



Department of Children and Family Services Policy and Procedure Guide

Division No: 3 – Child Welfare

Chapter No: 3 – Initial Response/Detention

Item No: 16 – Immigration and Naturalization Services Effective Date: 8/9/04

POLICY: The Department of Children and Family Services (DCFS) will assist detained undocumented minors with their return to their Country of origin or in obtaining legal residency.

PURPOSE: To inform all social workers (SW) of the procedure for working with the Immigration and Naturalization Services (INS) social worker on behalf of undocumented youth who become involved with the child welfare system and Juvenile Court.

REFERENCE: Welfare and Institution Codes 303, 391, and 368

PROCEDURE:

I. Initial Detention

When an undocumented minor is detained, the assigned Emergency Response (ER) social worker must notify the INS SW Supervisor, the ER Supervisor Liaison for INS, the ER Court Specialist, the Foster Care Intake Eligibility Worker, and the INS Social Worker of the scheduled staffing.

II. Post-Detention Activities

- A. The INS SW will contact the appropriate Consulate to facilitate identifying parents, relatives, verify birth certificates, marriages, adoption certificates, etc, so appropriate decisions can be made at the staffing. The INS SW will document the contacts in CWS/CMS.
- B. If child is to be returned to Country of origin or to a suitable relative, the assigned SW will facilitate the release of the minor to appropriate a caretakers/relatives. The assigned SW will arrange transportation and appropriate supervision as needed.
- C. If a petition must be filed in juvenile dependency court:
 1. The ER Supervisor will assign the INS Social Worker as a secondary worker in CWS/CMS.
 2. The Undocumented Youth Requirement Form (6375) shall be completed during the staffing by the assigned SW and included in the Foster Care Eligibility Packet. As much information as possible must be obtained, including, but not limited to:
 - a. Minor's and parents' names, minor's birth date, address or street name, town, village, colony name, city, state, county, and country.

- b.
 - c. Names of relatives and their phone numbers.
 - d. Other names by which they may be known.
 - e. The Court officer will make contact with the INS Social Worker regarding upcoming court dates and placement issues. The Court Officer will ensure that a home study and risk assessment are requested/ordered by the appropriate Consulate.
3. The Ongoing SW will arrange for translation of documents through the Main Superior Court, then distribute to appropriate parties.
 4. The PRUCOL (Permanently Residing Under the Color of the Law) form (G845S) to be completed by INS SW within 30 days of notification by Court Officer that the child has been detained by the Juvenile Court. The INS SW will provide the PRUCOL to the assigned Foster Care Intake Eligibility Worker.
 5. The PRUCOL process will be renewed on an annual basis by the INS SW, until residency is established.

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Date: 8/3/04