



THE CENTER FOR
IMMIGRATION
AND CHILD WELFARE

IMMIGRATION RELIEF OPTIONS FOR UNDOCUMENTED YOUTH IN CARE

*Alan J. Dettlaff, PhD & Caitlin O'Grady, MSW
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EMERGING POLICIES TO ADDRESS THE NEEDS OF IMMIGRANT CHILDREN AND FAMILIES IN THE CHILD WELFARE SYSTEM

ABOUT THIS SERIES

As the population of children in immigrant families increases in the United States, child welfare agencies will need to develop policies that respond to their unique needs. To facilitate policy development, the Center on Immigration and Child Welfare conducted a statewide survey of county child welfare agencies in California to identify emerging and innovative policies that address the unique issues that arise in child welfare cases with immigrant families. These policies may be used as examples for other California counties, as well as other states and jurisdictions, to build their capacity to meet the needs of this growing population.

Each brief in this series provides an analysis of policies that address topics unique to issues concerning immigrant children and families. Topics include:

- Memoranda of Understanding with Foreign Consulates
- Placement of Children with Parents or Relatives in a Foreign Country
- Placement of Children with Undocumented Relatives in the U.S.
- Case Planning for Parents Residing in a Foreign Country
- Immigration Relief Options for Undocumented Youth in Care
- Financial Eligibility including Permanent Residence Under Color of Law (PRUCOL)
- Language Access

This brief focuses on policies that address immigration relief options for undocumented immigrant youth involved with the child welfare system. Undocumented youth face barriers in accessing services, including educational and employment opportunities, that can have long-term negative impacts on their well-being. Recognizing the challenges that undocumented youth experience in accessing services and opportunities, the policies in this category aim to reduce these barriers by ensuring that child welfare practitioners are aware of available opportunities for youth to gain legal status. The policies discussed throughout this brief both provide staff with an overview of immigration relief options and offer guidance to staff on how they can provide assistance throughout the application process.

Of the 46 counties that participated in this project, 18 provided policies addressing the topic of immigration relief options. Three broad categories of provisions were observed across these policies, including: 1) general information on Special Immigrant Juvenile Status (SIJS), 2) Special Immigrant Juvenile Status application procedures, and 3) information and procedures for other immigration relief options. Descriptions of these categories, and the subcategories of provisions falling underneath each of these broader categories, are discussed below and in the following pages. Following these descriptions, summary tables are provided that indicate which of the categories of provisions were included in each of the policy documents.

GENERAL INFORMATION ON SPECIAL IMMIGRANT JUVENILE STATUS (SIJS)

Definition of SIJS. Provisions falling under this category give a general definition of SIJS, in which they broadly specify that SIJS refers to an immigration relief option that provides a pathway to LPR status and citizenship for undocumented youth who meet the outlined eligibility

requirements. Thirteen counties have policies containing provisions of this nature.

SIJS eligibility. Provisions related to SIJS eligibility identify the circumstances under which undocumented youth may apply for SIJS. Sixteen counties had policies that included provisions outlining SIJS eligibility criteria. Provisions generally state that a youth is eligible for SIJS if they are unmarried and under the age of 21; are dependents of the juvenile court and eligible for long-term foster care due to abuse, neglect, or abandonment; reunification with one or both parents is not possible; and it is not in the child's best interest to return to their country of origin.

Benefits of applying for SIJS. This category of provisions outlines the benefits associated with minors applying for and being granted SIJS. Nine counties have provisions of this nature. The majority of policies list the immediate benefits of applying for SIJS and adjustment of status (which leads to LPR) concurrently, including the fact that youth will be protected from deportation and receive work authorization while their application is pending. In addition, the majority of policies identify that SIJS will allow counties to receive federal foster care funds for the minor, and also state that once a minor is granted LPR, they will have the right to live and work in the U.S. without fear of deportation, will be eligible for some public benefits, will be able to travel in and out of the country, and will be eligible to apply for U.S. citizenship after 5 years. Several policies also mention the educational benefits of obtaining LPR, with Santa Barbara stating that youth will be eligible for educational financial assistance and Marin identifying that youth will become eligible for in-state tuition at state colleges and universities.

