Question: Thinking about the last month only, how much have you heard or read about the U.S. Supreme Court?

Question: Some people seem to follow what's going on in politics most of the time, whether there's an election going on or not. Others aren't that interested. How often do you follow what's going on in politics?

Approval of the Court's work is not related to exposure to news about the Court. Among those hearing a lot about the Court, 42% approve of how the Court is handling its job.

Approval among those hearing a little is 45%, and for those hearing nothing at all it is 41%.

Approval of the Court's handling of its job is also not linked to general attention to politics. Among those who follow politics most of the time, 45% approve. Among those following politics some of the time, 44% approve. Those who follow politics only now and then give the Court a 50% job-approval rating.

On Dec. 4, the Supreme Court allowed Texas to use new congressional district maps in the 2026 elections, staying a lower court order barring the new districts' use. In the January poll, 29% said they had heard a lot about this decision, 41% said they heard a little, and 31% said they had heard nothing at all.

Among those who follow politics most of the time, 47% heard a lot about this decision and another 40% heard a little. Among those who follow politics only some of the time, just 17% heard a lot and 38% heard nothing at all.

Recent and pending cases

On Dec. 23, the Court let stand a lower court order in *Trump v. Illinois* preventing the Trump administration from federalizing and deploying National Guard troops within Illinois. Sixty-two percent favor this ruling, with 38% opposed. In November, 57% said the Court should block the deployment of the National Guard and 43% said it should allow the deployment.

On Jan. 13, the Court heard arguments in *West Virginia v. B.P.J.*, which asks whether state laws can prohibit transgender girls and women from participating on girls' and women's sports teams. Sixty-four percent say the Court should rule those laws are constitutional, while 36% say they should rule the laws unconstitutional. This opinion is barely changed from September, when 62% said the Court should uphold the state laws.

The Court has scheduled oral arguments on March 2 in *United States v. Hemani* challenging the federal statute that prohibits the possession of firearms by a person who "is an unlawful user of or addicted to any controlled substance." This is one of two gun-rights cases the Court is set to hear this term. A majority (61%) say the Court should rule that this law does not violate the Second Amendment, while 39% say it violates the Second Amendment.

Favorability of the justices

The justices are not familiar to most Americans, despite their positions on the high court. Among all adults, Clarence Thomas is the only justice with over 50% name recognition, followed by Brett Kavanaugh and Sonia Sotomayor at just under 50% recognition. The least well-known justice is Elena Kagan, while Neil Gorsuch and Samuel Alito are only slightly better known. The three justices in the middle are Ketanji Brown Jackson, Amy Coney Barrett, and Chief Justice John Roberts.

Those who are most attentive to politics are considerably more aware of the justices, with more than 50% recognizing each justice and over 70% recognition for the best-known justices. The rank order is virtually identical for the politically attentive group and for all adults. While these levels of name recognition are lower than for most national political figures, the justices are at least somewhat familiar to those who follow politics most of the time.

Table 6 shows the percentage able to recognize and rate each justice among all adults and among those attentive to politics who say they follow politics most of the time.

Table 6: Recognition of justices

Among adults and those attentive to politics

Justice	Able to rate, among adults	Able to rate, among attentive to politics
Clarence Thomas	56	77
Brett Kavanaugh	49	72
Sonia Sotomayor	47	68
Ketanji Brown Jackson	43	65
Amy Coney Barrett	42	65
John Roberts	41	63
Samuel Alito	37	56
Neil Gorsuch	32	51
Elena Kagan	31	51

Marquette Law School Poll, national survey, Jan. 21-28, 2026

Question: Some justices of the Supreme Court are better known than others. For each of these names, have you never heard of them, heard of them but don't know enough to have an opinion of them, have a favorable opinion or have an unfavorable opinion?

Sotomayor has the highest net favorability of the justices, followed by Kagan and Jackson—a cluster of the three liberal justices. Roberts is barely net positive, Gorsuch a net of zero, and Barrett and Alito are slightly net negative. Thomas and Kavanaugh are the most net negative in terms of favorability of the justices. Table 7 shows the net favorable-minus-unfavorable opinion of the justices for all adults and for each partisan group.

Table 7: Net favorability of justices, by party identification

Among adults

Justice	All adults	Republican	Independent	Democrat
Sonia Sotomayor	13	-21	4	52
Elena Kagan	9	-7	-3	30
Ketanji Brown Jackson	7	-28	1	44
John Roberts	1	22	-1	-19
Neil Gorsuch	0	25	-6	-23
Amy Coney Barrett	-2	27	-7	-28
Samuel Alito	-3	24	3	-31
Clarence Thomas	-6	38	-8	-51
Brett Kavanaugh	-7	34	-7	-50

Marquette Law School Poll, national survey, Jan. 21-28, 2026

Question: Some justices of the Supreme Court are better known than others. For each of these names, have you never heard of them, heard of them but don't know enough to have an opinion of them, have a favorable opinion or have an unfavorable opinion?

There is strong party polarization in views of the justices. Republicans rate the three liberals negatively and the six conservative justices positively. Democrats reverse this, with positive feelings for the liberals and negative feelings for the conservatives. Independents

give ratings that are more evenly divided than those of partisans and don't follow the clear liberal-conservative patterns of partisans.

An important difference between Democrats and Republicans is that Democrats feel much more strongly about the justices than do Republicans. For example, Republicans rate Sotomayor at -21 and Democrats rate her at +52, a much more intense balance of feelings. The same holds for Kavanaugh, whom Republicans rate at +34, but the Democrats rate him a more intense -50. This difference in intensity holds for each justice except for Roberts, Gorsuch, and Barrett, for whom intensity differences are modest. This difference in intensity helps explain why most of the conservative justices are rated negatively, even though Republicans and Democrats have almost equal shares of the population. The greater Democratic intensity, both positive and negative, helps tip overall favorability up for liberal justices and down for conservative ones.

About the Marquette Law School Poll

The survey was conducted Jan. 21-28, 2026, interviewing 1,003 adults nationwide, with a margin of error of +/-3.4 percentage points.

Interviews were conducted using the SSRS Opinion Panel, a national probability sample with interviews conducted online. Certain other data from this survey (focusing on national political topics) were previously [released on Feb. 4](#). The detailed methodology statement, survey instrument, topline results, and crosstabs for this release are available on the Marquette Law School Poll website.

Wording of questions about recent and pending Supreme Court decisions: These items do not attempt to exactly frame the particular issues in specific cases but rather address the topic in more general terms.

The wording of questions about recent cases include:

Learning Resources, Inc. v. Trump

A federal appeals court has issued a ruling that substantially limits the president's authority to impose tariffs on imports to the United States. This decision has been appealed to the Supreme Court. How do you think the Supreme Court should rule?

Trump v. Cook

The Supreme Court is hearing arguments in a case asking whether President Trump can remove a member of the Federal Reserve Board of Governors. A lower court ruling prevented the removal, which the Supreme Court is now considering. How do you think the Supreme Court should rule?

Trump v. Illinois

In December the U.S. Supreme Court blocked President Trump's deployment in Chicago of National Guard troops. Do you favor or oppose the Supreme Court's decision?

West Virginia v. B.P.J.

The Supreme Court heard arguments in a case asking whether state laws that prohibit transgender girls and women from participating on girls' and women's sports teams violate the Constitution's equal protection clause. How do you think the Supreme Court should rule?

United States v. Hemani

The Supreme Court will hear arguments in February on a challenge to the constitutionality of a federal law that makes it a felony for any "unlawful user" of illegal drugs to have a gun. How do you think the Court should rule? [Note: argument is scheduled for March 2]

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