

Unaccompanied Teenagers Seek Safety Through Multi-Forum Advocacy Efforts

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Contact

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In 2019, Foster Garvey attorneys worked with Kids in Need of Defense (“KIND”) to represent four immigrant youth seeking safety in the United States. We assisted them in applying for various forms of immigration relief, including asylum, U Visas and Special Immigrant Juvenile Status (“SIJS”). SIJS is a special status granted to immigrant youth who have been abandoned, neglected or abused by one or both of their parents, and for whom returning to their home country would not be in their best interest. SIJS provides a pathway to permanent residency and citizenship in the United States.

SIJS is a multi-forum advocacy effort, first before a state court and then before U.S. Citizenship and Immigration Services. The first step in a SIJS matter is to obtain a SIJS “predicate order” from a state juvenile court. The predicate order must make a custody determination as to the youth and make various factual findings as to SIJS eligibility. To win a SIJS petition, the youth must prove the facts of the underlying abuse, abandonment or neglect, which can often be a difficult, traumatic and emotionally charged process.

In 2019, Foster Garvey attorneys represented two young teenagers who had endured and survived police brutality, false imprisonment, violent rape and threats of violence in their home countries. Separately, they both braved long and dangerous journeys to the United States without any parental or guardian accompaniment. Attorney Zachary King and summer associate Mary Ruffin were able to secure SIJS eligibility for both teenagers.

Since arriving in the United States, they have found safety. Both have graduated from high school and hope to attend college. One of them wants to be a child psychologist or teacher to help children who might be going through similar trauma. The other is

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undecided but thinks he wants to study science or mathematics in college.