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This release is also available online.

New Marquette Law School national survey finds 55% say Department of Justice has filed unjustified cases against Trump's political opponents

58% say cases brought against Trump in 2023 and 2024 were justified

Also:

- Approval of the U.S. Supreme Court dipped in November to 44%, the lowest in a year
- Attention to news about the Court is higher than in September
- A large majority says the president must obey the Supreme Court; smaller majority says lower federal court limits on president's executive orders are a proper exercise of judicial power

Please note: Complete Poll results and methodology information can be found online at law.marquette.edu/poll

MILWAUKEE – A new Marquette Law School Poll national survey finds 55% say the Department of Justice has filed unjustified criminal cases against President Donald Trump's political opponents, while 45% think the cases are justified. Recent cases have been brought against former FBI Director James Comey and New York Attorney General Letitia James.

Views of these prosecutions are closely divided among Republicans and independents. Among Republicans, 48% believe unjustified cases have been filed, while 52% say the cases are justified. Among independents, 47% say cases are unjustified and 51% say they are justified. Among Democrats, 65% say cases are unjustified, while 35% say cases are justified.

In contrast to the current prosecutions, 58% say the federal and state criminal cases brought against Trump in 2023 and 2024 were justified, with 42% saying they were unjustified. Partisan differences are much greater concerning the prosecutions of Trump than for the cases against Trump’s opponents. Among Republicans, 77% say the cases against Trump were unjustified, with 23% saying they were justified. With independents, 68% say the cases against Trump were justified and 29% say they were unjustified, while 90% of Democrats say those cases were justified and 10% say they were not.

Table 1 shows the comparison of cases brought against Trump opponents and those against Trump by party identification. (All results in the tables are stated as percentages.)

Table 1: Are cases against Trump opponents and against Trump justified, by party identification

Among adults

Party ID	Justified or unjustified	
	Filed unjustified cases	Filed justified cases
Cases against Trump opponents		
Republican	48	52
Independent	47	51
Democrat	65	35
Cases against Trump		
Republican	77	23
Independent	29	68
Democrat	10	90

Marquette Law School Poll, national surveys, latest: Nov. 5-12, 2025

Question: Do you think the U.S. Justice Department has filed unjustified criminal cases against Donald Trump’s political opponents, or do you think the cases are justified?

Question: Do you think the U.S. Justice Department and state prosecutors filed unjustified criminal cases against Donald Trump in 2023-2024, or do you think the cases were justified?

The poll was conducted Nov. 5-12, 2025, among 1,052 adults nationwide, with a margin of error of +/-3.3 percentage points.

Approval of the Supreme Court

Approval of the U.S. Supreme Court dipped to 44% in November, down from 50% in September. Disapproval of the Court rose to 56% from September’s 50%. Approval of the Court suffered a sharp decline in May and July 2022, with approval typically in the low-to-mid 40% range in bimonthly polling since then. Approval rose through the second half of 2024 and 2025 until this month’s decline. The current 44% approval was the lowest since July 2024, when approval was at 43%. Table 2 shows approval of the Court since September 2020.

Table 2: United States Supreme Court approval

Among adults

Poll dates	Approval		
	Net	Approve	Disapprove
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: Nov. 5-12, 2025

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, with Republicans much more approving (74%) than independents (33%) or Democrats (17%). The recent trend in approval by party identification is shown in Table 3. Republican net approval fell by 14 points from September to November and independent net approval declined by 20 points. Democrats showed less change, down 4 points in net approval.

Table 3: United States Supreme Court approval, by party ID

Among adults

Poll dates	Approval		
	Net	Approve	Disapprove
Republican			
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			
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			
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: Nov. 5-12, 2025

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

Thirty percent say they have heard or read a lot about the Court over the last month, 60% have heard a little, and 10% have heard nothing at all. Those hearing a lot about the Court rose from 22% in September. This is the highest level of attention to the Court since December 2024, with the exception of July 2025 following the Court’s release of a number of major decisions in June. At that point, 34% said they had heard or read a lot about the Court during the previous month. Table 4 shows the attention cycle over the last year. Typically, attention rises from winter to summer as the Court hands down most major decisions in June. Attention this November is considerably higher than either October or December 2024.

Table 4: Attention to news about the Supreme Court

Among adults

Poll dates	Hear or read about the Court		
	A lot	A little	Nothing at all
11/5-12/25	30	60	10
9/15-24/25	22	61	18
7/7-16/25	34	51	15
5/5-15/25	25	60	15
3/17-27/25	25	63	12
1/27-2/6/25	17	68	14
12/2-11/24	17	64	18
10/1-10/24	19	61	20

Marquette Law School Poll, national surveys, latest: Nov. 5-12, 2025

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

Democrats are currently paying more attention to the Court than are Republicans or independents. Forty-one percent of Democrats say they heard or read a lot about the Court in the last month, compared to 23% of Republicans and 18% of independents.

