

A Guide for Parents in Illinois who are Undocumented

Prepared by:
Legislation and Policy Clinic
Civitas ChildLaw Center
Loyola University Chicago School of Law



Planning for
your Children
in Case of
Detention or
Deportation

October 2017

The following students and faculty in the Legislation and Policy Clinic at Loyola University Chicago School of Law prepared this Guide under the supervision of Professor Anita Weinberg, Director of the Clinic:

Julia Alberts

Alison Davis

Emily Tulloch

Lauren Schroeder, Post-Graduate Policy and Legislation Clinical Teaching Fellow

The following individuals and organizations reviewed and provided feedback on this Guide:

Sioban Albiol, DePaul University College of Law

Hilda Bahena, Catholic Charities Legal Assistance Department

Salvador Cicero, Cicero-Vargas Law Group

Amanda Crews Slezak, National Immigrant Justice Center

Deborah Dyer-Webster, Illinois Department of Children and Family Services

Maria Ferrera, DePaul University, Department of Social Work

Alexandra Fung, formerly National Immigrant Justice Center

Katherine Kaufka Walts, Loyola University Chicago, Center for the Human Rights of Children

Laskshmi Lakshmanan, Law Offices of Lakshmi Lakshmanan

Deanne Medina, Community Activism Law Alliance

Rebekah Azar Rashidfarokhi, Chicago Volunteer Legal Services

Hillary Richardson, National Immigrant Justice Center

Griselda Sanchez, Loyola University Chicago School of Law

Amanda Walsh, Legal Council for Health Justice

This Guide can be found online at: <https://luc.edu/law/immigrationguide>

Spanish version: <https://luc.edu/law/guiadeinmigracion>

This Guide was completed in the fall of 2017.
It is possible the information may change over time.

Purpose of the Guide

Families who are undocumented may be afraid of being detained or deported and may have questions about what could happen to their children. It is normal to be worried and feel overwhelmed, but there are things you can do to try to help ensure your children are kept safe.

All people living in the United States have certain rights. Even people in immigration detention and deportation proceedings have rights. Not all immigration arrests lead to deportation. You may have a reason for being in the U.S. that will allow you to stay. It is a good idea to speak with someone with expertise about ways to obtain legal immigration status. This is best done before you are arrested. You can find more information about how to find someone who knows the law on page 6 of this Guide. Information in many languages is also available in the following Know Your Rights materials:

- <https://www.ilrc.org/know-your-rights-and-what-immigrant-families-should-do-now>
- <https://www.aclu.org/know-your-rights/what-do-if-youre-stopped-police-immigration-agents-or-fbi>
- <https://www.ilrc.org/red-cards> (This link provides printable cards to help you assert your rights if you come into contact with immigration agents.)

This Guide tells you about different arrangements you can make for the care of your children in case you are detained or deported. It also describes what you need to do to make the arrangements. These arrangements, called **child care safety plans**, can be made before or after you are detained or deported. It is better to make them before because it can be more difficult to make arrangements after you have been detained or deported.

Why a child care safety plan? A safety plan helps to make sure that if you are detained:

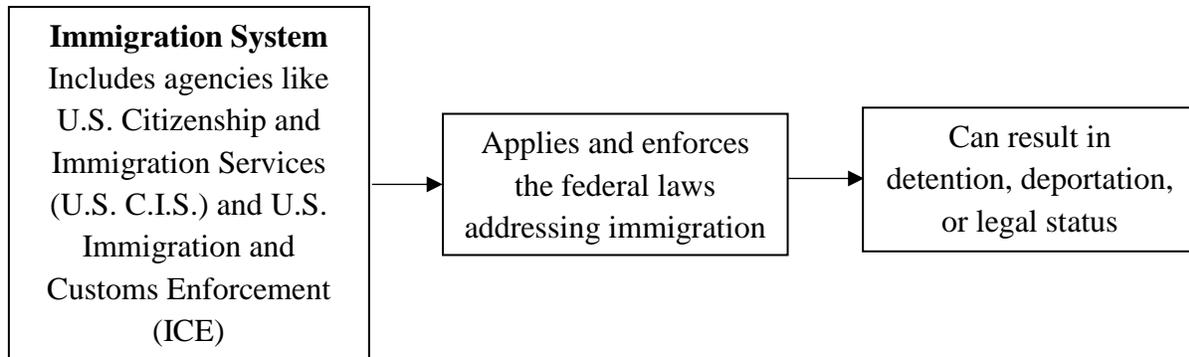
- ✓ You, your children, and your chosen caregiver will know what to do and who to call,
- ✓ Your children will know what to expect, and
- ✓ Your children will most likely be able to stay with a person you trust.

