

PROBATE COURT

Special Immigration and Juvenile Status

6-7-4 Page 1 of 1

Policy

Upon request of the Probate Court, the Department of Children and Families shall conduct an assessment and prepare a report for the Probate Court in Special Immigrant Juvenile Status (SIJS) cases.

Legal references: Conn. Gen. Stat. §§45a-619, 45a-608n, 45a-608o, 45a-617.

Cross reference: DCF Policy 21-13, "Immigration."

Request for Designation of SIJS Status

At any time during the pendency of a removal of guardianship or termination of parental rights petition regarding

- a child, or
- a person under the age of twenty-one who is unmarried, dependent upon a competent caregiver and has consented to the appointment or continuation of a guardian after attaining the age of eighteen

or any time thereafter, a party may file a petition requesting that the Probate Court make findings to be used in connection with a petition to the United States Citizenship and Immigration Services for designation of the child as having special immigration juvenile status as defined by federal law.

Notice of Hearing

The Probate Court shall cause notice of the hearing on the petition to be given by first class mail to the Commissioner of the Department of Children and Families.

Combined Hearing

The hearing for SIJS status may be held at the same time as the hearing on the underlying petition for removal, appointment of guardian, termination of parental rights or approval of adoption.

Note: Transfer of guardianship, termination of parental rights and adoption **do not** protect a child from deportation once he or she reaches the age of majority.

DCF Assessment and Report

DCF shall submit a written report (DCF-Probate-002/003) as required for the underlying petition.

DCF's assessment shall include all available background information about the adults involved in the case. The DCF Social Worker shall contact the HHS.gov/Office of Refugee Relocation (ORR) for information regarding the proposed guardian or custodian and the child, submitting a completed DCF-2131, "Authorization for Release of Records," and the ORR UAC/C-5.

Note: The DCF Social Worker is not required to obtain information from other countries.

The written report shall contain a recommendation regarding whether:

- reunification with one or both parents is not viable due to any of the grounds set forth in subdivisions (2) through (5) of Conn. Gen. Stat § 45a-610; and
 - it is not in the best interests of the child to be returned to the child's or parent's country of nationality or last habitual residence.
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