Risks of applying for SIJS. Provisions of this nature outline the potential negative impact of filing an SIJS application. Four counties have policies that make specific mention of potential risks associated with applying for SIJS. The provisions in all of the relevant policies generally state that deportation proceedings may be initiated if the youth's application is denied.

SIJS cases requiring special attention. This category of provisions identifies cases requiring special consideration during the SIJS application process due to their level of complexity. Seven counties have policies that make reference to these types of cases. All of the policies containing provisions of this nature generally state that there are certain circumstances under which additional steps must be taken or expert legal advice should be solicited to increase the chances that the SIJS application will be accepted and LPR status will subsequently be obtained. A range of circumstances are identified across policies, with the most common being cases where youth have criminal histories. Madera, San Bernardino, San Luis Obispo, and Santa Barbara also identify cases where youth are HIV positive as requiring special attention, and San Bernardino and San Luis Obispo additionally make reference to cases where a youth has a physical or mental health condition that poses a threat to themselves or others. Madera, Orange, and Santa Barbara also state that expert advice may be needed in situations where the youth is currently in deportation proceedings or has a history of deportation or immigration violations. Orange county additionally recommends that expert advice be obtained when there are grounds of admissibility that cannot be waived, while Madera County notes that cases where a youth is about to turn 18 or older, as well as cases where a youth will soon be released from the jurisdiction of the juvenile court, require special attention in addition.

Grounds of admissibility/inadmissibility for adjustment of status. Policies with this category of provisions identify certain circumstances under which youth may not typically be eligible for SIJS. Three counties have policies with provisions falling under this category. All three of these policies identify inadmissibility grounds for which youth can submit a waiver asking for their application to be given special consideration, including cases in which youth were involved with prostitution, were convicted for possession of 30 grams or less of marijuana, are HIV positive, were deported and did not remain outside of the U.S. for at least five years, have physical or mental health conditions that put themselves or others at risk, or have abused drugs. Madera and Orange also identify inadmissibility grounds that cannot be waived, including cases in which youth are known or suspected to have a history of drug trafficking or a range of adult criminal convictions. Madera and Orange also specify in this provision that experts in immigration law should be consulted before submitting an application in any of these cases, as a denial of the application on grounds of inadmissibility could lead to deportation proceedings.

Denial of SIJS. Provisions of this nature specify how agency staff should proceed in cases where a minor's application for SIJS and adjustment of status are denied. Four counties have policies containing this category of provisions. Both Madera and Santa Barbara state that when an application is denied, there must be a reason given for the denial. Madera, Orange, and Santa Barbara also discuss filing an appeal, as deportation proceedings could otherwise be initiated. San Bernardino outlines how agency staff should document notice of an application's denial in the client's record.

Revocation of SIJS or LPR status. This category of provisions identifies circumstances under which a youth may lose their SIJS or LPR status. Three counties have policies that contain this type of provision. Both Madera and Orange state that SIJS may be revoked before LPR status has been finalized in cases where a youth turns 21 years old, marries, is no longer a dependent of the juvenile court, is no longer eligible for long-term foster care, or a court subsequently determines that it is in their best interest to return to their country of origin. Orange County additionally specifies that SIJS may be revoked if the youth does not apply for LPR within one year of becoming eligible, and further identifies cases where a youth who has been granted LPR may lose this status. These circumstances include cases where the youth is convicted of a drug offense or cases where the youth remains outside of the country for one year or longer. San Bernardino states that youth may lose their LPR status due to involvement in criminal proceedings.

When and how long to keep SIJS case open. Provisions of this nature give instructions regarding how long to keep child welfare cases open for SIJS youth applicants to ensure that their application is approved. Eleven counties have policies that include provisions of this type. Across policies, these provisions state that youth must remain under court jurisdiction until LPR status has been established and the youth has received their green card. Fresno, Los Angeles, Madera, Orange, and San Bernardino also specify that adoptions should not be finalized until the youth has obtained LPR status, with Madera stating that in some cases, adoptions may be finalized but the youth will remain under the juvenile court's jurisdiction. Los Angeles and Orange also state that in cases where legal guardianship is a child's permanency plan, the court must maintain jurisdiction over the child after granting legal guardianship to ensure that the child will be granted SIJS and LPR status.

