Effective Child Welfare Practice with Immigrant and Refugee Children and Their Families

Barbara A. Pine and Diane Drachman

This article presents a multistage migration framework to broaden the lens through which child welfare personnel can view immigrant and refugee families and their children. By better understanding the family's experiences in both emigration and immigration, including reasons for leaving their home country, experiences in transit, and reception and resettlement experiences in the United States, child welfare personnel are better equipped to assess their needs and provide effective prevention, protection, permanency, and family preservation services. Case examples illustrating the application of the framework and guidelines for program and practice are included.
Immigrant children constitute one of the fastest growing groups in the United States today, with their numbers increasing to an estimated 9 million by 2010 (Fix & Passel, 1994). Some of these children, by reason of their families’ experiences in migration and resettlement, are likely to need child welfare services, which in the United States are designed for the most vulnerable children—those at risk of neglect, abuse, abandonment, or separation from their families and placement in out-of-home care. Typically, child welfare services include prevention, child protection, family preservation, foster care, adoption, and preparation for emancipation (Maluccio, Pine, & Tracy, 2002).

Until recently, however, little attention has been given in the literature to the needs of immigrant children. Moreover, the social work literature on immigrants and immigration has mainly emphasized only one part of the migration process: the immigrants’ experience in this country (Drachman & Paulino, 2004).

Social workers who provide child welfare services must identify sources of support and stress in the relationships between families and their environment, and develop their intervention strategies accordingly. To provide effective services for immigrants that are family-centered and culturally competent, child welfare practitioners must understand the child and family’s experiences in both emigration and immigration.

This article uses a multistage framework on the migration and resettlement experience to demonstrate how understanding the migration experiences and different immigrant groups—transnational, circular, return, and undocumented—is critical for effective services to families and their children (Drachman, 1992; Drachman & Paulino, 2004). The framework, which emphasizes the circular processes of the migration experience, includes an examination of the premigration experience and the reasons for leaving the country of origin, the journey to the resettlement country, the reception from the resettlement country, and in some cases, the return to the country of origin.
After an overview of the numbers and needs of immigrant families and children in the United States, attention is given to immigrant families' status, a critical aspect of their reception and eligibility for needed services during their resettlement. Because a number of risk factors emanate from recent immigration policies, those most related to child welfare services will be delineated.

A discussion of the multistage framework follows this overview. The framework has been used to analyze the experiences of various immigrant groups, including Southeast Asians (O & Porr, 1990), Haitians (DeWind, 1990), Cubans (Gil, 1990), Russians (Drachman & Halberstadt, 1992; Mandel, 1990), Koreans (Drachman, Kwon-Ahn, & Paulino, 1996), and Dominicans (Drachman et al., 1996). Its implications for child welfare practice, however, have yet to be explored. Case examples that emphasize permanency planning, child protection, family preservation, and reunification help highlight the experiences of immigrant and refugee families and underscore the need to view the migration experience broadly.

The article concludes with a set of guidelines for program and practice with immigrant families that emphasize a "humanitarian voice" in helping them secure the welfare of their children (Drachman, in press) and find services that embody the principles of prevention, permanency, protection, and family preservation.

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**Scope of the Challenge**

**Demographics**

Unprecedented numbers of immigrants and refugees arrived in the United States during the past two decades, creating a wave of immigration not unlike the first wave at the turn of the 20th century more than 100 years ago. Then as now, social workers were in the forefront, advocating for and providing services to the new arrivals. As Giovannoni (2004) noted, "American social work developed largely around the provision of services to immigrants" (p. xi).
Child welfare services had their inception in major urban areas with large immigrant populations. Charles Loring Brace, the father of foster care, launched the orphan trains as a way of finding rural families for large numbers of homeless and dependent children, mainly the offspring of immigrants. The Societies for the Prevention of Cruelty to Children (SPCC), which grew out of the organization to protect animals, were designed to "save" mostly immigrant children (Hacsi, 1996; McGowan, 1983). So feared was the SPCC in immigrant communities that children often played a bogeyman type of game about the "Cruelty" coming to get you.

