More than 2.6 million children are being raised in the United States by grandparents, other relatives, and close family friends with no parent in the household. These “grandfamilies” or “kinship families” face particular obstacles to accessing fundamental services and support when the relative caregivers and/or children are immigrants. This article will begin with a discussion of grandfamilies affected by immigration issues and their strengths and challenges. It will then offer concrete ways that child welfare and other agencies can continue to help stabilize these grandfamilies by becoming familiar with available resources and advocating to remove barriers to accessing those services and supports.
Over 2.6 million children are being raised in the United States by grandparents, other relatives, and close family friends\(^1\) with no parent in the household (Generations United, 2017). In 2016, 32% of the children in foster care were with relatives (AFCARS, 2017) and for every one child in foster care with a relative, there are 20 children outside of the system with relatives (Generations United, 2017). While decades of research show that these children thrive in the care of relatives, “grandfamilies” or “kinship families” often struggle to access fundamental services and support available at the local, state, and federal levels. Grandfamilies with relative caregivers who are immigrants and/or children who are immigrants, whether inside or outside the child welfare system, face even more obstacles to obtaining that support. The existing challenges due to lack of eligibility for certain programs based on immigration status have been exacerbated recently by increased and more widespread immigration enforcement efforts that intensify immigrants’ fear of engaging with any government entities. But child welfare and other agencies can continue to help stabilize these grandfamilies by recognizing the particular challenges confronting children and relative caregivers who lack immigration status, supporting them by becoming familiar with available resources, and advocating to remove barriers to accessing those services and supports.

**Grandfamilies with Family Members who are Immigrants: Strengths and Challenges**

**Children in Families that Include Immigrants**

In 2016, almost 18 million children lived with at least one parent who was an immigrant, which was 26% of all children in the United States. Almost 16 million children, or 88% of these children, were born in the United States (Migration Policy Institute, Data Hub, 2018).

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\(^1\) For purposes of this paper, “other relatives” include close family friends or “fictive kin” such as godparents. We refer to all grandparents, other relatives, and fictive kin as “relative caregivers.”
over time show that during 2009–2013, about 5.1 million children lived with a parent who lacked immigration status (i.e., was undocumented), representing 7% of the entire U.S. child population. About 79% of these children were U.S. citizens, another 19% were themselves undocumented, and 2% were legally present, including lawful permanent residents and those with temporary visas (Migration Policy Institute, 2016).

Between 2003 and 2013, the U.S. government deported over 3.7 million immigrants to their home countries. Over 90% were from Mexico, Honduras, Guatemala, and El Salvador. Between 20 and 25% of all of these immigrants were parents of children born in the United States (Migration Policy Institute and Urban Institute, 2015).

After one or both parents were deported, many children went into the care of relatives. Though data is not available on the extent of these living arrangements, anecdotal reports, concerns around the country, and estimates of deported parents suggest the numbers are significant. Relative caregivers of children separated from their parents through detention or deportation may themselves lack immigration status, be U.S. citizens, or have another form of lawful status.

**Children Thrive with Relatives**

Though data is not available defining the scope of grandfamilies who come together as a result of a parent’s detention or deportation, the benefits—based on the broader population of grandfamilies—are clear. Decades of research repeatedly confirms that children who cannot remain with their parents thrive when raised by relatives and close family friends (Generations United, 2016). Children in foster care with relatives have more stable and safe childhoods than children in foster care with non-relatives, with greater likelihood of a having a permanent home. They experience fewer school changes, have better behavioral and mental health outcomes, and report that they “always felt loved.” They keep their connections to brothers and sisters, family and community, and their cultural identity. Moreover, children in foster care with
relatives are less likely to re-enter the foster care system after returning to birth parents. If returning to parents is not possible, relatives are willing to adopt or become permanent guardians (Generations United, 2016). In fact, 34% of all children adopted from foster care are adopted by relatives and 10% of children exit foster care into kinship guardianships (AFCARS, 2017).

