

DEMOCRACY2025

To: Democracy 2025 Partners
From: Democracy Forward
Re: The Supreme Court's universal injunction decision and next steps
Date: June 30, 2025

On Friday, June 27, 2025, the Supreme Court issued its [decision](#) in *Trump v. CASA*, addressing universal injunctions (they did not reach the merits of the birthright citizenship Executive Order).

As our coalition explores the impact of this case on our broader pro-democracy litigation efforts going forward, the Democracy 2025 team is sharing these initial reflections.

The bottom line:

- This decision is a disappointment for all who are looking to the U.S. Supreme Court to protect the Constitution's checks and balances against a lawless president.
- The Court limited its decision and a number of pathways remain for individuals to obtain relief from the courts in this case and in the numerous other cases pushing back against the Trump-Vance administration.
- These include class actions, broad relief under the Administrative Procedure Act, and other approaches.

Summary of the case:

The plaintiffs in these consolidated cases, represented by multiple partners in our Democracy 2025 coalition and by the State AGs, challenged the implementation and enforcement of the [birthright citizenship Executive Order](#). The district courts entered “universal injunctions”—barring the administration from applying the Executive Order to anyone in the country, not just the plaintiffs. The government asked the Supreme Court to review the availability of universal injunctions.

On Friday, the Supreme Court held that the “universal injunctions” issued in these cases exceed the equitable jurisdiction that Congress gave to the federal courts in the Judiciary Act of 1789. In plainer language: courts can no longer issue this type of injunction that provides relief beyond what is necessary to afford relief to the particular plaintiffs in a case. The Court did not distinguish between preliminary injunctions (at the beginning of a case, to preserve the status quo while the case unfolds) and permanent injunctions (what you get at the end if you win), and it seems likely this ruling applies the same to both. Accordingly, the Court sent this case back to the lower courts for them to determine if the injunctions they put in place are the only way to give relief to the respective plaintiffs, or if a narrower injunction could suffice.

The narrowness of the ruling

The Court noted, however, that there may be some instances where providing relief to the plaintiffs who brought suit also has the incidental effect of providing relief to other parties. The

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example they gave is a nuisance case where one neighbor sues another to turn down loud music. Of course, if the plaintiff wins, and the loud neighbor must turn down their music, it benefits the whole neighborhood (assuming the whole neighborhood would prefer quiet), because it is impossible to craft an injunction that gives relief only to the plaintiff when amplified audio is the source of the claimed problem.

There is also an exception to this holding identified in the case: footnote 10 notes that this case does not address the question of whether courts can vacate federal agency action under the Administrative Procedure Act (APA). In other words, this case says that universal injunctions aren't authorized under the courts' statutorily-provided *equity* jurisdiction (from the Judiciary Act of 1789). But if Congress has provided jurisdiction through another statute, then universal injunctions may still be appropriate. Under the APA, Congress authorized courts to "hold unlawful and set aside" invalid agency actions, and courts have generally understood that remedy to apply to the agency action itself—not just the application of the agency action to the named plaintiffs. Moreover, although not mentioned by today's decision, another provision of the APA authorizes reviewing courts "to postpone the effective date of an agency action or to preserve status or rights pending conclusion" of judicial review. 5 U.S.C. § 705. It is not yet clear how courts will construe the APA's stay provision.

Looking Forward

Going forward, there are still options for securing broad relief: in addition to situations in which broad relief is necessary to protect the rights of the named plaintiffs and the possibility of seeking relief under the Administrative Procedure Act, class actions will become a more popular (and necessary) tool. Bringing cases with associations as plaintiffs on behalf of their members may also help expand the scope of relief we're able to obtain.

We can't say for certain yet how this will play out in cases with existing "universal" preliminary or permanent injunctions.

We are already developing resources to help support our partners as we navigate what this might mean for pro-democracy cases, and please [reach out to us](#) if there are particular resources that would be helpful to you.

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To reach a Democracy Forward team member on this issue, please contact democracy2025@democracyforward.org or [Rachel Homer](#), Director of Democracy 2025.

Democracy Forward Foundation is a national legal organization that advances democracy and social progress through litigation, policy, public education, and regulatory engagement.

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