

An Overview of Immigration Issues and Child Welfare from a Social Worker's Perspective

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Department of Children and Family Services (Los Angeles County)

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Los Angeles County is one of the largest counties in the United States and represents over 35 % of California's child welfare population. The Los Angeles Department of Children and Family Services (DCFS) is broken up into eight Service Planning Areas (SPAs). These SPAs contain seventeen (17) offices that serve the children and families of Los Angeles County. The Special Immigrant Status (SIS) Unit was started in 1988 where Los Angeles County processed approximately 400 Amnesty applications (the name of the Unit at that time was the "Undocumented Children's Unit"). After the passage of SIJS legislation in 1990, the SIS Unit received its present name and has been filing SIJS application year after year. This specialized Unit consists of one (1) supervising children's social worker MSW, four (4) eligibility workers (EW level II), four (4) intermediate typist clerks, and one (1) MSW intern. Since 2006, the SIS Unit had processed approximately over 2,400 applications for "green cards" which were approved by USCIS, over 300 replacement "green cards" obtained, over 200 applications for US naturalization filed, and obtained over 600 USCIS work permits.

Services provided by this Unit include:

- Processing all SIJS applications for the eight SPAs in Los Angeles county;
- Providing social work services only for SPA 7, which has the highest immigrant population for Los Angeles county;
- Obtaining replacement of lost or stolen "green cards" for immigrant youth in the county;
- Filing of USCIS Work Authorizations (work permits) for children age 14 and over;
- Filing for U.S. naturalization for eligible children; and
- Assisting children to obtain a social security card and California ID under certain circumstances.

In order to ensure that children eligible for immigration relief options, the SIS unit reviews the computer listing from CMS/CWS (i.e. under the demographic section, there's an option for "child born in other country" which can be checked). Since the CMS/CWS field is not a mandatory field for social workers, the SIS Unit also reviews children receiving PRUCOL from the eligibility division and cross-references these names with the CMS/CWS listing each month.

Here are some key ways in which has helped the unit become so successful in their work:

- Having a relationship with the local USCIS immigration staff which includes quarterly meeting with USCIS staff to problem solve, doing filing in person with USCIS staff with monthly one-day appointment for all SIJS cases where staff will pick up the kids and are there during their interviews (i.e. there's about 12-18 applications at these monthly meetings).
- The SIS Unit has their own budget approved yearly by the department. The budget includes funds to pay for the SIJS filing fees (since it is a much slower process when depending on USCIS for waivers or having the family, most of whom are low income, pay for this fee), photos, medical exams, passports, etc. The Unit also has funding to provide transportation for the children on the day of their interview, thus helping to ensure they get to the meeting on time and to avoid confusion about interview location, etc.
- Some common problems in filings have been resolved through the creativity of staff. For example, locating vital documents like birth certificates can cause lots of delays and problems in the application. The SIS Unit has contacted foreign consulates, schools, churches in foreign country, relatives (in the United States and abroad), and others for this information. The SIS Unit has also worked with Sacramento to request a delayed registration of births for foreign-born children never registered in their home country (i.e. a relative takes an affidavit verifying date/location of birth, baptism certificate may be available). Bone scan tests are also used but these are often more costly and are only done when there no other information is available to provide proof age.
- Each of the staff in the Unit is a county-certified translator, thus reducing reliance on having to find outside translators for their needs.

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The current mission of the Immigration Liaison is to promote a community based system of best practice that includes both community based and international cooperation to improve the lives of children and families. Through advances in services, knowledge and committed to prevention, early intervention that ensures child safety, permanence, stability, family well being that is proactive strategic outcomes based and fiscally responsible to the children and families served.

The Department of Children and Family Services (DCFS) has had an immigration liaison position for over ten years. This position began first as a contract with a nonprofit agency, then as a part-time/office assistance position, and was recently changed two years ago to a full-time, social work position. The immigration liaison position does not carry cases but is considered a secondary on placement cases and will provides needed assistance to cases with immigration issues. There are monthly in-house meetings with child welfare staff representing management, and front/backend focused on practice and policy issues. DCFS has a close partnership with Fresno State University to assist in training new and current child welfare staff on immigration issues. DCFS also has a good partnership with the Mexican consulate that will often assist the agency in providing immigration legal counsel for Mexican nationals, the gathering of vital documents, and home study for placement options in Mexican.

Some key ways in which the immigration liaison has assisted the agency include:

- Ensuring that undocumented youth obtained their necessary documents before leaving the Juvenile Dependency System;
- Assisting child welfare staff in developing alternative plans of care for minors that do not involve juvenile dependency whenever possible, and to begin assessing for relatives for placement in other countries;
- Through the Immigration Liaison filing of PRUCOL (Permanently Residing Under the Color of Law) applications earlier minimizing the county's portion for funding for foster care placement when necessary, in addition to ensuring that the Hague Convention notifications are completed;
- By incorporating the Immigration Liaison into the Emergency Response programs families are being referred to community collaborative agencies to assist families for other possible immigration benefits such as VAWA, U-Visa or T-Visa's.

Department of Family and Children's Services (Santa Clara County)

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The Department of Family and Children's Services' outreach to clients with immigration concerns has responded to and evolved to meet the needs of a dynamic immigrant community since its inception in the 1970s. Consistent throughout these many years has been the commitment to this clientele by the administration, social work staff, and community based organizations. In the 1970's, a nationally recognized program was developed around an immigration services unit in "Basic Services"(currently called Voluntary Family Maintenance or VFM). The programs focused on the needs of new immigrants from Mexico, and political asylees from Central America, Chile and Cuba, later followed by South East Asian populations. After the Proposition 13 downsized the unit, an immigration coordinator position was established to work on immigration cases, train staff and respond to amnesty issues for child welfare staff. It was at this point that Immigration Amnesty occurred and the need identified to advocate for children in permanency in the child welfare system, and advocate for Special Immigrant Juvenile Status.

Immigration services were then integrated within linguistic and culturally sensitive child welfare service units with direct immigration services being contracted out to immigration service agencies, such as Catholic Charities. In addition, a shift in the direction of assessing and advocating for the needs of immigrant populations grew into a Departmental wide Immigration Services Committee with representatives from all segments of the Child Welfare system including county counsel. The role of the committee is to train staff, recommend policy and best practices, and refine services to this clientele throughout the child welfare system. The committee was instrumental in supporting and developing relationship with foreign consulates and resulting in a best practice protocol with the Mexican Consulate, and connecting with DIF, the child welfare service agency within Mexico, for the purpose of relative assessments, placements and supervision. The current committee is practice driven and responds to the service needs from ER through PP, including the development of an immigration services

handbook. Since Santa Clara County is also a "Greenbook" and Annie E Casey Foundation's Family to Family (F2F) county, the committee took on the task of integrating Immigration services with domestic violence prevention. Likewise with its commitment to F2F, team decisionmaking (TDMs) were reflective of best practices and integration of immigration services within the TDM process. In Santa Clara County, immigration issues are fairly integrated as a part of the general assessment and service plan for families in the child welfare system.