**Continuum of Grandfamilies’ Care and Custody of Children**

These grandparents and other relatives who find themselves raising children of parents who have been deported may be raising them either inside or outside the foster care system, just like all grandfamilies. Some of the 32% of children in foster care placed with relatives are with licensed relative foster parents. While we do not know the exact percentage of children in licensed relative homes, we anecdotally know that many relatives caring for children in the child welfare system are not licensed. These caregivers are often subject to the same rules as licensed providers, but the children in their care do not receive monthly foster care maintenance payments, services, and the ability to eventually exit foster care into either adoption or guardianship with ongoing federally funded assistance. In other cases, the child welfare system identifies relatives early and “diverts” them into the relatives’ care, again typically without any ongoing services or supports.

Outside the system, many relatives lack a legal caregiving relationship to the children they are raising, such as legal custody or guardianship, which in turn causes additional problems, such as enrolling the children in school, obtaining special education services or consenting to health care for the children. To obtain a legal caregiving relationship, the first step in a case is to prove that their relative, the parent, is unfit (unless the parent is available to consent to the alternative arrangement and/or voluntarily surrenders his or her parental rights). This is a significant hurdle that can be very threatening to family dynamics. Even if relative caregivers want to move forward and obtain a legal caregiving relationship, there are significant challenges finding affordable legal assistance.
Challenges for Grandfamilies

In addition to care and custody issues, many challenges are typical for all grandfamilies, regardless of the reason that caused them to come together, whether it be parental deportation, substance use, incarceration, mental illness, or death. Most fundamentally, relatives are raising children whom they did not expect or plan to raise, and consequently are facing increased financial pressures. But financial challenges are not the only hurdles to overcome. In grandfamilies, children often suffer from trauma or other mental or physical health needs due to that parental situation that caused them to be in their relative’s care. Relative caregivers serve as a protective factor but, for the majority who are not licensed foster parents, they are challenged in getting the services and supports the children need (Generations United, 2017). Public school enrollment, educational services, consenting to health care, and paying for that care can all be virtually impossible. The relatives themselves also face their own unique set of challenges, such as social isolation, grief over their own children’s inability to parent, and changing family roles and dynamics.

Compounded Challenges for Grandfamilies with Members Who Are Immigrants

For a variety of reasons, all of these challenges are compounded in grandfamilies affected by immigration issues, including families in which the parents have been deported and/or caregivers or children who lack lawful immigration status.

Limited English

Immigrants come to the United States from around the world, with the largest numbers from Mexico, China, India, the Philippines, and El Salvador (Pew Research Center, 2017). For over a decade, immigrants without lawful status have been deported overwhelmingly to Mexico and Central American countries in which the primary language is Spanish (Migration Policy Institute and Urban Institute, 2015). Individuals
and family members from all these and other countries may struggle to understand and communicate in English. Additionally, many immigrants from Latin America speak indigenous languages and are fluent in neither English nor Spanish. Trying to navigate systems on behalf of children is challenging enough for most grandfamilies, but limited English abilities make it that much more difficult to complete forms, understand legal options, and communicate with caseworkers and other service providers.

**Restricted Access to Federal Programs That Can Help**

Several federal financial assistance programs can help grandfamilies: Temporary Assistance for Needy Families (TANF), Social Security, and Supplemental Security Income (SSI). TANF is often the only ongoing financial support available for grandfamilies (Beltran, 2014), and is available through two types of TANF grants: family grants and child-only grants. Many grandfamilies, especially those with older caregivers who have been working for decades and have saved for retirement, have too many assets or too much income to qualify for family grants. Most grandfamilies should be able to qualify for child-only TANF grants, which are based solely on the needs and income of the child. Social Security benefits are another source of support that may be available to meet the needs of the children based on either the work record of the parent or the grandparent (not other relatives). Supplemental Security Income (SSI) can provide cash benefits to eligible adults and children with disabilities that seriously limit their activities.