Unfortunately, the needs of immigrants in today's wave have outpaced the ability of mainstream institutions and professions to meet them, including child welfare agencies and schools (Fix, Zimmerman, & Passel, 2001). Although the network of services and supports in the six major immigrant receiving states (California, Florida, Illinois, New Jersey, New York, and Texas) is fairly well developed, the fastest growth of the immigrant population—through either direct immigration or secondary migration from one of the six—has been in 22 other states, where there has yet to be developed the needed capacity for linguistic or cultural competence.*

During the 1990s, nearly one million legal immigrants arrived in the United States, as well as an estimated 300,000–500,000 undocumented immigrants. In addition, between 70,000 and 125,000 refugees resided in the United States (Capps, Passel, Periz-Lopez, & Fix, 2003). Today, one in 10 people (more than 10% of the U.S. population) is foreign born, a figure that has doubled since 1970 (Fix et al., 2001; Healy, 2004). More than 31 million people in the United States are foreign born (Capps et al., 2003). Although immigrants have come from nearly 100 different countries, most are from Latin America and Asia. Mexico alone represents 30% of all foreign-born people in the United States today, with Asia at 26%.

* Ten states with the fastest growing immigrant populations are North Carolina, Georgia, Nevada, Arkansas, Utah, Tennessee, Nebraska, Colorado, Arizona, and Kentucky (Capps et al., 2003).
and other Latin American countries at 22% (Capps et al., 2003). Moreover, the proportion of the foreign-born population that is undocumented may have climbed to an estimated 28% (Fix et al., 2001). Most of the future population growth in the United States may be driven by immigration and births to immigrants.

Immigrants and their families tend to be young. According to the 2000 U.S. Census, one out of every five children is either an immigrant or has an immigrant parent (Shields & Behrman, 2004). As of 1997, 20% of school-aged children had at least one immigrant parent (Ruiz-de-Velasco & Fix, 2000). Most immigrants to the United States—80%—enter either as part of a family unit or come to join a family member already here (Fix et al., 2001). Family unity is a strength among immigrants. Nearly 40% of immigrants' children live with extended family members, as compared with 22% of U.S.-born children. They also are more likely to live with both of their parents (Shields & Behrman, 2004).

Although immigrant families have many strengths, they do face many challenges. Their reasons for leaving their home country, their experiences on the journey, their reception in the United States, and, in particular, their legal status, are critical in creating effective services.

**Legal Status as a Critical Challenge to Family Well-Being**

The various immigration statuses carry different entitlements to benefits and services and different legal rights (Drachman, 1995). Some scholars assert that one's status structures the immigration experience, which ultimately has implications for families' and children's adaptation (Suarez-Orozco & Suarez-Orozco, 2001). The categories most pertinent for families coming to the attention of child welfare agencies include legal permanent resident, undocumented immigrant, refugee, special immigration juvenile status, and mixed-status families.

A legal permanent resident is a person who has been admitted legally to the United States following a successful application pro-
cess and usually under the sponsorship of a close family member or, in some cases, an employer. Legal permanent residents receive permission to work, certified by what is commonly known as a “green card.” This largest group of immigrants is eligible to become naturalized citizens three to five years after receiving a green card.

Undocumented immigrants (also called illegal immigrants) are those who do not have valid immigration documents. They may have expired temporary visas or may have entered the country without the knowledge of immigration authorities.

Refugees are admitted to the United States because of a “well-founded fear of persecution” in their own country. Although refugee status is usually accorded to groups of people, each individual must qualify. Refugees are eligible to apply for legal permanent resident status after a year (Capps et al., 2003).

Special immigration status can be accorded to some minor immigrants under Special Immigrant Juvenile Status, enacted under Section 203 (b)(4) of the Immigration and Nationality Act. Under this legislation, immigrant visas can be issued to juveniles who are eligible for long-term foster care because they have been abused, neglected, or abandoned, and for whom reunification with their birthfamily is not possible (U.S. Citizen and Immigration Services [USCIS], 2004).

A mixed-status family is one in which members are in different legal categories. The family can include citizen children (children born in the United States), undocumented children, an undocumented parent or parents, and a parent or others with legal permanent residence.

