

## **SIJS Predicate Order Checklist- Guardianship**

- Sign and return NIJC Pro Bono Attorney Guidelines.
- Accept case: NIJC sends State Court Referral Form for Immigrant Minors with all information to get started on case.
- Confirm the client's language; arrange for an interpreter if necessary. NIJC staff cannot serve as interpreters.
- Meet with the client (guardian). Where appropriate, interview the child.
- Draft Petition for Guardianship and related documents.
  - Review documents with the client and obtain signature.
- File the documents to initiate the case in State Court.
- Determine how if the parent will be notified via consent, default, publication.
- Prepare a proposed final order ahead of the hearing and send to immigration attorney for review. Order **MUST** contain required findings for SIJS:
  1. Child's **reunification with parent(s) is not viable**;
  2. **Due to abuse/abandonment/neglect** (with cite to appropriate definition under state law);
  3. It is **not in the child's best interest to return** to home country.
- Prepare client's (and child's if necessary) testimony for final hearing.
- Attend final hearing.
- Provide client and NIJC with a copy of the final order.

### **IMPORTANT!**

The State Predicate Order is the first step in filing an SIJS petition. An SIJS petition based on a custody order from Illinois must be filed with USCIS prior to the child turning 18.

**It is critical to coordinate timely filings with the child/family's immigration attorney.**

