



## *Migration and Refugee Services*

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### **SIJS CASEWORKER'S TOOLKIT FOR CHILDREN IN FEDERAL CUSTODY**

Welcome to the **Special Immigrant Juvenile Status (SIJS) Caseworker's Toolkit for Children in Federal Custody**, developed by the Children's Services department of the U.S. Conference of Catholic Bishops / Migration and Refugee Services (USCCB / MRS).

These materials were primarily developed for foster care caseworkers assisting children in the federal custody of the Office of Refugee Resettlement's Division of Unaccompanied Children's Services (ORR/DUCS), to ensure that SIJS-eligible children receive the assistance and case monitoring they need during the SIJS application process.

In addition, we hope that these documents will also help social service and legal practitioners working with other children who may be eligible for SIJS.

#### **Documents on this CD include:**

##### ○ **Product 1: *SIJS Flow Chart***

- A PowerPoint flow chart of the SIJS process, including:
  - **Chart 1:** Basic SIJS Case Flow for Children in the Custody of the Federal Government
  - **Chart 2:** Specific Consent for Children in the Custody of the Federal Government
    - **Note:** *This Specific Consent chart was created before the January 1, 2008 U.S. District court decision in [Perez-Olano v. Chertoff](#), which states that DHS specific consent for children in federal custody is only required before a juvenile court determines custody status or placement. The impact of this decision is currently unclear; when more is known, these materials will be updated. (For more on this issue, see the National Center for Refugee and Immigrant Children's [SIJS resource library](#), which includes the [court decision](#) and a [January 30, 2008, USCIS letter](#) explaining that following the District Court's decision, they are "enjoined from requiring specific consent where a minor only seeks state court jurisdiction for a SIJ predicate order.")*
  - **Chart 3:** Establishing Jurisdiction of Local Juvenile Court
  - **Chart 4:** Terminating Immigration Court (EOIR) Proceedings
  - **Chart 5:** Permanent Residency Application and Adjustment of Status

##### ○ **Product 2: *SIJS Flow Chart - Accompanying Information***

- A compilation of the "pop-up box" information from the SIJS flow charts, for printing purposes. Pop-up boxes and flow charts correspond numerically.

- **Product 3: *Clarifying Roles***
  - A four-page description of the people and professionals affecting the outcome of children’s SIJS cases, including:
    - Attorneys
    - Caseworkers
    - Court systems and judges
    - Family
    - Federal government agencies
    - Guardians *ad litem*
    - National voluntary agencies
- **Product 4: *Key Government Players***
  - A succinct three-page description of federal and state level government entities interacting with SIJS-applicant children, including links to organizational charts and Web sites.
- **Product 5: *Forms & Fees***
  - A two-page summary of the typical SIJS application forms (I-360, I-485, and I-765) and accompanying fees.
- **Product 6: *SIJS Q & A***
  - A five-page question and answer dialogue with Professor James Eyster, Ave Maria School of Law, regarding common inquiries about SIJS.
- **Product 7: *Work Permit Q & A***
  - A three-page question and answer dialogue with Professor James Eyster, Ave Maria School of Law, regarding common inquiries about work authorization for children in immigration proceedings.
- **Product 8: *Child Friendly Immigration Resources***
  - A three-page annotated list of useful resources for helping children, their caseworkers, and attorneys, understand and explain legal matters of relevance to SIJS applicant children, particularly those in federal custody.
- **Product 9: *BRYCS Child Welfare Resources***
  - A one-page list of child welfare resources available from the Bridging Refugee Youth and Children’s Services (BRYCS) Web site – [www.brycs.org](http://www.brycs.org)

Please send any feedback about these documents to Adrienne Young at: [ayoung@usccb.org](mailto:ayoung@usccb.org)

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