Especially following the 1996 restructuring of immigration and welfare policies, legal status has a strong effect on families’ social and economic characteristics and their likelihood of coming to the attention of child welfare personnel. Current immigration policies emphasize self-sufficiency, barring even legal immigrants from obtaining welfare benefits, food stamps, disability payments, and publicly funded health insurance during their first five years in the country. Those accorded refugee status can re-
receive these benefits, while those who are undocumented enjoy neither protection nor benefits with the exception of education and emergency health care (Greenberg & Rahmanou, 2004).*

The mixed-status family is of special significance to child welfare agencies. Eighty-five percent of noncitizen households with children contain citizen children. Although mixed-status families make up 9% of all families, they constitute 14% of low-income families (Fix & Zimmerman, 1999). In California and New York, where the immigrant population tends to be larger, the proportion of poor immigrant families is larger. In New York, one in five low-income families is a mixed-status family; in California, 40% of low-income families is mixed status. Moreover, children in mixed-status families represent 21% of all children lacking health insurance nationwide; more than half of those are in California (Fix & Zimmerman, 1999).

Families with mixed status present a number of problems. An undocumented parent’s fear of deportation may prevent that parent from seeking services for a citizen child who is eligible, especially when the household is composed of both citizen and undocumented children. Thus, the undocumented status of one member can have a chilling effect on other family members using services, even when they are eligible. Furthermore, mixed status creates inequality among children and divisiveness in the family, because citizen children have the same rights and service eligibility as other U.S. children, while their undocumented siblings do not. Child welfare personnel must understand these differences and barriers to services, which some have dubbed “structural discrimination,” to find effective ways of meeting families’ needs while ensuring family stability and integrity.

Other Challenges to Family Stability and Well-Being

The lack of English language proficiency of parents is among the biggest risks to the well-being and successful integration of im-

* For a more complete discussion of legal status and benefits under new immigration legislation, see Drachman and Ryan, 2001.
migrant families. The lack of such proficiency is associated with a host of other risks, including limited labor market opportunities and less desirable jobs, lower income, poorer health, more crowded housing, and poverty (Capps et al., 2003) The poverty rate among children of immigrants is 22%, as compared to 14% of those with U.S.-born parents (Greenberg & Rahmanou, 2004). One in four low-income children lives in an immigrant family (Fix & Zimmerman, 1999). Although immigrant families have higher rates of employment and higher incidences of two-parent families, they are more likely to be poor (Nightingale & Fix, 2004). The children of immigrants are twice as likely to be in fair or poor health as those of U.S.-born parents (Capps et al., 2003). Hernandez (2004) noted that the greatest risk factors for immigrant children or the children of immigrant parents are a parent with low educational attainment (no high school diploma), low family income, or no proficiency in English, and being a member of a single-parent family.

Stages of Migration: Critical Variables

Knowledge of the migration experience is necessary to effectively provide services to immigrant families in the child welfare system. Multiple and cumulative stresses surround the migration experience, especially those caused by leaving family members, friends, community, home, and homeland. Many immigrants stay in transition after their departure from their native country, living in a refugee camp or holding in a detention center for a short or long period of time. After arriving in the destination country, immigrants need to find housing. Some need to learn a new language and secure education for their children. Others need to find employment and become familiar with the country’s cultural ways, as well as learn new systems of health, education, transportation, and so on. Although immigrant populations have many strengths, stresses can render them vulnerable and at risk for prob-
lems in resettlement. The stresses are also exacerbated for families and children in contact with the child welfare system.

To facilitate child welfare workers' understanding and assessment of the immigration experience, we offer a conceptual framework that views migration as a process versus migration as an event (Marquez & Padilla, 2004). The framework links the migration experiences that occur in the country of origin with experiences in an intermediate country (or place) and finally in the destination country. Because child welfare workers are not in contact with immigrant families and children until they are living in the United States, the framework offers a way for workers to consider the intermingling between experiences in earlier phases of migration with resettlement experiences. Ultimately, an understanding of the immigration experience requires an understanding of the emigration experience, as both are parts of a unitary process.

