

# IMMIGRATION PRACTICE GUIDE

Revised May 1, 2017

Page 1 of 20

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## Introduction

Federal law is very strict regarding the continued presence of non-citizens within the borders of the United States. Such persons must meet all criteria and have proper documentation in order to avoid arrest or deportation. In cases where it is not possible or appropriate to assist the client with obtaining proper documentation, the Social Worker shall make reasonable efforts to ensure that the family has access to services that are reasonable and necessary to promote their best interests.

DCF Social Workers shall engage this population and provide services that protect and serve children who may not have documentation papers as well as their documented family members.

The identification of undocumented persons by DCF staff does not require reporting this information to the Department of Homeland Security Immigration and Customs Enforcement agency.

It is very likely that many of these families will have limited English proficiency. Arrangements shall be made to work through qualified interpreters and translation providers.

Due to the complexity of immigration law, it is important to proactively engage families to ascertain whether adults and children who are DCF clients may be undocumented, as it will limit eligibility to many of the benefits and services that are available to United States citizens. (See **APPENDIX II** for guidelines on how to engage clients.)

Upon learning of the undocumented status of any client receiving DCF services, the Social Worker shall immediately:

1. Alert the Area Office Attorney if there are questions regarding the immigration status of a child who is in the DCF's custody.
  2. Work expeditiously with the Area Office Attorney to determine the appropriateness of and procedure for ensuring that the child obtains proper documentation.
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## Consular Notification Requirements

### Vienna Convention on Consular Relations

The Vienna Convention on Consular Relations, 21 U.S.T. 77, Art. 37(b), an international treaty, requires that if DCF obtains legal custody of a child who is a foreign national minor, the foreign consulate must be given notice. Consult with the Area Office Attorney for guidance on drafting the notification letter.

### **Documentation of notification must be included in the case record.**

If it is unclear whether a minor is a citizen of a foreign country, the best practice is to give the consulate notice. In addition to satisfying the legal requirement, contact with the consulate may facilitate locating family members or other resources in a foreign country. Whether or not the consulate responds, CPS staff should continue permanency planning for the child.

### **Notification requirements and other considerations**

- If the child or the parents are registered as refugees or asylum seekers, first ascertain whether the country of origin is not one that signed the Treaty or subsequent ones. **If the country did not sign the Treaty, notification to an embassy is not required.** However, upon parent's request, a notification letter can be sent to the consulate. Consult with Area Office Attorney for guidance on drafting the notification letter.
  - Immediate removal of a child (96 hour administrative hold – **No notification required.**
  - Neglect petitions only – **Notification required.** Consult with the Area Office Attorney for guidance on drafting notification letter.
  - OTC (Order of Temporary Custody) – **Notification required.** Consult with Area Office Attorney for guidance on drafting the notification letter.
  - Dual citizenship – The minor is a citizen of the United States and another country (foreign national) – **Notification required.** Consult with the Area Office Attorney for guidance on drafting the notification letter.
  - TPR (Termination of Parental Rights) – Verify notification was made when the neglect petition was filed. **If not – Notification required.** Consult with the Area Office Attorney for guidance on drafting the notification letter.
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# IMMIGRATION PRACTICE GUIDE

Revised May 1, 2017

Page 3 of 20

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## **Undocumented Children**

Undocumented (non-citizen) children of any age can be deported to their countries of origin, even if they have been raised in the United States since infancy. In addition, children who have entered the country with their parents illegally may be deported simply because their parents have been ordered deported. In such cases the child may not have been aware of the parent's status or received notice that the parent had been ordered deported.

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## **Adopted Children Born outside the United States**

Children who have been adopted by United States citizens and whose immigration status has not been legalized prior to the completion of the adoption may not be subject to removal. These children continue to be considered juvenile court dependents and can complete the green card process. Given the complexity of this area, it is always important to consult the Area Office Attorney

For additional information regarding adopted children born outside the United states, please visit:

[Acquiring US Citizenship for Your Child](#) or  
[USCIS Policy Manual, Volume 12- Citizenship and Naturalization](#)

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## **USCIS InfoPass Service**

If a child is committed to DCF and unresolved immigration issues exist, Social Workers can obtain an appointment with the [USCIS InfoPass service](#). InfoPass is a free service that allows you to schedule an appointment with a U.S. Citizenship and Immigration Services Immigration Officer via the internet. If you have an immigration issue that is best handled by a trained USCIS Immigration Officer, [InfoPass](#) will let you schedule an appointment instead of requesting it in person at your local USCIS Office.

