

Unaccompanied Immigrant Children Discrete Pro Bono Opportunities

Who are Unaccompanied Immigrant Children?

“Unaccompanied immigrant child” means a child who:

- 1) has no lawful immigration status in the United States;
- 2) has not attained 18 years of age; and
- 3) has no parent or legal guardian in the United States or no parent or legal guardian in the United States is available to provide care and physical custody.

What Happens to Unaccompanied Immigrant Children When They are Apprehended?

- Unaccompanied children who are apprehended by the Department of Homeland Security (DHS) when they cross the U.S.-Mexico border are initially held in DHS custody. While detained by DHS, children face harsh treatment, including freezing cells where lights are on 24 hours a day and the use of three-point shackles.
- DHS places unaccompanied children into removal proceedings following apprehension.
- Unaccompanied children must generally be transferred to the custody of the Department of Health and Human Services, Office of Refugee Resettlement (ORR) within 72 hours of apprehension.
- There are eight ORR shelters in the Chicago area with more than 475 beds for unaccompanied children. In these shelters, children have access to classroom education, physical and mental health care, social and recreational services, and legal orientation.
- When possible, ORR reunites children with their families or sponsors in the United States. When reunification is not possible, children who are eligible for immigration relief can be transferred to foster care. Children who are ineligible for relief remain in ORR custody until their court proceedings are resolved or they turn 18. Once they turn 18, they are often transferred to adult detention facilities.

Unaccompanied Immigrant Children Do Not Have the Right to Appointed Counsel

NIJC’s Immigrant Children’s Protection Project provides Know Your Rights Presentations and legal assessments to all unaccompanied children detained in Chicago-area shelters, and represents them before the Chicago Immigration Court.

Two Sisters’ Stories

Jessica and Roxana* are 11- and 14-year-old sisters from El Salvador. When they were very small, their parents came to the United States hoping to provide a better life for them and left them in the care of their grandfather. Unbeknownst to the parents, the grandfather neglected and abused the girls until they eventually ran away to live on the streets. With the help of another family member, Jessica and Roxana fled to the United States. DHS apprehended them at the border and then transferred them to ORR custody until they could be released to their parents in Indiana. Through NIJC, Jessica and Roxana were able to obtain *pro bono* attorneys from Sidley Austin LLP. At their hearing in the Chicago Immigration Court, the immigration judge decided to exercise prosecutorial discretion to close Jessica and Roxana’s cases, so they can remain in the United States with their parents and begin to heal from the abuse they have suffered.

*Pseudonyms

Opportunities for Pro Bono Involvement

If you are a *pro bono* attorney or legal staff member and are fluent in Spanish, Albanian, Mandarin, Romanian, or Punjabi, NIJC’s Immigrant Children’s Protection Project needs your help!

NIJC needs bilingual volunteers who speak these languages for the following *pro bono* opportunities:

- To assist in making Know Your Rights videos in Albanian, Mandarin, Romanian, or Punjabi. The total expected time commitment for this opportunity is 10 hours.
- To provide Know Your Rights presentations in Spanish to children detained at a local shelter. Volunteers will be trained and provided with a script for the presentations. The total expected time commitment for this opportunity is eight hours per month, in addition to training.

For more information, please contact Ashley Huebner at ahuebner@heartlandalliance.org.