Other vital programs for many grandfamilies include public health insurance for children through Medicaid and the Children’s Health Insurance Program (CHIP); Medicare, which is health insurance typically for those over age 65; and Emergency Medicaid, which covers urgent, emergency care. Nutrition supports are also essential programs and include the Supplemental Nutrition Assistance Program (SNAP or food stamps); the Women, Infants and Children food assistance program (WIC); and School Lunch Programs.
For grandfamilies in which the caregivers or children are immigrants, some or all of these programs may be inaccessible. The 1996 Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA), or “welfare reform,” created two categories of immigrants for eligibility for federal safety net programs: “qualified” and “not qualified.” The law excludes both groups from eligibility for many benefits, with a few exceptions.

**Qualified Immigrants.** The “qualified” immigrant category includes Lawful Permanent Residents (LPRs or people with green cards); refugees; people granted asylum or withholding of deportation/removal, and conditional entrants; people granted parole by the U.S. Department of Homeland Security (DHS) for a period of at least one year; Cuban and Haitian entrants; certain spouses who have been abused/battered and their children; and survivors of trafficking.

PRWORA further restricts eligibility for many qualified immigrants by distinguishing between those who entered the United States before or “on or after” the date the law was enacted, August 22, 1996. It bars most immigrants who entered the United States on or after that date from federal means-tested public benefits during the five years after they secure qualified immigrant status. (Federal agencies have clarified that “federal means-tested public benefits” include Medicaid (except for emergency care), CHIP, TANF, SNAP, and SSI.)

**Unqualified Immigrants.** Individuals without immigration status (i.e., immigrants who are undocumented), as well as the many people who are lawfully present in the United States but have not lived in the country for a full five years, are considered “not qualified.”

The chart below lays out the very general federal immigration requirements for several federal programs. It also notes that states have the option, under the federal Children’s Health Insurance Program Reauthorization Act of 2009 (CHIPRA), to extend Medicaid and CHIP to children (and pregnant women) who are lawfully residing in the United States but have not met the five-year requirement. As of January 1, 2018, 33 states extended coverage to these children, and 25 states extended coverage to pregnant women (KFF, 2018).
<table>
<thead>
<tr>
<th>Children (Age 18 and Younger)</th>
<th>Caregivers</th>
<th>All Children and Caregivers Regardless of Immigration Status</th>
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<td>LPR + 5 years of continuous residency in U.S.</td>
<td>LPR + 40 Quarters of Work</td>
<td>LPR + 5 Years of Continuous Residency in U.S.</td>
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<td>Foster Care Maintenance Payments</td>
<td>Social Security</td>
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<td>Medicaid</td>
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<td>CHIP</td>
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<td>TANF</td>
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States can opt but not required to provide: Medicaid, Medicare, Part A (hospital care) and TANF.

¹ Children under age 18 trying to access SSI can get credit for the work requirement through their parents’ work record. See www.ssa.gov/ssi/spotlights/spot-non-citizens.htm.

² SNAP falls under several categories of caregivers because eligibility depends on type of immigration status. See www.fns.usda.gov/snap/snap-policy-non-citizen-eligibility.
Immigration Requirements that Bar Relatives from Becoming Licensed Foster Parents

Unlike the above federal programs, accessibility to federal reimbursement for the costs of foster care through the state or county child welfare agency is almost exclusively based on the child’s eligibility. In addition to meeting certain income and other requirements, the child must either be a U.S. citizen or be a “qualified” immigrant for five years before the state or county can recoup from the federal government reimbursement for the maintenance payments for the child’s foster care placement. The vast majority of children in foster care who are eligible for federally reimbursable state foster care maintenance payments are U.S. citizens.

Children who are not U.S. citizens are only eligible if they are “qualified” immigrants who have held that status for at least five years or whose foster parent is a citizen or has been a qualified immigrant for five years. Similar requirements are relevant for children and caregivers seeking adoption subsidies or support from the Guardianship Assistance Program when exiting the foster care system (U.S. Department of Health and Human Services, 2013).

