



Know Your Rights: Family Preparedness

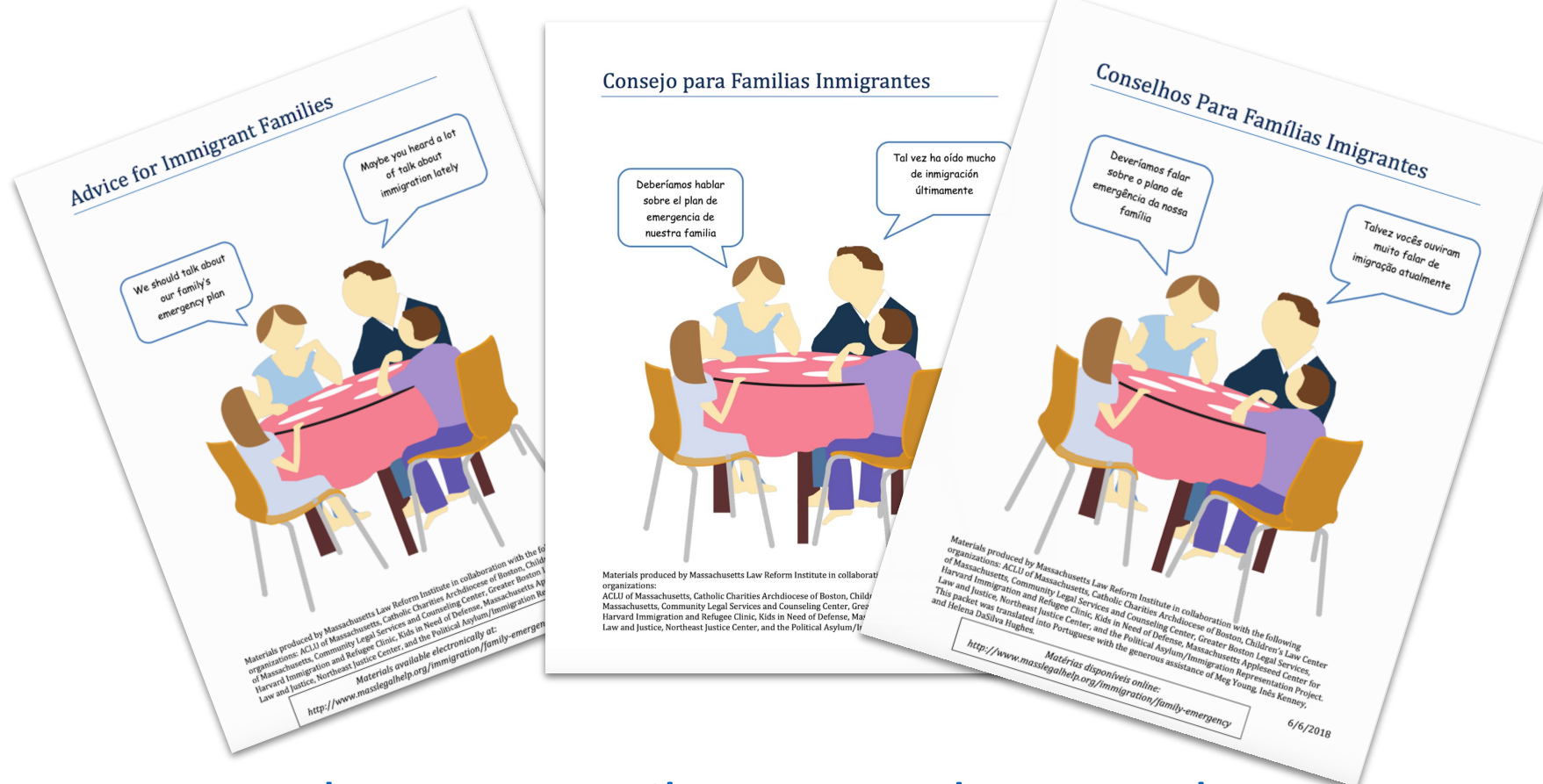
Parental Rights



- You have the right to make decisions about your children regardless of immigration status
- You do not have to provide information about your children, but you may want to tell immigration if you are the primary caretaker.
- You have the right to make arrangements for child's care
 - You can ask for a phone call at the time of apprehension and you can ask how you will be able to contact your children
- If your children are in the foster care system, you have the right to participate in child welfare proceedings from detention and after deportation unless you have had parental rights terminated
 - Detention and deportation do not constitute abandonment



Family Preparedness



Massachusetts Family Preparedness Packet
Boston Medical Center Family Preparedness Plan
Family Preparedness in Other States



Family Preparedness

- **What is a Family Preparedness Plan?**
 - A tool that can help you make informed decisions about how to take care of your family
 - Safety plan that offers parents and caregivers facing the threat of detention or deportation the opportunity to make decisions about:
 - Who will care for your children in your absence
 - Plans for meeting child's educational, medical, and emotional needs in your absence
 - Plans for reunification



Making a Plan – What can I do?

You can: update school contacts: make sure you have the correct contact information for a few people you trust to pick your child up from school in case you cannot. Tell the school you want to “opt-out,” in any directory information the school puts out to protect your information.

You can: register your child’s birth with your foreign consulate: if your child wants to travel or move to your home country, it could be easier if their birth is already registered with the consulate.

You can: apply for passports for your child: most governments require that both parents give permission for their child to get a passport. If you have sole legal custody or a specific court order you do not need the other parent’s permission.

You can: write a travel letter: if your child needs to travel outside the U.S., they may need a notarized letter that gives them permission to travel with a trusted adult. You may want to contact an airline or your consulate to get exact instructions.

Informal option



- talking to the people you want to care for your child or writing down what you want to happen in an emergency
- easiest, but does not give caregiver legal rights and your child's school or doctor might not follow your plan

Caregiver Authorization Affidavit



- gives the caregiver the right to make decisions about your child's health care and education for up to 2 years
- Parent keeps all rights and can end it at any time
- Needs signature of parent and 2 witnesses, notarized

Temporary Agent Authorization



- allows the "agent," or person you choose, to make any decisions a parent can make (except marriage and adoption) for your child, including about property and finances
- Valid for 60 days once it takes effect, but can be renewed
- Both parents must sign if available
- Must be signed by agent and 2 witnesses

Guardianship



- legal guardian has all rights a parent has, but exercises these rights instead of the parent
- must be obtained through the courts



Important Documents

- It is very important to save all immigration documents and make sure that no page is lost.
- Many documents have the immigration identity number (begins with the letter A and has 8 or 9 digits)
- Some documents have dates for hearings or other immigration appointments - these dates are very important!

