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MEETING THE NEEDS OF IMMIGRANT CHILDREN AND YOUTH IN CHILD WELFARE

Immigrant families comprise a large and increasing number of all families in the United States. They are also a growing population in many state and county child welfare systems. Nationally, this increase has been acknowledged as an important issue that requires attention. Despite the fact that immigrants come to the U.S. seeking a better life, many immigrants have limited supports and resources. These challenges, coupled with cultural differences and language barriers can lead many immigrants to the attention of the child welfare system. Across the country, child welfare providers are facing challenges in meeting the unique needs of immigrant children, youth and families.

Background

Nationwide, immigrant families from all corners of the world, both of legal and undocumented status, are growing rapidly. The new waves of immigrants are culturally diverse; they are from Latin America, Africa and Asia (Lincroft & Resner, 2006). Immigrants may leave their native countries for a wide array of reasons – to escape poverty or persecution because of their religious or political beliefs or to reunite with other family members. Today, approximately a quarter of children and youth in the United States are either children of immigrants or immigrants themselves (Capps & Passel, 2004).

Immigrants face a range of challenges resulting from the immigration and acculturation process. These challenges (e.g., language, cultural differences and beliefs, etc.) not only serve as stressors for immigrant children, youth and families but they can also create barriers to local supports and resources. Thousands of immigrant families lack resources including, but not limited to, healthcare, education, employment, and housing. For example, children of immigrant families are more likely to be, in fair or poor health, without health insurance and access to a consistent preventive health care setting (Lincroft & Resner, 2006).

In addition to limited resources, immigrants may also experience distrust of public systems such as child welfare; particularly, if they are undocumented or in the process of obtaining citizenship. Lack of knowledge regarding their immigrations status and relief options and feelings of fear and distrust may keep families from seeking services despite hardships. Immigrants may not clearly understand their options and may resist services out of fear of deportation or risk to their current immigration status.

Numerous immigrant households are comprised of mixed-status families in which family members hold different legal statuses. Immigrants typically fall into one of four categories (e.g., Legal Permanent Residents, Naturalized Citizens, Refugees, and Undocumented Immigrants); each category or status carries different benefit

entitlements, services and legal rights. It has been estimated that 6.6 million families in the U.S. are of mixed-status. Almost all children (93 percent) of immigrants under the age of six are U.S. citizens and live with mixed-status families (Capps, Fix, Ost, Reardon-Anderson, & Passel, 2004). A mixed-status family can include a young child who is a U.S. citizen, a parent who is a Legal Permanent Resident and another parent or grandparent who is undocumented. This means that the young child and the parent with legal residence could potentially access publicly funded services (e.g., Medicaid, federal housing assistance, TANF, etc.) while the rest of the family may be ineligible for such services. Regardless of economic hardship, immigrant families tend to access public benefits less frequently than native families (Capps, Fix, Ost, Reardon-Anderson, & Passel, 2004). In many cases, immigrant parents are reluctant to seek publicly funded services despite their children's citizenship.

Challenges Facing Immigrants in Child Welfare

Immigrants come to the attention of the child welfare system for many of the same reasons as other children, youth and families. However, some immigrant families come to the attention of child welfare as a result of child rearing practices. Families may not understand that parenting styles (e.g., corporal punishment) that may have been widely used or accepted in their native country are not permitted in the U.S. Consequently, in many cases a lack of resources can also contribute to their child welfare involvement. For instance, a lack of financial resources can force families to live in overcrowded homes or to leave their children unsupervised while they go to work. Poverty rates are higher among children of immigrants than their native peers; rates are even higher for young children of immigrant families (Capps, Fix, Ost, Reardon-Anderson, & Passel, 2004).

In addition to families, undocumented, unaccompanied youth become involved with child welfare. Many young people may end up in a long-term foster care placement after family reunification efforts fail while other youth come to the attention of child welfare because they are in the U.S. unaccompanied by a parent or legal guardian. Many of these

unaccompanied, undocumented youth sometimes come to the U.S. seeking their families, work or safety from their native countries. NASW supports federal, state and local policies and procedures to ensure that undocumented minors in foster care receive appropriate immigration-related services and, if they are eligible, adjustment of their status before they leave custody of the child welfare system (NASW, 2009).

Challenges Facing Child Welfare Workers

Child welfare workers face a range of challenges in providing services to immigrant children, youth and families. Cases involving immigrants are not only time-consuming, they are often the most challenging.

Language barrier is one of the biggest challenges that child welfare workers face when serving immigrant families. Far too often, there are not enough bilingual or bicultural staff members or an adequate number of translation services available to ensure clear communication between immigrant children, youth and families and child welfare workers. In some cases, families receive important legal paperwork documenting timelines and court dates in English regardless of their limited English proficiency (Lincroft & Resner, 2006). A lack of clear verbal and written communication can result in immigrants not having a solid understanding of their rights and responsibilities within the child welfare system. Due to limited resources, child welfare workers are sometimes forced to rely on neighbors, other family members and children to translate. These approaches not only raise confidentiality issues but also run the risk of communicating inaccurate information (Lincroft & Resner, 2006).

Unfortunately, current laws and policies can also make it difficult for providers to deliver effective services to immigrants. Some immigrant youth and families may be unable to access publicly funded services due to their current immigration status and may have to tap into local resources for assistance. Moreover, a lack of federal reimbursement of child welfare services for undocumented immigrant children places state and local child welfare systems in a position to rely on scarce local funding streams to fund child welfare services, translation services, and immigration counsel (Lincroft & Resner, 2006).