The federal government does not otherwise address the immigration status of prospective foster parents. However, some states have included rules about immigration status to their own foster parent licensing standards. About 20 states have explicit requirements that require the caregiver to have U.S. citizenship or another form of lawful immigration status. Only three of those states explicitly exempt relatives from their state’s immigration status licensing standards. Another 13 of the 20 states have either general waiver and variance provisions or alternative approval procedures that may, in effect, create exceptions for caregivers with undocumented immigration status (ABA, 2017).

Background Checks

All states require that caregivers, whether licensed or unlicensed, undergo background checks. Those clearances typically require some
form of government-issued identification, such as a state-issued driver’s license or a social security number. For undocumented immigrants, these accepted forms of identification are not always available. Additionally, for child welfare agencies to access federal reimbursement for foster care maintenance payments, foster parent applicants must pass fingerprint-based checks of a national crime information database through the FBI, as well as any state-maintained child abuse and neglect registry (Adam Walsh Child Protection and Safety Act, 2006). Though this national background check was rarely an obstacle to otherwise eligible caregivers, the Trump Administration’s interest in information-sharing among agencies for purposes of immigration enforcement heightens the risk that identifying information about relative caregivers without immigration status could reach DHS.

**Other Foster Parent Requirements**

Additional foster licensing standards may create barriers to or prevent licensing relative caregivers who are immigrants. For example, five states have language or communication requirements that may present barriers to non-English speakers or those whose primary language is different than that of the foster children. Other potential barriers include state residency requirements; requests for immigration-related information; and education-related standards that may require academic credentials obtained in the United States. While none of these standards is specific to caregivers who are immigrants, these regulations and policies may create a chilling effect or extra hurdles for them.

**Additional Challenges to Accessing Benefits and Supports**

In families where the relative caregiver or the child lacks immigration status, trying to access services to meet the needs of the child can further jeopardize the grandfamily. For example, if a caregiver is attempting to obtain LPR status, U.S. Citizenship and Immigration Services (USCIS) can deny that status if it determines that the caregiver is or is
likely to become a “public charge.” That term is used to describe people who depend or will depend in the future on public benefits that provide cash, such as TANF or SSI, for their income. Foster care maintenance payments have been exempted from this determination.

In early 2018, draft regulations concerning public charges were leaked to the media and fear in the immigrant community escalated. The leaked regulations would significantly expand the benefits that could be considered in determining whether a person is likely to become a public charge. Immigrants’ use of programs related to their own health or that of the children in their care, including children who are U.S. citizens, could be considered in deciding whether to grant LPR status. Use of programs that are critical to so many grandfamilies, such as Medicaid, CHIP, SNAP/food stamps, and WIC, in addition to Section 8 affordable housing vouchers, the Low-Income Home Energy Assistance Program (LIHEAP), which provides assistance for energy expenses, and the Earned Income Tax Credit (EITC), a refundable tax credit for low to moderate income working families, could block a caregiver’s access to LPR status. The leaked proposed rule would apply similar criteria to discretionary decisions for people seeking to extend or change their temporary nonimmigrant status in the United States (National Immigration Law Center, 2018).

**Increased Immigration Enforcement**

In addition to the fears around “public charge” determinations, recent increased immigration enforcement has placed more children and families at risk of child welfare system involvement. Under the Obama Administration, enforcement priorities focused on convicted criminals and others who posed a danger to public safety. But DHS Executive Orders and Implementing Memoranda in 2017 departed from that focus significantly and made almost all individuals without immigration status a “priority” for enforcement. In fact, immigration arrests of non-criminals doubled within the first few months of the Trump Administration alone (DHS, 2017) and the number has continued to
rise—including parents with young children (Human Rights Watch, 2017).

