

Family Preparedness Plan

Self Help Center, Santa Cruz Superior Court, March 2017

Original format from Immigrant Legal Resource Center

Every family should have a **Family Preparedness Plan**. While it is our hope that you never have to use your plan, it is a good practice to have one in place to help reduce the stress of the unexpected. This packet will help everyone create a Family Preparedness Plan, regardless of immigration status. However, because of the additional challenges immigrant and mixed status families face, we also have additional information for immigrants.

Make a Child Care Plan:

Have a plan so that a trusted adult can care for your child if you cannot. Make sure you talk to this person and that they are willing to take on this responsibility. Make sure you make your wishes clear to this person. For instance, are you asking them to continue raising your children in the United States if you are deported, or would you like them to be responsible for sending your children to you once you are settled in another country? You will need to put together your important documents, as discussed more fully below, and give a copy to this person.

Find Out About Your Immigration Options:

Contact a trusted agency that can give you legal information or advice such as:

Santa Cruz Immigration Project:

(831) 724-5667

406 Main Street, Suite 217, Watsonville, CA 95076

<http://cabinc.org/SCCIP/>

Centro de Ayuda Legal Para Inmigrantes:

(650) 938-4041

1125 Benton Street, Santa Clara, CA 95050

<http://cali-immigrations.yolasite.com/contact-us.php>

Catholic Charities:

(831) 722-2675

656 Main Street, Watsonville, CA 95076

<https://www.catholiccharitiescentralcoast.org/>

Immigrant Legal Resource Center:

www.ilrc.org

(415) 255-9499

California Courts, Self Help:

<http://www.courts.ca.gov/immigration.htm>

Find an Immigration Attorney:

<https://www.immigrationlawhelp.org/>

Know Your Rights:

Everyone – both documented and undocumented persons – has rights in this country. The two web sites below explain these rights in detail. Everyone has the right to remain silent and you have a right not to open your door unless the person has a valid warrant with your name, address and Judge's signature. You have a right to make a phone call, for instance, to call the person that you have asked to care for your children who also has all of your important legal documents.

https://www.ilrc.org/sites/default/files/resources/kyr_two_pager.pdf

<https://www.aclu.org/know-your-rights>

Talk To Your Children About Your Plan:

Without worrying them, assure your children that everything will be taken care of if, for some reason you are unable to care for them, even for a short period of time. Let them know who this person will be and ask them to memorize their phone number. Make sure your child knows who should pick them up from school if you are not there. Make sure they know they can talk to the school if someone other than the agreed upon person tries to pick them up. Make sure your child knows that they should speak up about any medical conditions they may have.

Decide Who Can Care for Your Children if You Are Unable To:

Talk to the designated person you would want to care for your children if you are unable to. It is also good to identify a second person. Make sure that person is in agreement to care for your children. Memorize their phone number. Make sure these people have the school address, school name, hours and any after school programs information (use attached lists to help you gather this information).

Make sure that you update your school emergency contact and release forms to include the people you have designated to care for your child, including who can and cannot pick up your children. This should be done immediately. Also make sure to update afterschool programs, day care, summer camp and other programs your child attends. Give the school copies of any current restraining orders.

Make sure this person has all contact information for where you may be living, such as in Mexico, if you are deported including address, phone number and relative/neighbor contact information. This could be important for future care of your children.

If you are not together with the children's other parent it is important, if you can, to speak to them to agree on a designated caregiver in your absence. In many instances the remaining parent will be the caregiver. However if you do not believe that is the best person you can still ask someone else to care for the child. It just means that the remaining parent and designated caregiver might have to go to court for the court to decide.

Write Down Instructions: Medical Condition, Medication, and other Special Needs

Make sure to write down any medical conditions or allergies your child has, any medications that your child takes, as well as health insurance information. Keep a copy in your important document file. Give a copy to your child's school and the person designated to care for your children.

Call your child's health care provider and ask to fill the Authorization for Release of Health Information and any other form they use so you may authorize your designated person to take your child to doctor appointments and obtain relevant information.

Passports:

If your child was born in the United States visit www.travel.state.gov for more information on obtaining a US passport. If you want your children to either live with you or visit with you, then you will want to obtain US passports for them. If you will want a designated person to travel with your children you will need to prepare a letter stating you want them to travel with your child. It is best to prepare the letter once you know dates, airline and so forth and it should be in English/Spanish and notarized. You may also need a signature or seal from the embassy or consulate.

If You Are Detained: ICE Locator:

Family members can use the ICE detainee locator: <https://locator.ice.gov/odls/homePage.do>. Be sure your family and emergency contacts have a copy of your A-Number (your alien registration number found on your immigration documents from ICE) if you have one.