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## **Committed Children (Special Immigrant Juvenile Status)**

Undocumented children who are committed to DCF are eligible for a special exception and cannot be deported while they remain committed. However, once the child is no longer committed to DCF or eligible to receive services from DCF, his or her former undocumented status is restored and he or she may again be subject to removal from the U.S. unless necessary steps have been taken by DCF for the child to remain under the jurisdiction of the juvenile court.

Undocumented children who find themselves in this country without parental support due to abuse, neglect, abandonment or another similar basis may be eligible for consideration for **Special Immigrant Juvenile (SIJ) status**.

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# IMMIGRATION PRACTICE GUIDE

Revised May 1, 2017

Page 4 of 20

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## **Committed Children (Special Immigrant Juvenile Status) (continued)**

To be eligible, a minor child (unmarried person under the age of 21 at the time of filing) must submit an order of dependency that shows:

- the child was declared dependent by a court of proper jurisdiction, or placed in the custody of the state or an appointed individual;
- that reunification with one or both parents is not viable due to abuse, neglect or abandonment (or a similar basis found under state law); and
- that it would not be in the child's best interest to be returned to the home country or place of last residence.

**Legal Reference:** 8 U.S.C. §1101(a)(27)(J); INA §101(a)(27)(J), as amended by the Trafficking Victims Reauthorization Act of 2008 (TVRA 2008) §235(d); INA §§ 101(b)(1) and (c)(1).

Once it has been determined that an undocumented child is to be committed to DCF and reunification with one or both parents is not a goal, the Social Worker shall work in collaboration with a contracted immigration attorney identified by the Area Office Attorney to gather and submit the necessary documentation required for Special Immigrant Juvenile cases. This process can be lengthy and complex. If it is not completed before the child's commitment is revoked or expired (or 21 years of age), the child may not be permitted to complete the process. To ensure that the child obtains legal permanent residency (green card) in a timely manner, this should be addressed well before his or her 18th birthday. (See **Appendix I** for a list of tasks associated with required documentation for Special Immigrant Juvenile cases).

Given the complexity of immigration law, the Social Worker shall consult the Area Office Attorney as soon as the Social Worker learns that a child in DCF custody may be undocumented; however, the actual legal work will be performed by an immigration attorney with whom DCF contracts.

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## **Citizenship Through Parents of Children Committed to DCF**

There are two general ways to obtain citizenship through parents: (1) at birth and (2) after birth but before the age of 18. For more information, see [USCIS Policy Manual, Volume 12- Citizenship and Naturalization](#).

Naturalization is the process by which U.S. citizenship is granted to a foreign citizen or national after he or she fulfills the requirements established by Congress in the Immigration and Nationality Act (INA).

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# IMMIGRATION PRACTICE GUIDE

Revised May 1, 2017

Page 5 of 20

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## **Citizenship Through Parents of Children Committed to DCF (continued)**

By law, a child may acquire automatic U.S. citizenship after birth or before the age of 18 years if:

- the child was residing as a green card holder in the U.S. and both parents naturalized before the child's 18th birthday;
- OR
- one parent died, the surviving parent naturalized before the child turned 18;
  - the parents legally separated, and the parent maintaining legal and physical custody naturalized before the child turned 18;
  - the child was born out of wedlock and paternity has not been established by legitimation, and the mother naturalized before the child turned 18.

In cases in which the citizenship status of an immigrant child committed to DCF is unclear, it is essential to engage the parent(s) before the child's 18<sup>th</sup> birthday to verify that the child is indeed a U.S. citizen. If the Social Worker is unable to verify this, the Social Worker should make an appointment for verification purposes through [USCIS InfoPass service](#). If the child's citizenship status is unresolved, consult the Area Office Attorney to retain an immigration attorney.

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## **Benefits Eligibility**

Persons who are in the United States illegally are considered to be undocumented and are **not eligible** for many of the state and federal entitlements afforded to United States citizens. This includes, but is not limited to, federally-funded health insurance, housing assistance, financial subsidies, food stamps, federal student aid and Social Security benefits.

Please use Connecticut's [2-1-1 Website](#) and the [Connecticut Association for Community Action member's website](#) as resources when helping an undocumented immigrant client receive assistance with basic needs. To be eligible for many programs, qualified applicants must have paperwork that demonstrates their need. Since undocumented immigrants cannot provide this documentation, they often are not eligible for assistance.

**Children** of undocumented individuals **born in the United States are considered citizens and are eligible** for state and federal entitlements, regardless of parental immigration status. Social Workers should encourage undocumented parents of U.S. born children to make appointments for their children through the Department of Social Services to determine which benefits their children are eligible to receive. (**See** APPENDIX III.)