Recent expanded immigration enforcement efforts may chill the willingness of grandparents and other relatives to step forward as resources for children whose parents are unable to care for them. At minimum, caregivers without status may be reluctant to seek support for which they or the children are eligible because they not only fear encounters with U.S. Immigration and Customs Enforcement (ICE), but also conclude that interaction even with state or local agencies poses too great a risk.

Support Grandfamilies with Immigrant Members: Become Familiar with Available Resources and Advocate to Remove Barriers

Child welfare and other social service providers can take steps to be equipped to effectively respond to the unique needs of grandfamilies with immigrants, including children and relative caregivers without lawful status. When implemented, promising policies and practices may link these children and relative caregivers with critical supports, and improve the involvement of relatives who are immigrants with the child welfare agency. Practitioners should be aware of the following recommended practices and opportunities for advocacy.

Improve Access to Federal Programs That May Help

For those grandfamilies both inside and outside the foster care system, staff of child welfare and other agencies can help caregivers access federal programs. For example, states can opt into providing Medicaid and CHIP for qualified immigrant children. Agencies can provide the immigrant community with clear eligibility guidelines applicable in their state, which are translated into multiple languages. For all grandfamilies, agencies can help by specifically naming grandparents and
other relatives on application forms, so applicants are not discouraged when they only see the word “parents.” Relative caregivers are eligible like “parents” to receive these benefits on behalf of children and that should be clearly communicated. Furthermore, grandfamilies and agencies should understand that no federal law requires that the relatives have legal custody or guardianship of the children to access these supports. In order to prove that the caregiver is raising the child, documentation requests should not include a court order granting a legal relationship.

Make Available Supportive Services That Have No Immigration Requirements

Two service programs have been shown to be of critical help to many grandfamilies, and they are typically accessible to all regardless of immigration status. Not all jurisdictions offer them, but the number will likely grow as a result of increasing numbers of grandfamilies due to the opioid epidemic and expanded immigration enforcement.

Kinship Navigator Programs

Kinship navigator programs provide information, referral, and follow-up services to grandparents and other relatives raising children to link them to the benefits and services that they or the children need. Around the country, about 70 such programs exist (Beltran, 2018). Because of the Family First Prevention Services Act, ongoing federal funding will be available as of October 2018 to help maintain these programs. Child welfare agencies should partner with community agency service providers and ensure that they offer these programs and receive federal help with the costs. States can receive federal reimbursement for up to 50% of their expenditures in providing these programs if they meet certain evidence-based requirements of promising, supported, or well-supported practices. This federal support is
available regardless of whether the children for whom the services are being accessed meet income eligibility requirements for federal foster care funding, and without regard to citizenship or immigration requirements. Even if some caregivers choose not to try to access public benefits because their immigration status prevents it, they are fearful of the government, or they simply do not want it, the navigator should still be able to help connect the caregiver and children to resources such as educational services for the children, support groups, and counseling.

**National Family Caregiver Support Program**

Another program that can be of great use to grandparents and other relatives age 55 and over who raise children without regard to their immigration status is the National Family Caregiver Support Program (NFCSP). This long-standing program funds states and Area Agencies on Aging (AAAs) to either provide services directly or contract with other agencies to provide those services. Although most of the program funds are used to serve adults age 55 and older who are caring for their parents and other older individuals, up to 10% of the funds can be used for grandfamilies. Many AAAs around the country serve grandfamilies with these funds and extend the services to those under age 55 using other funding sources. Services for relative caregivers can include information and referral services, individual counseling, support groups, training, respite care, and supplemental services, which can include legal assistance.

