



# STEP-BY-STEP FAMILY PREPAREDNESS PLAN

## How immigrant families can more proactively prepare for immigration emergencies that arise

Every family should have a Family Preparedness Plan in case of an emergency. It is critical for immigrant families to think ahead and set more concrete plans for immigration emergencies that can arise. For example, this Resource Toolkit goes into detail about different childcare options available in case of an absent parent, where to find trusted immigration services in your community, and how to prepare to assert your constitutional rights in the presence of an immigration officer. This toolkit is divided into different sections that give guidance on family preparedness planning, regardless of immigration status.

This is for educational purposes only and is not intended as legal advice.

## PART I: MAKE A CHILD CARE PLAN

It's important to have a plan so that a trusted adult can care for your child if you cannot. This plan should include emergency numbers, a list of important contact information, and a file with important documents. Whether you want your child to accompany you to your home country in the event you face deportation or wish for your child to stay in the United States in the care of another trusted adult, you should make needed arrangements in advance.

## PART II: FIND OUT ABOUT YOUR IMMIGRATION OPTIONS

Discovering your legal options to obtain immigration status may be the strongest way you can protect yourself and your family. During a legal consultation with an immigration expert, they may determine your eligibility for certain immigration protections currently available. Included in this toolkit are information and resources to find good immigration legal help. The toolkit also covers who is allowed to give you legal advice and/or who can represent you in an immigration matter.

## PART III: KNOW YOUR RIGHTS

Everyone—documented and undocumented—has rights in this country. Make sure you, your family members (even children), housemates, neighbors, and co-workers, know of their right to remain silent and all of their other rights. A list of these rights, and a card asserting these rights, are included in this toolkit.

## PART I: MAKE A CHILDCARE PLAN

### DECIDE WHAT KIND OF A CHILD CARE PLAN YOU WANT TO PUT IN PLACE

There are various ways to plan for another adult to care for your child if you are unable to do so. Some of the options, are:

**1. Verbal Agreement:** The most informal arrangement is to let another adult know of your wishes for your child and to verbally agree with them that they will carry out your wishes to care for your child if you cannot. The benefit of this is that it is informal and easy – you do not need to complete any forms or legal documents, and such an agreement will not affect your parental rights. The downside of this informal arrangement is that your chosen caregiver will not have legal authority to make medical or school-related decisions on behalf of your child, which would be problematic if you were deported and unable to care for your child for an extended period of time.

**2. Caregiver’s Authorization Affidavit (“CAA”):** The next option is to not only get another adult’s verbal agreement to care for your child in the event you are unable to, but to have that adult complete a Caregiver’s Authorization Affidavit (“CAA”), which allows them to make certain school and medical decisions on behalf of your child. The benefit of this approach is that the CAA can be given to your child’s school or health care provider so that your chosen caregiver can make certain decisions for the child, and it does not affect your parental rights (you still have custody and control of your child).

**3. Guardianship:** The most formal arrangement is to have a court appoint a guardian for your child. The benefit of guardianship is that once someone has been appointed as a guardian, that person has full legal and physical custody of your child, meaning they can make decisions on behalf of your child.

**Please note: When a guardian is appointed, this does not terminate parental rights, but it does suspend them while the guardianship is in place.**

The drawback of guardianship is that it must be terminated by the Probate Court in order to get your parental rights back.

Nominating someone else to have legal custody of your child is a serious decision; please connect with a trusted legal services provider to get more information.

### **A NOTE ON POWER OF ATTORNEY**

A power of attorney is a written document that you can sign to grant another person the authority to act on your behalf in specified ways. For example, a power of attorney may be used to designate another person to handle your finances, make business decisions, use your money to pay your rent or mortgage, use your money to provide for your child, and other similar actions.

### **WRITE DOWN INSTRUCTIONS IF YOUR CHILD HAS ANY MEDICAL CONDITIONS AND/OR TAKES ANY MEDICATIONS**

Make sure to write down any medical conditions or allergies your child has, any medications that your child takes, as well as doctor and health insurance information. Keep a copy of this information in your important documents file. Give a copy to your child's school and the adult you designate to care for your child. Let your child know where to find this information if you are not around.

### **MAKE SURE YOUR CHILDREN ALL HAVE PASSPORTS**

If your child was born in the United States, visit [www.travel.state.gov](http://www.travel.state.gov) for more information on obtaining a U.S. passport. If your child was born in a different country, check with the embassy or consulate for more information on obtaining a passport.

### **INFORM YOUR FAMILY AND EMERGENCY CONTACTS ABOUT HOW TO FIND YOU IF YOU ARE DETAINED BY ICE**

Family members can use the ICE detainee locator: <https://locator.ice.gov/odls/#/> search to find someone in ICE custody. Be sure your family and emergency contacts have a copy of your A-Number (your registration number found on your immigration documents from ICE), if you have one.