Figure 1 outlines the stages of migration, the critical variables in the stages, and common factors that influence each stage. It expands on the framework applied to the diverse immigrant populations previously cited. Recent work on transnationals, circular migrants, and return migrants has furthered its development (Drachman & Paulino, 2004)

Premigration or Departure Stage

Social, political, economic, and educational factors in the premigration and departure stage are significant. This phase may involve abrupt flight (Southeast Asians, Bosnians, Somalians, Liberians), exile, or a situation in which individuals choose to depart (Koreans, many Caribbean islanders). Some of the issues individuals face in this stage include expectation for a better future; separation from family and friends; withdrawal from a familiar environment; decisions regarding who leaves and who is left behind; experiences of persecution, violence, loss of significant others, or a long wait; and living in limbo prior to departure. After resettlement, other issues emerge: concern for those left behind, depression associated with the multiple losses, incongru-
Factors That Influence Each Migration Stage

Country of Origin
Premigration/Departure
- Social, political, economic, and educational factors
- Separation from family and friends
- Decisions regarding who leaves and who is left behind
- Abrupt departure
- Long wait and living in limbo prior to departure
- Leaving a familiar environment
- Life-threatening circumstances
- Experiences of violence and persecution
- Loss of significant others

Transit/Intermediate
- Perilous or safe journey of short or long duration
- Refugee camp or detention center stay of short or long duration
- Awaiting a foreign country’s decision regarding final relocation
- Loss of significant others

2nd, 3rd, or 4th Country of Resettlement

Country of Resettlement
- Cultural issues
- Reception from host country
- Opportunity structure of host country
- Discrepancy between expectations and reality
- Degree of cumulative stress throughout migration process
- Different levels of acculturation among family members
- Intergenerational conflict and family structural changes

Return to Resettlement Country
- Duration of time in country of origin
- Nature of experiences in country of origin

Return to Country of Origin
- Reason for return (family issues, economic issues, retirement, deportation)
- Duration of time in country of resettlement
- Nature of experiences in country of resettlement
- Reception in country of origin

ity between expectations and the reality of life in the new land, and survivor guilt and post-traumatic stress for people who witnessed and experienced violence and the loss of others.

**Transit or Intermediate Stage**

In the transit phase, experiences may range from a perilous sea journey on a fragile boat (e.g., Haitians and Cubans) to an uncomplicated arrangement for travel on a commercial flight (many Asians, Caribbean islanders, and Europeans). The duration of the transit phase may vary from hours to years. An individual might live in limbo in a refugee camp for years while awaiting a final destination (Southeast Asians, Somalians). The transit phase also could involve a long stay in a detention center while awaiting the decision of a receiving country regarding entry or deportation (Haitians). On the other hand, an individual may leave the country of origin and, within hours, connect with family or friends in the new country (many Asians, Caribbean islanders, and Europeans).

**Resettlement Stage**

Common issues in resettlement include the degree of cumulative stress experienced by the family, the discrepancy between expectations and actual quality of life in the United States, the reception in the new country (e.g., policies about inclusion or exclusion), and the opportunity structure of the receiving country. Reunification in a different family structure with new members, such as stepparent and half- or stepsiblings, may generate conflict. Changes in power relationships between parent and child also may foster conflict. Cultural issues assume prominence and include different views between the home and host country on health, mental health, help-seeking behavior, education, child-rearing practices, gender-role behavior, and different levels of acculturation among family members. Cultural issues also surface in the interactions between service personnel and immigrant families. Depression, suicide ideation and suicide attempts, substance and chemical abuse, parent-child conflict, and wife and child abuse are among the commonly reported problems. As men
and women shift in their traditional marital roles (particularly when wives are employed and husbands are unemployed or earn less than the wives), marital conflict or dissolution may surface even among cultures where divorce is rare.

