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NOTE: Where it is feasible, a syllabus (headnote) will be released, as is being done in connection with this case, at the time the opinion is issued. The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See *United States v. Detroit Timber & Lumber Co.*, 200 U. S. 321, 337.

SUPREME COURT OF THE UNITED STATES

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FREW, ON BEHALF OF HER DAUGHTER, FREW, ET AL. *v.*
HAWKINS, COMMISSIONER, TEXAS HEALTH
AND HUMAN SERVICES COMMISSION, ET AL.

CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR
THE FIFTH CIRCUIT

No. 02–628. Argued October 7, 2003—Decided January 14, 2004

As a participant in the Medicaid program, Texas must meet certain federal requirements, including that it have an Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) program for children. The petitioners, mothers of children eligible for EPSDT services in Texas, sought injunctive relief against state agencies and various state officials, claiming that the Texas program did not meet federal requirements. The claims against the state agencies were dismissed on Eleventh Amendment grounds, but the state officials remained in the suit and entered into a consent decree approved by the Federal District Court. In contrast with the federal statute’s brief and general mandate, the decree required state officials to implement many specific proposals. Two years later, when the petitioners filed an enforcement action, the District Court rejected the state officials’ argument that the Eleventh Amendment rendered the decree unenforceable, found violations of the decree, and directed the parties to submit proposals outlining possible remedies. On interlocutory appeal, the Fifth Circuit reversed, holding that the Eleventh Amendment prevented enforcement of the decree because the violations of the decree did not also constitute violations of the Medicaid Act.

Held: Enforcement of the consent decree does not violate the Eleventh Amendment. Pp. 4–10.

(a) This case involves the intersection of two areas of federal law: the Eleventh Amendment and the rules governing consent decrees. The state officials argue that a federal court should not enforce a consent decree arising under *Ex parte Young*, 209 U. S. 123, unless it

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first identifies, at the enforcement stage, a violation of federal law such as the EPSDT statute itself. This Court disagrees. The decree here is a federal court order that springs from a federal dispute and furthers the objectives of federal law. *Firefighters v. Cleveland*, 478 U. S. 501, 525. The petitioners' enforcement motion sought a remedy consistent with *Ex parte Young* and *Firefighters* and accepted by the state officials when they asked the court to approve the consent decree. *Pennhurst State School and Hospital v. Halderman*, 465 U. S. 89, in which this Court found *Ex parte Young*'s rationale inapplicable to suits brought against state officials alleging state-law violations, is distinguishable from this case, which involves a federal decree entered to implement a federal statute. Enforcing the decree vindicates an agreement that the state officials reached to comply with federal law. Federal courts are not reduced to approving consent decrees and hoping for compliance. Once entered, that decree may be enforced. See *Hutto v. Finney*, 437 U. S. 678. Pp. 4–9.

(b) The state officials and *amici* state attorneys general express legitimate concerns that enforcement of consent decrees can undermine sovereign interests and accountability of state governments. However, when a consent decree is entered under *Ex parte Young*, the response to their concerns has its source not in the Eleventh Amendment but in the court's equitable powers and in the direction given by Federal Rule of Civil Procedure 60(b)(5), which encompasses an equity court's traditional power to modify its decree in light of changed circumstances. See, e.g., *Rufo v. Inmates of Suffolk County Jail*, 502 U. S. 367. If a detailed order is required to ensure compliance with a decree for prospective relief that in effect mandates the State to administer a significant federal program, federalism principles require that state officials with front-line responsibility for the program be given latitude and substantial discretion. The federal court must ensure that when the decree's objects have been attained, responsibility for discharging the State's obligations is returned promptly to the State and its officials. The basic obligations of federal law may remain the same, but the precise manner of their discharge may not. If the State establishes reason to modify the decree, the court should make the necessary changes; otherwise, the decree should be enforced according to its terms. Pp. 9–10.

300 F. 3d 530, reversed.

KENNEDY, J., delivered the opinion for a unanimous Court.