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# IMMIGRATION PRACTICE GUIDE

Revised May 1, 2017

Page 6 of 20

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## Benefits Eligibility (continued)

**Undocumented children not born in the U.S. who are in a DCF placement** are entitled to medical coverage throughout their placement episode and/or while they are committed to the care and custody of the Commissioner of DCF. In order to request the medical coverage, Social Workers must submit [DCF-MA1](#) to the Medical Assistance Unit in the Revenue Enhancement Division.

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## Foster Care Licensure of Undocumented Individuals

When feasible, efforts shall be made to place children with relatives or other extended family members. Under special circumstances, undocumented individuals may be considered for kin or fictive kin licensure by meeting the following requirements:

- must meet the licensure criteria and process for all potential licensed foster care placements, including background checks; and
- must have a valid federal Individual Tax Identification Number (ITIN-W7).

Visit [ITIN Acceptance Agent](#) for additional information on how a potential undocumented foster care resource can obtain an ITIN.

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## Obtaining Birth Certificates of Foreign-Born Individuals Committed to DCF

Obtaining birth certificates for minor children born in foreign countries can be a lengthy and daunting task, as the process differs by country. Therefore, whenever feasible, every attempt shall be made to work with parents or guardians of a foreign-born child in the U.S. to obtain these documents.

Many countries have a full service embassy or smaller consular offices throughout the United States. These generally serve as foreign government satellite offices for citizens of that country. Depending on child welfare laws in the respective country, embassy or consular offices can assist DCF with obtaining citizen birth certificates.

Depending on the child's country of origin, it may be necessary to obtain a referral from your Area Office Attorney to obtain a retainer for an immigration attorney.

[U.S. Department of State list of foreign embassies and contact information in the United States](#)

[U.S. Department of State list of foreign consular offices and contact information in the United States](#)

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# IMMIGRATION PRACTICE GUIDE

Revised May 1, 2017

Page 7 of 20

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## **Locating Parents or Individuals in ICE Detention or Removal Proceedings**

The Parent Interest Directive of 2013, promulgated by U.S. Immigration and Customs Enforcement (ICE), states the following: "ICE is committed to intelligent, effective, safe, and humane enforcement of the nation's immigration laws. ICE seeks to enforce immigration laws fairly and with respect to parent's rights and responsibilities." It is the policy of ICE that "the agency's immigration enforcement activities do not unnecessarily disrupt the parental rights of both alien parents or legal guardians of minor children." For further guidelines concerning parental rights, including but not limited to, visitation and participation in family court or child welfare proceedings, please visit [US Immigration and Customs Enforcement: Facilitating Parental Interests in the Course of Civil Immigration Enforcement Activities](#).

In the event that a parent or caregiver has been arrested, detained or removed for immigration violations, please visit the [ICE detainee locator](#).

A person can be located with biographical information. However, if at all possible, the Social Worker should inquire about and try to obtain the reference person's [Alien Registration Number \(A-number\)](#).

The A-Number is the nine digit identifying number that is assigned to a person during immigration benefits or enforcement proceedings. The nine-digit A-Number may be preceded by zeros. A-Numbers are assigned one per person. The A-Number can be found in the top right corner of the Notice to Appear (NTA), Form I-862.

It is important to note that the site does not reveal whether a person was removed. The system will only reveal if a person is currently in ICE custody or was released from ICE custody within the last 60 days. Family members and legal representatives may be able to obtain additional information about a person's removal status by contacting the [ICE Enforcement and Removal Operations \(ERO\)](#) office responsible for that person's immigration case. The responsible ERO office's contact information is displayed in the person's Online Detainee Locator System ("ODLS") record. Alternatively, you may contact the ERO office in the area where you believe the person's immigration case was initiated. If you are not satisfied with their response, or if they are not giving you the help you need, you, or a relative or friend, may call the ICE ERO Community and Detainee Helpline at 1-888-351-4024.

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**Victims of  
Criminal  
Activity: U  
Nonimmigrant  
status (U Visa)**

The U non-immigrant status or U Visa is a status that has been established for victims of certain crimes who have suffered mental or physical abuse and who are helpful to law enforcement or government officials in the investigation or prosecution of criminal activity. Undocumented immigrant victims of domestic violence, sexual assault and similar crimes may qualify for a U visa, and be permitted to remain in the United States, provided they meet the following criteria:

- the client must be the victim of qualifying criminal activity;
- the client must be have suffered substantial physical or mental abuse as a result of having been a victim of criminal activity;
- the client must have information about the criminal activity (if the client is under the age of 16 or unable to provide information due to a disability, a parent, guardian, or next friend may possess the information about the crime on his or her behalf);
- the client was helpful, is helpful, or is likely to be helpful to law enforcement in the investigation or prosecution of the crime (if the client is under the age of 16 or unable to provide information due to a disability, a parent, guardian or next friend may assist law enforcement on his or behalf);
- the crime occurred in the United States or violated U.S. law; and
- the client must be admissible to the United States (if the client is not admissible, he or she may apply for a waiver on a Form I-192, Application for Advance Permission to Enter as a Nonimmigrant).

