



U.S. Supreme Court to Clarify Sovereign Immunity Across State Lines

In the News

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By: Jeffrey M. Scott

In its upcoming term, the U.S. Supreme Court is set to address whether a state agency like New Jersey Transit can be sued in another state's court for injuries that occurred outside its home state. The case arises from two separate lawsuits: one filed in Pennsylvania and another in New York, both involving accidents involving New Jersey Transit buses. While New York's high court allowed the lawsuit to proceed, Pennsylvania's court held that sovereign immunity barred such claims.

At the center of the issue is whether New Jersey Transit qualifies as an "arm of the state," which would entitle it to sovereign immunity under the U.S. Constitution. The outcome could have broad implications for state-run agencies such as transportation authorities and public universities.

Archer partner [Jeffrey Scott](#), a civil trial attorney, was quoted discussing the potential impact of the ruling. Jeff noted that the decision will be closely watched by both state government attorneys and plaintiffs' lawyers, as it could significantly influence where lawsuits against state agencies can be brought.

"But on the other side of the coin is that sovereign immunity is very strong in this country, and this is really a U.S. constitutional case," Jeff said. "In my view, I think the Supreme Court of Pennsylvania got it right."

Jeff emphasized that while plaintiffs may still be able to pursue their claims, the venue could shift, reaffirming the constitutional protections extended to state agencies.

The Supreme Court's decision is expected to resolve conflicting legal standards between states and establish a consistent rule for determining immunity in cross-border litigation.

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