Immigration status is subsumed under the factor of reception in the resettlement phase. Undocumented status is particularly important to understand for effective child welfare practice. As previously noted, this status carries limited legal rights and limits in service eligibility. Furthermore, the undocumented person is subject to deportation because of a provision in the 1996 Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA), which removes the right to judicial review for groups of undocumented individuals. The groups include people convicted of an offense involving drugs, child abuse, child neglect, child abandonment, immigration law, aggravated felony, and misdemeanors such as shoplifting (Medina, 1997). This provision of the law also is retroactive. Thus, an undocumented single mother who arrived in the United States as a child and committed an offense years ago may be deported despite the years following her conviction when she was productively raising a family and working. Her removal from the family leaves her children without supervision, which would cause the child welfare system to intervene and place the children in foster care. Unfortunately, family separation overrides family preservation in this instance (Committee on Children and Families, 2002).*

Return to the Country of Origin

Contrary to common beliefs, immigrants may return to their home country (Drachman & Paulino, 2004). Thus, the migration process may continue beyond resettlement. The reasons for returning vary.

* The reader is urged to consult this document for a heart wrenching, but most informative presentation of immigrants’ experiences with the child welfare system in New York through this published testimony before the New York State Assembly’s Committee on Children and Families, Task Force on New Americans, dated July 11, 2002.
Some immigrants involuntarily return to their native country because of deportation. If a parent is deported, the action can initiate a child’s entry into the foster care system. On the other hand, a child may accompany the deported parent while other family members remain in the United States, but then the family is separated. If the deported parent is the primary wage earner, family members who remain in the United States may be catapulted into economic jeopardy. Although a parent may be deported to his or her country of birth, it may not be the country in which the parent was raised. Thus, the parent is returned to an unfamiliar land, where he or she may not even speak the language.

Immigration status varies for a sizeable immigrant population of transnationals. Some are legal permanent residents. Others are undocumented. Transnationals are people whose networks, activities, and patterns of life encompass both home and host countries (Charles, 1992; Glick-Schiller, Basch, & Blanc-Szanton, 1992; Wiltshire, 1992). They return to their native land for long or short periods of time. Their contacts with family members in the home country may involve them in decisionmaking on health care or education for children. During their home country stays, they may take part in political, social, or religious activities. Concurrently, these immigrants are involved with their U.S. families. They are involved in their places of employment, religious organizations, and ethnic communities in the United States (Drachman & Paulino, 2004).

An awareness of the two-country social field of transnationals will help social workers consider family relationships where significant members are living in another country. A service provider, for example, could explore the degree and nature of family contacts despite members’ separation and develop helping plans to include members separated by national borders.

Finally, the immigration experience is influenced by factors embedded in all phases of the migration process, including age, family composition, culture, race, education, social supports, occupation, and socioeconomic and urban or rural backgrounds. Although
the factors are common to all phases, they can lead to different immigration experiences. A young child, an adolescent, a middle-aged adult, or a senior may experience migration differently. Migrating as a family is likely to be different from migrating as an individual. Immigration can be traumatic for an unaccompanied minor because of age and the absence of parents. A person of color commonly experiences a different reception from that of a Caucasian. Significant differences in culture and belief systems between sending and receiving countries can alter the experience. Social supports from the ethnic community can mitigate the stresses of migration while their absence can heighten the stress. The experience of people arriving from a fishing or rural village into a technological society is likely to be different from that of highly educated individuals. Child welfare workers should consider all factors to facilitate effective assessment for immigrant families and children.

Implications for Child Welfare Practice

The framework is consonant with the ecological systems practice perspective used by many child welfare workers. Assessment and intervention with children and families is viewed through the lens of person, situation, and environment in both the framework and ecological systems perspective. Also in both, service providers need to understand the context of the situation by analyzing the interaction and transactions among systems of social support, culture, beliefs, ethnic community, and macro policies, as well as factors of age, race, education, family composition, and socioeconomic background. Similar to the ecological systems practice perspective, the framework is undergirded by the notion of holism; specifically, the framework attempts to tie the different parts of the migration process into a conceptual whole. In so doing, the tendency to focus solely on one part of the migration process (resettlement) is mitigated and gives way to consideration of the different parts and phases in migration.
The framework facilitates awareness of the resilience and strengths of immigrant families and children in the context of cumulative stresses from migration. Mental health issues that can develop out of traumatic experiences in the migration journey are more apparent. Social supports in the ethnic and service communities can be examined and possibly joined to facilitate family preservation. For instance, members of the ethnic community could inform child welfare workers on cultural issues (e.g., child-rearing practices; gender role behavior; and views on health, mental health, and help-seeking behavior). Knowledge provided by members of the ethnic community involves them in problem solving, participation, and inclusion in society.