Designated DCF staff are authorized to certify that a victim has been, is likely to be or is being helpful to an investigation or prosecution of criminal activity. Consult with your Area Office Attorney for information regarding DCF authorized Certification Officers.

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**Victims of  
Criminal  
Activity: U-  
Nonimmigrant  
status (U Visa)  
(continued)**

Qualifying Crimes

- Abduction
- Abusive sexual contact
- Blackmail
- Domestic violence
- Extortion
- False imprisonment
- Female genital mutilation
- Felonious Assault
- Fraud in foreign labor contracting
- Hostage
- Incest
- Involuntary servitude
- Kidnapping
- Manslaughter
- Murder
- Obstruction of justice
- Peonage
- Perjury
- Prostitution
- Rape
- Sexual assault
- Sexual exploitation
- Slave trade
- Stalking
- Torture
- Trafficking
- Unlawful criminal restraint
- Witness tampering
- Other related Crimes\*

\*Includes any similar activity where the elements of the crime are substantially similar, as well as attempt, conspiracy or solicitation to commit any of the above and other related crimes.

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## **Trafficking Visa (T Visa)**

Human trafficking, also known as trafficking in persons, is a form of modern-day slavery in which traffickers lure individuals with false promises of employment and a better life. Traffickers often take advantage of poor, unemployed individuals who lack access to social services. The T Nonimmigrant Status (T visa) is available for those who are or have been victims of human trafficking. The T Visa protects undocumented victims of human trafficking and allows victims to remain in the United States to assist in an investigation or prosecution of human trafficking.

Under federal law, the term "severe forms of trafficking" can be broken into two categories:

- Sex trafficking: recruitment, harboring, transportation, provision or obtaining of a person for the purpose of a commercial sex act where the commercial sex act is induced by force, fraud or coercion, or the person being induced to perform such act is under 18 years of age.
- Labor trafficking: recruitment, harboring, transportation, provision, or obtaining of a person for labor or services through the use of force, fraud or coercion for the purpose of involuntary servitude, peonage, debt bondage or slavery.

To qualify for T nonimmigrant status a person must:

- be or have been a victim of severe trafficking in persons;
- be physically present in the United States, American Samoa or the Commonwealth of the Northern Mariana Islands, or at a port of entry on account of trafficking;
- comply with any reasonable request from a law enforcement agency for assistance in the investigation or prosecution of human trafficking; and
- demonstrate that he or she would suffer extreme hardship involving severe and unusual harm if he or she were removed from the United States.

If the person is under the age of 18 at the time of the victimization, or if he or she is unable to cooperate with a law enforcement request due to physical or psychological trauma, he or she may qualify for the T nonimmigrant visa without having to assist in the investigation or prosecution.

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# IMMIGRATION PRACTICE GUIDE

Revised May 1, 2017

Page 11 of 20

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## Trafficking Visa (T Visa) (continued)

In all cases when the victim of human trafficking is not a citizen of the United States, the designated Certification Officer from the Office of Multicultural Affairs or Office of Legal Affairs must be contacted immediately to commence the process of obtaining benefits on behalf of the victim.

**For more information, see** "Human Trafficking" or contact the Office of Multicultural Affairs or Office of Legal Affairs.

Forms, further instructions and additional information are available at these websites:

[Victims of Human Trafficking: T Nonimmigrant Status Questions and Answers: Victims of Human Trafficking, T Nonimmigrant Status](#)

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## Unaccompanied Alien Children

In recent years, a large number of Unaccompanied Alien Children (UAC) have been placed with relatives and other sponsors in Connecticut.

An UAC is a child who has:

- no lawful immigration status in the United States;
- not attained 18 years of age; and,
- no parent or legal guardian in the United States, or no parent or legal guardian in the United States available to provide care and physical custody.

A determination that a child is a UAC is made at the time the child arrives at any of the contiguous borders of the United States.

