

**Memorandum of Understanding on Consular Protection of Mexican Nationals between the County of Riverside Department of Public Social Services, California, and the Consulate of Mexico in San Bernardino, California.**

The County of Riverside Department of Public Social Services and the Consulate of Mexico in San Bernardino, California, herein and after referred to as “the Parties”;

CONSIDERING their commitment to the safety and well being of Mexican children in the custody of the County of Riverside Department of Public Social Services;

CONSIDERING the obligation of the Mexican Consulate to protect the rights of the Mexican citizens and their children within its Consular Circumscription;

CONSIDERING their mutual interest in preventing situations that may jeopardize the safety, dignity and human rights of Mexican children involved in legal proceedings;

CONSIDERING the need to continue to foster and strengthen the effective relationship and communication between the Consulate of Mexico and the Department of Public Social Services, in accordance with the spirit of the Consular Convention between the United Mexican States and the United States of America of 12 August 1942, and the Vienna Convention on Consular Relations of 24 April 1963, and the Memorandum of Understanding for Consular Protection of United States and Mexican Nationals of 7 May 1969; and

CONSIDERING their mutual interest in establishing protocols and procedures to provide and share information, deliver services and resolve problems at the local level concerning child protection issues,

Have agreed to the following:

1. To comply with the provisions set forth by the Vienna Convention, Bilateral Convention, the applicable treaties and agreements governing the interaction between the United States of America and Mexican Consulates when a child who is a Mexican National is involved in legal proceedings.

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2. To facilitate communication between consular representatives and children who are Mexican Nationals held in custody of the County of Riverside Department of Public Social Services in accordance with Article VI, paragraph 2, section (c) of the Consular Convention between the United States of America and the United Mexican States of 12 August 1942 and in accordance with Article 36.1, subsections (a) and (c) of the Vienna Convention on Consular Relations of 1963.
3. To allow and to facilitate, in accordance with the relevant provisions of the laws of the State of California, the United States of America, and the United Mexican States, access for consular officials in order to permit such officials to be present at all times at judicial proceedings relating to children who are Mexican Nationals.
4. To promote bi-cultural sensitivity and understanding on issues relating to child protection and to encourage cooperation on the highest level to achieve the best success and interests of the children who are Mexican Nationals, and therefore, the Consul of Mexico or designee and the Director of the Department of Public Social Services or designee agree to meet annually to assess the progress of this collaboration.
5. To consolidate the vision and mission of the County of Riverside Department of Public Social Services to provide permanency and safety for children, who are Mexican Nationals, taking into consideration the aspiration of the Mexican government to reunite Mexican children with their families in the United States of America or in Mexico, whichever placement is determined to be in the best interest of the children.
6. To abide by what has been established, as set forth in the "Manual of Procedures," which is attached hereto and incorporated herein by this reference, to handle cases pertaining to children who are Mexican Nationals under the custody of the County of Riverside Department of Public Social Services.
7. To develop procedures for the processing of requests for services between the County of Riverside Department of Public Social Services and the Consulate of Mexico, and the provision of such services, conforming with the established "Manual of Procedures."

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8. To work together to introduce changes or improvements to any of the provisions in this Memorandum of Understanding and/or in the attached "Manual of Procedures."

Disputes that result from the interpretation or application of the present Memorandum of Understanding shall be resolved by the Parties involved in the agreement.

This Memorandum of Understanding may be amended by written consent of both Parties.

The present Memorandum of Understanding will be effective the date it is signed and will be valid for ten (10) years and may be automatically extended for a period of equal duration by the written consent of both Parties. Notwithstanding the foregoing, either Party may terminate this Memorandum of Understanding at any time by giving ninety (90) days written notice of such termination to the other Party.

This Memorandum of Understanding shall not supercede any of the recognized rights of Mexican Nationals in the United States of America.

Signed in Riverside, California, United States on this \_\_\_\_(day) of \_\_\_\_\_(month),  
\_\_\_\_\_(year), in English and Spanish languages.

**County of Riverside Department of  
Public Social Services**

**Consulate of Mexico in San Bernardino,  
California**

**John Tavaglione  
Board of Supervisors  
Chairman**

**Carlos I. Giralt-Cabrales  
Consul of Mexico**