



Overview of
Special Immigrant
Juvenile Status
and Avenues for
Oregon to Meet
Federal
Requirements

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Overview of SIJ Status and Avenues for Oregon to Meet Federal Requirements

- What is Special Immigrant Juvenile (“SIJ”) status?
- How is Oregon law misaligned with the federal requirements for SIJ status?
- Why does this matter?
- Is there an easy fix?

**Special
Immigrant
Juvenile
Status:
Eligibility and
Protections**

ELIGIBILITY

- Under 21
- Abused by a parent
- At risk of deportation to country where face harmful conditions

PROTECTIONS

- Work permit
- Not deported
- Eligible to apply for permanent residence (“green card”)

Special
Immigrant
Juvenile
Status:
Oregon's
Role

ELIGIBILITY

- Under 21
- Abused by a parent
- At risk of deportation to country where face harmful conditions
- State court order

STATE COURT
ORDER

- Appointing *legal guardian** (or other custodian)
- Finding
 - Reunification with parent not viable due to abuse
 - Not in best interest to return to home country

**Legal guardian: adult appointed to care for minor or incapacitated person (ORS 125.300-330).*

How is Oregon law misaligned with federal requirements?

FEDERAL
SIJ STATUS

- Up to age 21

OREGON
GUARDIANSHIP

- Up to age 18

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Why does this matter?

SIJ STATUS ELIGIBILITY

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SIJ STATUS PROTECTIONS

- Work permit
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GUARDIAN BENEFITS

- Stable relationship with trusted caring adult
- Help accessing vital services (education, health care, legal)

How can Oregon meet federal requirements?

SIJ STATUS

- Up to age 21

GUARDIANSHIP

- Up to age ~~18~~ 21

How Oregon Can Meet Federal Requirements

Voluntary limited guardianships for certain vulnerable young people

- **Voluntary:**
 - Only if young person and proposed guardian consent
 - Young person can terminate at any time
- **Limited:**
 - Only until age 21
 - Young person retains rights as adult
- **Certain vulnerable young people:**
 - Abused by parent
 - Not in best interest to return to home country

The Ripple Effect



ONE SMALL CHANGE

CAN HAVE AN ENORMOUS IMPACT

