Immigrant Children and Family Program

County of Fresno Department of Social Services Child Welfare

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Policy

 The Department of Social Services (DSS) Child Welfare staff shall assist detained undocumented/foreign minors with their return to their country of origin or in obtaining legal residency. The DSS will collaborate with local community organizations to assist undocumented/foreign parents in the strengthening of the family unit. The Immigrant Child and Family Liaison (Liaison) shall document all contacts in CWS/CMS.

Purpose

- To ensure that the needs of undocumented/foreign minors are met when their families are temporarily or permanently unavailable. This shall be done by addressing procedures that will facilitate the early coordination of legal and social services to children, parents and their relatives that may be necessary to achieve permanency for the child. This includes providing the least restrictive placement and supportive services to maintain family ties, ensure appropriate visitation and maintain the child's ethnic, religious and cultural identity.
- To inform all social worker staff (SW) of the procedure for working with the Liaison on behalf of undocumented/foreign minors and parents who become involved with the child welfare system and juvenile court.
- This procedural guide is applicable to all new and existing referrals and cases. Children and families do not need to have an open case with DSS Child Welfare or be dependents of the court to be eligible for the immigration programs listed in this policy.

Goals for today

- 1. Provide basic information regarding immigration terminology.
- 2. Raise awareness of immigration relief laws.

3. Provide information regarding Immigration Liaison duties.

4. Provide resources available.



Statistics

According to the 2010 U.S Census:

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- Foreign born persons, 2007-2011 22.1% 27.2%
- Language other than English spoken at home, percent age 5+, 2007-2011

42.9% 43.2%

Children and Immigrant Economic Hardship Data

- Limited English Proficient
 - 25.3 million LEP individuals ages 5 and older in the United States
 - Spanish-speaking LEP individuals accounted for 55 percent (16.4 million)
 - Chinese, including Mandarin and Cantonese (1.6 million, or 6 percent) and Vietnamese (855,000, or 3 percent) fallow in second and third
- Poverty
 - 15.4 million Children under 18 who lived in poor families
 - 4.7 million (31 percent) children of immigrants
- Education
 - 32 percent don't have a high school diploma

*All data gathered from: The Migration Policy Institute - Frequently Requested Statistics on Immigrants and Immigration in the United States (2013)

Vienna Convention

Hague Treaty

- receive information and participate in deciding who is to be appointed as the guardian(s) or trustee(s) in the interest of minor(s) (article 37b).
- visit a foreign national who is in prison, custody, or detention (article 36c)
- preserve the rights and interest of foreign nationals.



Welfare and Institutions Codes

- •303: retain jurisdiction until the ward or dependent child attains the age of 21 years
- •368: searching of relatives and transportation of a minor to another country.
 - •391: dismissal documents.



Immigration Relief Laws

- VAWA
- Family Visas
- U Visas
- U.S. Citizenship
- Asylum
- Temporary Protected
 Status
- SIJS



Emergency Response



- Notify appropriate
 Consulate
- Search for parents or relatives in country of origin.(WIC 368)
- Request any home studies needed for placement or reunification
- Complete Prucol
 (Permanently Residing Under Color of Law)

Hague Adoption Convention

- Preparation of child background study.
- Transmission of child data to foreign entity.
- Reasonable efforts to find domestic placement.
- Preparation and transmission of home study.
- Authorization for the child to enter the receiving country.
- Consent to the adoption/ custody by foreign authorized entity.
- Guardian counseling and consent.
- U.S. authorized entity duties: Secure transfer of the child, Arrangements with a foreign authorized entity on post placement.

Family Reunification

Facilitate
 communication
 between Consulate
 and any other
 agencies

Request documents.



Skype Visitation



Permanency Planning



- File Immigration SIJS
 Application provision
 101(a)(27)(J) of the
 Immigration and
 Nationality Act of 1990.
- File Work Authorization Application

Special Immigrant Juvenile Status



- Child must not be ordered reunification with at least one parent.
- Child must be subjected to judicial proceedings and findings that is not in his/her best interest to be returned to his/her country of nationality.
- Child must be unmarried and under the age of 21.

Immigration process

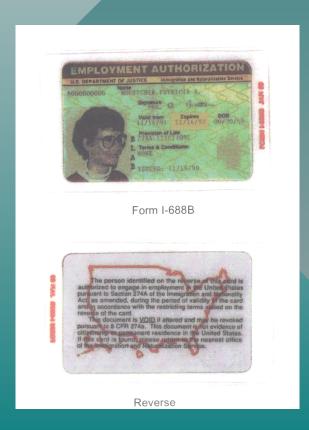
Three step process



- 1. Immigrant petition by employer or relative (USCIS)
- 2. Visa number(Dept. of State)
- 3. Apply to Adjust to Permanent Resident (USCIS)

After 5 yrs of LPR Status, allowed to apply for Naturalization

Employment Authorization cardAllows individuals who are not LPR to be employed in the U.S. for a specific time.



Green Card/Permanent Residency Card







Resource Agencies



- Exterior Relations
- •Social Service Agencies in other countries. Desarrollo Integral de la Familia.
- •Civil Registrar's

Memorandum of Understanding with the Mexican Consulate of Fresno County

- Department Preparation
 - Internal Meetings with Program Managers
 - Development of PPG/Forms
 - Consultations with County Counsel, Analysts, and Administration.
- Presentation to the Fresno County Board of Supervisors
- Official Signing- JUNE 12, 2012

•All photos were obtained from Borders Film Project. www.borderfilmproject.com

Thank you for your time and attention.



Immigration Liaison (559) 600-6646 (559)498-9646

CWSUndocumentedImmigration@co.fresno.ca.us

Fresno County Hotline (559)255-8320

1404 L Street, Fresno CA 93721