

Bridging the Gaps for Cross-Border Children and Families: Promising Practices & Partnerships

August 2026

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safe children | strong families | supportive communities

Presenter Information

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Who We Are



- Casey Family Programs is the nation's largest operating foundation focused on safely reducing the need for foster care in the United States. Our mission is to improve — and ultimately prevent the need for — foster care.
- Influence improvements in policy and practices related to the well-being of Latino and other immigrant children and families at the intersection of child welfare and immigration.



Important Legal Disclaimer

- This presentation is for educational purposes only and does not constitute legal advice.
- It is based on information currently available.
- Changes in the law are expected, and anyone who is directly affected should speak with an immigration lawyer to find out how they are directly impacted and how future changes in the law may affect or benefit them.

Learning Objectives

- **Highlight Impact of Recent Changes to Immigrant Communities**
- **Unpack Agency Role & Supportive Processes for Immigrant Youth**
- **Explore Value of Immigration Legal Representation & Possible Remedies**
- **Identify Considerations for International Families**
- **Provide Resources for Continuing the Conversation & Professional Development**

Concurrent Systems for Immigrants in the United States

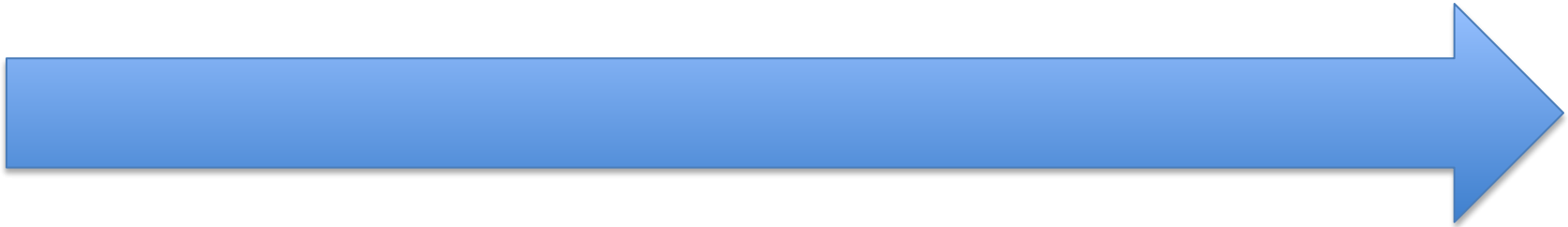
Affirmative (USCIS)

