

Children's Rights

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<https://www.childrensrights.org/immigrant-kids-fleeing-violence-can-seek-legal-protection/>

Public Facing Advocacy Writing

Last week, a court in New York made a decision that could positively impact the lives of thousands of immigrant children including clients of Children's Rights.

New York federal judge John Koeltl ruled that the Trump Administration had [broken the law](#) by systematically denying undocumented immigrants, specifically those between the ages of 18 and 21, Special Immigrant Juvenile Status (SIJS).

The SIJS program was set up to provide an avenue to permanent residency for immigrant children fleeing dangerous situations in their home countries, including kids beaten by their families. Children's Rights [successfully](#) won SIJ status for several clients; in one instance, a brother and sister had fled their hometown in Central America after witnessing firsthand the murder of friends and neighbors due to gang violence.

But beginning in 2017, after Trump took office, more SIJS applications were [denied](#) or held up through paperwork, even though the number of applications did not rise significantly. In New York, a policy change by the U.S. Citizenship and Immigration Services (USCIS) unilaterally reinterpreted the law so that minors between the ages of 18 and 21 could no longer qualify for SIJS.

Another one of our clients, for example, is still awaiting SIJ status due to the Administration's illegal policy. Her initial application was denied. She escaped brutal abuse from extended family in her home country, coming to the U.S. when she was 15. Here, she was reunited with her mother and grandmother and has since built a life for herself. But despite being eligible for immigration relief, the Administration's policy would force her to return to a country where she has no one. Sadly, too many young people like our client have been denied the protections they are legally eligible for.

That's why last year, Legal Aid and Latham & Watkins filed a case arguing that the Administration's policy illegally denied these minors the opportunity to apply for SIJS. Children's Rights [supported](#) this challenge, noting that Congress had created a legal pathway for youth fleeing violence to become permanent residents of the U.S. These are children who have escaped unimaginable hardships and made the dangerous cross-country journey to unaccompanied by an adult, children for whom SIJS could mean the difference between life and death.

Now, Judge Koeltl's ruling unequivocally indicates that only Congress, not immigration authorities, has the power to set policies that govern the SIJS program. This is good news: it means that thousands of immigrant minors in New York will potentially have a chance at permanent residency. A better, safer life isn't that what all children deserve?

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First Name	Last Name
Email Address	