



THE CENTER ON
IMMIGRATION
AND CHILD WELFARE

Best Practices to Support Immigrant Families Involved in the Child Welfare System

April 2019

AGENCY POLICY & PROCEDURE

- Make non-citizen/undocumented caregivers eligible to be approved caregivers.
- Review and incorporate the ICE Directive on Detention and Removal of Alien Parents of Legal Guardians in agency policy manuals.
- Develop clear policies on confidentiality and sharing info with immigration authorities.
- Implement policies similar to SB 1064.
- Have a process/mechanism for and equip workers to screen for SIJS, U Visas, VAWA.
- Have specific staff members trained on immigration-related issues e.g., immigration liaison.
- Ensure that all documents and forms are language accessible to clients.
- Commit to ongoing policy review and development to improve responsiveness to these families.

LAW & POLICY

- Enact legislation which provides exceptions to the Adoption and Safe Families Act (ASFA) termination of parental rights timing provisions when case involves delays due to parental detention or deportation.
- Advocate for visitation and reasonable efforts based on ASFA provisions that apply equally to immigrant parents.

WORKFORCE TRAINING & PREPARATION

- Educate and encourage workers to support immigrant families in preparing for possible detention and deportation (e.g., contingency and safety planning, power of attorney).
- Incorporate trauma-informed and culturally sensitive practices.
- Train workforce on screening for legal relief options.
- Conduct pre-employment AND ongoing training on these issues.

CROSS-SYSTEMS COLLABORATION

- Establish relationships with local immigration legal clinics
- Identify an ICE point of contact
- Develop relationship with consulates

TRANSNATIONAL PRACTICE

- Involve and develop relationships with foreign consulate, including MOUs
- Locate parents and relatives
- Conduct home studies
- SKYPE
- Arrange for participation in court proceedings and visits
- Arrange for service provision in other countries
- Placement in other countries

References:

- Greenberg, M., Capps, R., Kalweit, A., Grishkin, J., & Flagg, A. (2019). Immigrant Families and Child Welfare Systems: Emerging Needs and Promising Policies. *Migration Policy Institute*. Available at <https://www.migrationpolicy.org/research/immigrant-families-child-welfare-systems>