Greater attention to the Court is associated with partisan polarization in approval of the Court. Among Republicans, approval increases with greater attention, while with Democrats disapproval rises with greater attention. Independents who have heard a lot about the Court are more disapproving than those who have heard less. These results are shown in Table 5.

Table 5: Attention to news and approval of the Court, by party ID

Among adults

Heard about Court	Approval		
	Net	Approve	Disapprove
Republican			
A lot	56	78	22
A little	50	75	25
Nothing at all	28	64	36
Independent			
A lot	-54	23	77
A little	-26	37	63
Nothing at all	-38	31	69
Democrat			
A lot	-80	10	90
A little	-62	19	81
Nothing at all	-26	37	63

Marquette Law School Poll, national survey Nov. 5-12, 2025

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

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

A majority, 56%, think the Supreme Court is going out of its way to avoid ruling against Trump, while 44% say it is not avoiding ruling against him. This perception was nearly identical in September, with 55% saying the Court was avoiding ruling against Trump and 45% saying it was not.

In November, this perception shifted in opposite directions within political parties. More Republicans in November see the Court as trying to avoid a ruling than did so in September, while among Democrats fewer see such avoidance than in September. Independents hardly changed their opinion. Regardless of either month of interview, a majority of Republicans say the Court is not trying to avoid ruling against Trump, while a majority of independents and a large majority of Democrats think the Court is trying to avoid ruling against him. These results are shown in Table 6.

Table 6: Is the Court avoiding ruling against Trump, by party identification

Among adults

Poll dates	Avoiding or not	
	Is going out of its way to avoid	Is not avoiding a ruling
Republican		
11/5-12/25	37	63
9/15-24/25	31	69
Independent		
11/5-12/25	58	41
9/15-24/25	58	42
Democrat		
11/5-12/25	74	26
9/15-24/25	81	19

Marquette Law School Poll, national survey, Nov. 5-12, 2025

Question: Do you think the U.S. Supreme Court is going out of its way to avoid making a ruling that President Donald Trump might refuse to obey?

Views of how justices decide cases are shaped by partisanship, with 60% of Republicans saying justices' decisions are mainly based on the law, while 62% of independents and 68% of Democrats say decisions are mainly based on politics.

The perception of how justices decide cases also affects approval of the Court, with those saying decisions are based mainly on the law giving the Court greater approval and those stressing politics giving lower approval. Approval is about 30 points higher, regardless of party, for those who think decisions are mainly based on the law, as shown in Table 7.

Table 7: Court approval, by basis of decisions and by party identification

Among adults

Basis of decisions	Approval	
	Approve	Disapprove
Republican		
Mainly politics	56	44
Mainly the law	86	14
Independent		
Mainly politics	21	79
Mainly the law	54	46
Democrat		
Mainly politics	8	92
Mainly the law	35	65

Marquette Law School Poll, national survey, Nov. 5-12, 2025

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

Question: In general, what most often motivates Supreme Court justices' decisions?

Despite concern that the Court may be trying to avoid ruling against the president, a large majority say the president must obey rulings of the Supreme Court. In November, 84% say the president must follow the Court's rulings, while only 16% say the president can ignore Court rulings. This large majority has hardly changed since 2019, as shown in Table 8.

Table 8: President must obey rulings of the Supreme Court

Among adults

Poll dates	Obey Supreme Court rulings	
	The president has the power to ignore the ruling	The president is required to do as the ruling says
11/5-12/25	16	84
9/15-24/25	16	84
7/7-16/25	17	83
5/5-15/25	16	84
3/17-27/25	17	83
1/27-2/6/25	17	83
12/2-11/24	21	79
9/8-15/20	16	82
9/3-13/19	22	76

Marquette Law School Poll, national surveys, latest: Nov. 5-12, 2025

Question: If the Supreme Court rules against the president in a case, does the president have the power to ignore that ruling, or is the president required to do as the ruling says?

Significantly, substantial majorities of Republicans, independents, and Democrats agree that the president must obey Court rulings, as shown in Table 9.

Table 9: President must obey the Supreme Court, by party identification

Among adults

Party ID	Must obey Court	
	The president has the power to ignore the ruling	The president is required to do as the ruling says
Republican	22	78
Independent	24	76
Democrat	8	92

Marquette Law School Poll, national survey Nov. 5-12, 2025

Question: If the Supreme Court rules against the president in a case, does the president have the power to ignore that ruling, or is the president required to do as the ruling says?

District courts have issued a number of orders blocking executive actions since January. Sixty-five percent of people in this poll say such orders are a proper use of judicial authority, while 35% say such orders are not proper. A majority of Republicans, 61%, say these rulings are not a proper use of judicial authority, while 71% of independents and 89% of Democrats say they are an appropriate exercise of judicial power. This relationship is shown in Table 10.

Table 10: Proper for courts to block executive orders, by party identification

Among adults

Party ID	Proper for courts to block executive orders	
	Yes	No
Republican	39	61
Independent	71	29
Democrat	89	11

Marquette Law School Poll, national survey Nov. 5-12, 2025

Question: Federal courts have issued orders temporarily blocking a number of the Trump administration's executive actions. Do you think such orders can be a proper use of judicial authority?