### **TALK TO YOUR FAMILY ABOUT YOUR PLAN**

Without worrying them, assure your children that they will be taken care of if for some reason you are unable to care for them, even for a short time. Let them know who will care for them until you can.

## PART II: FIND OUT ABOUT YOUR IMMIGRATION OPTIONS

### WHERE TO FIND A TRUSTED LEGAL SERVICES PROVIDER IN YOUR AREA:

Getting a proper legal consultation from a trusted expert is crucial in family preparedness planning since they can better determine if you are currently eligible for any immigration benefit. The Immigration Advocates Network National Immigration Legal Services Directory lists nonprofit organizations that provide free or low-cost immigration legal services: [ilrc.me/findhelp](http://ilrc.me/findhelp)

### UNDERSTAND WHO CAN GIVE IMMIGRATION ADVICE

The best way to avoid fraud in legal representation is to look for legal services providers that meet certain requirements. This can be hard if you are unsure of where to begin the search or what kinds of duties a legal representative traditionally provides for their clients. There are two categories of people who can give legal advice in an immigration case:

**Attorneys:** To practice immigration law, which is federal law, an attorney can be licensed in any state but must have a valid license and be ‘in good standing’ with the bar association. Attorneys can give legal advice, help file immigration petitions and requests, and represent individuals in court proceedings before an immigration judge. You can verify an attorney’s credentials with the state bar in the state where they are licensed. The Department of Justice also keeps a list of attorneys who are no longer able to practice: <https://www.justice.gov/eoir/list-of-currently-disciplined-practitioners>.

**Department of Justice (DOJ) accredited representatives:** A DOJ accredited representative is a non-attorney who has been certified by the DOJ to work on immigration matters. The person must be affiliated with a non-profit that is recognized by the DOJ. An accredited representative can give legal advice, file immigration applications, and, if fully accredited, represent clients in immigration proceedings.

### WHAT TO EXPECT FROM A LEGAL REPRESENTATIVE

A legal services provider has the duty of representing each client to the best of their abilities. These are some best practices you should expect from a legal services provider:

**Sign a contract:** You should be provided with a written contract which outlines the services to be provided and what fee (if any) will be charged

**Be informed about your case:** A legal services provider should keep you informed about the progress and status of your case. They should explain the immigration benefit you qualify for, the application process, and answer any questions you have.

**Copies of all documents:** A legal services provider should give you a copy of all documents submitted on your behalf as well as copies of any receipt notices sent by the government. They should never refuse to give you a copy of these documents or your file. In most cases, an attorney should not charge you to get a copy of your file unless you agreed to pay for photocopies in your original agreement.

## PART III: KNOW YOUR RIGHTS

Everyone – both documented and undocumented persons – has rights in this country. Talk to everyone in your family (including children) and household to make sure they all know what to do if approached by immigration officials (ICE) or if immigration officials (ICE) come to your house.

### ICE AT YOUR DOOR. WHAT DO YOU DO?

**Do not open the door for ICE or any police officer without a signed warrant.** You do not need to open the door unless an ICE agent can show you a warrant signed by a judge with your specific and correct name and address on it. If ICE knocks on your door, ask them to slide the search warrant under the door or show it through a window. Make sure the warrant is signed by a judge and has your address on it. If ICE or the police do not have this, then you do not have to open the door. **Once you open the door, you lose certain rights.**

**Keep a Know Your Rights red card on you and by your door at all times.** The red card explains your rights and that you do not have to open the door. You can slide it under the door to ICE, show it to ICE, or read the English side of the card to ICE. Have your children and other family members practice showing it or sliding it under the door.

You can find print-at-home red cards in 14 languages at [ilrc.org/red-cards](http://ilrc.org/red-cards).



## TALKING TO ICE. WHAT DO YOU DO?

- **You have the right to remain silent and can refuse to answer ICE's questions.** Say that you want to remain silent until you speak with a lawyer. Do not answer any questions, especially about your birthplace, immigration status, or how you entered the United States. Do not give them any personal information about yourself or anyone in your family. Have your children and others in your family and household practice saying “No” to ICE.
- **You have the right to refuse to sign anything before you talk to a lawyer.** Do not sign anything you do not understand and agree with. That could eliminate your right to speak with a lawyer or have a hearing in front of an immigration judge. This may result in you being deported immediately without a hearing. If you wish to remain in the United States, ask to go before the immigration judge.
- **You have the right to speak to a lawyer and the right to make a phone call.** Make sure to memorize or carry the phone numbers of the person you will call in an emergency. Ideally, this person would be someone who can put your plans and wishes into place, call your immigration attorney, and access your important documents.

**NOTE: IF YOU ENCOUNTER ICE, REMAIN CALM AND DO NOT TRY TO RUN AWAY. IF YOU DO, ICE OR THE POLICE MAY USE THAT AGAINST YOU.**

## OTHER RESOURCES

**Your Country's Consulate:** Have the contact information for your country's nearest consulate. Many consulates have an emergency number for cases where you need immediate assistance. Have that number written down in case ICE detains you.