Issues pertaining to adoption and residency for biological parents and siblings. Provisions of this nature discuss issues relating to the immigration status of a child whose permanency plan is adoption, as well as issues relating to petitioning for LPR status for a child's adoptive and biological parents and siblings. Six counties have policies containing this type of provision. Madera and San Bernardino specify conditions under which a child is eligible to obtain legal status through their adoptive parents. In particular, a child may gain legal status through their adoptive parents when they are adopted before the age of 16 and when they have been under the legal custody of their adoptive parents for at least two years. Madera states, however, that obtaining LPR status through SIJS may be a preferable option. Fresno, Los Angeles, Madera, and San Luis Obispo state that when a child has LPR status and is adopted by U.S. citizen parents, they are eligible for U.S. citizenship. Riverside also acknowledges that adoption by U.S. citizen parents provides a pathway to citizenship for a non-citizen child. Madera additionally states that in cases where an adoptive child has obtained SIJS and LPR status, they can petition for LPR status for undocumented adoptive parents. Both Madera and San Luis Obispo identify that a child who has obtained SIJS will not be able to petition for LPR status for their biological parents. There appears to be some discrepancy regarding whether a child who obtained SIJS can petition for LPR status on behalf of their biological siblings, with Madera stating that this likely will not be possible and San Luis Obispo stating that this is a possibility after the child has become a U.S. citizen.

SPECIAL IMMIGRANT JUVENILE STATUS (SIJS) APPLICATION PROCEDURES

SIJS court order. Policies that contain this category of provisions outline the process through which the juvenile court must issue an order finding the minor to be eligible for SIJS before agency staff or legal counsel begin the process of filing the SIJS application. Sixteen counties make specific reference to the court order in their relevant policies. The policies generally outline the information that should be included in the order, such as the fact that the minor has become a dependent of the juvenile court, that they have been determined eligible for long-term foster care, that reunification with one or both parents is not possible due to abuse, neglect, or abandonment, and that it is not in the child's best interest to return to their country of origin. The policies also

generally specify that the court order should be submitted with other application materials. It is also important to note that Madera, Orange, and San Francisco recommend that the minimum amount of information needed to prove eligibility be included in the court order to maintain confidentiality.

Two-part application process. This provision identifies that there are two components involved in the SIJS application process, the first of which entails applying for SIJS and the second of which entails applying for adjustment of status to LPR. Four counties have policies containing this provision. Madera, San Francisco, and San Luis Obispo all specify that there are two applications to be completed, typically at the same time. Orange county identifies in their provision that different regulations apply for SIJS and LPR status, and states that applicants will not necessarily obtain LPR if they qualify for SIJS.

Timeline for application process. Provisions falling under this category outline the expected duration of the SIJS and adjustment of status application process. Three counties have policies containing this provision. The estimated duration of the process varies across policies. San Bernardino estimates that the final determination on the applications should occur within 180 days of submission. San Luis Obispo, in contrast, estimates that the USCIS adjustment of status interview, which follows application submission, will occur between 6 and 18 months after USCIS receives the application. San Luis Obispo also states in this provision that a final determination on the applications will be made at the time of the adjustment of status interview. Napa county states that the applications should be submitted to USCIS within 30 to 60 days of receiving the court order and that the youth should be given an appointment for a USCIS adjustment of status interview within 3 to 6 months. Napa also states in this provision that it is estimated to take eight months for USCIS to make a final determination on the applications.

Form completion. Policies containing this category of provision specify the forms that must be completed to apply for SIJS and adjustment of status. Fourteen counties include this provision in their relevant policies. Provisions generally identify the specific USCIS forms that are to be completed, and emphasize the responsibility of agency staff to ensure the accuracy of the information that they provide on behalf of the minor for whom they are completing the application. Several counties specify that legal counsel will assist with form completion.