**Legal references:** [6 U.S.C.Sec.279\(G\)\(2\)](#). In addition, two statutes and a legal settlement most directly affect U.S. policy for the treatment and administrative processing of UAC: [The Trafficking Victims Protection Act of 2008 \(P.L. 110-457\)](#); [the Homeland Security Act of 2002 \(P.L. 107-296\)](#); and [the Flores Settlement Agreement of 1997. Congressional Research Service, Unaccompanied Alien Children: An Overview.](#)

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**Unaccompanied  
Alien Children  
(continued)**

The Department of Health and Human Services (DHHS) will determine if the UAC can be reunited with a family member, who does not need to have legal immigration status. Throughout the entire period that a determination is made regarding the immigration status of a UAC, the child is in removal proceedings

The trauma associated with the journey to the U.S. border is often severe, with adverse childhood experiences that can have lifelong implications. Therefore, it is important that Social Workers engage UACs from a trauma-informed framework, which includes realizing the impact of trauma, recognizing the signs of trauma and responding by understanding the UAC's experiences and creating a supportive environment for them, as well as providing assessments and treatment in their native language. A trauma-informed response involves screening, assessment and referral in the child's native languages for appropriate behavioral health services including evidence-based trauma interventions when necessary.

UACs are highly vulnerable for human trafficking and labor exploitation at the hands of their sponsors. Given this special designation by DHHS, it is essential that the Area Office Attorney and Office of Multicultural Affairs be contacted immediately for guidance on how to best proceed with cases involving a UAC.

**Cross reference:** ["Human Trafficking."](#)

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**Reunification  
of Children  
with Parents  
Who Have  
Been  
Deported**

Reunification of children with parents who have been deported to their country of origin is possible; however, the process can be lengthy and complex. Contact your Area Office Attorney for guidance on specific steps.

The following is a guide you can follow to ascertain whether this is a viable option:

1. Do we have a birth certificate?
  2. Do we have contact with parent(s)?
-

**Reunification  
of Children  
with Parents  
Who Have  
Been  
Deported  
(continued)**

3. If reunification is an option:
  - Ascertain if the parent has a designated substitute guardian.
  - Notify consulate if children are dual citizens.
  - Attempt to communicate with parent at the contact information provided by child, family or relative or substitute guardian.
  - Ascertain what the parent's wishes are and whether arrangements exist to reunify children with a parent in country of origin.
  - In the event we cannot determine the above, the Social Worker should attempt to locate the detention center or facility at which the parent was detained. Should the Social Worker be unable to locate the parent via the ICE Detainee Locator, the Social Worker may call the ICE ERO Community and Detainee Helpline at 1-888-351-4024.
  
4. If there are no CPS concerns, the Social Worker may begin the process of reunification with the parents as follows:
  - Social Worker can make referral to ISS-USA Reunification Division to commence efforts to reunify to parent's country of origin. ISS-USA can assist with conducting a community assessment in the target country, obtaining documents, arranging travel, and providing case management or other services related to reunification in the parent's country of origin.
  - The Social Worker will work with ISS-USA staff to repatriate children with parents.

**Note:** These children may be American citizens, and perhaps will not have dual citizenship. Because some countries may not allow a foreign minor (which US citizens will be considered if they don't have dual citizenship) into their country without parental authorization, the Social Worker should work with ISS-USA to address these concerns.

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## Appendix I

### Required Supporting Documentation for Special Immigrant Juvenile Cases

The Social Worker shall consult the Area Office Attorney as soon as he or she learns that an undocumented child in DCF custody is an appropriate candidate for Special Immigration Juvenile Status. The Area Office Attorney will provide the Social Worker with contact information for an immigration attorney who will perform all of the required legal work. This will require approval by the Area Office management for a retainer for legal assistance to be made.

Once approval has been granted, the immigration attorney will send the Social Worker a packet requesting that the following items be gathered and completed. ***The application process for petitions for SIJS is time sensitive and it takes approximately six months to gather required documentation. Therefore it is essential for the Social Worker to gather the below items as quickly as possible:***

1. Sealed Medical Exam. This is a specialized exam that must be performed by a United States Citizenship and Immigration Services (USCIS)-approved [Connecticut Civil Surgeon](#).

**Note:** Most of these doctors only accept cash for payment. Therefore, arrangements will have to be made with Child Welfare Accounting in the DCF Office of Fiscal Affairs to request an exception to the established petty cash limit prior to the date confirmed for the actual doctor visit. This process may take several days. It is imperative that Social Workers request the exception in advance of the anticipated appointment.