Nomination of Guardian:

As part of longer term estate planning you can prepare a document stating who you wish to care for your child if you are no longer able to, usually in case of death. This is often done as part of a will or larger estate plan. You would state who you nominate as guardian of your child and the child's estate. You would also state that this person now has the same authority over the child as a parent having legal custody. Once completed your signature has to be notarized. This is a document that you would keep with other important documents. This document does not automatically give custody to someone, especially if the other parent is able and willing to care for the child.

Long Term Care For Children:

If you are deported, then the person you designated to care for your children may want to complete more papers so that on their own they can enroll your child in school and obtain medical care.

- **Caregiver's Authorization Affidavit** is a legal form that is signed, not by you, but by the person caring for children in your absence. This form does not need to be completed before your possible absence and signatures do not need to be notarized.
- **Guardianship (Probate Court):** If this will be long term care after your departure, especially for younger children, the caregiver may want to have something in place from the court. The caregiver could apply, in the parent's absence, for a Guardianship. This is a longer process, and there will be a court date and investigation to make sure the caregiver's home is a safe place for the child.
- Self Help Center can help with the above forms:

Located at 1 Second Street, Watsonville.

Web: www.santacruzcourt.org

Phone: 831-786-7200, option 4

Email: selfhelpinformation@santacruzcourt.org

Will My Children Go to Foster Care if I am Taken Into Custody:

Again it is very important to designate someone that you want to care for your children in your absence. When a parent is taken into custody, either due to criminal arrest or immigration hold, an assessment must be made regarding the care of that parent’s child or children. In these situations, law enforcement will usually contact Child Welfare if, after talking to the parent, it becomes clear that the parent has not been able to make a safe plan for the child’s care. Child Welfare’s goal is to get involved in the least restrictive way possible. If Child Welfare has to make a plan for a child, staff will try and find a friend or relative to care for the child after assessing the child’s needs and well-being.

File of Important Documents

Keep a file of all of these documents or a copy of these documents in a safe place. Tell your children, family members and designated caregiver where to find this file in an emergency. It is best to give a copy to the designated caregiver of your children also.

- Passports
- Birth Certificates
- Marriage License (if applicable)
- Restraining Orders you may have against anyone (if applicable)
- Copy of current custody orders (if applicable)
- A-Number and any immigration documents (work permit, green card, visa, etc.)
- Driver’s License and other Identification Cards
- Social Security Card or ITIN Number
- Registry of birth (for US born child registered in a parent’s home country if applicable)
- Import Children’s Information (copies of the attached forms with school and doctor information)
- Emergency Numbers and Important Contact Information (copies of the attached forms)
- Children’s medical information, health insurance card, medication list, doctor contact (copies of the attached forms)
- Individualized Education Program (IEP)
- Any and all Court Orders affecting the legal and/or physical custody of the children
- Other: _____

Any other documents you would want to quickly find or that are important to you and your children

Children's Important Information for your Designated Caregiver: Emergency Call 911 and Community Information 211

| | |
|---|--|
| Person you designate to care for your child | Full Legal Name: Relationship of Person to Child: |
| Address and Phone of designated care provider | Address Phone |
| Number of Children | |
| Parent One of Children Name/Address/Phone | Name: Home Address Phone Work Address Phone |
| Parent Two of Children Name/Address/Phone | Name: Home Address Phone Work Address Phone |
| Parent's Car | Make/Model License Plate Number Car Insurance Company Insurance Policy Number Phone Number |
| Other Emergency Contact and Relationship | Name Relationship Cell Phone |
| Other Emergency Contact and Relationship | Name Relationship Cell Phone |

| | |
|---------------------------------------|--|
| Child One: | |
| Name (full legal name) | |
| Date of birth | |
| Address | |
| Cell Phone | |
| School Name | |
| School Address | |
| School Phone | |
| Teacher's Name | |
| Afterschool Program | |
| Afterschool Program address and phone | |
| Other Camp/Sport Program | |
| Other Camp/Sport address and phone | |
| Allergies | |
| Medical conditions | |
| Medications | |
| Doctor's Name | |

| | |
|--|--|
| Doctor's phone number and address | |
| Health Insurance Company and Policy Number | |
| Dentist | |
| Other Special Needs | |
| Child Two: Name (full legal name) | |
| Date of birth | |
| Address | |
| Cell Phone | |
| School Name | |
| School Address | |
| School Phone | |
| Teacher's Name | |
| Afterschool Program | |
| Afterschool Program address and phone | |
| Other Camp/Sport Program | |
| Other Camp/Sport address and phone | |
| Allergies | |

| | |
|--|--|
| Medical conditions | |
| Medications | |
| Doctor's Name | |
| Doctor's phone number and address | |
| Health Insurance Company and Policy Number | |
| Dentist | |
| Other Special Needs | |