

Representing Unaccompanied Children in California – Special Immigrant Juvenile Status, T Visas, and Confidentiality

San Francisco, Live Webcast and www.pli.edu,* December 16, 2016
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Why You Should Attend

Unaccompanied immigrant children from Central America have continued to come to California in large numbers over the past few years. Some of these children have experienced trafficking on their journey to the United States or upon their arrival in California, and others have been abused, neglected, or abandoned by their parents. Many of these children are placed in adversarial removal proceedings. But whether in removal proceedings or not, they cannot navigate the confusing and complex immigration system alone. Attorneys who work with immigrant youth, or pro bono attorneys interested in working on these issues, can learn critical updates about Special Immigrant Juvenile Status, identifying and advocating for youth who have been trafficked, and a new California confidentiality law and what impact it may have on these cases. This training is designed to complement our December 2014 two-day session on representing unaccompanied children in California, providing updates as well as new topics.

What You Will Learn

- Important updates on Special Immigrant Juvenile Status (SIJS), including limits on the number of available SIJS visas
- Nuts and bolts of SIJS cases in California probate court proceedings (seeking guardianship)
- Nuts and bolts of SIJS cases in California family court proceedings (seeking custody)
- How to identify children who have survived trafficking and may be eligible for T visas
- How to comply with California confidentiality laws when submitting immigration applications to U.S. Citizenship and Immigration Services

Who Should Attend

Attorneys interested in assisting or representing immigrant youth, firm pro bono coordinators and partners, law clinic students and faculty, public interest and non-profit organization attorneys and staff, immigration advocates, and other providers working with immigrant youth—particularly those who have already viewed our December 2014 training, [Representing Unaccompanied Children in California – Best Practices & Key Avenues for Relief from Deportation: Special Immigrant Juvenile Status and Asylum](#). For those who need a refresher or are new to this area of law, the 2014 program is available to view for free on the PLI website and will provide a foundation before attending the new updated program for 2016.

Program Schedule

Morning Session: 9:00 a.m. – 12:00 p.m.

9:00

Program Overview and Introductions

Kristen M. Jackson, Hayley Upshaw

9:15

Special Immigrant Juvenile Status Updates

Special Immigrant Juvenile Status (“SIJS”) is a humanitarian form of immigration relief for children who have been abandoned, abused or neglected by a parent. Unlike many other forms of immigration relief, SIJS requires the involvement of the state court system. In this supplement to our 2014 SIJS session, this panel will provide a general introduction to SIJS cases and will discuss recent developments including new U.S. Citizenship and Immigration Services (“USCIS”) forms, a federal class action stipulation governing SIJS cases, and limits on the number of available SIJS visas.

Kristen M. Jackson, Rachel Prandini, Hayley Upshaw

10:15

Networking Break

10:30

Nuts and Bolts of SIJS in California Probate Courts

In California, SIJS orders have traditionally been sought in the highest volume in probate courts through guardianship petitions. A guardianship is appropriate when a child is not able to live with a parent and needs an adult family member or friend to serve as their legal guardian. This panel will provide the nuts and bolts of filing a guardianship petition in California and the process for requesting SIJS findings in probate court. It will include important recent developments, including new case law, new judicial council forms, and the availability of SIJS-based guardianships for children up to age 21.

Erikson Albrecht, Helen Beasley, Hayley Upshaw

12:00

Lunch Break

Afternoon Session: 1:00 p.m. – 5:30 p.m.

1:00

Nuts and Bolts of SIJS in California Family Courts

Pursuing SIJS findings in family courts is a newer practice area, but provides important protection for minors who are able to safely reside with one, but not both parents. These cases

are typically brought as parentage actions, dissolution of marriage actions, or custody actions. This panel will address when to pursue a case in family court and will provide the nuts and bolts of filing a petition in California and the process for requesting SIJS findings in family court. It will include important recent developments, including new case law and a pending case at the California Supreme Court as well as new judicial council forms.

Katie Annand, Jenny Horne, Nickole Miller

2:30

Networking Break

2:45

T Visas and Best Practices for Identifying and Representing Youth Survivors of Trafficking

T visas are nonimmigrant visas available to survivors of severe forms of trafficking in persons. Although consistently underutilized and misunderstood, T visas can be powerful forms of legal relief for trafficked immigrant youth and their derivatives, and have many other benefits. The panel will address the elements of T visas, how to assess and intake trafficked immigrant youth for T visa eligibility, trends and patterns of how immigrant youth are trafficked, and strategizing the filing of T visas in addition to or in lieu of other forms of immigration relief for minors.

Cindy Liou, Lynette Parker, Sara Van Hofwegen

4:15

Networking Break

4:30

How to Represent Immigrant Youth While Complying with California State Law Confidentiality Provisions

California law is very protective of information connected to juvenile court and of SIJS-related information in probate court and family court proceedings. It is critical that attorneys comply with California's confidentiality provisions and protect their clients from other people's potential noncompliance. This panel will cover key confidentiality statutes, how to comply with the law when submitting information and materials to USCIS, and how to prevent others from violating California law to your client's detriment.

Kristen M. Jackson, Rachel Prandini

5:30

Adjourn

Faculty

Co-Chairs

Kristen M. Jackson

Senior Staff Attorney
Public Counsel
Los Angeles

Hayley Upshaw

Senior Staff Attorney
Legal Services for Children
San Francisco

Erikson Albrecht

Kinship Attorney
Bet Tzedek
Los Angeles

Katie Annand

Supervising Attorney
Kids in Need of Defense (KIND)
San Francisco

Helen Beasley

Senior Attorney
Community Legal Services in East Palo Alto
East Palo Alto

Jenny Horne

Staff Attorney
Legal Aid Society of San Mateo County
Redwood City

Cindy Liou

Deputy Director of Legal Services
Kids in Need of Defense (KIND)
San Francisco

Nickole Miller

Managing Attorney
Immigrant Defenders Law Center
Los Angeles

Lynette Parker

Associate Clinical Professor
Santa Clara University School of Law
Santa Clara

Rachel Prandini

Immigrant Youth Project Attorney
Immigrant Legal Resource Center
San Francisco

Sara Van Hofwegen

Supervising Staff Attorney
Public Counsel
Los Angeles

Program Attorney: Christina Thompson