

Children's Rights

Children's Rights

<https://www.childrensrights.org/our-campaigns/unaccompanied-minors/>

Policy Issue Resources

A record number of unaccompanied children are coming to the United States from Central America in search of protection, fearing for their lives amid growing regional violence and economic insecurity, and facing the U.S. Judicial system terrified and alone. Nearly 70,000 crossed the U.S./Mexico border on their own in 2014, almost double the number of the prior year and the largest number ever recorded. Data from U.S. Customs and Border Protection shows that 2016 followed in close second, with the apprehension of nearly 60,000 unaccompanied minors.

Many of these children are eligible to remain in the United States, but face insurmountable barriers without legal representation. Without an attorney, unaccompanied children are ordered to be removed approximately 90 percent of the time. With an attorney, over 70 percent of such children are allowed to stay in the United States.

Not having legal representation can put a child in life-threatening danger by sending them back to countries where their lives are at risk. Most unaccompanied minors are coming from Mexico, Guatemala, El Salvador and Honduras, countries that are ravaged by gang violence and homicide rates that range from 21 to 90 per 100,000 people the highest in the world. In a devastating case that was [documented in the LA Times](#), a teenage boy who had been deported from the United States was shot and killed just hours after his return to Honduras.

Childrens Rights has launched a pilot project to directly represent four youth petitioning for Special Immigrant Juvenile (SIJ) status, which provides the legal right to remain and work in the United States indefinitely. SIJ status is available to unmarried youth under 21 who cannot reunite with at least one of their parents due to abuse, neglect, or abandonment, and whose best interests would be served by remaining in the United States.

Our work is primarily on Long Island, NY in Nassau County, which has a large number of unaccompanied minors. For those we represent, remaining in the U.S. and gaining SIJ status is critical and lifesaving. For example, two of CRs clients, a brother and sister, witnessed firsthand the murder of friends and neighbors due to gang violence. Fearing for their safety, they fled their hometown in Central America all alone and survived a journey fraught with peril from there into the United States. In the fall of 2016, Childrens Rights helped them win SIJ status.

Once SIJ status is approved, CR is then able to file to terminate immigration proceedings, and apply for Legal Permanent Resident status on behalf of our clients. Legal Permanent Resident status not only protects our clients from the risk of being sent back to extremely dangerous conditions, it also enables them to better succeed in their new home.

This project is made possible by support from our partner organization [The Door](#), which is providing training and client referrals, and from a \$10,000 grant commitment.

In March 2017, Childrens Rights joined a national coalition of advocates in filing an [amicus brief](#) challenging the federal governments practice of detaining unaccompanied minors in institutional and lock-down facilities without demonstrating the need for such harmful settings.

In July 2017, a federal appeals court panel ruled that unaccompanied minors are entitled to a bond hearing before an immigration judge. [Read more.](#)

2022 Childrens Rights. All Rights Reserved.