The factor of reception for immigrants requires attention. Frequently, child welfare workers are unfamiliar with immigrants’ legal rights and eligibility for services, which are connected to their immigration status. Therefore, contact with and training by legal personnel is imperative for effective child welfare practice with immigrant families and children.

Case Studies

Viewing immigrant families with a broader lens is quite consistent with cultural competence, which emphasizes understanding the language, values, attitudes, and behaviors of diverse groups. Culturally competent child welfare uses interventions that respect the cultural rights of groups while safeguarding children (Sherraden & Segal, 1996). The cases that follow illustrate how this knowledge about immigrants, the migration experience, and immigration policy can be applied.

Case Example: Protecting and Preserving Families

A small New England state has been working to resettle Somali Bantu refugee families, who are a poor, rural mi-
ority that has long been persecuted in their home country. Many of the families lived in refugee camps on the Somali-Kenya border for as long as 10 years. Parents may have arrived at the camps as children and grown up there before beginning their own families. As young boys, they may have been recruited into military activities. Many children experienced violence and killings in their villages before fleeing to camps with their families. The camps offered little refuge. Understandably, resettlement experiences in the United States were dramatic, as youth were required to attend school, families had apartments with modern facilities, parents worked outside the home, and food was purchased in grocery stores. One refugee resettlement worker reported that a family he was helping all slept on the living room floor as they had, for safety reasons, in their tent at the camp. Another reported that a mother stabbed her teenage son in the hand for being rude to her, an incident that was reported to the state child protection agency. (Bowles, 2005)

Imagine that you are the case worker for this family. Your job is to investigate reports of child abuse and decide whether further action is needed. What knowledge of the Somali Bantus do you have? What are the community supports that can assist this group of refugees? What do you know about their status as refugees, which affects their access to services? What experts would you consult about discipline among parents in this ethnic group? How might your understanding of their premigration experiences affect your assessment of this family's ability to keep its children safe? To what extent might this mother's rather drastic attempt at disciplining her son be seen as good parenting in an environment where authority figures might outright kill a rude teenager? To what extent do you think this family understands the role of child protection and state authority over child well-being? Do they speak English? Who will interpret for you and them?
Your answers to these questions clearly guide your plan for meeting with this family to ascertain this teenager’s safety. Without some background information on which to base a plan for the investigative visit, the meeting could be disastrous for all involved. The family could perceive the meeting as threatening, despite the worker’s preparation. The parents also could feel that you are undermining their parental authority, particularly since they already are dealing with a teenager who is exposed to a majority culture with an emphasis on teen autonomy. In this case, you must weigh imminent risks to the child against long-term risks to the family, possibly finding a way to intervene informally to help the parent understand and use more acceptable disciplinary tactics with her teenager and other children.

This case illustrates that child welfare staff can protect children while preserving their families, two responsibilities that need not compete (Maluccio, Pine, & Warsh, 1994). Further, it shows how to use a broader lens to view an immigrant family’s experience and its context on arrival in the United States. The next case illustrates practice with an adolescent who also is an immigrant.

**Case Example: Preparing Immigrant Adolescents for Independence**

In recent years, much attention has focused on services to adolescents in foster care, in particular preparing them to live on their own. These youth are at much greater risk of homelessness, unemployment, early pregnancy, and other problems than other adolescents (Maluccio, Krieger, & Pine, 1990). Such problems are compounded for an immigrant child who has come into care because of abuse or abandonment following the upheaval of his or her family from the home country.