Permanency goals may also be affected due to a lack of culturally relevant services. Families may not meet service plan requirements in a timely manner because of limited access to services and resources. Regrettably, while placement with family members is ideal, it is often difficult for child welfare systems to license relative caregivers because of foster care regulations, including space requirements, background checks, and income qualifications. For these youth, a foster home may be the only option. In light of the overall shortage of licensed foster homes, immigrant youth are rarely placed in culturally and linguistically similar foster homes (Lincroft & Resner, 2006).

Like families, child welfare workers also face challenges in serving undocumented, unaccompanied youth. Without a legal status, undocumented youth will not transition into adulthood successfully. They typically lack resources and supports, cannot get a driver's license or obtain a Social Security card and are at risk of being deported to their native country (Lincroft & Junck, 2009). Working with immigrant youth can also become complex, therefore it is important that child welfare workers access resources to ensure that they are assessing youth for appropriate immigration services. Access to appropriate training, technical assistance and resources related to immigrant status and relief options can help to address some of the challenges that child welfare workers face in serving immigrants.

What Can Social Workers Do?

Social workers should be aware of the obstacles that immigrant children, youth and families involved with the child welfare system face. Social workers can do the following to ensure that immigrant families and children receive the services necessary to stay together, reunite as soon as possible and/or access immigration relief options. Some approaches are specifically for front line workers while others are for social workers in leadership positions (e.g., managers, supervisors).

- **Participate in cultural competency trainings.** Social workers can participate in cultural competency trainings to develop the knowledge and skills to interact effectively with people of different cultures. Culture influences the way immigrants view their families and responsibilities and respond to services. A clear understanding of

migration history can influence assessment, case planning and service delivery. Therefore, it is important for social workers to understand how migration and acculturation experiences affect families and their child welfare involvement.

- **Participate in trainings focused on immigrant issues.** Social workers can participate in trainings specifically related to immigrant issues and policies. For example, an undocumented youth who is unable to return home and is in a long-term foster care placement may be eligible for a Special Immigrant Juvenile Status (SIJS). With this status a youth can become immediately eligible to become a U.S. permanent resident, however the process must be completed while the young person is custody of the child welfare system. To effectively serve immigrants, social workers should work with immigration specialists to address immigration issues.
- **Develop professional relationship with their local U.S. Citizenship and Immigration Services agency staff.** It is important for social workers working with immigrants to have working relationships with their local immigration services offices to ensure that they understand immigration application processes (e.g., self-petitions for Violence Against Woman Act , Special Immigrant Juvenile Status applications, etc.) for eligible immigrant youth and families.
- **Establish partnerships with experienced community-based agencies.** Social workers can build working relationships with local agencies that have experience working with immigrant families. Social workers can partner with other systems including domestic violence shelters, family courts and immigration specialists to ensure that youth and families receive appropriate services. For example, immigration specialists can help child welfare workers to understand potential relief options available to assist children or their family members.
- **Tap into a range of resources.** Social workers can help eligible families tap into a wide array of social services including but not limited to public benefits such as Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance to Needy Families (TANF) or Medicaid. Social workers can also collaborate with other community organizations to make referrals for immigrant families struggling to find

clothing, school supplies, food and other basic needs. Partners can also include landlords, attorneys and volunteers from religious organizations, schools and/or universities to help address the needs of families.

- **Participate in task forces and collaborations dedicated to immigrant issues.** Social workers and agency or program leaders can participate in relevant task forces and collaborations. Social workers can be very effective in advocating for the immigrant families they serve.

Conclusion

Immigrant families come to the attention of child welfare for many of the same reasons as others – domestic violence, chemical dependency, health and mental health related issues (Lincroft & Resner, 2006). However, the unique needs of immigrants can make involvement with the child welfare system even more challenging. Immigrants not only face language and cultural barriers they also face limited resources. In some instances, they also face an illegal or temporary immigration status. Cases involving immigrant families and youth can be complicated and time consuming for child welfare workers. Issues related to immigration law, immigration status, language and culture can often complicate cases and affect case planning and service delivery. In order to fully protect children, youth and families in their care, child welfare workers should have an understanding of immigration issues and have access to professional immigration assistance and services (Lincroft & Resner, 2006). NASW supports the “training of social workers and other human service providers on the effect of immigration status on access to human services” (NASW, 2009). Child welfare workers need knowledge, tools and resources to successfully achieve the safety, permanency and well-being for immigrant children, youth and families.

Resources

As key stakeholders, social workers can ensure that immigrant families and children involved with the child welfare system receive the appropriate services. Social workers can refer to the following when serving immigrant children, youth and families.

Special Immigrant Juvenile Status (SIJS)

Special Immigrant Juvenile Status provides lawful permanent residency to children and youth who are under the jurisdiction of a juvenile court and who have not been able to reunify with their families as a result of abuse, neglect or abandonment.

Violence Against Women Act (VAWA)

VAWA is a collection of laws to protect abused immigrant spouses, children and youth who have been battered or emotionally abused by a U.S. Citizen or permanent resident parent or stepparent. VAWA allows these spouses, youth and children eligibility for permanent residency under the immigration provisions of the Violence Against Women Act (VAWA).

NASW Practice Standards for Cultural Competence in Social Work Practice

The Standards for Cultural Competence in Social Work Practice are based on the policy statement “Cultural Competence in the Social Work Profession” published in *Social Work Speaks: NASW Policy Statements* and the *NASW Code of Ethics*, which charge social work professionals with the ethical responsibility to be culturally competent. Available online at:

www.socialworkers.org/practice/standards/NASWCulturalStandardsIndicators2006.pdf

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