**Undocumented Foster Youth-Information for CASAs**

**Special Immigration Juvenile Status**

* When a foster child is undocumented, the social worker will apply for Special Immigration Juvenile Status (SIJS). SIJS is a portion of SB 1064, an important part of immigration law specific to children in foster care. It applies to children/youth who are under the jurisdiction of a juvenile court and cannot be reunified with one or both parents due to abuse, neglect, or abandonment. A child/youth who obtains lawful permanent residency (i.e., a green card) through the SIJS program can live and work permanently in the United States. The child/youth may also eventually apply to become a U.S. citizen

**Steps for CASA**

* Contact DPSS social worker to see when they applied for Special Immigration Juvenile Status and the progress of the application.  Inform your supervisor of information.
* If the social worker has not yet applied, ask your supervisor to please send an e-mail or call the social worker to ask if s/he has begun the process.  If not, your supervisor will ask when they plan to begin the process.

**General Eligibility Requirements for SIJ Classification**

* Physically present in the United States
* Unmarried
* Under the age of 21 on the date of filing the Petition for Amerasian, Widow(er), or Special Immigrant
* Juvenile court order(s) issued in the United States that meets the specified requirements
* U.S. Department of Homeland Security consent
* U.S. Department of Health and Human Services (HHS) consent, if applicable

**Additional SIJS information**

Special immigrant juvenile (SIJ) classification is available to children who have been subject to state juvenile court proceedings related to abuse, neglect, abandonment, or a similar basis under state law. If a juvenile court has made certain judicial determinations and issued orders under state law on dependency or custody, parental reunification, and the best interests of the child, then the child may be eligible for SIJ classification.

USCIS determines if the petitioner meets the requirements for SIJ classification by adjudicating a Petition for Amerasian, Widow(er), or Special Immigrant ([Form I-360](https://www.uscis.gov/i-360)).[[1]](https://www.uscis.gov/policy-manual/volume-6-part-j-chapter-2#footnote-1) USCIS’ adjudication of the SIJ petition includes review of the petition, the juvenile court order(s), and supporting evidence to determine if the petitioner is eligible for SIJ classification. USCIS generally defers to the court on matters of state law and does not go behind the juvenile court order to reweigh evidence and make independent determinations about the best interest of the juvenile and abuse, neglect, abandonment, or a similar basis under state law.

**Scenario**

My  case child, who emigrated from Mexico, is waiting for SJIS approval and does not yet have an identification card. How can I advocate?

* Undocumented foster youth who emigrated from Mexico may immediately obtain an identification card (called a Matricula Consular de Alta Seguridad) or emergency passport from the Mexican Counselate Office.

**What are the steps to obtain a matricula ID?**

1. Foster parent, caregiver or social worker calls to make an appointment.
2. Foster parent, caregiver, or social worker brings the youth to the consulate office on the day of the appointment with the necessary documents. Foster parents may need proof of address.
3. Consulate office collects the documents, takes a photo, and makes the ID card or emergency passport. Youth gets the ID the same day. *Note: Youth should bring a passport type photo in case the consulate  office is not able to take a photo.*

**What are the necessary documents?**

* Either a copy of their birth certificate or a copy of their current or expired passport and they may need to bring a passport type photo of themself. If your case child is unable to retrieve any of these documents, contact the Mexican Consulate Office below.

**How do I contact the Mexican Consulate Office?**

Address: 293 North "D" Street, San Bernardino 92401.

Phone number: 909-889-9836/7

E-mail:consulmexsbd@sre.gob.mx

Website: consulmex.sre.gob.mx/sanbernardino/