
U.S Supreme Court Clarifies Majority-Group Plaintiffs Are Not Held to a Higher Evidentiary Standard in Title VII Employment Discrimination Cases

June 27, 2025
Number 25

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On June 5, 2025, in *Ames v. Ohio Department of Youth Services* (2025) 145 S.Ct. 1540, the United States Supreme Court unanimously vacated the Sixth Circuit's decision to dismiss the plaintiff's reverse discrimination lawsuit, rejecting the lower court's reasoning that the plaintiff failed to establish "background circumstances" to support the plausibility of reverse discrimination. The Court held that the standard of evidence for a Title VII discrimination claim should be the same, regardless of the person's group affiliation, and remanded the case back to the lower court to evaluate under the clarified standard.

Background

Marlean Ames, a heterosexual woman, worked for the Ohio Department of Youth Services (Ohio) since 2004. In 2019, Ames, who held the position of a program administrator, applied and interviewed for a management position, but was ultimately passed over by another candidate, a lesbian woman. A couple of days after her interview for the management position, Ames was demoted from her administrator position, which was then filled by a gay man.

Ames subsequently filed a Title VII claim against Ohio claiming discrimination based on her sexual orientation. Title VII makes it unlawful for an employer "to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin."

To determine whether Ames had a successful disparate treatment claim based on circumstantial evidence, the lower courts applied the three-part *McDonnell Douglas* framework. Under that framework, Ames had to first establish a prima facie case of unlawful discrimination. If she did so, Ohio then had to set forth a legitimate reason for their adverse actions. Lastly, the burden shifts back to Ames to show that Ohio's legitimate reason is a pretext for discrimination.

Relying on precedent, the lower courts held that to surpass the first step, Ames, a member of a majority group as a straight woman, was also required to produce "background circumstances" indicating that Ohio was an unusual employer that "discriminates against the majority," which she failed to do.

Therefore, the lower courts granted summary judgment in favor of Ohio on Ames's Title VII discrimination claim.

Supreme Court Holding

The Supreme Court found that the lower courts' "background circumstances" rule was inconsistent with Title VII's text and intent. Specifically, Title VII's disparate treatment provision establishes equal protection to every "individual"—having no indication of disparity between majority and minority group plaintiffs. Therefore, requiring majority group plaintiffs to make an extra showing that their employer intended to discriminate against them should not be required, as this heightened evidentiary burden would be inconsistent with Congress's purpose. Furthermore, the lower courts' application of the "background circumstances" rule disregards the Supreme Court's prior instructions to not rigidly apply *McDonnell Douglas*'s prima facie requirement. Rejecting the "background circumstances" rule, the Court remanded the case to the lower court to re-evaluate Ames's claim under the clarified standard.

Takeaways

The Court's rejection of the heightened evidentiary standard for majority groups clarifies a uniform evidentiary threshold for Title VII discrimination claims. There may be an influx of reverse discrimination cases and courts should now apply the same evidentiary standard to all plaintiffs, regardless of their group affiliation. Although not requiring employers to change their internal processes, it is likely that employers may need to implement more standardized and transparent practices with careful documentation to reduce perceptions of unlawful discrimination.

If you have any questions about *Ames v. Ohio Department of Youth Services* or need guidance related to employment discrimination, please contact the author of this Client News Brief or an attorney at one of our [eight offices](#) located statewide. You can also subscribe to our [podcast](#), follow us on [Facebook](#), and [LinkedIn](#) or download our [mobile app](#).

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