This Guide is intended to help you understand your options. It is not legal advice.

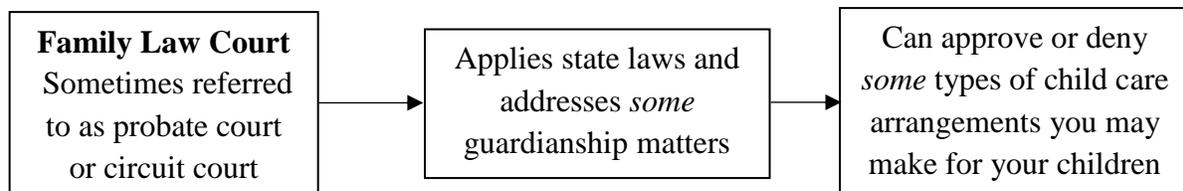
Three Different Systems

This Guide describes three different systems you might encounter: the immigration system, family law court, and the child welfare system

Immigration System



Family Law Court System



Child Welfare System

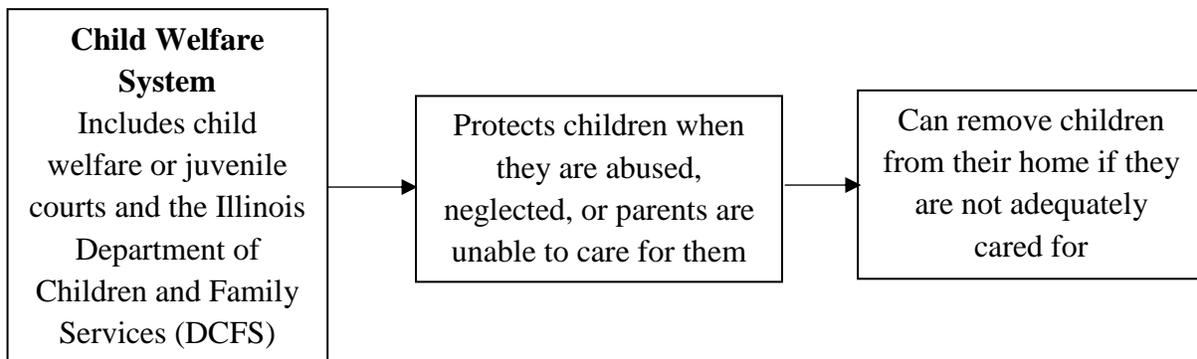


Table of Contents

Section I: Safety Planning

This section contains information to help you think about safety planning for your children.

Finding an Attorney: Information on how an attorney might be able to help you, how to decide what type of attorney you need, and where to find an attorney.....Page 6

Applying for Passports: Information on how to get passports for your children so they can travel to join you or visit you in your home country if you are deported.....Page 9

Arranging for the Care of your Children: Information about the different options for child care if you are detained or deported.....Page 12

Talking to Your Children about Your Child Care Safety Plan: Considerations when discussing your chosen safety plan with your children.....Page 21

Section II: The Child Welfare System

This section contains information on what to expect and do if your family comes into contact with the child welfare system because you have been detained or deported and your children do not have a safe place to go.....Page 23

Section III: Appendices

This section contains additional information and several important forms you might need as you create your family's safety plan.Page 31

This Guide identifies a number of important documents you will need in order to make plans for your children if you are detained or deported. Make a folder to keep all this important information together, keep it in a safe place, and tell a trusted friend or relative where it is so they can find it if you are detained or deported. If possible, also make electronic copies of all the documents.

