

Families & Immigration:

A QUICK RESOURCE GUIDE

There are thousands of immigrant, children, youth and families across the United States. In fact, it is estimated that 25% of children and youth in this country have immigrant parents or are immigrants themselves (Capps & Passel, 2004; Torrico, 2010). Unfortunately, many of these families become involved with the child welfare system.

Immigration laws can often affect child welfare case planning and service delivery. Social workers are in a position to support immigrant children, youth and families in accessing immigration assistance and services to ensure their safety, permanency and well-being.

Social workers in child welfare face a host of challenges in meeting the unique needs of these families. While social workers are not expected to be experts on immigration issues, they can familiarize themselves with immigration terminology, relief options, new policies and available resources.

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SOME IMMIGRATION RELIEF OPTIONS¹

ASYLUM	Provides specific protections to individuals who have reason (e.g. political, economic, etc.) to fear returning to their native country.
DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA)²	Provides individuals who came to the US under the age of 16, protection from deportation and an opportunity to receive employment authorization for two years. At the end of the two year period, individuals may apply for renewal.
SPECIAL IMMIGRANT JUVENILE STATUS (SIJS)	Provides lawful permanent residency to immigrant children and youth who are under the jurisdiction of the juvenile court and who have not been able to reunify with their families as a result of abuse, neglect or abandonment. Timing is critical; the SIJS application must be processed while the child or youth is under the jurisdiction of the court.
T- VISA	Provides immigration relief to human trafficking victims who can demonstrate they have suffered tremendous hardships. Victims must have cooperated with reasonable requests during the investigation or in the prosecution of the accused.
TEMPORARY PROTECTED STATUS (TPS)	Provides temporary permission to individuals from certain countries that have experienced devastating natural disasters and civil conflicts, to reside and work legally in the United States.
U-VISA	Provides temporary visas to victims of crime. Victims must possess information related to the criminal activity and must cooperate with the criminal investigation and prosecution of the accused.
VIOLENCE AGAINST WOMEN ACT (VAWA)	Provides an abused victim an opportunity to seek permanent residency under the immigration provisions of the Violence Against Women Act (VAWA). The victim is eligible if he or she experiences abuse at the hands of a US citizen or permanent resident parent or stepparent.

¹ More details are available in *A social worker's tool kit for working with immigrant families: Immigration status and relief options* available at www.americanhumane.org/assets/pdfs/children/pc-migration-sw-toolkit-status-relief.pdf

² More details are available at www.dhs.gov/deferred-action-childhood-arrivals



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CONSIDERATIONS FOR SOCIAL WORKERS:

- » **Understand the range of immigration status.** There is a range of immigration status which immigrant children, youth and parents may hold. Immigrants may fall into one of the following categories: legal permanent residents, naturalized citizens, refugees and undocumented persons. Each category or status can carry different legal rights and access to services. A large number of immigrant households are comprised of mixed-status families (Capps, Fix, Ost, Reardon-Anderson & Passel, 2004; Torrico, 2010) which can mean that some family members can access public funded services. Social workers can help eligible children, youth and families tap into appropriate resources.
- » **Obtain a clear understanding of the family's migration experience.** Each immigrant family has a unique situation in how they arrived to the United States. Social workers can ask critical questions to try to assess each family's situation and develop an appropriate service plan. Social workers can identify the following to help them in developing a case plan to access the appropriate resources:
 - › Family members born in the United States;
 - › Family members who are legal permanent residents;
 - › Family members who are undocumented; and
 - › Extended family members (including information about their legal status) in the United States and in the children, youth or family's native country.
- » **Assess for Immigration Relief Options.** Some children, youth and families involved with the child welfare system do not have a legal immigration status, making it difficult for them to work and access resources or services. Social workers may find themselves in unique positions; they may be the only individuals available to identify potential relief options or to connect them to an immigration specialist. Part of this assessment includes critical information gathering, such as full names of all family members.
- » **Partner with local U.S. Citizenship and Immigration Services agency staff.** Social workers cannot be expected to be experts on immigration issues however, they can build professional working relationships with local immigration service providers to ensure that immigration applications are completed and processed accurately for eligible children, youth and families. Agency staff can also help child welfare workers to understand the range of immigration relief options available as well as recent changes to immigration policies.

REFERENCES

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RESOURCES

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