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## **New Resource on Special Immigrant Juvenile Status for State Court Judges**

NIWAP is pleased to announce the publication of [The Special Immigrant Juvenile Status Bench Book: A National Guide to Best Practice for Judges and Courts.](#)

This bench book is instrumental in assisting judges hearing cases in issuing SIJS findings in a wide range of state court cases involving immigrant children who have been abused, abandoned or neglected by a parent.

Special Immigrant Juveniles Status (SIJS) is a form of humanitarian immigration relief that provides for a path to lawful permanent residence (LPR) for children who are unable to reunite with one or both parents due to abuse, abandonment, neglect, or a similar basis under state law. The bench book contains quick reference guides for courts issuing SIJS findings in custody, protection order, guardianship, dependency, delinquency, adoption, and declaratory judgement cases.

The bench book also provides an overview of SIJS laws and best practices for family court procedures and drafting of findings in SIJS cases. Bench Book appendices provide a state-by-state resource on definitions of abuse, abandonment, neglect, SIJS case law and all state best interests of the child factors. These charts will also provide an important resource to judges hearing custody, protection order

and other family court cases, particularly those involving immigrant victims of domestic violence and child abuse.

We are confident this bench book will be a useful tool for Judges and court staff and will also provide valuable guidance to attorneys representing immigrant children who are eligible for the protections offered by Special Immigrant Juvenile Status.

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### **Recent Publications on U Visa Certification By Judges and Custody Cases Involving Immigrant Victims and Children**

- Kendall Niles, Veronica Thronson and Leslye Orloff, *Understanding the Judicial Role in U Visa Certification*, American Journal of Family Law, V. 31 N. 4 Winter 208-237 (2018) [article here](#).

This article discusses the role of state court judges as U visa certifiers based on the U visa statute, regulations, legislative and regulatory history and U.S. Department of Homeland Security (DHS) publications. A review of published opinions on U visa certification by judges revealed many instances in which courts issued decisions without considering or giving deference to DHS regulations and DHS' published policies and guidance on U visa certification. This article discusses judges' roles as U visa certifiers and addresses common myths and misconceptions about U visa certification evidenced by a review of case law and directs readers to legally accurate information about U visa certification.

- Veronica T. Thronson, Carole Angel, Soraya Fata, Rocio Molina, Benish Anver, Kalli Wells and Leslye E. Orloff, [Winning Custody Cases for Immigrant Survivors: The Clash of Laws, Cultures, Custody and Parental Rights](#). 9 Fam. & Intimate Partner Violence Q. 2-3, 1-169 (2017) [article here](#).

This article discusses a wide range of topics that arise in custody cases involving immigrant parents, immigrant children and children living in families with mixed immigration status. Topics include: language access, immigration relief for victims of domestic and sexual violence and child abuse; Special Immigrant Juvenile Status findings by state courts; VAWA confidentiality and family court discovery, issues that arise for immigrant victims with regard to protection orders, custody, economic relief, and child welfare cases.

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### **Help Needed for Asylum Seekers Who Are Fleeing Domestic Violence in Their Home Countries**

Immigrant victims of domestic violence could lose access to asylum. Those interested in helping ensure that immigrant domestic violence victims maintain access to asylum in the United States can join [efforts led by the Tahirih Justice Center](#).

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**New Report from the Center for the Survivor Agency and Justice (CSAJ) and their Racial & Economic Equity for Survivors Project (REEP)**

by REEP Partners: Camille Holmes (CDH Consulting), Texas Council on Family Violence, Women of Color Network, Inc., CSAJ Staff | March 12, 2018

This report discusses racial inequity and how domestic violence disproportionately affects diverse communities. This report also discusses racial inequity in access to services for victims.

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