**SECTION I:
CHILD CARE
SAFETY PLANNING**

Finding an Attorney

Deciding What Kind of Attorney You Need

There are different kinds of attorneys with different areas of expertise. If you decide to meet with an attorney, make sure the attorney knows about the information you need and is familiar with the systems you have questions about.

Immigration Attorneys and Accredited Representatives

Not all immigration arrests lead to deportation. If you are concerned about your immigration status, you should speak to an immigration attorney or an immigration accredited representative as soon as possible. Don't wait until you are arrested to find out if you have a path to legal status or a defense to being deported.

An **immigration attorney** is a licensed attorney who specializes in immigration cases. An **immigration accredited representative** is not an attorney, but is someone who has been accredited by the U.S. Department of Justice, and may be allowed to represent immigrants in immigration court.

Immigration attorneys and immigration accredited representatives can answer your questions and may be able to help you in immigration court. They can help you determine the following:

- Whether you may be eligible to get a green card, visa, or work permit;
- How a criminal arrest or conviction will impact you or if there is a way to remove an arrest or conviction from your record;
- How to ask for a hearing in front of a judge if you are detained or put into deportation proceedings.

IMPORTANT:

“Notarios” may try to pass themselves off as immigration attorneys or accredited representatives. When you speak with an immigration attorney or accredited representative, ask to see their law license or ask them if they are an accredited representative. If they say they are an accredited representative, check the website for the Executive Office for Immigration Review (EOIR) website to make sure they are listed: <https://www.justice.gov/eoir/recognition-accreditation-roster-reports>. If you do not see a law license or the representative's name on the list, do not use their services.

Immigrants who are undocumented are not automatically appointed an attorney if they are being detained or deported, but the immigration judge should provide you with a list of free legal service providers. If you want an attorney, you must find a free attorney or hire one.

Some non-profit organizations that help immigrants and refugees provide free or low-cost services. A list of these non-profit organizations can be found here:

http://www.icirr.org/content/documents/legal_services_directory_2017.pdf

If you want to hire an immigration attorney, you might have to pay money before they will do any work. This money is called a retainer. A list of private immigration attorneys who will charge a fee can be found here:

http://www.icirr.org/content/documents/attorney_referral.pdf

The above links list organizations and attorneys that may be able to help you, but the authors of this Guide are not specifically recommending any of the attorneys or organizations on the lists.

Family Law Attorneys

Immigration attorneys and immigration accredited representatives will only be able to help you on immigration issues. A **family law attorney** can help you make child care safety plans in case you are detained or deported. They can also try to make sure the plans you have developed are followed if you are detained or deported. It is best to talk to a family law attorney and have these plans in writing before you are detained or deported. Similar to an immigration attorney, family law attorneys may cost money. Below is a list of legal service organizations that can provide advice on family law issues and referrals to family law attorneys.

- ***Administer Justice***: <http://administerjustice.org/>
 - Serves: Kane County and DuPage County
- ***Catholic Charities Legal Assistance***: <http://www.catholiccharities.net/GetHelp/OurServices/LegalServices/CCLA.aspx>
 - Serves: Cook and Lake County
- ***Chicago Volunteer Legal Services***: <https://www.cvls.org/>
 - Serves: Chicago area

- **Community Activism Law Alliance:** <http://www.calachicago.org/>
 - Serves: Chicago and Lake County
- **LAF:** <https://www.lafchicago.org/>
 - Serves: Cook County
- **Land of Lincoln Legal Assistance Foundation:** <http://lollaf.org/>
 - Serves: Central and Southern Illinois
- **Legal Aid Society:** <https://www.metrofamily.org/legal-aid/>
 - Serves: Cook County
- **Prairie State Legal Services:** <https://pslegal.org>
 - Serves: Northern Illinois, but not Cook County

While some of these organizations only take cases in specific areas of Illinois, they might be able to give you some advice or refer you to another attorney who can take your case.