Consultation with legal counsel. This category of provisions outlines when agency staff should consult or coordinate with legal counsel during the application process. Twelve counties have policies containing this provision. County policies reflect differences regarding the role of agency staff and legal counsel in completing and filing the SIJS application, and therefore specify different circumstances under which legal counsel should be consulted. Alpine, Napa, and Santa Clara specify that legal counsel should be consulted whenever it is determined that a minor may be eligible for SIJS, with Napa additionally stating that the assigned social worker must first receive departmental permission. Madera and Santa Barbara state that the minor's dependency attorney must be consulted before the agency begins the SIJS process. Marin and San Diego specify that legal counsel must be consulted to assist with the application process after the juvenile court has issued the court order. San Diego states that it is the child's dependency attorney who assists with coordinating the application. San Francisco also specifies that the minor's dependency attorney or a court-appointed immigration attorney is responsible for overseeing the application process rather than agency staff, and further states that agency staff must consult with the City Attorney's office before signing an Affidavit verifying the conditions of a minor's immigrant juvenile status. San Luis Obispo also states that the minor's attorney is typically responsible for the application process, but specifies that agency staff may complete the application in cases where the attorney does not or will not fulfill this responsibility. Ventura states that agency staff are to work with a contractor with immigration expertise to complete the application. Madera, Orange, San Bernardino, San Luis Obispo, and Santa Barbara all identify special circumstances under which legal counsel must be consulted, including cases where an SIJS application is denied and an appeal must be filed, cases where deportation proceedings have begun, and cases where the minor has a criminal history, is HIV positive, or has a physical or mental health condition that poses a threat to the safety of themselves or others. Santa Clara also notes that legal counsel should be consulted before discharging a youth from foster care who has a pending SIJS application, as a discharge to independent living will affect the minor's eligibility for SIJS.

Documentation of efforts to obtain SIJS. Policies containing this category of provision specify that agency staff must document the steps taken to complete the SIJS application process in the client's record. Three counties have policies with provisions of this nature.

Communicating with foster parents/guardians about the application process. Policies that contain provisions of this nature state that agency staff should communicate with a minor's foster parents or guardians regarding the plan to apply for SIJS. Three counties include this provision in their relevant policies. In addition to stating that foster parents or guardians should be informed of the agency's plan to apply for SIJS on a minor's behalf, San Bernardino further specifies that caregivers should be informed that they may be asked to transport the child to appointments for the medical examination, fingerprinting, or USCIS interview that are required as part of the application process. In the case of Los Angeles, rather than specifically stating that caregivers should be informed of the SIJS application process, the provision more generally states that caregivers should be made aware of all immigration related issues impacting the youth in their care.

Obtaining vital documents. Provisions of this nature outline the process through which agency staff should obtain vital documents to include with the SIJS application. Fifteen counties contain this provision in their policies. These provisions generally state across policies that proof of age is required as part of the application process, and specify documents including the child's birth certificate, baptismal record, school records, foreign passport, or foreign identification card that should be obtained for submission with the application.

Translating documents. This category of provisions specifies the process for ensuring that required documents are translated to English as part of the application process. Six counties have policies containing provisions of this nature. Kern, Kings, San Luis Obispo, and Santa Barbara all specify that the minor's birth certificate must be translated to English and that a statement of the translator's competency must be included. Ventura identifies that both the birth certificate and baptismal record must be translated, while Madera does not specify document type.

Medical exams for SIJS application. This category of provisions provides information on the medical examination that is required of the minor as part of the application process. Twelve counties contain provisions pertaining to medical examinations in their relevant policies. The provisions generally state that the medical examination must occur at a USCIS-approved facility and provide a list of approved locations. In addition, the provisions also generally tend to provide instructions for agency staff on the day of the exam, such as ensuring that an adult accompanies the minor to the appointment, how to pay the exam fee, and the form that the physician will need to complete. The majority of policies also state that the results of the examination will be provided in a sealed envelope, which must be included with the application and is not to be opened by agency staff.

Filing fees and fee waivers. This category of provisions outlines the procedure through which agency staff should pay fees or file fee waivers during the SIJS application process. Fourteen counties contain this provision in their policies. These provisions generally specify the cost of applying for SIJS and adjustment of status, conditions under which the fee may be waived, and steps for either making the payments or filing a fee waiver. Several counties state in their policies that agency staff should submit an ex parte to the juvenile court requesting the authorization of county funds to cover the cost of the applications.