Among the rulings of lower federal courts are cases concerning the deployment of National Guard troops in several cities across the country. Asked specifically about courts blocking the National Guard from Chicago, 43% say the Supreme Court should allow the deployment, while 57% say the Court should allow the lower court decision blocking deployment to stand. The partisan split here is substantial, with 81% of Republicans saying the Court should allow the deployment, while 78% of independents and 88% of Democrats say the Supreme Court should block the deployment.

The difference is not statistically significant if the question mentions the deployment of "National Guard troops from Texas"; support for allowing such deployment is a bit higher at 46%.

Upcoming cases before the Court

On Nov. 5, the Supreme Court heard oral arguments in a case, *Learning Resources, Inc. v. Trump*, that challenges the president's authority under the International Emergency Economic Powers Act to impose tariffs. In this poll, conducted after oral arguments, 62% said the Court should uphold the appeals court ruling limiting the president's tariff authority, and 38% said the appeals court ruling should be overturned. These results are virtually the same as in the September Marquette Law School poll, as shown in Table 11.

Table 11: Limiting president's tariff power

Among adults

Poll dates	Uphold or overturn limits on tariff power	
	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
11/5-12/25	62	38
9/15-24/25	61	39

Marquette Law School Poll, national survey Nov. 5-12, 2025

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?

A substantial majority of Republicans would like the Court to overturn the limits on the president's tariff authority, while a similarly large share of independents wants the limits upheld. Almost all Democrats want the tariff authority limited, as shown in Table 12.

Table 12: Limit president's tariff authority, by party identification

Among adults

Party ID	Uphold or overturn limits on tariff authority	
	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
Republican	26	74
Independent	75	23
Democrat	93	7

Marquette Law School Poll, national survey Nov. 5-12, 2025

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?

On Oct. 7, the Court heard oral arguments in *Chiles v. Salazar*, a challenge to Colorado's ban on "conversion therapy"—treatment intended to change a client's sexual orientation or gender identity—for young people. The issue before the Court is this: Does this law regulate medical practice, or does it violate the First Amendment rights of therapists?

Sixty-seven percent say the law is a proper regulation of medical treatment, while 33% say it is impermissibly censoring speech.

In January, Trump issued an executive order declaring that there is no guarantee of citizenship for everyone born in the United States, contrary to longstanding policy that the 14th Amendment to the Constitution recognizes all such persons' U.S. citizenship, regardless of the citizenship of their parents, with few exceptions. This order has been ruled to violate the Constitution by several federal district courts and is now expected to come before the Supreme Court. As to the 14th Amendment's recognition of citizenship, 72% say the Court should rule it applies to all who are born in the United States, while 28% say the 14th Amendment should not apply to those born to non-citizens in the United States—but, rather, should apply only to former slaves, as the administration has argued.

Trump v. Slaughter concerns the president's authority to remove members of the Federal Trade Commission despite statutory protections from removal. At issue is whether such statutory protections violate the separation of powers. Seventy-one percent say that statutory protections from removal should be allowed, while 29% say the Court should rule that the executive power of the president allows him to remove members of independent agencies, such as the Federal Trade Commission.

About the Marquette Law School Poll

The poll was conducted Nov. 5-12, 2025, among 1,052 adults nationwide, with a margin of error of +/-3.3 percentage points. The poll was entirely conducted after the Nov. 4 elections in New Jersey, Virginia and elsewhere. Seven percent of the sample was interviewed after the Senate voted to end the federal government shutdown on Nov. 9, but all interviews were completed before the House voted on Nov. 12.

Interviews were conducted using the SSRS Opinion Panel, a national probability sample with interviews conducted online. Certain other data from this survey (focusing on views of the Trump administration and policy issues) were [released on Nov. 19](#). 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 cases

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 cases includes:

Learning Resources, Inc. v. Trump

- A federal appeals court has issued a ruling that substantially limits the presidents' 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?

Chiles v. Salazar

- More than 20 states restrict therapists from trying to change the gender identity or sexual orientation of clients under age 18, often called “conversion therapy.” The Supreme Court recently heard arguments in a case asking whether such a law, as it applies to talk therapy, is about properly regulating medical treatment or impermissibly censoring speech. How do you think the Supreme Court should rule?

Birthright citizenship

- The Supreme Court is expected to hear arguments asking whether the 14th Amendment’s provision that those “born in the United States, and subject to the jurisdiction thereof,” are U.S. citizens was intended to only apply to newly freed slaves after the Civil War and should not apply to a non-citizen’s child who is born in the United States today. How do you think the Supreme Court should rule?

Trump v. Slaughter

- By federal statute, individuals appointed to serve on independent, multi-member regulatory agencies, like the Federal Trade Commission, can be removed only for “inefficiency, neglect of duty, or malfeasance in office.” The Supreme Court will hear arguments in a case asking whether such Congressional requirements for removal infringe on the president’s executive power. How do you think the Supreme Court should rule?

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