Defensive (

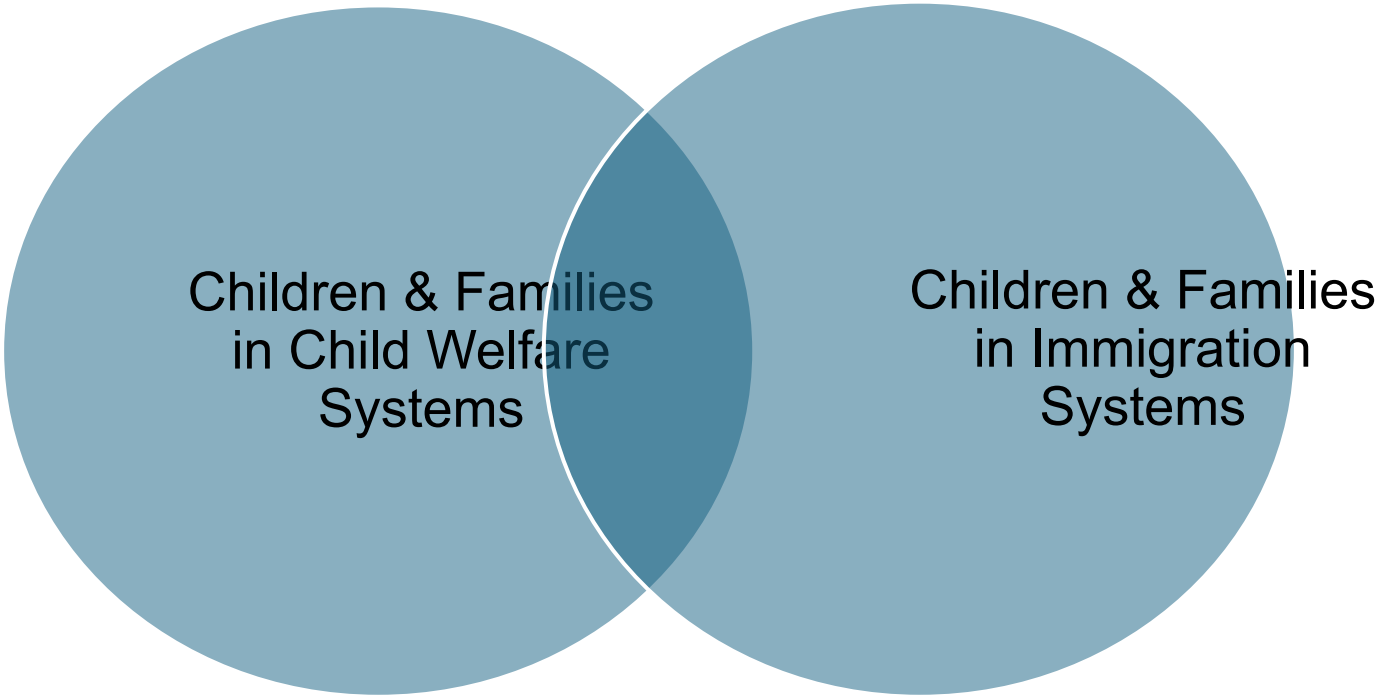
Child Welfare

Juvenile Justice

The possibility of immigration enforcement exists for all immigrants, even if in the custody of child welfare.



The Immigration Intersection



When a non-citizen person's status, ***or*** an immigration process or policy

- effects family **separation and/or impedes reunification**;
- poses a barrier to **permanency and/or child safety**; or
- reduces **access** to services or outcomes

Key Changes

Expansion of Interior Enforcement

Changes to Executive Orders

Shift in Discretionary Practices

Removal of Temporary Protections

DHHS's 8 Core Values



- Mission: keep children safe from abuse and neglect through strengthening of families, incorporating
  - Accountability
  - Efficacy
  - Connection
  - Empathy
  - Equity
  - Innovation
  - Impact, and
  - Support.

Immigration Unit Structure

Immigration Specialist Lead

- 5 regions each with a point person for in the region
- Manages legal referrals to CCS or low/pro bono attorneys

"A child is a child"

Values from the ICWA gold-standard:

- Prioritizes kinship
- Active efforts
- Cultural connection
- Safety



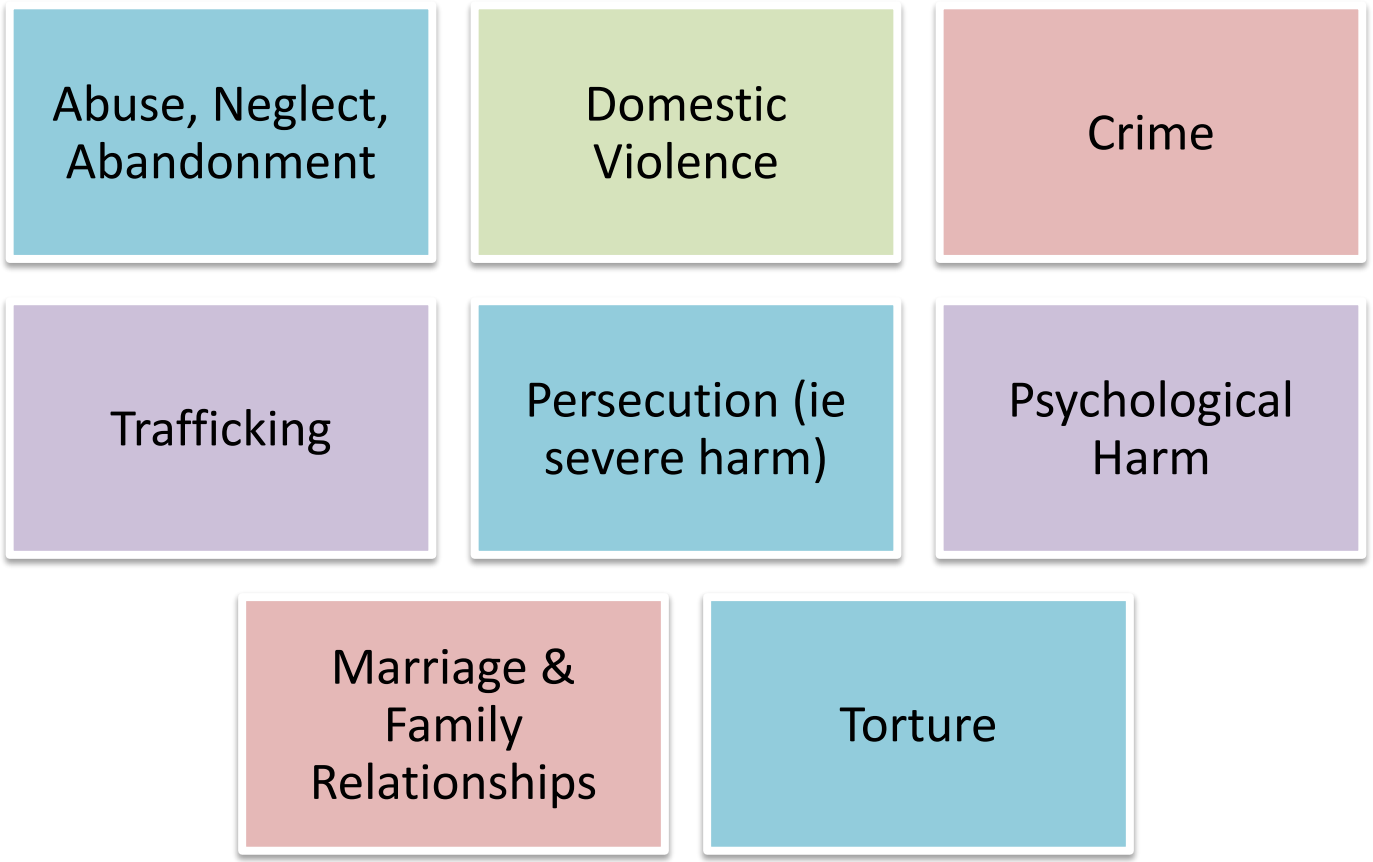
Screening Process

- Early identification
- Case mining
- Child-centered conversation
  - Setting the Stage
  - Confidentiality (or limits)
- Sharing & Next Steps

Catholic Community Services of Utah

- Services that CCS can provide
- Importance of Full-Scope Representation
- Complexities of recent cases
  - Considerations in separation of the parent's case from child's
  - Multiple possibilities for relief
- Shifting risk analysis
- Trafficking patterns in cases

What Types of Life Experiences May Be Relevant to Immigration Relief?





Adoption

May not fix or impact immigration status

Case-specific consultation with immigration expert to determine interplay of several considerations

- Status at time of admission (or no admission)
- Country of origin
- International agreements
- Physical presence and residency requirements
- Immigration status of the adoptive parents
- More….

What are some ways that a parent's detention or deportation may impact case direction or progress?



Considerations if a Parent is Detained

- **Care & Custody Decisions"** How is the detention related (or not) to the child welfare case?
- **Proximity & Visitation**
  - Types of Visitation
  - Legal Visitation
- **Help Inside the Facility**
  - Custody & Removal Coordinators or Social Workers
  - Hotline: 1-888-351-4024
- **Participation in the Child Welfare Case**
  - Are there options for release?
  - Are there options for immigration relief?
  - Parental Interest Unit: parental.interests@ice.dhs.gov
    - Privacy Waiver & Notice of Representation Form G-28

Same constitutional interests

01

All parents have the same constitutional interests in the care, custody and control of their children, regardless of immigration status

02

Rights are not altered by detention or deportation alone

03

Courts must find parental unfitness, not just unavailability, before TPR

Source: The Impact of a Parent's Immigration Status on Child Welfare Cases: Guiding Principles from State Court Case Law (ABA, July 2026)

Reasonable Efforts: Utah Code Sect. 80-2a-201

What services are available and have been explored in the other country?

Has the plan been communicated to the parent in their best language?

How feasible is it for the parent to complete the case plan? See In re E.N.C., et al, 384 S.W.3d 796 (Tex. 2010)

Grounds for Termination: UT Code Sect. 80-4-301

- Standard: Clear and convincing evidence of parental fault + best interest determination
  - Based on totality of the circumstances
- Grounds: Abuse, neglect, abandonment, unfit, failure of parental adjustment, token efforts, voluntary relinquishment, etc.
- *May* terminate if "strictly necessary to promote the child's best interest"
  - Physical, emotional safety, stability, well-being
  - Would an option short of TPR resolve this?
  - No RE required in some instances UT Code Sect. 80-2a-201

Standard of living

Courts and agencies may consider the standard of living in another country as part of a fulsome analysis of a child's best interests, inclusive of relevant safety concerns. *In re Victoria L.*, 950 A.2d 1168 (R.I. 2008).

May not order TPR solely because a child might enjoy a more comfortable or higher standard of living in the U.S. *Inre Interest of Angelica L.*, 767 N.W.2d 74 (Neb.2009); *In re Doe*, 281 P.3d 95 (Idaho 2012).

When a parent lives abroad, the agency has a responsibility to investigate reunification with that parent in the country in which the parent resides.

Resource List

- https://docs.google.com/document/d/12Qj6_cNeSxtZ20JiV9dAPCaQYyByEafPrsWAm-TPmsY/edit?usp=sharing



How Did We Do?

- https://www.surveymonkey.com/r/PDTPPTC