Reviewing the application with the minor. This category of provisions states that the SIJS application should be reviewed with the minor and explained in age appropriate language. Three counties have policies containing provisions that fall under this category.

Submitting completed application. Provisions of this nature provide instructions for agency staff on how to submit the SIJS application once it is complete. Eight counties contain this provision in their relevant policies. Instructions generally review the content that should be included in the final application, where the application should be mailed, and what to expect after the application is submitted. Madera states that if it is not possible to send the application by mail, agency staff will need to go to the USCIS office to file the application in person.

Informing USCIS of change of address. Madera and San Luis Obispo Counties contain provisions specifying the procedure for informing USCIS of changes in address for pending applications. Both counties state that change of address forms must be submitted via U.S. mail.

Selective service registration. San Luis Obispo County has a provision of this nature in their relevant policy, which states that male applicants seeking LPR status must register with Selective Service if they are between the ages of 18 and 25.

Filing for USCIS work authorization. Kern, Madera, Orange and San Francisco Counties contain provisions in their relevant policies identifying that agency staff may assist minors in concurrently applying for work authorizations when they apply for adjustment of status. Madera and Orange additionally recommend that agency staff file for work authorization on behalf of a minor even in cases where the minor is too young to work, as a work authorization will give the minor a photo identification card and a means of obtaining a social security number.

Fingerprinting of minor. Provisions of this nature identify the process through which applicants over the age of 14 will get fingerprinted as part of the application process. Twelve counties have policies that include this provision. The policies generally state that after SIJS and adjustment of status applications are filed, USCIS will send instructions for applicants on how to complete the fingerprinting process. The majority of policies specify that applicants will receive an appointment letter directing them to the closest approved fingerprinting site.

Special accommodations during application process. San Bernardino County includes this category of provision in their relevant policy. This provision provides instructions for agency staff on requesting accommodations for youth with disabilities during the USCIS interview that follows application submission.

USCIS adjustment of status interview. This category of provisions describes the USCIS interview process. Upon submission of the SIJS and adjustment of status applications, USCIS will give youth an appointment for an adjustment of status interview that will be used to make a final determination on whether to approve the applications. Twelve counties have provisions in their relevant policies that reference this interview process. Provisions across policies commonly state that USCIS will send a letter with an interview appointment after the applications have been submitted. Provisions also generally state that either the child's attorney, assigned social worker, or both attorney and social worker should be present with the child at the interview. Provisions also commonly state that the questions asked during the interview will typically be routine follow-up questions to the adjustment of status application, but in some cases officials may ask for details about the abuse or neglect that the child experienced. In cases where details about abuse or neglect history are requested, it is recommended that the social worker request to submit the information in writing rather than discussing in the child's presence. Several counties also provide instructions regarding the documents that the assigned social worker should bring to the interview. In addition, the majority of policies state that USCIS may give the decision regarding whether the applications have been approved at the time of the interview, or they may send a letter with the decision following the interview. Kern County additionally specifies in this provision that if an interview is scheduled after the youth will turn 21 years old, an earlier interview appointment should be requested, as the youth will no longer be eligible for SIJS and LPR status after they are 21 years of age.

Procedure after child receives green card. Provisions of this type provide instructions for agency staff on steps to be followed after the minor obtains LPR status and receives their green card. Eight counties have policies containing this category of provisions. Kings, Los Angeles, Riverside, and San Luis Obispo all specify that agency staff shall make a copy of the green card for the youth's file, and Los Angeles, Riverside, and San Luis Obispo additionally state that the original green card should be delivered to the youth. Los Angeles and San Luis Obispo further specify that agency staff are not to withhold the original green card from youth due to noncompliance with their case plan. San Francisco specifies that rather than giving the original green card to the youth, agency staff are to make copies of the green card for the child and their attorney and retain the original green card in the child's case file. Santa Barbara's provision states that after LPR documents are received, agency staff are to file these documents with the court. In addition, Los Angeles, San Francisco, San Luis Obispo, and Santa Barbara all identify that after obtaining LPR status, the child should next apply for a social security number and subsequently obtain state identification. In their provisions pertaining to procedures upon

receipt of a green card, Fresno and San Bernardino both state that agency staff shall document this information in the child's case file, and Fresno additionally specifies that the child should participate in a staffing to discuss their responsibilities for maintaining LPR.

