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AB 829 (Levine) Foster Care: Immigration Counsel FACT SHEET

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ISSUE

The federal Special Immigrant Juvenile Status (SIJS) was created to help abused and neglected undocumented children obtain lawful permanent residency in the United States in order to provide greater stability to this underserved demographic. Currently, almost all undocumented children in foster care qualify for immigration relief, however; this relief is difficult to obtain without legal assistance.

SIJS was established in 1990 for the purpose of protecting foster youth who are unable to reunite with their families, and serves as a primary route for undocumented foster child to gain lawful permanent immigration status in the United States, however; some children are unaware they can only apply for SIJS while in foster care, resulting in them unintentionally forfeiting their opportunity to obtain legal services through the program upon exiting the system.

SOLUTION

AB 829 requires counties to provide information to the California Department of Social Services regarding current procedures in place to support undocumented minor and nonminor dependents in foster care under the jurisdiction of the juvenile court and their processes to provide these youth with immigration resources. Counties then must confirm whether the undocumented minors and nonminor dependents in foster care have been provided access to immigration legal services. The bill requires counties to report to the state whether gaps in resources exist to provide these resources to youth.

AB 829 al requires that counties to make its best efforts to provide an undocumented minor or nonminor dependent in foster care under the jurisdiction of the juvenile court with access to immigration legal services. This bill will ensure that undocumented youth in California's foster care system are provided with essential immigration legal services necessary to seek lawful residency in the United States.

SUPPORT

Children's Law Center of California (Co-Sponsor)
Legal Services for Children (Co-sponsor)
Law Foundation of Silicon Valley (Co-sponsor)