REMINDER: Include in your folder information on how to contact any attorney you hire. Appendix A at the end of this Guide provides a form you can use to list people who have been helpful to you, how to contact them, and other important information.

Contacting Your Consulate

Another resource to get information is your home country’s consulate. Not all consulates provide the same resources, so you should call your consulate and ask what assistance they provide to people who are undocumented. This may include helping you find an attorney, providing you with an attorney, or answering questions you may have about returning to your home country. (The Mexican Consulate in particular is known to provide a number of resources.) The contact information for the Mexican, Guatemalan, Honduran, and Salvadoran consulates can be found in **Appendix B**.

IMPORTANT:

If you are afraid of returning to your home country and think you might want to apply for asylum in the United States, speak with an immigration attorney before contacting your home country’s consulate. They can tell you if it is safe to speak with the consulate office.

Applying for Passports for Your Children

If you are undocumented and your children are U.S. citizens, you may want to apply for U.S. passports for them. It will be extremely difficult for them to leave the U.S. to join you or visit you if you are deported and they do not have passports.

Apply for passports for your children before you are detained because it can be hard for anyone other than a parent to get a child's passport. It can take 4–6 weeks to get a U.S. passport, so is best to start the process as soon as possible. A parent must apply for a child's passport if the child is not married, not emancipated, and under the age of 18.

REMINDER: Keep your children's passports in your folder with your other important documents. Make a copy of the passports and take them with you if you are detained or deported.

How to Apply for a U.S. Passport

Detailed information on how to apply for a passport is at the following website:
<https://travel.state.gov/content/passports/en/passports/under-16.html>

You will first need to fill out a U.S. Passport Application, which can be found in *Appendix C*. You need to bring the application and a number of other documents to a government office to apply for the passport. The website above has details about what documents you need to bring to apply for the passport and where you need to go to submit them.

Please note that this Guide was published in October 2017, so the forms mentioned in this section and provided in the Appendix are current as of October 2017 only. Before using them, check the website listed above to make sure they are still up-to-date.

To get a passport for a child, a parent must:

- ✓ Have proof they are the child's parent, such as a birth certificate or court order;
- ✓ Show a government-issued photo ID;
- ✓ File the application in person;

- ✓ Bring your child with you when you file an application;
- ✓ Show proof that the child is a U.S. citizen by showing a U.S. birth certificate, expired U.S. passport, or Certificate of Citizenship;
- ✓ Comply with the Two-Parent Consent Law.

United States Two-Parent Consent Law

The two-parent consent law requires that both parents agree to a child having a passport if:

- ✓ The child is under 16 years old, and
- ✓ Both parents' names are on the child's birth certificate or a court has determined both parents have legal custody of the child.

A parent can show they agree to the child having a passport by:

- Going with the other parent and child to apply for the passport, or
- Signing a piece of paper giving permission and getting the paper notarized. A form for parental consent is in *Appendix D*.

A notarized form means an individual appointed by the Illinois Secretary of State, called a notary public, certifies that no one forced the parent to sign the document giving parental consent. You can find a notary public by going to any bank, post office, or currency exchange. A notary public usually charges a small fee. If you have an attorney, your attorney can help you find a notary public.

IMPORTANT:

Page 6 of this Guide warned you to avoid “notarios,” who are people that pretend to help answer your legal questions without being qualified to do so. Notary publics *are not* “notarios,” so you should feel comfortable asking a notary public to certify your document.

You should not have to go to court to get sole custody of your children in order to get passports for your children. The only time you need to get sole custody in order to get passports is if you can contact the other parent, but the other parent refuses to sign the form in *Appendix D*.

If your children's other parent cannot be located or is unavailable to give their consent, you can submit Form DS-5525: Statement of Exigent/Special Family Circumstances.

