

Maryland Judge Blocks Trump Birthright Citizenship Order

August 8, 2025

— Categories: Human Rights



Download IPFS

GREENBELT, Md. A federal judge in Maryland has issued a ruling blocking President Donald Trump's executive order that sought to deny automatic U.S. citizenship to children born in the United States to parents who are in the country illegally or temporarily. The preliminary injunction, handed down Thursday by U.S. District Judge Deborah Boardman, is the fourth such nationwide ruling against the policy since a key U.S. Supreme Court decision in June.

The Trump administration's order, announced in January, aimed to reinterpret the 14th Amendment's Citizenship Clause, which currently guarantees citizenship to all individuals born or naturalized in the United States and subject to its jurisdiction. The policy would have barred citizenship for children born after February 19, 2025, to parents not holding legal permanent resident status.

Judge Boardman's latest ruling is consistent with earlier judicial pushback. Two other federal district courts, along with a panel from the 4th U.S. Circuit Court of Appeals, previously ruled against the measure. These courts found the order likely unconstitutional under the current interpretation of the 14th Amendment, which has long provided a legal basis for birthright citizenship.

Although Boardman had already issued an earlier injunction in February, the legal landscape changed in June when the U.S. Supreme Court ruled that lower courts generally cannot impose nationwide injunctions. However, the Court did clarify that certain broad orders may still be issued in specific cases, particularly those involving class-action lawsuits or claims brought by states.

In response, the 4th Circuit Court sent the case back to Boardman's court for reconsideration. On Thursday, she reaffirmed her earlier decision by certifying a legal class consisting of all children born in the United States after February 19, 2025, who would be affected by Trump's executive order.

In her ruling, Boardman stated that the plaintiffs in the case were "extremely likely" to succeed in their challenge, arguing that the birthright order violates the U.S. Constitution. She pointed to the 14th Amendment's Citizenship Clause, which states that "all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States."

The judge further noted that the plaintiffs would suffer "irreparable harm" if the policy were permitted to take effect, citing potential loss of legal status, public services, and other constitutional protections.

The Department of Justice has not stated in response to the ruling, and a request for comment from the White House went unanswered as of Thursday evening.

Trump's executive order on birthright citizenship was part of a broader policy initiative focused on immigration enforcement and legal reinterpretation. While the president had previously expressed interest in challenging birthright citizenship through legislation, the executive order represented a direct administrative approach to altering current standards.

Legal scholars and civil rights experts have long debated the scope and intent of the Citizenship Clause. Some argue that the clause should not apply to children born to those in the country illegally or on temporary visas, while others maintain that the constitutional text and historical precedent strongly support automatic citizenship for anyone born on U.S. soil.

The broader legal implications of Judge Boardman's ruling remain to be seen, especially as the U.S. Supreme Court's June decision limits the authority of lower courts to block federal policies on a national scale. However, because this case was certified as a class action, the injunction will apply nationwide to all eligible children born after the specified date.

The ruling is expected to be appealed, and the issue may ultimately return to the Supreme Court for final resolution. In the meantime, the court's decision preserves the existing interpretation of the 14th Amendment and continues to shield affected children from potential denial of citizenship.

This case adds to a growing list of legal battles over executive power and constitutional rights, particularly regarding immigration and federal authority. As the 2026 presidential election cycle approaches, questions surrounding birthright citizenship and constitutional interpretation are likely to remain at the center of political and legal debate.