

ADOPTED AS REVISED

RESOLUTION

1 RESOLVED, That the American Bar Association opposes removal of
2 noncitizen children and young adults from the United States after a state
3 court has determined that they cannot be reunified with at least one
4 parent due to abuse, neglect or abandonment and it is not in their best
5 interest to return to their country of origin; and U.S. Citizenship and
6 Immigration Services has approved their petition for Special Immigrant
7 Juvenile (SIJ) status; and

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9 FURTHER RESOLVED, That the American Bar Association urges Congress
10 and the Administration to enact laws and adopt policies to protect SIJ
11 beneficiaries from removal from the United States and grant
12 employment authorization while they wait for a visa to become available
13 for permanent resident status. Such actions should include:

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15 (1) Exempting SIJ beneficiaries from numerical visa limitations, or,
16 in the alternative, #increasing the number of visas available for
17 SIJ beneficiaries and lifting the statutory per country cap;
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19 (2) Issuance of a policy by U.S. Citizenship and Immigration Services
20 or by executive action to grant deferred action to such SIJ
21 beneficiaries;
22
23 (3) Granting employment authorization upon approval of the SIJ
24 petition; and
25
26 (4) Issuance of guidance by the Executive Office for Immigration
27 Review allowing judges to continue, administratively close, or
28 terminate cases for such SIJ beneficiaries.

Deletions struck through; additions underlined