Filing for replacement of lost or stolen green cards. This category of provisions states that if a minor's green card is lost or stolen, agency staff should assist the minor in filing for a replacement card. Four counties have policies containing this provision. Kern and Los Angeles additionally state that agency staff will assist youth with this process regardless of their age, and Los Angeles further specifies that the agency will pay the USCIS fee for a replacement card if the youth is under the age of 21. Ventura provides instructions for staff on the application process.

OTHER IMMIGRATION RELIEF OPTIONS

Immigration relief definitions. This category of provisions encompasses a range of definitions necessary for understanding issues that children and families may experience associated with their immigration status, as well as definitions pertaining to other categories of immigration relief options for which children and their family members may be eligible apart from SIJS. Nine counties contain provisions of this nature in their relevant policies. Among the definitions included in these policies are definitions of asylum, refugee status, temporary protected status, T-Visas, U-Visas, The Violence Against Women Act (VAWA), legal permanent residents, naturalized citizens, USCIS, green cards, aliens, parolees, undocumented immigrants, and deferred action.

Assessing eligibility for immigration relief. These provisions outline procedures for agency staff to follow to generally identify whether a child or family member involved with the agency may be in need of immigration relief assistance. Five counties have policies containing this type of provision. San Diego states that agency staff should look at a child's birth certificate to determine whether they may need immigration assistance, while San Francisco states that agency staff should collect collateral information from the child's parents, relatives, and friends to determine more information about their circumstances and immigration status. Alpine and Santa Clara outline questions that may help agency staff to obtain more information about the immigration status of a child and family members, including inquiring regarding family members who are U.S. citizens or LPR's, family members' immigration documents and foreign passports, and whether there are family members who need assistance with immigration related issues. Riverside outlines questions that agency staff can investigate to determine whether a child can establish legal U.S. residency.

Immigration status and public benefits. Madera and Riverside contain provisions in their relevant policies that discuss how immigration status impacts eligibility for public benefits. Madera states that youth who have been granted SIJS but whose LPR status is pending are no longer eligible for federal benefits under PRUCOL. Riverside identifies the potential eligibility of LPR's and other qualified non-citizens, such as individuals who have been granted refugee status, for public benefits such as CalWORKS, Refugee Cash Assistance, CalFresh, foster care payments, or Kin-GAP Guardian Assistance Payment. Riverside also outlines the documents that are required to determine benefit eligibility in these cases.

Referring for legal services. Provisions falling under this category generally state that children and families involved with the child welfare system should be referred for legal services when problems related to immigration status are identified. These provisions do not pertain specifically to referrals or consultations with legal counsel related to the SIJS application process, but instead more broadly identify that children and families may need legal assistance to pursue a range of immigration relief options. Five counties have policies that include provisions stating that agency staff should refer families for legal services or recommend that they consult with an expert in immigration law for general concerns associated with immigration status or to assess eligibility for specific immigration relief options outside of SIJS.

Completion of Violence Against Women (VAWA) application. In Riverside County's policy entitled Services for Undocumented Children, they specify that women who have experienced domestic violence and their children may be eligible to obtain LPR status under VAWA. This provision further identifies the petitions that the applicant should complete and states that the family's assigned social worker must inform them of their potential eligibility and assist with the application process as needed.

U-Visa law enforcement certification. Fresno and Orange Counties state that in cases where an undocumented individual involved with the child welfare system has been a victim of a crime and is eligible for a U-Visa, agency staff will assist with obtaining a law enforcement certification. Orange County specifies that their agency qualifies as a certifying agency and that they limit their review of U-Visa certifications to those submitted by or on behalf of current or former dependents of the Orange County Juvenile Court.

Immigration relief assistance after case is closed. Both Fresno and Los Angeles Counties contain provisions in their relevant policies stating that in situations where a family's case is closed but where family members are still in need of immigration relief assistance, agency staff should continue to assist with this process. The policies state that agency staff should offer assistance by providing information on local legal service organizations.

