

CLIENT ALERTS

U.S. Supreme Court Blocks Rescission of DACA Program

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On June 18, 2020, the U.S. Supreme Court blocked the Trump administration's rescission of the Deferred Action for Childhood Arrivals (DACA) program. The program protects undocumented immigrants brought to the country as children, known as "dreamers."

The 5 to 4 decision was written by Chief Justice John G. Roberts Jr. and joined by the court's four liberal justices. The decision means that Dreamers across the country will continue to have temporary protection from deportation. The Supreme Court held that the government's effort to terminate DACA program was arbitrary and capricious and remanded the case for further consideration.

Since DACA still stands, DHS bears responsibility to maintain the program and consider the strong reliance interests of Dreamers and their families who depend on the program. For that reason, until and unless DHS ends DACA in the correct way as the Court instructed -- meaning a careful, reasoned process -- DHS must create a process to review new and renewal applications rationally, fairly and expeditiously.

The full decision is available at: https://www.supremecourt.gov/opinions/19pdf/18-587_5ifl.pdf.

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