This form is in *Appendix E*. The statement must explain in detail why the other parent is unavailable and the recent efforts made to contact the parent. The U.S. government often approves these forms, but to be approved, you must explain in detail on the form the efforts you've made to contact the other parent. If your form is denied, speak to an immigration attorney.

If your children are U.S. citizens, they might be able to become **dual-citizens** of both the United States and of your home country. This would be allowed because you are a citizen of your home country. Not all home countries allow dual-citizenship, so call your consulate to see if your home country does. If your children are dual-citizens and have passports from both countries, it should be easier for them to travel back and forth between your home country and the U.S. But they must still have your permission in writing to travel. Having dual-citizenship should also make it easier to enroll your children in school and for them to receive health care and other services and benefits if they return to your home country.

[Applying for a Passport for Your Children from Your Home Country](#)

If your children are not U.S. citizens or your home country allows dual citizenship, consult your country's local consulate to see what is required to apply for a passport from your home country for your children. The contact information for the Mexican, Guatemalan, Honduran, and Salvadoran consulates is included in *Appendix B*.

Your home country may charge fees for applying for the passport. The time it takes to get the passport also varies by country. Because it could take a long time, it is a good idea to do this as part of your child safety planning rather than after you have been detained or deported.

[Registering your U.S. Children's Birth with Your Consulate](#)

If your children are U.S. citizens, contact your home country's consulate and ask about the process for registering your children. In fact, many governments can only help your children if you have registered your U.S. citizen children's birth with them. Registering your children in your home country can allow them to start school sooner in your home country and allow them to get passports from your home country.

Registering your children with your home country will not affect their U.S. citizenship in any way. It is good to do this while you are also making safety plans for your children.

Arranging for the Care of Your Children

Safety plans identify who you want to care for your children if you are detained or deported. This can help ensure your children are cared for by someone you trust. There are different types of safety plans—some are more permanent than others. Each type of safety plan arrangement has benefits, but also possible disadvantages. One type of safety plan might be better for your family than another. Some safety plans do not require you go to court. It is easiest if you make safety plans for your children before you are detained or deported, but they can be made afterward. The following sections describe different safety plan arrangements.

Deciding Who Should Take Care of Your Children

Choosing a person to care for your children is one of the most difficult decisions you can make. This is especially true when you are concerned about being separated from your children because you might be detained or deported. Think about the following when making a decision:

- ✓ The person taking care of your children will be making decisions for your children. Choose a person whom you trust.
- ✓ Make sure the person agrees to care for your children and understands the commitment they are making. If you have more than one child, make sure the person you choose is able to care for all of your children. You may need to consider more than one person to take care of different children. This will require making separate arrangements with each person.
- ✓ Try to find someone to take care of your children who you are comfortable with ***and who is a legal citizen or resident of the United States***. If you choose a person to care for your children who is undocumented and that person is detained or deported, your children may be placed in a new setting by the court. It likely will not be a place you or they are familiar with. Also, if the person you name is undocumented and they have to go to court related to the safety plan, there is some risk they could come to the attention of immigration officers. If you choose someone who is undocumented, consider naming a second person to take care of your children in case your first choice is unable to care for them.

What the Person Caring for Your Children Should Know

- ✓ Tell the person you choose what is important to you when they take care of your children. Make sure they agree to follow your preferences whenever possible.
- ✓ Share important information about your children with the person you choose. This can include your and your children's medical histories and any other information you consider important. You might want to include information like their favorite foods or their bedtime routines. **Appendix A lists the type of information that might be helpful and provides a form you can use to write down this important information.**
- ✓ Make copies of all important medical, financial, and legal documents. Create electronic copies if possible. Let your chosen caregiver or another trusted individual know where they are.

REMINDER: Fill out the form in *Appendix A* and put it with the other important documents in your folder.