**Know Your Rights Materials and Other Resources:** There are many resources available to teach you about your rights. Below are just a few places to start looking if you want to learn more about immigration law:

### **Immigrant Legal Resource Center (ILRC):**

- [ilrc.me/resources](https://ilrc.me/resources) for Community Explainers
- [ilrc.me/protect](https://ilrc.me/protect) for our Know Your Rights Toolkit

**Informed Immigrant:** [informedimmigrant.com](https://informedimmigrant.com)

**National Immigration Law Center (NILC):** [nilc.org](https://nilc.org)

**Immigrants Rising:** [immigrantsrising.org](https://immigrantsrising.org)

## IMPORTANT CHILDREN'S INFORMATION

**Keep this information so those you designate to care for your children in your absence have all of the information they need. Complete, save, and print a copy per child in your household.**

Child's Name:	
Date of Birth:	
Child's Cell Phone Number (if applicable):	
School Name:	
School Address:	
School Phone Number:	
Teacher's Name:	
Teacher's Phone Number and/or Email (if applicable):	
Classroom Number:	
Afterschool Program (if applicable):	
Afterschool Program Phone Number (if applicable):	
Other Camp/Sports/Program:	
Other Camp/Sports/Program Phone Number (if applicable):	
Allergies:	
Medical Conditions:	
Medications:	
Doctor's Phone Number:	
Doctor's Address:	
Health Insurance Info:	

*THIS FILLABLE DOCUMENT CAN BE COMPLETED DIGITALLY VIA PDF VIEWER/EDITOR OR PRINTED AND COMPLETED WITH BLUE/BLACK INK.*

# EMERGENCY NUMBERS AND IMPORTANT CONTACT INFORMATION

Keep this information in one place so that you and your family can access it easily.

## EMERGENCY NUMBERS

Immediate Emergency	911
Police Department	
Fire Department	
Poison Control	



## FAMILY CONTACTS

<b>Mother/Parent/Guardian</b>	
<b>Home Phone</b>	
<b>Cell/Mobile Phone</b>	
<b>Work Address</b>	
<b>Work Phone</b>	
<b>Father/Parent/Guardian</b>	
<b>Home Phone</b>	
<b>Cell/Mobile Phone</b>	
<b>Work Address</b>	
<b>Work Phone</b>	
<b>Other Emergency Contact and Relationship</b>	
<b>Cell/Mobile Phone</b>	
<b>Other Emergency Contact and Relationship</b>	
<b>Cell/Mobile Phone</b>	
<b>Other Emergency Contact and Relationship</b>	
<b>Cell/Mobile Phone</b>	

## MISCELLANEOUS CONTACTS

Doctor	
Phone Number	
Health Insurance Company	
Policy Number	
Pediatrician	
Phone Number	
Health Insurance Company	
Policy Number	
Dentist	
Phone Number	
Dental Insurance Company	
Policy Number	
Consulate	
Address	
Phone Number	
Attorney/Nonprofit Legal Services Provider	
Address	
Phone Number	
Church/Temple/Mosque/Place of Worship	
Address	
Phone Number	

## FILE OF IMPORTANT DOCUMENTS

**Keep a file of these documents or a copy of these documents in a safe place. Tell your children, family members, and emergency caregivers where to find this file in an [.]**

### PASSPORTS

BIRTH CERTIFICATES

MARRIAGE LICENSE (IF APPLICABLE)

CAREGIVER'S AUTHORIZATION AFFIDAVIT

ANY RESTRAINING ORDERS YOU MAY HAVE AGAINST ANYONE (IF APPLICABLE)

A-NUMBER AND ANY IMMIGRATION DOCUMENTS (WORK PERMIT, GREEN CARD, VISA, ETC.)

DOCUMENTS DEMONSTRATING YOUR RESIDENCE IN THE UNITED STATES AND AMOUNT OF TIME YOU HAVE BEEN PHYSICALLY PRESENT IN THE UNITED STATES

DRIVER'S LICENSE AND/OR OTHER IDENTIFICATION CARDS

SOCIAL SECURITY CARD OR ITIN NUMBER

REGISTRY OF BIRTH (FOR U.S. BORN CHILDREN REGISTERED IN PARENT'S HOME COUNTRY) (IF APPLICABLE)

IMPORTANT CHILDREN'S INFORMATION

EMERGENCY NUMBERS AND IMPORTANT CONTACT INFORMATION

CHILDREN(S)' MEDICAL INFORMATION, INCLUDING HEALTH INSURANCE, MEDICATION LIST, AND DOCTOR'S CONTACT INFORMATION

ANY OTHER DOCUMENTS YOU WOULD WANT TO BE ABLE TO FIND QUICKLY