

FYI FYI FYI FYI

F O R Y O U R I N F O R M A T I O N

Issue 08-05 REV.

Date: 01/31/08

ESTABLISHING LEGAL RESIDENCY PRIOR TO ADOPTION FINALIZATION AND/OR TERMINATION OF COURT JURISDICTION ON OTHER PERMANENT PLANS

This FYI is to remind all staff to ensure each undocumented child receiving permanent placement services is referred to the DCFS Special Immigration unit for the purpose of applying for his/her Permanent Resident Card, also known as a "green card". (See attached flyer and referral form for *Special Immigrant Status Unit assistance*.) Once the application is in process, an adoption should not be finalized, nor should Court jurisdiction be terminated, until the process has been completed. It will be necessary to check with the Special Immigration Unit regarding the status of the child's application. See Procedural Guide 1200-500.85, Special Immigrant Status (SIS).

Any child born in another country, and who is undocumented, **shall** be referred to the SIS unit to initiate his/her legal residency documents if:

- (a) the CPA is activated for Adoption and a Permanent Placement (PP) order has been made*, or
- (b) legal guardianship with intent to terminate Court jurisdiction becomes the permanent plan or
- (c) A Planned Permanent Living Arrangement (PPLA) is ordered by the Court as the permanent plan.

(Some cases previously receiving Permanency Planning services may have been already referred to the SIS unit. Please check with the SIS unit, (323) 725-4464, about your child prior to making a referral to eliminate duplication of efforts.)

* If a PP order has not been made but there is a great likelihood that it will be ordered within 2 – 3 months, it is best practice to notify the SIS Unit about this upcoming referral. **No** adoption case shall enter the completions process without ensuring that the child's legal residency has been established.



If you have any questions regarding this release please e-mail your question to:

Policy@dcfs.co.la.ca.us

Clerical Handbook: <http://lacdcs.org/Policy/Hndbook%20Clerical/Default.htm>

Child Welfare Services Handbook: <http://lacdcs.org/Policy/Hndbook%20CWS/default.htm>

FYI's: <http://lacdcs.org/Policy/FYI/TOCFYI.htm>

Legal Residency Must be Established PRIOR to Adoption Finalization and/or Termination of Court Jurisdiction on Other Permanent Plans

If legal residency is not established prior to the finalization of the adoption and/or termination of Court jurisdiction, DCFS cannot assist the family with this process. The family may be subject to a very lengthy and costly process, which may include traveling to the child's county of origin and requesting a visa from that country's consulate

Additionally, there are times when the Special Immigration Unit may decline to apply for Permanent Resident Status for certain children who are believed to be ineligible. The Special Immigration unit will work with the family and keep DCFS staff informed regarding actions to take in such a circumstance.

Best practice would include disclosure of all immigration related issues to the prospective adoptive parents or legal guardians in writing, receipt of which should be acknowledged by their signature. CSWs **shall not** give legal advice regarding immigration issues to prospective adoptive parents or legal guardians but should instead refer them to legal services agencies with an expertise in immigration matters or urge them to retain counsel with that expertise.

NOTE: The SIS unit can also help obtain or replace your child's lost or stolen green card both prior to and post termination of jurisdiction. Green cards are good for 10 years; if you child needs to have his/her green card renewed, the SIS unit can help with that as well.



SPECIAL IMMIGRANT STATUS UNIT

<p>Services:</p> <p>The Special Immigrant Status (SIS) Unit files and obtains lawful permanent residence cards (“green card”) with the Department of Homeland Security Citizenship and Immigration Services (USCIS) on behalf of some DCFS undocumented children under provision 101(a)(27)(J) of the Immigration and Nationality Act of 1990. The SIS Unit also obtains replacement of lost or stolen “green cards”, and files US naturalization for some children who meet criteria.</p>	<p>Purpose:</p> <ul style="list-style-type: none"> Eligible children would be able to obtain a permanent resident card (“green card”). Eligible children would have the right to receive DCFS adoptions and emancipation services. Eligible children would be able to live, study, and work legally in the United States. Eligible children would be less likely to be deported by USCIS.
--	--

<p>Criteria:</p> <ul style="list-style-type: none"> Child must be a dependent of the Juvenile Court. Child must be ordered into Permanency Planning Services (PP). Child must be subjected to judicial proceedings and finding 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. 	<p>Caseload Information:</p> <ul style="list-style-type: none"> Provides countywide services Caseload capacity of 400 cases Secondary caseload responsibility SIS unit is the liaison between DCFS and USCIS Partnership with community agencies that advocate for the rights of immigrant children Partnership with local Consulates
--	--

