



Calif. Law Allows Undocumented Immigrants To Practice Law

by EMILY GREEN

October 08, 2013 3:25 AM

Listen to the Story

Morning Edition

2 min 35 sec



Nick Ut/AP

Sergio Garcia passed the California Bar exam four years ago. The bar granted Garcia a law license, but then rescinded it because he was undocumented.

The justices of the California Supreme Court may have been sympathetic to Garcia, but it quickly became clear during arguments they didn't think the law was on his side.

Specifically, as the U.S. Department of Justice argued, federal law prevented Garcia's admission to the bar.

But then, there was this question from Justice Goodwin Liu: "Given that we all agree here that state courts are the ones that issue law licenses, could an enactment of the state legislature provide eligibility for a law license?"

The Justice Department's Daniel Tenney answered, "We don't think there would be any federal prohibition on the issuance of such a law license."

"So that is your position?" Liu asked.

"That would be an outlet if the state enacted such legislation," Tenney responded.

The case hit a nerve with state legislators. Garcia had moved to the United States as a child and was approved for a green card nearly

19 years ago, but has been on a waiting list since.

Shortly after the court's arguments, the legislative Latino caucus introduced a bill allowing undocumented immigrants to practice law. Democrats and Republicans overwhelmingly voted for it, and Gov. Jerry Brown signed it into law.

"This is my life's dream come true," Garcia says. "One of two. I'm going for the U.S. citizenship next. I want to be a full part of this country."

Garcia's case is not quite over. The California Supreme Court still has to issue a final decision on whether he may practice law. Garcia and his lawyers say they fully expect the court to grant that permission.

Related NPR Stories

[Is It Legal For Undocumented Immigrant To Practice Law?](#)