Carlos, a 13-year-old immigrant from El Salvador, was living in a shelter when the shelter director contacted child welfare authorities requesting services. He had run away from home following severe abuse from his undocumented mother’s live-in boyfriend. His mother had made
it clear that she could not intervene because she also was afraid of the boyfriend, even though she loved him, and she was afraid to go to the authorities on behalf of either Carlos or herself because of her undocumented status. The shelter director felt that Carlos should be placed in a much less restrictive setting than either a shelter (which was only temporary) or a group home. The child welfare worker assigned to Carlos’ case agreed. A Spanish-speaking foster family was found, and Carlos was placed with them.

The child welfare worker began working with Carlos and the foster family around his needs, which were substantial. Because the worker had experience preparing adolescents for life after foster care, he began early on in the case to focus on this readiness. He also knew that Carlos was entitled to some benefits, such as education, despite his legal status. First he contacted a local educational advocacy group for information on English language learners programs in the school district. He also worked with the school social worker to assess Carlos’ special education needs; Carlos spoke only a little English and had not attended school regularly since his family had arrived in the United States two years earlier. Lack of fluency in English is a serious handicap to social and economic integration and puts adolescents at great risk of dropping out of school (Committee on Children and Families, 2002). Next, he turned to the issue of Carlos’ immigration status. With the help of a specialized clinic on immigrant rights, the child welfare worker helped Carlos file for legal immigrant status under the Special Immigrant Juvenile Status Petition. It was thought that Carlos could qualify for this program because he was effectively abandoned by his birth family and there was no possibility of reunification (USCIS, 2004). Finally, the social worker began exploring the foster and extended families’ inter-
est in being a permanent family resource for Carlos, as well as helping him to connect to the larger community of immigrants from El Salvador.

Case Example: Protecting Angelica’s Permanent Family

Carmella, the 30-year-old mother of 11-year-old Angelica, lived with her daughter and her own mother in a midsized eastern city. Her mother was a legal immigrant, but Carmella was undocumented. As a teenager, she had intended to follow her mother to the United States under family reunification provisions of the immigration law, but had no help in filing the application papers in her home country, the Dominican Republic. Then, she learned she was pregnant and sought a tourist’s visa to visit her mother. During the visit, she gave birth to Angelica, who by virtue of her birth in the United States was granted automatic citizenship, while Carmella’s visa expired.

A decade later, Carmella was still working without papers in the garment district of the city, where many undocumented workers obtain low-paying jobs, when immigration authorities arrived unannounced to check documents. The authorities immediately arrested Carmella and several other undocumented workers. Current immigration policy allows for immediate deportation without a judicial hearing, which had been available before the 1996 reforms. With little time to prepare her family or make plans for her daughter, and with no one to hear how anguished she and her family were over the forthcoming separation, Carmella was deported to the Dominican Republic. She decided to leave Angelica in the grandmother’s care, at least for the time being. Without her daughter Carmella’s earnings to help support the family, however, the grandmother felt it necessary to apply to the local child
welfare agency to become Angelica’s caregiver as a kinship foster mother.

As a child welfare practitioner overseeing this foster care case, how do you feel about this family’s plight? Can the provisions of two federal laws be so in conflict with one another—immigration laws undermining family integrity with immediate deportation without due process for the undocumented, versus the Adoption Assistance and Child Welfare Act (P.L. 96-272) and the Adoption and Safe Families Act (ASFA) codifying children’s rights to permanence and family preservation (Pine, 1986; Pecora, Whittaker, Maluccio, & Barth, 2000)? What about Angelica’s rights to protections as a U.S. citizen?

ASFA requires public child welfare agencies to petition for terminating parental rights when a child has been in foster care for 15 of the most recent 22 months, except when the child is in kinship care (Pecora et al., 2000). Even then, the agency is encouraged to pursue kinship guardianship or adoption. How would a termination of parental rights likely affect Angelica? Her mother? Her grandmother? Their extended family? Why would you not want to pursue such a legal option in this case? Is long-term foster care with her grandmother likely to be a less permanent family option for Angelica? How would you use the Dominican culture’s family structure of extended kin and nonkin members, strong family ties, and commitment to helping its members in this case (Drachman & Ryan, 2001)? Given the proximity of the Dominican Republic to the United States, the frequency of flights, a loving bond between them, and strong extended family ties, what is the likelihood of Carmella and Angelica maintaining their close mother-daughter relationship? How would you work to strengthen that relationship, viewing your efforts as family reunification?