**Make Agencies More Accessible**

Child welfare agencies and other state entities that provide services to grandfamilies can take steps to ensure access for non-U.S. citizens to the information and services available to all foster families and to specific services for immigrant families. In a 2015 Information Memorandum (IM), the U.S. Department of Health and Human Services
Children’s Bureau provides, among other guidance, best practices for child welfare agencies to adopt (HHS 2015). While the IM focuses on child welfare agencies working with immigrant parents, many of the suggestions can also improve engagement of any agency working with relative caregivers. The suggestions include:

- Use partnerships with immigrant-serving organizations to recruit foster and relative caregivers, remove systemic barriers that prevent immigrant relatives from becoming relative caregivers, and promote foster family resources.
- Translate written materials and use interpreters.
- Engage community/ethnic-based organizations to coordinate services for families and children that cannot be met through usual channels.
- Train caseworkers on challenges in immigration and acculturation, culturally and linguistically appropriate services, how immigration status affects families, children and youth, access to services and benefits, and the complexities of immigration enforcement.

When communicating with grandfamilies, agency staff also should recognize that immigrants with or without lawful status in the United States may be reluctant to actively engage based on harmful experiences or mistrust of government agencies and/or courts in their home countries. If staff needs to determine the immigration status of relative caregivers, it is best if this inquiry is made by someone who can maintain confidentiality or assure the caregiver that no action will be taken to involve federal immigration officials. After determining immigration status, agency staff should discuss the caregiver’s immigration-related concerns, then take proactive measures to address them. At all times, staff should be frank with immigrant caregivers about possible risks and other challenges they may face when interacting with the foster care and other government systems. This conversation should be ongoing and revisited regularly.
Find and Use Alternative Paths to Licensure

To facilitate the placement of children in child welfare agency custody with relatives who are immigrants, agencies can offer alternative paths to licensure.

Relative Exemption

Two of the 20 states with explicit immigration requirements specifically exempt relatives from that standard, thereby allowing eligible relatives without immigration status to obtain full licensure (ABA, 2017). Other states could include similar relative exemptions in their laws or policies.

Waivers and Variances

Federal law permits waivers and variances of non-safety related standards for relative caregivers, and most states have adopted procedures for granting them. Agency staff and attorneys could assert that immigration status and related standards are not safety-related and therefore may be set aside case-by-case.

Background Checks

At least two states have established official methods of processing background checks that accommodate immigrants who are undocumented and accept alternatives to proving identify with social security numbers and state-issued drivers’ licenses (ABA, 2017). Agencies could also license a relative as a state-funded foster parent without immigration status absent a federal database clearance check if state law allows and other avenues of investigation are clearly satisfied.

Court Order for Placement with a Specific Immigrant Caregiver

Advocates can pursue a court order for a child’s placement with a specific caregiver, offering appropriate evidence of, for example, the
child’s relationship with the caregiver, the caregiver’s length of time and involvement in the community, and details about employment and household stability.

**Develop Supportive Laws and Policies**

Child welfare agencies can amend internal policies and advocate for needed legislative changes to ensure that immigration status does not prevent grandfamily placements. California’s Reuniting Immigrant Families Act of 2012 provides that children in foster care may be placed with an approved relative, regardless of that relative’s immigration status. The law also permits relative caregivers to use identification from a foreign consulate or a foreign passport for the purposes of conducting background checks.

In jurisdictions where expansive legislation like California’s may be politically infeasible, agencies can revise their policy manuals to permit licensure of caregivers who lack immigration status or offer a broader waiver policy.

**Assist Parents with Safety Planning for the Children and Help Caregivers Access Services Through Alternative Caregiving Legal Tools**

In situations where parents are under threat of deportation, there are useful tools to give relative caregivers the legal authority to care for children, most of which do not require lawyers or courts. These same tools can be used for relative caregivers who find themselves raising children for whatever reason. In recent months, many advocates have publicized the need for making these “contingency plans” for the care of children of parents without immigration status.