<p>Critical Resources: (to access the WebPages, click the hyperlink)</p>	
<p>Department of Justice Immigration and Naturalization Service <i>Public Counsel Law Center</i> <i>Immigrant Legal Resource Center</i> <i>Alliance for Children’s Rights</i> Catholic Legal Immigration Network - CLINIC</p>	<p>www.uscis.gov/ www.publiccounsel.org www.ilrc.org www.kids-alliance.org www.cliniclegal.org</p>

<p>Required Forms:</p> <ul style="list-style-type: none"> DCFS 852 (Incorporated in web-page referral form) Child’s most recent Minute Order. Child’s birth certificate, baptism certificate or passport. <p>Please mail forms to: 5835 S. Eastern Ave., Commerce, CA 90040 or fax to (323) 728-9189</p>	<p>SIS Contact Person(s):</p> <table style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 70%;">Cecilia Saco, SCSW</td><td style="text-align: right;">(323) 725-4464</td></tr> <tr><td>Unit Clerk, Veronica Sanchez</td><td style="text-align: right;">(323) 725-4463</td></tr> <tr><td>Sheila Meade-Jackson, CSW</td><td style="text-align: right;">(323) 725-4469</td></tr> <tr><td>Genovieve Lozano, CSW</td><td style="text-align: right;">(323) 725-4470</td></tr> <tr><td>Jeannette Hernandez, LW</td><td style="text-align: right;">(323) 725-4466</td></tr> <tr><td>Rene Sanchez, LW</td><td style="text-align: right;">(323) 725-4476</td></tr> <tr><td>Olga Lopez, LW</td><td style="text-align: right;">(323) 725-4622</td></tr> <tr><td>Gloria Rios, LW</td><td style="text-align: right;">(323) 725-4465</td></tr> <tr><td>Patricia Pena, ITC</td><td style="text-align: right;">(323) 725-4615</td></tr> </table>	Cecilia Saco, SCSW	(323) 725-4464	Unit Clerk, Veronica Sanchez	(323) 725-4463	Sheila Meade-Jackson, CSW	(323) 725-4469	Genovieve Lozano, CSW	(323) 725-4470	Jeannette Hernandez, LW	(323) 725-4466	Rene Sanchez, LW	(323) 725-4476	Olga Lopez, LW	(323) 725-4622	Gloria Rios, LW	(323) 725-4465	Patricia Pena, ITC	(323) 725-4615
Cecilia Saco, SCSW	(323) 725-4464																		
Unit Clerk, Veronica Sanchez	(323) 725-4463																		
Sheila Meade-Jackson, CSW	(323) 725-4469																		
Genovieve Lozano, CSW	(323) 725-4470																		
Jeannette Hernandez, LW	(323) 725-4466																		
Rene Sanchez, LW	(323) 725-4476																		
Olga Lopez, LW	(323) 725-4622																		
Gloria Rios, LW	(323) 725-4465																		
Patricia Pena, ITC	(323) 725-4615																		

SPECIAL IMMIGRANT STATUS/ NATURALIZATION REFERRAL

- Legal Permanent Residence ("Green card")
- Replacement Card (when original "green card" is lost)
- U.S. Citizenship (For legal residents at least for 5 years)

TO: SIS UNIT
 Region III/ Belvedere
 5835 S. Eastern Ave.,
 City of Commerce, CA 90040
 (323) 725-4464 office
 (323) 728-9189 fax

Referral Date: _____

Case Name: _____

Case No: _____

Court No: _____

Dept. No: _____

Child's Name	D.O.B.	B/C	Country of Origin	PP	Attachments (B/C, PP/MO, Other)	Pla Ad
		<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No		
		<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No		
		<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No		
		<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No		
		<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No		

CSW: _____ File #: _____ Office: _____ Phone #: _____

SCSW _____ Phone #: _____

INSTRUCTIONS:

Provide the requested information for each undocumented PP child in the Family. Check each box to indicate services and placement type. Include children who are in paid and non-paid placement with relatives. A copy of the current minute order must be attached to this referral. Also please include a copy of the child's birth certificate; send it along with your referral as well.

LEGEND: B/C= Birth Certificate; P/MO = Current PP Minute Order