

FRANCZEK

Nationwide Injunctions After Trump v. Casa

July 1, 2025

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In [*Trump v. Casa*](#), the Supreme Court addressed three emergency applications challenging the use of universal injunctions that bar enforcement of federal action across the country. The case concerned the entry of a temporary injunction prohibiting enforcement of the Trump administration's "Birthright Citizenship" Executive Order (EO 14160).

Three district courts had found EO 14160 likely unconstitutional and issued preliminary nationwide injunctions prohibiting enforcement. The government did not seek Supreme Court review of the district courts' rulings holding that EO 14160 was unconstitutional but only challenged the district courts' ability to grant universal injunctions prohibiting enforcement of the EO against all impacted individuals, regardless of whether the individuals were parties to the underlying lawsuit.

The Court explained that, based on the historical authority of both courts in England prior to the United States' founding and the authority of courts in the early years of the United States, the statute that granted district courts the authority to grant equitable remedies—such as injunctions—was limited to the parties to the litigation. The Court held that the nationwide injunctions likely exceeded the authority Congress granted federal courts.

The Court granted a partial stay—a temporary halt—of the lower court's injunctions, allowing those courts to consider narrower alternatives. As a result, the injunctions entered against EO 14160 now protect only the named parties from the enforcement of the EO. The Court also gave federal agencies thirty days to issue guidance on implementing the EO.

The Court emphasized that class actions may remain a viable path for obtaining broader injunctive relief for similarly situated individuals. On the same day of this decision, the American Civil Liberties Union filed a class action lawsuit on behalf of "all current and future persons who are born on or after February 2025" to parents without permanent legal status.[\[1\]](#)

This decision has wide ranging implications that go well beyond the issue of birthright citizenship. Employers and educational institutions facing executive branch actions—such as the revocation of federal funding or other penalties—that believe such actions are unconstitutional or otherwise unlawful can no longer rely on other similarly impacted parties to challenge the law and obtain universal injunctive relief. Instead, they may have to sue the federal government directly and/or be within a class of plaintiffs challenging the executive branch action in a class action suit. While many states have sued the federal government to attempt to block potentially unconstitutional federal executive action on behalf of their constituents, this ruling calls into question the ability of states to obtain such widespread relief.

In most cases, organizations or individuals seeking protection from an unlawful executive order, law, or policy must now assert their own legal rights by joining an existing lawsuit or filing suit independently. Please reach out to your Franczek [attorney](#) with any questions related to this ruling.

[\[1\]](#) Complaint, Barbara v. Trump, No. 1:25-cv-00244 (D.N.H. filed June 27, 2025).