

(Revised 09/29/06)

**Policy**

Placement in Mexico must be considered when a child has relatives in Mexico who are a "placement resource" for the child. The child can be a United States citizen, a Mexican citizen, or have Dual Citizenship from the United States and Mexico.

**Procedure for placing a child in Mexico**

The SW will follow this procedure to place a child in Mexico:

| If...  | then...  |
|--|--|
| the child has a placement resource in Mexico   | complete the International/ Transborder Services Request form 04-309 template (CWS/CMS County Specific Template) and send it to <a href="#">International Liaison</a> requesting that Mexico's social services agency, DIF, do the following: <ul style="list-style-type: none"><li>• Complete a home evaluation of the relative's home.</li><li>• Supervise the family and placement.</li><li>• Record DIF's contacts with the family.</li></ul> The request must include the following information: <ul style="list-style-type: none"><li>• Child's name, date of birth and case number.</li><li>• Relative's name, address and relationship to child.</li></ul> NOTE: When there are strict timelines, the SW may call the International Liaison to expedite the request. |
| a positive home evaluation is received and the SW recommends the child be placed with the relative in Mexico | <a href="#">schedule a Special Hearing</a> for change of placement and notice <b>prior</b> to placing the child.   |
| the Court orders the placement   | <ul style="list-style-type: none"><li>• Write a brief summary of the case and send it to the International Liaison. The summary must include:<ul style="list-style-type: none"><li>◇ Allegations</li><li>◇ Reason for wanting to place the child with this relative.</li><li>◇ Permanent plan for the child.</li></ul></li></ul> NOTE: The J & D Report or current court   |

|  |  |
|--|--|
|  | <p>report can be used if the above information is included in the report.</p> <ul style="list-style-type: none"> <li>• Ensure that the child obtains a tourist permit to travel in Mexico.</li> <li>• Ensure that the relative of the child obtains a family immigrant permit (VISA) for the child. To obtain the VISA, the relative must: <ul style="list-style-type: none"> <li>◇ Apply at the Mexican Consulate, <b>and</b></li> <li>◇ Show proof of Mexican citizenship and financial responsibility.</li> </ul> </li> </ul> |
| the case plan goal is family reunification or Another Planned Permanent Living Arrangement (APPLA) | DIF must agree to supervise the placement and Juvenile Court jurisdiction should continue.   |
| the case plan goal is adoption or guardianship   | <p>Guardianship or adoption should be completed in Juvenile Court, <b>and</b> jurisdiction not terminated until the same orders are established in Mexico.</p> <p><b>NOTE:</b> If the plan is for adoption, ask DIF to perform an adoption home study in addition to the relative home approval (after child is placed). The family will provide a criminal history letter that they can get from their local police department, stating whether they have a criminal history.</p>   |

**How court orders are issued in Mexico**

For orders to be issued in Mexico, the following must occur:

- The relative must present the child and the court order issued in San Diego to the local Mexican Court. Guardianship and adoption orders from our Juvenile Court` must be translated, legalized and apostilled before being sent to the family in Mexico. The family takes the documents to their local office of Registro Civil so that the orders can be recognized by Mexico. The relative may apply on his own, be assisted by an attorney practicing in Mexico or by DIF.
- The Mexican Court will issue new orders based on the court order issued in San Diego. These orders give the relative legal protection from the parents.

**Mexican Dual Citizen Child**

A Mexican dual citizen child is a child born in the United States with one or both parents born in Mexico. Mexico may consider this child a Mexican National or a United States citizen depending upon the child's circumstances. The SW must notify the Mexican Consulate via the International Liaison when a petition is filed on a child with dual citizenship. The SW completes the 04-

231 (County Specific Template in CWS/CMS) "Notice to Foreign Consulate" and sends it to the [International Liaison](#). The Mexican Consulate decides the child's citizenship.

---

*For questions or comments, contact [Omar Lopez](#).*