2. Birth Certificate from original country of birth with certified translation. Certified translations can be completed by any of the [DCF Authorized Interpreter and Translation providers](#).
3. Four passport photographs of the child.
4. Fully completed Biographic Information (G-325A) provided by the contracted immigration attorney.
5. Copies of Commitment Order, Motion and Order for Best Interest Finding, Summary of Facts and Social Study
6. Copy of the country of birth passport information page, visa page in the passport and the [I-94 arrival of card](#) or electronic verification if available.

## APPENDIX II

### Guidelines for Engaging Clients Who Are Immigrants

The process of convincing clients who are undocumented immigrants that DCF will not report them to Immigration and Citizenship Enforcement is often a difficult and complex one.

#### **Subsection 1: Engaging the Client**

##### **Respect for and communication in the client's preferred language:**

- Children under the age of 18 shall not be used as interpreters. Family members and friends of clients shall not be used as interpreters unless specifically requested by the client. In all such cases, the DCF staff person shall first offer the client a DCF-provided interpreter at DCF expense.
- If client's preferred language is not English, coordinate the use of an interpreter.
- If working with an interpreter, plan the appointment for roughly double the amount of time you otherwise would.
- If working with an interpreter, try to spend some time before meeting the client to outline the reason(s) for the meeting and offer an opportunity for the interpreter to share insight or ask questions.
- Once the client meeting has begun, maintain your attention on the client (rather than the interpreter).
- Be sure to leave time and space for the client to ask questions or express concerns.

##### **Establishment of trust, mutual respect and acceptance:**

- Introduce yourself, if possible, with a smile.
- Consider asking, "How do you feel about me being here?" and be ready to discuss the client's possible feelings of distrust, anger and suspicion.
- Use an open and positive communication style (through voice, facial expression, posture and phrasing). At different times, you may choose to restate what the client has said to ensure you understand the statement correctly. Feel free to ask further questions to learn more. Phrasing may include, "Would you tell me more about...?" or "Would you help me to understand...?"
- Try to be attentive to gestures that are culturally appropriate (e.g., steady eye contact may be rude in some cultures).
- When possible, respect and follow how relationships are established according to the client's culture. Feel free to consult with the interpreter as appropriate.

##### **Specific information to observe or inquire about:**

- What language(s) is/are being spoken? Is the client/are the client(s) literate/numerate in their native language(s)?
- What are the cultural/religious factors involved in assessing the family?
- Why has the family come to the U.S.? Is this their first migration experience?
- Who is in the family?
- Do/es the client(s) have documentation of their entry into the U.S.? This is

# IMMIGRATION PRACTICE GUIDE

Revised May 1, 2017

Page 16 of 20

important in terms of the ability to apply for asylum or refugee status.

You might want to use the following as a guide when asking about a client's immigration status:

I have to ask you a couple of questions related to your immigration status. Again, I want to remind you that how you answer these questions will not result in DCF reporting you to the immigration authorities. All of this information will be kept in strict confidence. As with any other client, I will work with you and your family to ensure that you receive all of the services that you are eligible to receive regardless of your immigration status.

## **Subsection 2: Identifying and Assessing the Reason(s) for Child Abuse and Neglect Referral**

- In general, keep in mind the usefulness of the phrase, "start where the client is."
- Learn about the client's perception of the abuse and neglect concerns. Allow time and be patient. Using an ethnographic interviewing technique, consider yourself as the learner and the client as the expert.
- Identify the issues in terms of the client's wants or needs instead of blaming or pathologizing the client.
- Learn about the details surrounding the reason for the referral in order to understand the overarching issues.
- Identify the client's strengths and areas for development or stressors.
- Express how client's strengths, stressors and the issues they're experiencing may overlap (possibly by drawing a diagram).

## **Some Key Cultural Differences that Must Be Assessed**

- The role of men and women in family decision making.
- The role of older siblings in decision making and caregiving.
- The general role of the family in decision making.
- Discussions of sexuality or even anatomy may be taboo.
- The role of religion, language, appearance and food.
- Treatment for medical or psychiatric illness.



## APPENDIX III RESOURCES FOR UNDOCUMENTED CHILDREN AND FAMILIES

**Food Stamps:** Generally, food stamp recipients must be U.S. citizens, although documented non-citizens may be eligible in certain circumstances. An example would be a documented non-citizen who has lived in the U.S. for five or more years. For those documented non-citizen immigrants who don't qualify for the federal program solely based on immigration status, there is a state-funded food stamp program. (Both programs have income and asset eligibility guidelines.)

**Medical Care for Immigrant Children:** Children with documented legal status in the U.S. (*e.g.*, U.S. citizens, refugees, asylees) and whose families meet income eligibility guidelines can qualify for HUSKY health insurance, even if their parents or guardians are undocumented immigrants.

