



OFFICE OF ASSEMBLYMEMBER

Marc Levine

TENTH ASSEMBLY DISTRICT

Assembly Bill 829 Foster Care: Immigration Counsel

PURPOSE

AB 829 seeks to protect undocumented children in foster care by ensuring that they are provided with legal immigration services.

BACKGROUND

While most undocumented children in foster care qualify for immigration relief, that relief is difficult to obtain without legal assistance.

Special Immigrant Juvenile Status (SIJS) was enacted by the federal government to help abused and neglected undocumented children obtain lawful permanent residency in the United States, and in turn, provide greater stability for these young people.

Undocumented children who leave foster care without applying for SIJS or other forms of immigration relief will be unable to work and to transition to successful adulthood.

Current law requires that for a child who is 16 years of age or older and nonminor dependents, the case plan include information about any pending applications for SIJS and other forms of immigration relief. (*WIC § 16501.1(g)(16)(A)(ii)*). Additionally, prior to closing a case, the agency must provide a nonminor dependent with proof of citizenship or legal residency. (*WIC § 391(e)(2)(G)*).

However, there is no mechanism to identify dependent children and nonminor dependents

who are undocumented and ensure that they receive legal assistance necessary to obtain immigration relief.

SUMMARY

This bill will help ensure that undocumented dependents and nonminor dependents in foster care receive immigration assistance by:

Requiring counties to make best efforts to connect undocumented dependent and nonminor dependents with immigration legal assistance.

SUPPORT

Children's Law Center of CA (Co-Sponsor)
Legal Services for Children (Co-Sponsor)

CONTACT

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