**Standby Guardian Laws**

About 27 states have standby guardian laws, which allow parents to designate a standby guardian in the event of their incapacity,
debilitation, or death; upon that triggering event, the person designated as the standby files a petition in court to be so named and thereby has the authority to consent and access services on behalf of the child. These laws were created in the wake of the AIDS crisis in the 1980s. In May 2018, Maryland expanded its standby guardian law to include “adverse immigration action” as a triggering event and about a month later, New York expanded its standby guardian law to similarly include “administrative separation” as a triggering event. New York’s law is more expansive and also allows, in addition to a parent, a legal guardian, legal custodian, or primary caretaker like a grandparent to complete a form with two witnesses, and designate another individual to serve as the “standby guardian.” In the event that the parent/guardian or primary caregiver is detained or deported, the standby guardian would immediately have guardianship of the child when he or she gets notice of that “administrative separation” and within a certain time period would need to file a petition with the court to be appointed the guardian.

_Power of Attorney Laws_

Under power of attorney laws, parents complete a form or handwritten document that states what type of authority they are giving the caregiver. Virtually all states have general power of attorney laws, which can be used for purposes of conferring power for the care of children, even though they are not specifically designed for that purpose. Many states and the District of Columbia have also codified power of attorney laws that explicitly allow parents to bestow relatives with the power of attorney for the care of their children (Beltran, 2015).

Similar to a power of attorney law but created specifically for the immigrant community by advocates in Washington State is a “temporary parental consent agreement.” Like power of attorney laws, it provides that the parent(s) signs an agreement that gives temporary permission to a caregiver to make decisions for the children, such as enrolling the child in school.
Consent Laws

Consent or authorization laws exist in many states and have the advantage over power of attorney laws and standby guardian laws of not needing the parent to confer legal authority. This is critical in those situations where parents have already been detained, deported, and/or cannot be found. While also protecting parents’ rights, these laws allow relative caregivers to complete an affidavit, without attorney or court involvement, that they are the primary caregiver of the children. They then present that affidavit to schools or health care providers, so they can access services for the children in their care. Several states have combined educational and health care consent into one form: California, Louisiana, New Mexico, Ohio, and Oregon. Other states separate their laws and forms, and still others only have health care consent. Policy-makers should work to ensure that each state has these helpful and budget neutral health care and educational consent laws for all grandfamilies (Beltran, 2014).

Prepare Guides that Contain These Legal Tools

Many advocacy organizations for immigrants have created useful hands-on guides with the above legal mechanisms and other very concrete information for families with immigrant members, particularly those with parents under threat of deportation. These guides should be shared by relevant agencies in each jurisdiction, so immigrants have easy access to them.

As general guidance, Appleseed has updated its guide for planning for child custody and protecting assets, which provides concrete information on a range of family issues in the face of immigration detention and deportation (Appleseed, 2017).

Many states have developed jurisdiction-specific guidance, as well. For example, in California, the Immigrant Legal Resource Center (ILRC), has a Family Preparedness Plan, which includes California’s caregiver’s authorization form and advice about what types of documents
to keep in a central location with children’s birth certificates, passports, and the like (ILRC, 2017).

Mobilization for Justice in New York City has a Family Plan to Prepare for Deportation, which points to New York’s specially designated power of attorney or “parental designation form” as a useful tool (Mobilization for Justice, 2017).

In Washington State, Legal Counsel for Youth and Children along with other community partners, has an Immigrant Safety Plan for Youth and Children. This guide points to Washington’s temporary parental custody legal agreement, and “intention of parents for care of minor child,” which were created specifically for the community of immigrants. This guide also has checklists and contact information for obtaining birth certificates, passports, and other documents that the family will need (LCYC, 2018).

**Expand Available Safety Planning Guides**

Agencies can build off existing safety planning guides to provide resource information for the caregivers and children whose parents are either deported or are no longer able to parent for other reasons. These guides should include information on eligibility for financial assistance and supportive programs, such as kinship navigator programs.

**Conclusion**

Barriers exist to supporting children who are part of grandfamilies with members who lack immigration status, and certain services may remain out of reach. But promising practices and policies can be found around the country that provide valuable help to these families. Child welfare and other service providers can adapt these practices and policies to their communities and think creatively about how they engage these families, where else support may be available, and how to facilitate access to needed help.
References