See [Section 4: Special Population Rules of the HUSKY Eligibility Manual](#).

Undocumented immigrants are **not** eligible for Medicaid or HUSKY. Individuals with this immigration status **are** eligible to receive a medical exam and the care necessary to stabilize an emergency condition in a hospital emergency department. The Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Section 1011) allows hospitals to receive federal funding to help cover costs associated with these medical exams and care. Undocumented immigrants **may** be able to receive medical services on a sliding-scale basis through the [Community Health Center Association of Connecticut](#). Connected through [the Community Health Center Association of Connecticut](#), individual clinics around the state offer various medical services. For listings of contact information for the various clinics, visit <http://www.chcact.org/find-a-health-center/>. If you need additional information about possible resources, please contact the Health Advocate who serves your Area Office.

**Educational Services for Children who are Immigrants:** As indicated in the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, children are entitled to public education services, regardless of immigration status.

**Education and Services for immigrant Children. See [Connecticut General Statutes, Chapter 164](#).** This includes but is not limited to: bilingual and bicultural services, vaccinations, health assessments, health screenings, and Special Education programs and services.

**Access the links below for other education resource information:**

[Special Education Directors by district: Connecticut State Department of Education - Education Directory 'Public Elementary and Secondary Schools in Connecticut'](#)

[School district superintendents' contact information: Connecticut State Department of Education - Education Directory "Public Elementary and Secondary Schools in Connecticut"](#)

[State Education Resource Center's "Resource Directory for Families":](#)

# IMMIGRATION PRACTICE GUIDE

Revised May 1, 2017

Page 18 of 20

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To request a specially-trained DCF staff member to assist you with educational matters for a child, please contact the Educational Consultant who serves your Area Office.

**English Classes and other Basic Education Courses for Adults:** The State Department of Education's Adult Education programs provide a variety of classes. Adult Education programs are free to Connecticut residents aged 16 and older who are no longer enrolled in a public school. Instructional programs include basic literacy skills, English language acquisition, citizenship and secondary school completion including preparation for the high school equivalency exam (GED). A directory of providers by town or city can be accessed through the [Adult Education Directory](#). Some town or city public libraries offer similar classes. You can use the following website to access contact information for each individual public library in the state: <http://libguides.ctstatelibrary.org/dld/finditct/librariesinfindit>. There may be some overlap between classes listed with each of these resources.

**Housing:** In general, the following organizations provide direct or referral information:

- [Catholic Charities](#)
- [International Institute of Connecticut](#)
- [Integrated Refugee and Immigrant Services \(IRIS\)](#)

**Food (General):** [Search 2-1-1 United Way of Connecticut's Webpage on food resources](#). Each program likely has different eligibility criteria, so it's important to check with any individual provider you or your client may be considering.

**Transportation (Bus Passes):** Regularly-priced bus passes may be purchased with cash from CTRANSPORT Customer Services and Sales Outlets in downtown Hartford, New Haven and Stamford. One-time fares can be paid on the bus. Children ages four years and younger ride for free, with a maximum of three children with each accompanying adult. To qualify for [CTTRANSPORT's Reduced Fare program](#) (within which qualified recipients pay half the fare and may travel at any time of day), individuals must be at least 65 years old or have a qualifying disability. Required identification is a Medicare card or a state-issued photo identification card.

**State of Connecticut-Issued Identification:** The Connecticut Department of Motor Vehicles publishes a [list of documentation](#) required to obtain driver's licenses or identification cards. Undocumented individuals may be eligible to obtain a driver's license in Connecticut.

## Specific Information Regarding Use of DCF's Wraparound Funds

Given that clients who are undocumented immigrants do not qualify for most public services, they may be eligible, on a case-by-case basis, for services financed by DCF's WRAP funding. Please know that, at this time, the purposes for which WRAP funding are used are left to the discretion of each Area Office. Therefore, please consult with your supervisor about appropriate use and availability of funding.

## Definitions

**Alien:** A foreign national who is not a United States citizen.

**Alien Registration Number (A-Number):** The A-Number is a nine-digit identifying number that is assigned to a person during immigration benefits or enforcement proceedings. The nine-digit A-Number may be preceded by zeros. A-Numbers are assigned one per person.

**Asylee:** A person who cannot return to his or her home country because of a well-founded fear of persecution. An application for asylum is made in the United States to [DHS](#) (the Department of Homeland Security).

**Certificate of Naturalization:** A document issued by the Department of Homeland Security as proof that the person has become a U.S. citizen (naturalized) after immigration to the United States.

