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To: Members of the Committee on the Judiciary

From: Christina Wilkes, Esq., Grossman Law, LLC

Re: Strengthening Youth Services and Rehabilitation Amendment Act of 2016

Position: **SUPPORT**

Chairman McDuffie and members of the Committee on the Judiciary, my name is Christina Wilkes and I am an immigration attorney licensed in both DC and Maryland. Over the past twelve (12) years I have represented over 500 unaccompanied immigrant children before the DC Superior Court, Maryland Circuit Courts, and US Immigration Courts, I have provided training and mentorship to hundreds of *pro bono* attorneys, and have conducted over 50 workshops for Judges, child welfare workers, educators, law enforcement officials, and others on children's immigration issues. In that time, I have seen clients overcome abuse, abandonment, and neglect to graduate from high school, and obtain Associate's and even Bachelor's degrees. Amongst them are licensed tradesmen, auto mechanics, health care providers, cosmetologists, airline representatives, and social workers, to name a few. Many have mastered English and some have even become US citizens.

The springboard that has enabled these young people to achieve success is a federal law known as Special Immigrant Juvenile Status or SIJS. SIJS protects vulnerable children and youth who would otherwise be deported to their home countries by creating a path to Lawful Permanent Resident (LPR) status or a "green card." Without this vital law, innocent children who have been abused, neglected or abandoned by one or both of their parents would be left without recourse. Instead, they have a chance to fully incorporate and contribute to our nation.

In order to be able to apply for SIJS, *first* a DC Superior Court Judge in the context of Custody or certain other proceedings must make factual findings that are a prerequisite to making an application. The DC Superior Court regularly makes these findings in cases of children under 18. Although federal Immigration law permits vulnerable immigrant children to apply for protection through SIJS up until the age of 21, the DC Code currently prevents the Superior Court from making the necessary factual findings for youth between ages 18-21. So DC law is more restrictive than federal law and unreasonably so. The Bill currently before you for consideration would close this gap, giving more abused children the chance at a stable future in this country.

We do not have to guess what the outcome will be of expanding access to SIJS for DC youth; we have an example right next door in Maryland. Approximately two years ago I had the privilege of testifying before the Maryland General Assembly in support of similar legislation, which was successfully passed and has been in operation there since October 2014. Over the past two years, in my day-to-day practice, I've been able to personally observe the positive outcomes for both the state of Maryland and for immigrant youth.

First, the Maryland courts are better able to process, adjudicate, and administer justice in these cases than before. This is in no small part due to a substantial reduction in “emergency” cases where a child is on the verge of “aging-out” of SIJS eligibility. These “eleventh-hour” cases tax courts’ judicial and administrative resources, and they do not always receive the careful consideration they are due on account of the expedited time-frames. Having had this burden alleviated, Maryland counties with large numbers of SIJS filings have since been able to implement internal policies and procedures for effectively and efficiently handling these cases, as well as for safeguarding the interests of all interested parties, including those abroad, and screening for possible instances of human trafficking, abuse, and fraud.

Second, in just the last two years since Maryland raised the jurisdictional age to 21, I have observed a noticeable uptick in the number of my Maryland clients choosing to stay in high school despite turning 19, 20, or even 21, whereas before they may have dropped out to enter the low-wage workforce. Knowing that they will be getting their “green cards” motivates them to achieve higher goals, and in so doing, contribute to our community in more significant and meaningful ways.

The legislation that Maryland enacted has, unfortunately, had the unintended consequence of separating mixed (immigration) status families when some members move to Maryland to pursue SIJS. Take for example my client, Mrs. Velasquez, who is the mother of two children, a daughter (20) and a son (18). In 2015, the DC Superior Court awarded Mrs. Velasquez Custody of her son and signed a SIJS factual findings order. (Her daughter had “aged out,” and was too old to be included on that case.) US Immigration processed her son’s case quickly, and he is now a Lawful Permanent Resident . . . living alone in DC while he finishes high school. As of January 2016, his mom and his sister live in Maryland where a Custody and SIJS case is now in the pipeline. While it pains Mrs. Velasquez to split her family up, she wants to give *both* of her children a shot at the ‘American dream.’ The Velasquez family and many others would benefit immensely from parity between Maryland and DC’s laws.

For all of the foregoing reasons, and on behalf of all of the DC immigrant youth that I represent each year, I strongly urge you to support the Strengthening Youth Services and Rehabilitation Amendment Act of 2016.