

SIJS Predicate Order Checklist-Guardianship

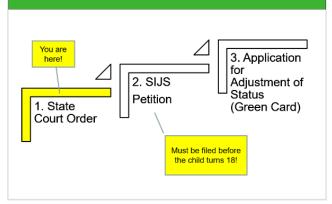
- □ Sign and return NIJC Pro Bono Attorney Guidelines.
- □ Accept case: NIJC sends State Court Referral Form for Immigrant Minors with all information to get started on case.
- □ Confirm the client's language; arrange for an interpreter if necessary. NIJC staff cannot serve as interpreters.
- □ Meet with the client (guardian). Where appropriate, interview the child.
- Draft Petition for Guardianship and related documents.
 - o Review documents with the client and obtain signature.
- □ File the documents to initiate the case in State Court.
- Determine how if the parent will be notified via consent, default, publication.
- □ Prepare a proposed final order ahead of the hearing and send to immigration attorney for review. Order MUST contain required findings for SIJS:
 - 1. Child's reunification with parent(s) is not viable;
 - 2. **Due to abuse/abandonment/neglect** (with cite to appropriate definition under state law);
 - 3. It is not in the child's best interest to return to home country.
- □ Prepare client's (and child's if necessary) testimony for final hearing.
- \Box Attend final hearing.
- □ Provide client and NIJC with a copy of the final order.

IMPORTANT!

The State Predicate Order is the first step in filing an SIJS petition. An SIJS petition based on a custody order from Illinois must be *filed* with USCIS prior to the child turning 18.

It is critical to coordinate timely filings with the child/family's immigration attorney.





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