

Federal Court Blocks Trump Birthright Citizenship Order, Certifies Nationwide Class Protecting All Impacted Babies

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CONTACT:

Inga Sarda-Sorensen, ACLU, 347-514-3984, isarda-sorensen@aclu.org

Ari Mischik, ACLU of New Hampshire, ariana@aclu-nh.org

Kate Lagreca, ACLU of Massachusetts, media@aclum.org

Samuel Crankshaw, ACLU of Maine, scrankshaw@aclumaine.org

Troi Barnes, Legal Defense Fund, media@naacpldf.org

Lauren Nguyen, Asian Law Caucus, media@asianlawcaucus.org

Jenice Robinson, DDF, press@statedemocracydefenders.org

CONCORD, N.H. — A federal court in New Hampshire today blocked President Trump's executive order restricting birthright citizenship and certified a nationwide class that protects the citizenship rights of all children born on U.S. soil. The case is [*Barbara v. Donald J. Trump*](#).

The ruling stems from a nationwide class-action lawsuit filed June 27, immediately after a Supreme Court ruling that potentially opened the door for partial enforcement of the executive order.

The American Civil Liberties Union, ACLU of New Hampshire, ACLU of Maine, ACLU of Massachusetts, Legal Defense Fund, Asian Law Caucus, and Democracy Defenders Fund brought the challenge on behalf of a proposed class of babies subject to the executive order. It seeks to protect all impacted families in the country in the wake of the Supreme Court's recent decision in *Trump v. CASA*, which directed courts to consider narrowing nationwide protection that had been provided in the first round of challenges to the executive order attacking birthright citizenship.

The groups were in court today successfully arguing for a preliminary injunction and nationwide class certification. The ruling was made from the bench.

In granting the request, the court provided for a 7-day delay so that the government — which argued to the Supreme Court that a nationwide class was the appropriate way to seek nationwide protection in the birthright cases — could nevertheless try to get the First Circuit Court of Appeals to stay the relief, if it decides to pursue that option. Even with a 7-day delay, the ruling will go into effect well before July 27, when partial implementation of the unconstitutional order might otherwise have begun.

“This ruling is a huge victory and will help protect the citizenship of all children born in the United States, as the Constitution intended,” said **Cody Wofsy, deputy director of the ACLU’s Immigrants’ Rights Project, who argued the case.** “We are fighting to ensure President Trump doesn’t trample on the citizenship rights of one single child.”

“This morning, the federal court in New Hampshire agreed once again that President Trump’s executive order to restrict birthright citizenship is a blatant violation of the U.S. Constitution. The executive order, which is now temporarily blocked nationwide in this class action lawsuit and blocked regionally in our January lawsuit, stands in flagrant opposition to our constitutional rights, values, and history. Our Constitution ensures that no politician can decide who among those born in this country is worthy of citizenship — a principle that continues to be ardently reinforced in court across the country and here in the Granite State,” said **Devon Chaffee, executive director of the ACLU of New Hampshire.**

“Today’s decision is a powerful affirmation of the 14th Amendment and the enduring principle that citizenship in the United States is a right by birth, not a privilege granted by politics. By granting nationwide class certification and blocking the executive order from taking effect, the court has sent a clear message: all children born on U.S. soil are entitled to the full rights and protections of citizenship. This is a critical victory for

families across the country, and we will continue to defend the constitutional promise of equal protection under the law,” said **Morenike Fajana, senior counsel of the Legal Defense Fund.**

“Since the Supreme Court’s decision, parents have lived in fear and uncertainty, wondering whether they should give birth in a different state, whether their newborns would be subject to deportation, and what kind of future awaits their children,” said **Aarti Kohli, executive director of Asian Law Caucus.** “This court’s injunction protecting birthright citizenship for all affected children is a major victory for families across this country and for all Americans. This ruling reaffirms that constitutional rights cannot be stripped away by executive decree.”

“Today’s decision is a victory for our plaintiffs, and millions of families across this country, who deserve clarity, and stability,” said **Tianna Mays, legal director for Democracy Defenders Fund.** “The fight to uphold the guarantee of birthright citizenship is far from over and we will continue to advocate to ensure we keep that promise.”

“For the second time, this court has affirmed the constitutional commitment that anyone born in the United States is a citizen, regardless of their parents’ background. The U.S. has always been a nation of immigrants, and we are thrilled to be moving forward with this critically important case at a time when immigrant families across the country face increasing hostility, threats, and harm,” said **Molly Curren Rowles, executive director of the ACLU of Maine.**

“Yet another court ruling affirms that the U.S. Constitution gives citizenship equally to all babies born in the United States — not only to those who can prove their parents’ citizenship or permanent status,” said **Carol Rose, executive director of the ACLU of Massachusetts.** “Birthright citizenship makes our country strong and vibrant, and denying citizenship to babies born in the U.S. is simply un-American. This ruling is a crucial step in stopping this attack on newborn babies and on the very fabric of our nation.”

This press release is online [here](#).