This case example illustrates a newer definition of family reunification that is particularly relevant to this immigrant family,
one recognizing that for a variety of reasons, not every parent can be a daily caregiver and not all families can live together:

Family reunification is the planned process of reconnecting children in out-of-home care with their families by means of a variety of services and supports to the children, their families, and their foster parents or other service providers. It aims to help each child and family to achieve and maintain, at any given time, their optimal level of reconnection—from full reentry of the child into the family system to other forms of contact such as visiting, that affirm the child’s membership in the family (Maluccio, Warsh, & Pine, 1993, p. 6).

Guidelines for Program and Practice

The following set of recommendations for program and practice points the way forward for child welfare agencies as they seek to preserve and protect immigrant families and their children.*

- Develop educational programs on child welfare practice with immigrant children and families. The migration framework could guide the curriculum. Areas of inquiry could segment into phases of migration and factors associated with those phases. Using the framework, case material on families from different nations could be presented so that workers could learn about different immigrant populations, using a conceptual vehicle that generalizes but still extracts specific information.

- Develop a manual for immigrant families to familiarize them with the different immigration statuses. The rights and benefits of each status would be identified. The manual could be translated into the languages of the different client groups.

* For further reading on ways to support immigrant children and their families, see the *Future of Children: Children of Immigrant Families, 14* (2) (Summer 2004).
• Establish a relationship between child welfare agencies and legal service organizations familiar with immigration law for consultation and training of social workers. Lawyers could train workers on relevant and changing immigration laws and procedures, while agencies would obtain consultation on unique client situations. The collaboration and the joining of forces between legal and child welfare organizations also would strengthen advocacy efforts on behalf of immigrant families.

• Recruit foster families from immigrant groups, translate agency materials into immigrants' languages, hire translators, and employ consultants from immigrant communities to provide cultural knowledge and information.

• Offer cross-cultural training programs for child welfare workers. Members of immigrant communities could serve as "cultural consultants."

• Develop collaborative relationships and form teams between public and private agencies and community agencies that serve immigrants. With family members' permission and an assurance of confidentiality, community agencies could invite representatives from public agencies to team meetings when cases involving immigrant families are discussed, including case reviews of foster families, family group conference meetings, and regular staff meetings. To protect confidentiality, all identifying information would be deleted.

• Send agency representatives to key locations in the community where immigrants and leaders could be reached (e.g. social clubs, places of worship) to present information about the agency, its mission, and its operation as a social service organization.

• Offer forums on conflicting policy perspectives that affect child welfare, such as the disagreement between child
welfare and immigration law. Through discussions, agencies can develop strategies toward strengthening family preservation while respecting immigration law. Discussion groups would include members of immigrant communities, child welfare workers and other service providers, lawyers, and personnel associated with government immigration organizations.

- Offer discussion groups for social workers to focus on ethical dilemmas arising from competing obligations, such as honoring client confidentiality, supporting social justice, and meeting basic human needs vis-à-vis reporting undocumented persons (in some circumstances) and denying them needed services.

- Use the migration framework to guide the assessment of immigrant and refugee families. The factors in each of the migration stages would be considered and transposed into areas for exploration. In the departure stage, for example, practitioners could explore with clients the reasons for leaving the home country, the circumstances surrounding their departure, decisions about who would leave and who would remain in the home country, and the nature of losses experienced. A similar procedure would explore immigrants' experiences in subsequent phases of the migration process. The common factors associated with all phases, such as age, race, culture, social supports, and family composition, would be examined.

Finally, the authors believe that social workers must become more international through a better understanding of global issues, especially those affecting their clients; through cross-national communication with other social workers, especially—when working with immigrants and refugees—those in "sending" countries; and through both knowledge about immigration policy and advocacy for humane treatment of immigrants and refugees (Healy, 2004).
References


