

Undocumented ‘Dreamers’ can now become attorneys in Utah



(Leah Hogsten | Tribune file photo) Ciriac Alvarez, a University of Utah graduate and DACA recipient, participates in a 2017 march in support of the Deferred Action for Childhood Arrivals program. The Utah Supreme Court has now signed off on a rule that would let DACA recipients become practicing lawyers in the state.

[By Jessica Miller](#)

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Utah “Dreamers” — undocumented people brought to the United States as children — will now be able to take the bar exam, and if they pass, become licensed attorneys.

The Utah Supreme Court announced Thursday that it has approved a rule that explicitly creates a path for those who have qualified for the Deferred Action for Childhood Arrivals (DACA) program to becoming Utah attorneys.

In October, two women — one who graduated from the University of Utah’s law school, the other from Brigham Young University’s law school — [petitioned the court for a Utah State Bar rule change](#) to allow undocumented immigrants to take the bar exam and practice law in the state. Both women, identified in court papers as Jane Doe and Mary Doe, were brought to the United States as children and have been granted DACA status. Both have been admitted to practice law in California.

In their petition, the women's lawyers note that their clients "lacked the intent" to violate immigration laws, and have become productive members of society and attended United States schools, colleges and law schools.

The women would otherwise be eligible to take the bar exam, except for their immigration status.

[The high court proposed a rule change in December](#), and has been taking public comment since then.

Those 100 comments were largely supportive of the change — most were submitted by lawyers and citizens who voiced approval, along with public officials like Salt Lake County Mayor Jenny Wilson and Salt Lake City Mayor Erin Mendenhall.

"The women who brought this case forward are among those who have attended our public schools and subsequent Utah law schools," Mendenhall wrote. "Allowing the petitioners and other DACA recipients to realize the professional aspirations they have pursued for many years would be the logical progression in their careers."

The new rule explicitly allows DACA recipients to apply for admission to the bar if they meet all other requirements. Previously, [the Utah bar did not limit admission to U.S. citizens](#), but denied admission to "those who cannot establish that they are legally present."

The status of DACA itself is uncertain. In November, the U.S. Supreme Court heard arguments on President Donald Trump's decision to end DACA, which was created by President Barack Obama in June 2012 and took effect in August of that year.

Three federal appeals courts have ruled that Trump cannot end the program, which shields almost 670,000 immigrants who came to the U.S. as children from deportation, but — during oral arguments — the Supreme Court's conservative majority appeared to favor allowing the Trump administration to abolish the program. A decision is expected in June.