



DCFS Support for Families Facing Immigration Challenges

Children under age 18 are presumed to be cared for by their natural parent(s). If a parent becomes unavailable to provide care for their child, a relative or other back-up caregiver can step in. If a parent identifies who this back-up caregiver will be in advance and takes some additional steps described below, the back-up caregiver will have additional legal rights to make important and necessary decisions for the youth. When there isn't a plan in place, DCFS is an expert in helping find family members or fictive kin who can care for a child. **Only when necessary and all other options are explored**, the State of Illinois can seek to have a legal guardian appointed to ensure that a youth without an adult caregiver is provided proper care and to consent to legal, medical and educational matters on the youth's behalf. **Please contact the DCFS Advocacy Office (info below) with questions about how to support youth and caregivers dealing with immigration concerns. Please contact a private attorney with questions about different legal options for guardianship.**

If a youth is in the custody of a parent, guardian or relative ...

- No DCFS involvement unless credible concerns exist about a child being abused or neglected by their caregiver; or
- DCFS may provide a family with a referral for community services, as appropriate.

If a youth's caregiver is detained or deported and an alternative care plan has been established or other caretakers can be identified without DCFS support ...

- DCFS will **not** become involved with the family, unless a child has no safe place to go.
- Responders or individuals supporting the youth should determine if the parent completed a Short Term Guardianship form, established a Standby Guardian, or made any other type of informal care arrangement, including but not limited to identifying alternative caretakers in their family emergency plan. If a formal or informal care plan exists – those plans should be followed. DCFS does not need to be notified about the arrangement.
- If no care plan exists for the youth, responders or individuals supporting the youth should determine if any relatives or fictive kin caregiver can be identified who is able to provide care.



If a youth has no caregiver present (detained, deported); no alternative care plan established by their caregiver (e.g., Short Term Guardianship form or other informal care plan); and responders or individuals supporting the youth cannot immediately identify an able relative or other safe and viable living arrangement ...



- Contact the DCFS Hotline **1-800-252-2873**.
- DCFS may determine that a safety assessment is required.
- Potential juvenile court involvement.
- DCFS will prioritize family finding and reunification support and can support children as these options are explored.
- Connection to community resources and the relevant consulate.

If a youth is brought into State care by a juvenile court, DCFS can provide temporary care and support while other options are explored and identified, prioritizing finding family (or fictive kin) *first*. If a safe and viable living arrangement is still not identified, the State may need to provide that care ...



- If every alternative care option has been explored, a court may determine that the youth is without necessary care and is "dependent" upon the State for care.
- The DCFS Guardianship Administrator is appointed temporary custodian by the juvenile court to help facilitate that care.
- Limited immigration support may be available from the DCFS Guardian's Office for undocumented Youth in Care.
- DCFS will work to provide an appropriate and nurturing living arrangement and critical services to any Youth in Care.

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