METHODOLOGY

Conducting a policy analysis is useful for systematically answering a set of questions related to the process through which a specified policy is developed, the content included in a given policy, or a policy's impact. In the case of this project, a policy analysis provided a systematic means of identifying shared content across a range of county child welfare policies pertaining to immigrant children and families. Initial contact was made with county administrators in each of California's 58 county child welfare agencies through the assistance of the California Department of Social Services and the California County Child Welfare Directors' Association. If counties agreed to participate, they were asked to participate in a 30 minute phone interview to identify policies and practices being implemented in their counties specific to immigrant families. Telephone interviews were conducted with county child welfare administrators in 46 of 58 California counties and policy documents were obtained. A preliminary review of policy documents resulted in the identification of 7 policy categories: 1) Memoranda of Understanding with foreign consulates, 2) placement of children with parents or relatives in a foreign country, 3) placement of children with undocumented relatives in the United States, 4) financial eligibility of youth in care including Permanent Residence Under Color of Law (PRUCOL), 5) case planning for parents residing in a foreign country, 6) immigration relief options for undocumented youth in care, and 7) language access. Within these categories, policies were analyzed to identify themes in content across counties. Atlas.ti, a qualitative data analysis program, was used to facilitate the analysis of policy documents.

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The Walter S. Johnson Foundation



ABOUT THE CENTER ON IMMIGRATION AND CHILD WELFARE

The mission of CICW, formerly the Migration and Child Welfare National Network (MCWNN), is to improve programs and policies related to immigrant children and families involved in the public child welfare system. CICW conducts and disseminates research, develops policy and practice recommendations, develops and disseminates resources, and works with federal, state, and local child welfare agencies to facilitate policy and practice improvements. The Center serves as a resource to learn from the knowledge and strategies of colleagues, and participates in collaborative efforts to improve services for immigrant families in the child welfare system. The center has four areas of focus: 1) research, 2) policy and advocacy, 3) promising practices, and international issues.

TABLE 1. GENERAL INFORMATION ON SIJS

COUNTY	Definition of SIJS	SIJS Eligibility	Benefits of applying for SIJS	Risks of applying for SIJS	SIJS cases requiring special attention
ALPINE	◆	◆			
FRESNO	◆	◆			
KERN	◆				
KINGS					◆
LOS ANGELES	◆	◆	◆		
MADERA	◆	◆	◆	◆	◆
MARIN	◆	◆	◆		
NAPA		◆			
ORANGE	◆	◆	◆	◆	◆
RIVERSIDE	◆	◆	◆		
SAN BERNARDINO	◆	◆	◆		◆
SAN DIEGO	◆	◆			
SAN FRANCISCO	◆	◆	◆		
SAN LUIS OBISPO	◆	◆		◆	◆
SAN MATEO		◆			
SANTA BARBARA		◆	◆	◆	◆
SANTA CLARA	◆	◆			
VENTURA		◆	◆		◆

TABLE 1. GENERAL INFORMATION ON SIJS (CONTINUED)

COUNTY	Grounds of admissibility/ inadmissibility for adjustment of status	Denial of SIJS	Revocation of SIJS/LPR status	When & how long to keep SIJS case open	Issues pertaining to adoption/ residency for biological parents/siblings
ALPINE					
FRESNO				◆	◆
KERN				◆	
KINGS					
LOS ANGELES				◆	◆
MADERA	◆	◆	◆	◆	◆
MARIN					
NAPA		◆			
ORANGE	◆		◆	◆	
RIVERSIDE				◆	◆
SAN BERNARDINO		◆	◆	◆	◆
SAN DIEGO					
SAN FRANCISCO				◆	
SAN LUIS OBISPO	◆			◆	◆
SAN MATEO					
SANTA BARBARA		◆		◆	
SANTA CLARA				◆	
VENTURA					

