

## Litigation Update

March 27, 2026

Hundreds of cases have been filed in response to changes at the federal level since the beginning of the Trump-Vance Administration. These range from cases regarding HHS Secretary Kennedy's changes to the children's vaccine schedule to President Trump's efforts to alter interpretations of immigration laws to increase the number of immigrants who are detained while being considered for deportation.

This email includes a sampling of recent litigation developments beginning with Supreme Court cases and then followed by litigation currently being considered in lower courts. Additionally, our team maintains a [litigation tracker](#) that is always available to you. It is sortable by topic, date, etc. so that you can utilize it in alignment with your priorities. Sources used to build and continually update that tracker include [Just Security](#), [Lawfare](#), [Georgetown's health care litigation tracker](#), [NY times](#), [CourtListener](#), and a range of other publications.

### Supreme Court

#### Upcoming Oral Arguments

- **Birthright Citizenship**: The Supreme Court will hear arguments in [Trump v. Barbara](#), the birthright citizenship case, next Wednesday, April 1 beginning at 9:30am. Live oral arguments can be heard on the Supreme Court's website [here](#).
  - **Case:** [Trump v. Barbara](#)
- **Temporary Protective Status**: On March 17, the Supreme Court announced that it will hear oral argument in April in a combined case regarding the administration's authority to end Temporary Protective Status (TPS) designation for Syrian and Haitian refugees. As noted below, this is a combined case amidst a large number of other cases related to TPS. SCOTUSblog posted a helpful [analysis](#) of how TPS cases relate to one another.
  - **Case:** [Doe v. Noem \(S.D.N.Y.\)](#) (combined with [Lesly Miot v. Trump](#))

#### Recent Oral Arguments

- **Immigration + Asylum Seekers**: In [Noem v. Al Orto Lado](#), the Supreme Court heard arguments regarding whether an immigrant who is stopped on the Mexican side of the U.S.-Mexico border meets the definition of having "arrived in the United States" as defined by the Immigration and Nationality Act and thus is eligible to apply for asylum. Under that law, an immigrant who "arrives in the United States" may apply for asylum and must be inspected by an immigration officer.
  - **Case:** [Noem v. Al Orto Lado](#)
- **Voting Rights**: In [Watson v. Republican National Committee](#) the Justices heard arguments regarding whether federal election day statutes preempt state law that allows ballots to be counted that are cast by federal election day but received by election officials after that date. The decision in this case will impact state mail in voting laws – including whether they can remain in place as currently designed or if they need to be altered.
  - **Case:** [Watson v. Republican National Committee](#)

## Additional Litigation

### Public Health

- **Court grants preliminary injunction temporarily blocking the CDC's updated childhood immunization schedule, the appointments of the thirteen newly appointed Advisory Committee on Immunization Practices (ACIP) members, and all votes taken by the new committee.** The judge said that the appointments did not follow requirements that advisory committees be composed of experts on the relevant subject matter with balanced perspectives. Additionally, he articulated that the changes to the childhood immunization schedule likely violated the Administrative Procedures Act (APA) and that that Plaintiffs are likely to succeed in showing that the CDC Director lacked authority to revise the immunization schedule without ACIP's involvement. ACIP's March meeting was subsequently canceled.
  - **Case:** [American Academy of Pediatrics v. Robert F. Kennedy Jr. \(D. Mass.\)](#)
- **Environmental groups are challenging Presidential action delaying the implementation of requirements for 68+ coal fired power plants to meet 2024 limits on pollutants that have known adverse health impacts.** Environmental groups are challenging an April 8, 2025 Trump Administration proclamation that exempted 68+ coal-fired power plants (approximately 1/3 of the coal-fired plants in the nation) from 2024 updated federal limits on hazardous air pollutants. Plaintiffs argue the two-year delay in compliance for Mercury and Air Toxics Standards (MATS) violates the Clean Air Act and the Administrative Procedure Act. The mercury and other air pollutants that the standards protect against are critical to health, particularly for infants and children. Harmful health risks and impacts include cancer, birth defects, and adverse developmental impacts in children.
  - **Case:** [Air Alliance Houston v. Trump](#)

