

Children in Removal: Rights and Challenges of Children from Detention to Settlement in the New York Area

Presenters: Scott Foletta, Esq. – Staff Attorney at Make the Road New York
Luis Bautista, Esq. – Staff Attorney at The Door’s Legal Services Center

Time: 10:45A.M – 12:35P.M (110 minutes)

Timed Agenda

Part I: U.S and Mexico Border Detention of Unaccompanied Children (55 minutes)

- a) General overview: What happens when an unaccompanied child enters the U.S via the U.S-Mexico border?
- b) Governmental agencies that have contact with Unaccompanied Children
- c) Apprehension by Department of Homeland Security and role of Office of Refugee Resettlement
 - a. Rights granted to Unaccompanied Children
- d) Unaccompanied Children in immigration detention – Intake, Placement, and Care in Office of Refugee Resettlement Custody
- e) Release from Office of Refugee Resettlement to a “sponsor”
- f) Appearance in Immigration Court and immigration case outcome

Part II: How to determine if an Unaccompanied Child’s rights have been violated and Services to Unaccompanied Children outside of legal context (55 minutes)

- a) How to identify if a child has been released to a “sponsor” – “Sponsor” point of view
- b) What questions to ask in order to determine if a child’s rights were violated during immigration detention
- c) Issue spotting via case study #1 of unaccompanied minor whose rights were violated
 - a. Discussion of Case Study #1
- d) Issue spotting via case study #2 of unaccompanied minor whose rights were violated
 - a. Discussion of Case Study #2
- e) Discussion of services and programming that a child released to a “sponsor” in the New York City area will require

Presenter Bios

Luis Bautista is a staff attorney at The Door's Legal Services Center where he represents undocumented immigration youth in both affirmative and defensive cases. Luis joined The Door's Legal Services Center on November 2013. While a law student, Luis interned at Bronx Defenders, The Door, and Make the Road New York. Prior to law school, Luis worked for nearly 2 years at The Door as a Member Services Coordinator. Luis received his J.D. from CUNY School of Law and his B.A. from CUNY Hunter College.

Scott Foletta is an Immigrant Justice Corps Fellow at Make the Road New York. As a former student organizer and union organizer, he has worked with and advocated for low-wage immigrant communities in New York, California, and post-Katrina New Orleans for over ten years. After graduating magna cum laude from Brooklyn Law School in June 2014, he has provided representation to the Staten Island and Brooklyn immigrant communities in defense against deportation as well as affirmative applications for Special Immigrant Juvenile Status, U Nonimmigrant Status, asylum, relief under the Violence Against Women Act, and other immigration benefits.