**Department of Homeland Security (DHS):** DHS is comprised of three main organizations responsible for immigration policies, procedures, implementation and enforcement of U.S. laws and more. These DHS organizations include [United States Citizenship and Immigration Services \(USCIS\)](#), [Customs and Border Protection \(CBP\)](#) and [Immigration and Customs Enforcement \(ICE\)](#). Together they provide the basic governmental framework for regulating the flow of visitors, workers and immigrants to the United States. USCIS is responsible for the approval of all immigrant and nonimmigrant petitions, the authorization of permission to work in the U.S., the issuance of extensions of stay, change or adjustment of an applicant's status while the applicant is in the U.S. and more. Customs and Border Protection (CBP) is responsible for admission of all travelers seeking entry into the U.S. and determining the length of authorized stay if the traveler is admitted. Once in the United States the traveler falls under the jurisdiction of [DHS](#).

**Green Card (USCIS Form I-90):** Permanent residence card or alien registration receipt card.

**[Immigration and Customs Enforcement \(ICE\)](#):** The agency that combines the law enforcement arm of the former Immigration and Naturalization Service (INS) and the former U.S. Customs Service to more effectively enforce immigration and customs laws and protect the United States against terrorism.

**Immigrant Visas:** Document issues to people in the U.S. legally for a fixed period of time and for a specific purpose like employment, education or tourism.

**Immigrant Domestic Violence Survivors (U Visa, VAWA Visa):** A collection of federal laws to protect abused spouses and children fearful of law enforcement intervention because the abuser has threatened to withhold filing immigration status if they report the abuse to law enforcement, or the client is an undocumented victim of a qualifying crime who is currently assisting or has previously assisted law enforcement in the investigation or prosecution of a crime, or who are likely to be helpful in the investigation or prosecution of criminal activity. DCF has the authority to certify victims who are current or former victims of designated crimes if the client has been involved with DCF.

# IMMIGRATION PRACTICE GUIDE

Revised May 1, 2017

Page 20 of 20

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**Individual Tax Identification Number (ITIN):** An Individual Taxpayer Identification Number (ITIN) is a tax processing number issued by the Internal Revenue Service. It is a nine-digit number that always begins with the number 9 and has a range of 70-88 in the fourth and fifth digit. Effective **April 12, 2011**, the range was extended to include 900-70-0000 through 999-88-9999, 900-90-0000 through 999-92-9999 and 900-94-0000 through 999-99-9999. IRS issues ITINs to individuals who are required to have a U.S. taxpayer identification number but who do not have, and are not eligible to obtain, a Social Security Number (SSN) from the Social Security Administration (SSA).

**Lawful Permanent Resident:** An immigrant who has been allowed by the U.S. government to reside or work permanently in the United States. They are generally eligible for most public benefits after retaining this status for over five years.

**Naturalized United States Citizens:** Lawful Permanent Residents who were eligible to apply for citizenship after five years of residence, applied to become U.S. citizens, and have been granted citizenship status. Naturalized Citizens have most of the same [rights and responsibilities](#) as a person born in the U.S.

**Refugee:** A person who has a well-founded fear of persecution if he or she should return to his or her home country. He or she applies to come to the United States in another country and enters the United States as a refugee. **See** the DHS, USCIS website [Refugee](#) information to learn more.

**Special Immigrant Juvenile Status:** An immigration status granted to undocumented children that have been abandoned, abused or neglected, and are unable to be reunified with a parent.

**Undocumented Immigrant:** A persons who has entered the U.S. unlawfully, or had his or her visa cancelled or expired.

**Undocumented Minors (Alien) in Federal Custody (UAC):** Minors detained by U.S. Immigration and Customs Enforcement (ICE) when they attempt to enter a port of entry or cross a contiguous border into the U.S.

**United States Citizenship and Immigration Services (USCIS):** USCIS was formed to enhance the security and improve the efficiency of national immigration services by exclusively focusing on the administration of benefit applications. Immigration and Customs Enforcement (ICE) and Customs and Border Protection (CBP) components within DHS handle immigration enforcement and border security functions.

**Victims of Human Trafficking or Torture:** Human trafficking, also known as trafficking in persons, is a form of modern-day slavery in which traffickers lure individuals with false promises of employment and a better life. A victim of Human Trafficking is considered a "victim of severe trafficking in persons" if he or she is (1) physically present in the United States, American Samoa or the Commonwealth of the Northern Mariana Islands, or at a port of entry on account of trafficking, (2) complies with any reasonable request from a law enforcement agency for assistance in the investigation or prosecution of human trafficking, and (3) demonstrates that he or she would suffer extreme hardship involving severe and unusual harm if he or she were removed from the United States.