### 340B Program

- **HHS seeks stakeholder input on 340B rebate model following court setback.** After the First Circuit Court of Appeals denied the government's motion for a stay in litigation brought by the American Hospital Association, the Maine Hospital Association, and four safety-net health systems, HHS [signaled](#) in court filings that it may restart the administrative process for the 340B Rebate Model Pilot Program. The legal challenge stems from a December 29, 2025 ruling by a federal district court in Maine granting a preliminary injunction that blocked the program's implementation just days before its planned January 1 launch. In response, HRSA issued a Request for Information ([RFI](#)) on February 13 to solicit stakeholder feedback on the potential use of rebates to operationalize the 340B ceiling price. The RFI specifically seeks input on standards and procedures for approving manufacturer rebate models, as well as the broader impacts on covered entities, manufacturers, and patients. Comments are due April 20.
  - **Case:** [American Hospital Association et al. v. Kennedy et al \(D. Me.\)](#)

### Federal Funding Freezes

- **\$10 billion freeze on Childcare Development Funds (CCDF), Temporary Assistance for Needy Families (TANF) and Social Services Block Grant (SSBG) funds to continues to be blocked.** As the

case continues to navigate through the legal system, orders continue to reinforce the block against the administration's attempt to freeze CCDF, TANF and SSBG funding to five states: CA, CO, IL, MN, and NY. The court also denied the government's request for a ~\$300 million bond.

- **Case:** [State of New York v. Administration for Children and Families \(S.D.N.Y.\)](#)
- **SNAP “pilot” temporarily blocked in Colorado and Minnesota.** Multiple legal cases secure temporary blocks against the administration's “SNAP recertification pilot” that would require states to recertify a large number of SNAP enrollees or risk losing funding. Legal action in two distinct cases currently block this pilot including one in MN and a separate case in CO. In the Colorado case,
  - **Additional background:** In the Colorado case, a federal judge blocked the SNAP recertification pilot that would have required five counties to recertify all SNAP participants within 30 days. The judge ruled that Colorado would face imminent and irreparable harm due to households losing SNAP benefits and USDA potentially withholding Colorado's SNAP funding if Colorado failed to comply. She said it violates federal law, the Constitution, and basic standards of reasoned decision-making, due to the brevity of USDA's directive that overrides statutory and regulatory safeguards for fair recertifications. The pilot had been under a temporary preliminary injunction and this order establishes the full reasoning for formally granting the preliminary injunction. The injunction will remain in place now while litigation makes its way through the courts to decide if USDA has the authority to impose recertification requirements in this way.
  - **Cases:** [State of Colorado v. Trump](#); [State of Minnesota v. United States Department of Agriculture](#)

### *Immigration & Civil Rights*

- **Second ruling sides with the Trump Administration's interpretation of a 1996 immigration law that would subject large numbers of undocumented immigrants to mandatory detention before deportation** rather than protecting them under a provision that requires bond hearings.
  - **Overview:** On March 25, a 2-1 panel of the Court of Appeals upheld the Trump Administration's interpretation of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) in [Avila v. Bondi](#). Contrary to the implementation of the law since its passage 30 years ago, the Trump Administration asserts that IIRIRA requires mandatory detention of all undocumented immigrants it is seeking to deport. This ruling follows a ruling in a separate case in February that also supported the Trump Administration's interpretation of the law. Of note, before these two cases, more than 150 judges have disagreed with the Trump Administration's interpretation and instead said that immigrants who are in the U.S. without legal status are subject to the section of law that allows release and requires bond hearings (with exceptions) if the government seeks to deport them — and not the section that requires mandatory detention.
  - **Additional Relevant Developments:** On March 23, an en banc review of the February decision in the joint [Buenrostro Mendez v. Bondi \(S.D. Texas\)](#) and [Padron Covarrubias v. Vergara \(S.D. Texas\)](#) case was requested.
    - **Cases:**
      - [Avila v. Bondi](#)
      - [Padron Covarrubias v. Vergara \(S.D. Texas\)](#); [Buenrostro Mendez v. Bondi \(S.D. Texas\)](#)

