

A Social Worker's Guide to Assisting Families When a Parent has Been Detained and/or Deported.

This document is to provide guidance for social workers who are providing services to a transnational family where one or more of the parents may be undocumented **and** may be either detained (have an "ICE HOLD") and/or deported.

1. Identify and locate all biological and legal parents of the child.

- a. If the parent is not believed to be in custody, ask all local relatives if the parent has email or any social media accounts they use to communicate with their family/friends located here in Iowa.
- b. If parent is believed to be detained or in custody you can use the following resources:
Polk County Jail: <http://apps2.polkcountyiowa.gov/inmatesontheweb/> ***
Iowa Dept. of Corrections: <https://doc.iowa.gov/offender/search>
Federal Bureau of Prisons: <https://www.bop.gov/inmateloc/>
U.S. Immigration & Customs Enforcement: <https://locator.ice.gov/odls/#/index>
1-800-898-7180 if you know the client's Alien Number (A#)

****Please note that if your client is in federal custody they will not appear on the jail's website. You will need to contact the jail directly at 515-323-5400 and speak with staff directly.*
- c. If a parent is detained in a U.S. jail, prison or holding facility, please refer to the Incarcerated Parent Guide to effectively communicate with them.

2. Contact Consulate. Contact Consulate. If you are unable to locate your client, identify and contact appropriate consulate or to find the most common consulate contacts for Iowa families go to <http://www.drake.edu/law/clinics-centers/middleton/ipp/> under Resources for Transnational Families Separated by Deportation/Detainment.

- a. Provide Notice to our client
- b. To obtain contact information of client
- c. To obtain contact information for local human services office
- d. To obtain a home study of client and/or relative's home

3. Communicate with parent. Be prepared to use the resources available such as: Language Line, translation contracts, etc. to ensure effective communication between yourself and the parent. *Children should not be used to interpret for a family.* If you need additional information contact your supervisor or Darin Thompson.

4. Explore concurrent planning and identification of parent's family members. Ensure compliance with Fostering Connections to Success Act of 2008. Ensure notification of relatives is occurring per DHS policy. (Note: Relative Notification Form 470-4769 is available in Spanish and can be translated into other languages)

5. Parent-Child Interactions. Make diligent efforts to arrange visitation between the parent and child. It should *NOT* be assumed the client would like to have visitation with their child. There may be unintended legal consequences to the child's immigration status if parent-child interactions occur.

6. **Help Prepare Parents, Caregivers and Child for Parent-Child Interactions.** If a parent does want visitation, provide the visitation facilitator and/or the child's care-giver information to support the child during the visit at the facility and to prepare the child for what will happen at the visit. A Caretaker's Guide to Visitation and a Parent's Guide to Visitation is located at: <http://www.drake.edu/law/clinics-centers/middleton/ipp>.
7. **Evaluate Potential Immigration Consequences to Child.** Discuss visitation with the parent *PRIOR* to requesting visitation as there may be immigration ramifications for the client's family. Many children may qualify for Special Immigrant Juvenile Status (SIJS) due to their involvement in juvenile court. SIJS status would allow them to become a Lawful Permanent Resident despite unauthorized entry/presence in the United States. Unauthorized entry typically makes a child inadmissible to the US and creates bars to an Adjustment of Status for them. The key to obtaining SIJS status for a child is to be abused, neglected and/or abandoned by one or both parents. Visitation may prohibit a finding of abandonment by the immigration court. This decision, when possible, should be determined by the child's parents.
8. **Explore Reasonable Efforts** available for parent to support reunification and/or relative placement both in Iowa and the parent's country of origin.
9. **Make realistic case plan recommendations** and do not create barriers for families because of their undocumented status such as:
 - a. Undocumented parents are unable to obtain an Iowa Driver's License.
 - b. Undocumented parents are unable to access federal programs for themselves such as:
 - i. Title 19 Coverage (Which limits access to SA treatment, MH treatment, Medical Care, etc.)
 - ii. Food Stamps are reduced based upon the parent's income but the family size calculated and awarded only to family members who have citizenship, refugees status and/or Legal Permanent Resident status (post 5 year ban). Identify food banks and other food resources.
 - iii. HUD or FUP housing assistance
 - c. Undocumented parents are ineligible for General Relief services so will need to advise clients to take their General Relief denial letter to non-profit organizations such as St. Vincent de Paul, Salvation Army, etc.
10. **Create Safety plans** to help families plan for the event where one or both parents are detained/deported by:
 - a. Completing emergency contacts at schools if children are not picked up timely by parents.
 - b. Drafting and executing "Power of Attorney" or "Designation of Guardian" for children whose parents are at risk of being detained and/or deported by naming an appropriate and responsible adult to assume care and custody of the child. (Note: If the parents do not speak or read English, the document should be written and executed in both their native language and English)
 - c. Discuss the benefits of having obtaining their children's birth certificates from their countries of origin and/or dual citizenship.