



FOR IMMEDIATE RELEASE:

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Media memo: Undocumented parents can take legal steps to protect children in event of deportation; power of attorney not sufficient in California

On February 21, 2017 the Trump Administration issued new immigration enforcement guidelines authorizing the expedited exportation of millions of undocumented immigrants previously deemed low priorities for removal. The Red Cross estimates that 250,000 U.S. citizen children of undocumented parents living in Los Angeles now face a credible threat of their parents being taken away. **There has been a recent rise in undocumented parents working to execute power of attorney paperwork to give prospective caregivers with decision making authority related to the children, and a number of media outlets have reported on the importance of taking this step. However, additional steps are needed for California families seeking to protect children.** In California, it's important to keep in mind:

- **Power of attorney cannot be used to transfer custody rights.** It can only be used to permit certain specific acts such as placing a child on a flight to reunify with a parent in a home country after removal from the U.S.
- **Caregiver Affidavits**, a substantial alternative to power of attorney, allow the caregiver to enroll the child in school and authorize certain types of medical treatment, without requiring the parent to relinquish custody.
- For parents that do want to transfer rights, **probate guardianship is another option.**

Bet Tzedek has the following legal experts available to discuss options for undocumented parents:

- **Erikson Albrecht**, Bet Tzedek Kinship Care Staff Attorney. Erikson has over 10 years of experience handling both uncontested and contested guardianship matters and experience counseling caregivers with their rights.
- **Liz Gonzalez**, Bet Tzedek Kinship Care Staff Attorney. A former attorney with The Immigration Center for Women and Children, Liz has experience with various forms of immigration matters, including Special Immigrant Juvenile Status. As a member of the Kinship Care team, she represents clients with their Petitions for Appointment of Guardian.

Bet Tzedek is providing free legal aid to help families prepare for the possibility of detention and deportation. In addition to paperwork creating the caregiver affidavits and probate guardianship outlined above, we are also conducting know-your-rights trainings, comprehensive legal services,

emergency preparedness packets for parents, and public access benefits for guardians and parents to access benefits including food, housing, healthcare, income supports, and educational and mental health services for children.

Bet Tzedek staff attorneys are available for interviews, Know Your Rights programs and town halls. Please contact Diego Cartagena, Vice President of Pro Bono, at dcartagena@bettzedek.org or 323-549-5839 for more information or to schedule a speaking engagement.

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