TABLE 2. SIJS APPLICATION PROCEDURES

COUNTY	SIJS court order	Two-part application process	Timeline for application process	Form completion	Consultation with legal counsel
ALPINE					◆
FRESNO	◆			◆	
KERN	◆			◆	
KINGS	◆			◆	
LOS ANGELES	◆			◆	
MADERA	◆	◆		◆	◆
MARIN	◆				◆
NAPA	◆		◆	◆	◆
ORANGE	◆	◆		◆	◆
RIVERSIDE	◆			◆	
SAN BERNARDINO	◆		◆	◆	◆
SAN DIEGO	◆			◆	◆
SAN FRANCISCO	◆	◆		◆	◆
SAN LUIS OBISPO	◆	◆	◆	◆	◆
SAN MATEO					
SANTA BARBARA	◆			◆	◆
SANTA CLARA	◆			◆	◆
VENTURA	◆				◆

TABLE 2. SIJS APPLICATION PROCEDURES (CONTINUED)

COUNTY	Documentation of efforts to obtain SIJS	Communicating with foster parents/ guardians about application process	Obtaining vital documents	Translating documents	Medical exam for SIJS application
ALPINE			◆		
FRESNO			◆		◆
KERN			◆	◆	◆
KINGS			◆	◆	◆
LOS ANGELES		◆	◆		
MADERA			◆	◆	◆
MARIN		◆	◆		◆
NAPA					
ORANGE	◆				
RIVERSIDE			◆		
SAN BERNARDINO	◆	◆	◆		◆
SAN DIEGO			◆		◆
SAN FRANCISCO			◆		◆
SAN LUIS OBISPO	◆		◆	◆	◆
SAN MATEO					
SANTA BARBARA			◆	◆	◆
SANTA CLARA			◆		◆
VENTURA			◆	◆	◆

TABLE 2. SIJS APPLICATION PROCEDURES (CONTINUED)

COUNTY	Filing fees & fee waivers	Reviewing application with minor	Submitting completed application	Informing USCIS of change of address	Selective service application
ALPINE					
FRESNO	◆	◆	◆		
KERN	◆		◆		
KINGS	◆				
LOS ANGELES					
MADERA	◆		◆	◆	
MARIN	◆				
NAPA					
ORANGE	◆	◆			
RIVERSIDE	◆				
SAN BERNARDINO	◆		◆		
SAN DIEGO	◆				
SAN FRANCISCO	◆				
SAN LUIS OBISPO	◆		◆	◆	◆
SAN MATEO					
SANTA BARBARA	◆	◆	◆		
SANTA CLARA	◆		◆		
VENTURA	◆		◆		

TABLE 2. SIJS APPLICATION PROCEDURES (CONTINUED)

COUNTY	Filing for USCIS work authorization	Fingerprinting of minor	Special accommodations during application process	USCIS adjustment of status interview	Procedure after child receives green card	Filing for replacement of lost or stolen green cards
ALPINE						
FRESNO		◆		◆	◆	
KERN	◆	◆		◆		◆
KINGS		◆		◆	◆	
LOS ANGELES					◆	◆
MADERA	◆	◆		◆		
MARIN		◆				
NAPA						
ORANGE				◆		
RIVERSIDE					◆	◆
SAN BERNARDINO		◆	◆	◆	◆	
SAN DIEGO		◆		◆		
SAN FRANCISCO	◆	◆		◆	◆	
SAN LUIS OBISPO		◆		◆	◆	
SAN MATEO						
SANTA BARBARA		◆		◆	◆	
SANTA CLARA		◆		◆		
VENTURA		◆		◆		◆

TABLE 3. OTHER IMMIGRATION RELIEF OPTIONS

COUNTY	Immigration relief definitions	Assessing eligibility for immigration relief	Immigration status and public benefits	Referring for legal services	Completion of Violence Against Women (VAWA) application	U-Visa law enforcement application	Immigration relief assistance after case is closed
ALPINE		◆		◆			
FRESNO	◆			◆		◆	◆
KERN	◆						
KINGS							
LOS ANGELES	◆			◆			◆
MADERA	◆		◆				
MARIN							
NAPA							
ORANGE	◆			◆		◆	
RIVERSIDE	◆	◆	◆		◆		
SAN BERNARDINO	◆						
SAN DIEGO	◆	◆					
SAN FRANCISCO		◆					
SAN LUIS OBISPO							
SAN MATEO							
SANTA BARBARA							
SANTA CLARA	◆	◆		◆			
VENTURA							