

Dreamers Bring Important Perspective To Legal Industry

By **Regina Calcaterra, Isidora Echeverria and Montserrat Lopez**

When we face so many crises as a nation, the legal industry benefits from the multiplicity of viewpoints and experiences that each and every lawyer and staff member brings to the table. Simply put, law firms are stronger when they center their business around an edict of diversity.

Last month, against the backdrop of the Black Lives Matter protests as well as a global pandemic, the U.S. Supreme Court ruled that the method by which the Trump administration three years ago rescinded the 2012 Deferred Action for Childhood Arrivals program — which provides deportation relief and work permits to young unauthorized immigrants brought to the U.S. as children — was unlawful.[1]

The court's DACA ruling is of special significance to the authors of this article — a manager of a law firm diversity pipeline summer internship program and two DACA recipients, or Dreamers, who have been in that program.

At this critical time in our nation's history, there are several actions that every firm can take to increase the visibility of Dreamers among their own ranks. In hiring Dreamers, there are several considerations firms should keep in mind:

Remember Your Client Base

According to the Brookings Institution, there were an estimated 11 million to 12.5 million undocumented Americans living in the nation last November.[2] As this population continues to grow, the visibility of Dreamers will increase in all aspects of American life, including throughout a firm's client base.

Dreamers not only speak the language of these clients, but even more importantly, they share in many of the life experiences that might be bringing them to your office for assistance. As firms, we are more approachable to those in need of help when we ensure that our rosters mirror the broader community we hope to represent.

Size Doesn't Matter

While BigLaw has rightfully worked to strengthen the inclusion of diverse associates in its summer associate classes, small to medium-sized firms can also play their part in supporting Dreamers by offering nontraditional internship programs to both college students and law students alike. This is especially true in jurisdictions where undocumented law graduates may be admitted to the bar.

While efforts are underway to allow for practice by undocumented immigrants in several states, Arizona, California, Florida, Illinois, Nebraska, New Jersey, New York, Oregon, Pennsylvania and Wyoming already permit this.[3] Further, while BigLaw may offer the prestige and salary desired by many law graduates, it is smaller and medium-sized firms



Regina Calcaterra



Isidora Echeverria



Montserrat Lopez

that more routinely center their business on practice areas that might be of higher interest to Dreamers, such as immigration and social justice matters.

Implement Efforts to Foster Diversity in the Bar

Firms of all sizes can offer valuable learning opportunities to Dreamers through programs that support their future legal careers and increase diversity in our profession. The law firm partner author of this article has managed a paid prelaw internship program since 2017 and has found that the diverse prelaw student participants are disciplined, resilient and, most importantly, have no choice but to succeed — a characteristic that applies to our Dreamer interns more than others.

The Dreamer interns hired through the program are always first-generation college students who live out their lives under a constant threat of deportation from the country they have always called home. Programs like these can lead to full-time hiring of Dreamers, who can then help attract other Dreamers to the firm, as has been our experience.

Use the Public Higher Education Pipeline

A report released in April by the New American Economy and the Presidents' Alliance on Higher Education and Immigration stated that 82% of the 450,000 undocumented students attending college are doing so at a public institution of higher education. Given the nation's patchwork of laws limiting access to federal and state financial aid to Dreamers, it is no surprise that Dreamers are pursuing their studies at less expensive, publicly subsidized colleges and universities.

Our firm has cultivated relationships with two public schools to develop a prelaw internship program — Hunter College at the City University of New York, and the State University of New York at New Paltz — and other firms can do the same with similar institutions.

The Importance of the Perspective of Dreamers Pursuing Law

There is no question that Dreamers bring a wealth of life experience and knowledge to many situations that others of a similar age have not yet gained. When so much of a Dreamer's day-to-day life operates in an unclear and ever-changing legal landscape, they learn early on how much the law impacts a person's life.

After the Trump administration moved to abolish the DACA program, the Dreamer authors of this article learned about the power and significance of immigration policy on our daily lives in the U.S. — which directly translates to our work at our firm.

Dreamers are important to the legal industry because they are uniquely equipped to recognize the failures of broken systems, like immigration policy, that no longer serve those who such systems were intended to help. To become a stronger nation, we need the next generation of lawyers, judges and legal scholars to shape our institutions from a place of understanding and with the ambition to rethink the status quo, so that no one has to live with the burden Dreamers and their families have carried for far too long.

Perhaps the paramount benefit of the DACA program to date has been to increase the political visibility of Dreamers across the country. The termination of the program threatened to sever the progress we have made in the past eight years.

While the Supreme Court's decision maintains DACA for the time being, we must work

toward a permanent solution that will allow Dreamers to continue to innovate the legal industry, without the fear of what tomorrow might bring. This permanent solution, we hope, will allow Dreamers a straightforward pathway to citizenship, so that they may finally be able to legally call this country home and move forward.

Looking Ahead

While we await definitive congressional action to codify Dreamers' permanent U.S. residency, it is important for law firms — and for our entire legal industry — to remember that immigrants are a primary thread in the fabric that shapes America. Business efforts are always aided by greater diversity and the inclusion of a wide range of voices around the table, especially as the faces of a diverse staff increasingly mirror the faces of a firm's diverse client base.

Beyond the simple business calculus that supports the hiring of Dreamers and other immigrants, it is very simply also the right thing to do. Throughout America's history — and indeed, even as demonstrated just last month at the Supreme Court — it is lawyers who are charged with furthering and protecting the rights of all Americans. So, too, it should be lawyers who take the first step in ensuring that our firms are inclusive of all those who we seek to service.

Regina Calcaterra is founding partner, Isidora Echeverria is a paralegal, and Montserrat Lopez is a summer intern at Calcaterra Pollack LLP. Both Echeverria and Lopez, a Hunter College student, were hired through the firm's prelaw internship program mentioned in this article.

The opinions expressed are those of the author(s) and do not necessarily reflect the views of the firm, its clients, or Portfolio Media Inc., or any of its or their respective affiliates. This article is for general information purposes and is not intended to be and should not be taken as legal advice.

[1] [Dep't of Homeland Sec. v. Regents of the Univ. of Cal.](#), 2020 U.S. LEXIS 3254 (June 18, 2020).

[2] <https://www.brookings.edu/policy2020/votervital/how-many-undocumented-immigrants-are-in-the-united-states-and-who-are-they/>.

[3] <https://www.law360.com/articles/1186579/how-unauthorized-immigrants-are-fighting-to-practice-law>.