- **Administration seeks to end the Flores Settlement Agreement, which safeguards how immigrant children may be detained.** The administration is asking the court to end the Flores Settlement Agreement, which has long governed how immigrant children may be detained. Its argument is that circumstances have changed, pointing primarily to Congress's passage of the One Big Beautiful Bill Act. Senators including Senator Heinrich (D-NM) and Senator Luján (D-NM) [filed](#) an amicus brief urging the court to uphold the longstanding Flores Settlement Agreement. Their brief challenges the administration's claim that recent reconciliation legislation overrides protections governing the treatment of children in immigration detention. Lawmakers contend that appropriations measures passed under the Byrd Rule impact detention funding but cannot repeal substantive legal protections. Amicus briefs warn that weakening Flores could significantly alter standards for family detention and child welfare in immigration custody.
  - **Case:** [Flores v. Meese](#)
- **Temporary Protective Status:** A multitude of cases regarding TPS are active, including the joint case mentioned above that the Supreme Court will hear in April. Two additional highlights are below.
  - **New case:** A group of Yemeni nationals who hold or have applied for Temporary Protective Status file a **class action** complaint on March 19.
    - **Case:** [Doe v. Noem \(S.D.N.Y.\)](#)
  - **Haitian and Venezuelan TPS:** The Ninth Circuit denied multiple Defendants' motions related to the Trump Administration's authority to terminate Temporary Protective Status (TPS) for Venezuelan and Haitian immigrants. As such, the Ninth Circuit's January ruling that the Administration lacked authority to end TPS designation for Venezuelan and Haitian immigrants remains in place and the government's action in this area is blocked. The Supreme Court's position on TPS could shape this.
    - **Case:** [National TPS Alliance et al. v. Noem \(N.D. Cal.\)](#)
- **Judge reinforces position that the Administration and Department of Homeland Security's actions against pro-Palestinian activists in universities chilled protected speech and violated both the First Amendment and Administrative Procedures Act (APA).** In a case brought last year by academic groups seeking to block President Trump, DHS and others from implementing deportation policy that they assert targets noncitizen students and faculty members who attend pro-Palestinian protests with large-scale arrests, detentions and deportations, a judge reinforced previous judicial conclusions that the policies violate the first amendment and APA. Previously in the case, following a 9-day bench trial, in September 2025 the District Court Judge found that the administration violated the First Amendment by "deliberately and with purposeful aforethought" coordinating between the Department of Homeland Security and the State Department to "intentionally chill the rights to freedom of speech and peacefully to assemble" of the plaintiffs. The court also held that lawfully present non-citizens are unequivocally entitled to the same First Amendment protections as citizens. The judge further criticized the administration for invoking the Immigration and Nationality Act (INA) in an unprecedented manner to deport non-citizen pro-Palestinian protestors, "terrorizing" them "into silence because their views are unwelcome." That court also found that the administration violated the Administrative Procedure Act, finding that its reversal of prior enforcement policy was arbitrary and capricious. The case continues through the legal process and is not yet finalized.

- **Case:** [American Association of University Professors v. Rubio \(D. Mass.\)](#)

### *LGBTQAI+ Rights and Gender Affirming Care*

- **Judge Vacates HHS Declaration on "Sex-Rejecting" Procedures:** On March 20, a federal judge in Oregon [ruled](#) that HHS Secretary RFK Jr. has overstepped his authority when he pushed to restrict gender-affirming care for minors, vacating the [December HHS Declaration](#). In addition to Oregon, the plaintiff states include California, Colorado, Connecticut, Delaware, Hawaii, Illinois, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, Rhode Island, Vermont, Washington, Wisconsin and Pennsylvania, along with the District of Columbia.
  - **Case:** State of [Oregon v. Kennedy](#)

