LEGAL SERVICES NYC

Roadmap to Family Preparedness Clinic:

A step-by-step overview

1. **After the training, review the roadmap and other training materials.** Coordinate with your team and the interpreter (if needed) to call the client together. If meeting in person, prepare the room for the client and provide drinks, Kleenex, extra chairs if client is bringing someone, etc.
    a. Share with the client the **Checklist and Resources for Clients** (Exhibit C), and relevant documents in the **Compilation of Documents** (Exhibit D) as needed.
2. **During the first meeting:**
    a. Introduce yourselves and describe your roles.
    b. Explain **engagement letter** and get it signed, if required by your firm.
    c. Set **expectations** for the meeting.
        i. Explain that you are helping them with the preparation of documents only, but if they have any follow up questions or need additional legal services, LSNYC will try to make that connection.
    d. Explain the **importance** of emergency preparedness planning, and **goals** for the meeting.

        i. Planning helps give clients control over what happens if they are arrested, detained, or deported, and help ensure proposed caretakers know in advance what their responsibilities are.
        ii. Goals are to empower parents/adults to prepare and retain as much control as possible over what happens to their children, and to start these conversations now.
    e. Acknowledge that these are very difficult decisions, and the current level of immigration enforcement is unprecedented. It is OK if they need more time to think things over and discuss with family and friends, or need a break at any time during the meeting.
        i. We do NOT need to finish all the paperwork in one meeting.
    f. Explain **confidentiality** and remind the client that you will not share any information with anyone other than LSNYC.
    g. If client has other legal questions or issues, please make a note of it and let your LSNYC mentor know. We will try our best to provide appropriate referrals either internally at LSNYC or with other NYC organizations.

3. **Document A, Create a Safety Plan**
    a. Explain that this document provides an overview of all the things to consider when planning for potential immigration enforcement action.
    b. This document is in English and Spanish, so please provide the appropriate one to the client.
    c. Offer to help client make copies of important documents so they can keep a copy of them with a trusted family member or friend.

4. **Review the rest of the documents with the client**
    a. <u>Document B, Emergency Contact Information</u>

i. Can be done at home. It includes the **EOIR hotline**, which allows anyone to find information about the client's immigration case if one is active using the client's Alien Registration Number (or A number), and the **ICE detainee locator system**.

b. Document C, Information about the client

i. Can be done at home. Create one for each parent/adult.

c. Document D, Information about the child(ren)

i. Can be done at home. Create one for each child.

d. Document E, US Passport Application

i. Applicable only if the client's child(ren) is a US citizen.

ii. Remind clients that a passport is needed for any international travel.

iii. If the child is not a US citizen, client should work to obtain a passport from the child's home country so they can travel if needed. Help locate the contact information for the appropriate embassy or consulate.

e. Document F, Consent to Travel

i. If client intends for the child to return to their home country in the event of deportation, a consent for minor children to travel needs to be completed.

ii. For client who will be traveling alone, need to review airline's policy on unaccompanied minor travel.

iii. **Requirements:** Each parent must sign, or must explain why the other parent's permission is not needed or cannot be obtained. The form must be notarized. Child needs to travel with original identity documents such as passport/birth certificate as well as copies listed on the form.

f. Document G, Blue Card Update

    i. This is for NYC public schools – update now!

    ii. This can be done with the sample letter provide, in person with the school admin, or online at https://www.schools.nyc.gov/docs/default-source/default-document-library/emergency-contact-card.pdf

g. Document H, Designation of Person in Parental Relationship

    i. No court involvement needed.

    ii. Mainly for educational and healthcare/medical decisions, with some limitations.

    iii. **Requirements:** Must be notarized to be valid for more than 30 days. Up to 12 months. One parent can sign, unless there is a court order requiring both parents to consent to child's decisions.

h. Document I, Standby Guardianship

    i. Unlike Document H, the proposed standby guardian needs to file this at family court within 60 days to become effective.

    ii. **Requirements:** Must be signed by client, completed in the presence of two witnesses who are over 18 years old (cannot be the standby guardian), and notarized by the standby guardian (can be done later).

    iii. **Considerations:** Discuss considerations when choosing a standby guardian, and risks of court involvement.

i. Document J, Power of Attorney

i. Discuss with client to determine if this is needed. It gives power to someone else to manage their money and/or property in their absence.

ii. This provides a lot of power, so helpful to talk through it with the client and provide other options.

iii. **Requirements:** Must be notarized, but the agent (person with the PoA) can sign and notarize later.

5. **Identify and make a note of any additional documents or information** the client needs to collect and/or provide to you before finalizing the forms.

   a. If the client needs more time, let client know that you will check in with them on a certain date (or in a certain period, e.g., in two weeks). Set a calendar reminder for yourself to check in with the client so you can finalize the documents.

6. **Meet with client in person to execute and notarize forms.**

   a. If the first meeting is virtual, consider meeting with the client in person at your office to finalize all necessary forms. Plan for witnesses or notaries to be available at the meeting.

   b. Ask if client needs directions to your office, or needs any special transportation accommodations. If client is taking MTA transportation, offer to provide Omni cards. Discuss this with your pro bono department.

   c. Make sure to provide the client's name to building security. Offer to wait for the client downstairs if you think that would be helpful.