### *Freedom of speech. Actions against law firms.*

- **DC court consolidated the appeals in five cases involving lawsuits challenges to executive orders against law firms and lawyers.** During the Spring of 2025, President Trump's administration took actions against law firms including terminating law firms' government contracts, denying members of firms access to federal employees, and suspending employees' security clearances. Legal cases were filed and quickly secured blocks on those actions. Those cases have continued and five of them were recently consolidated into a single case.
  - a. **Cases:** The following 5 cases were consolidated and will proceed under [Zaid v. Executive Office of the President](#):
    - i. [Perkins Coie LLP v. U.S. Department of Justice \(D.D.C.\)](#)
    - ii. [Jenner & Block v. Department of Justice \(D.D.C.\)](#)
    - iii. [Susman Godfrey LLP v. Executive of the President \(D.D.C.\)](#)
    - iv. [Wilmer Cutler Pickering Hale and Dorr v. Executive Office of the President \(D.D.C.\)](#)
    - v. [Zaid v. Executive Office of the President \(D.C. Cir.\)](#)

### *Criminal Justice*

- ***Criminal Justice: Supreme Court sends case back to lower court regarding prisoners' right to a jury if parole violations result in additional incarceration that then exceeds the maximum sentence for their crime.*** The Supreme Court chose not to hear a case regarding whether the Constitution's Sixth Amendment requires a trial by jury when a former inmate's supervised release violations lead to an additional prison time that makes their total time served exceed the original statutory maximum for their crime. **Justice Gorsuch** dissented and argued that if a defendant's total prison time exceeds the original statutory maximum authorized by Congress, a judge should not be allowed to decide the case alone but rather the individual should have access to a jury.
  - **Case:** [Burnett v. United States](#)
  - **RWJF grantee:** NA

### *Diversity Equity and Inclusion (DEI) & Government Funding*

- **DHS is temporarily blocked from requiring DHS grantees to comply with the Administration's positions on DEI as a condition of funding.** A judge granted a second preliminary injunction in a case brought by a range of cities against DHS and FEMA's implementation of conditions on DHS grant

funding requiring grantees to comply with the Administration's positions against DEI. The recent preliminary injunction temporarily blocks DHS from enforcing those requirements against grantees while the case continues.

- o **Case:** [Chicago v. Noem \(N.D. Ill.\)](#)

#### *Department of Government Efficiency (DOGE) & Reductions in Force (RIFS)*

- **Legal processes continue in case regarding Reductions in Force (RIFs) and reorganizations at 22 agencies with the most recent development being a judicial requirement for the plaintiffs to release certain documents regarding staff changes at FEMA and permitting them to depose senior officials following conflicting reports from the Administration during hearings.** In a case brought by cities last year against DOGE's hiring freeze, widespread RIFs and agency reorganizations at 22 agencies, the Plaintiffs asserts that the President and agencies did not have statutory authority to carry out such structural changes without Congressional approval. On March 3, a judge ordered the Administration to produce documents related to FEMA staff and granted permission to depose senior officials after the Administration "presented a version of the facts markedly different" from that contained in a sworn declaration from FEMA official Karen Evans. This follows case developments from Jan. 5, 2026 when the Ninth Circuit denied the government's petition for a panel rehearing or rehearing en banc, leaving in place the lower court's order requiring the administration to produce agency reorganization and RIF plans. Earlier in the case, the Supreme Court ruled 8-1 in a shadow docket decision in July 2025 to stay a preliminary injunction which had blocked the administration from implementing widespread Reduction in Forces (RIFs) and agency reorganizations across the relevant 22 agencies. The Supreme Court's majority noted at that time that the Executive Order 14210 and related memorandum are likely to be lawful, and found the district court had based its injunction on those directives rather than individual agency plans. They declined to opine as to whether any specific RIFs or reorganization plans may be lawful. Justice Sotomayor concurred to emphasize that the lower court may still review individual agency plans on a case-by-case basis; Justice Jackson dissented. With the March 3 development, it appears we are seeing that lower court examination of agency specific plans – in this case with specific consideration of FEMA.
  - o **Case:** [American Federation Of Government Employees, AFL-CIO v. Trump \(N.D. Cal. 2025\)](#)