After you have chosen a person you want to take care of your children if you are detained or deported, make sure to do the following:

- ✓ Memorize the chosen person's phone number and have your children memorize it too. Also write the phone number down on a piece of paper for you and for your children to keep with them in case they forget it.
- ✓ Add the chosen person's name and contact information to the emergency contact information for any programs your children are involved in, including your children's schools, daycares, afterschool programs, and summer camps. They should be listed as people who have permission to pick up your children.
- ✓ Include the chosen person's name on any medical authorization forms for your children.

Types of Safety Plan Arrangements

Guardianship Arrangements:

When deciding to make a safety plan for your children, you can choose a **guardianship** arrangement. For some, but not all, types of guardianship, a court must approve the parent's choice of guardian. Guardianship arrangements can be for a short period of time or for a long time. Under any guardianship arrangement, the following happens:

- Guardianship gives someone other than a parent the responsibility to take care of the parent's children and make decisions for the children.
- The guardian has the legal authority to care for and make decisions about the children.
- The guardian has the right to apply for and receive public benefits for the children if the children are eligible.
- A parent will no longer have a legal right to make decisions about their children's care, though the guardian may ask for their opinion.
- The rules about guardians traveling with children differ among countries. If you want your guardian to be able to travel with your children speak with an attorney and/or your home country's consulate to find out what you need to do.

When deciding whether a guardianship arrangement is appropriate for your family, make sure to talk with your children's other parent, if possible.

- A legal guardianship agreement requires that no parent is willing and able to care for the child. Therefore, a court may not allow your guardianship arrangement if the other parent does not agree to appointing someone else to care for their children.
- A guardianship cannot be used to prevent another parent from getting custody of your children. The other parent's rights will always come before the rights of the guardian.
- If you are afraid to talk to your children's other parent, or if you have an Order of Protection against the other parent, talk to an attorney before making any guardianship arrangements.

The Guardian's Legal Decision-Making Responsibilities

The guardian is responsible for making sure your children have medical care, food, clothes, shelter, and education. The guardian has the legal right and responsibility to make important decisions for your children, such as:

- Enrolling the children in school;
- Asking for special education services for children;
- Taking the children to the doctor;
- Getting special medical care for children;
- Following any court orders that involve the children.

Who Can Be a Guardian

All guardians must meet the same criteria:

- ✓ Be at least 18 years old;
- ✓ Be a U.S. resident;
- ✓ Be of sound mind;
- ✓ Not have a felony conviction that involved harm or threat to a child;
- ✓ Not have any other felony convictions, unless a court finds it is in the child's best interest to have that person appointed guardian anyway.

Types of Guardianship Arrangements:

1) Short-Term Guardianship

Short-term guardianship is the only type of guardianship that does not require you or the guardian to go to court or that a form be notarized, but still gives the guardian a legal document showing they are responsible for your children.

- ✓ A **short-term guardian** can be appointed for up to one year.
- ✓ A short-term guardianship can be arranged very quickly.
- ✓ The short-term guardianship agreement must be in writing.
- ✓ You can indicate on the document when you want the guardianship to begin. For example, you can state in writing that you want it to begin once you have been detained or deported.
- ✓ You can indicate how long you want the guardianship to last, but it cannot be for more than one year.
- ✓ In order to end the short-term guardianship arrangement, all you need to do is tell the short-term guardian that you want to end the agreement. If the guardianship ends because a year has passed, the document can be renewed, or you can

consider a more permanent guardianship arrangement (see “Plenary Guardianship” and “Standby Guardianship” on pages 17–19).

Before making a short-term guardianship arrangement, consider:

- ✓ Sometimes schools and doctors do not honor short-term guardianships. This can lead to problems with getting your children medical care and educational services.
- ✓ Short-term guardianship arrangements can only last for one year, but can be easily renewed.

A short-term guardianship can be arranged even after you have been detained, but it is best to arrange it beforehand. A form for arranging a short-term guardianship is available in *Appendix F*.

Steps to make a short-term guardianship arrangement:

- 1) Fill out the short-term guardianship form in *Appendix F*.
- 2) Have your children’s other parent sign the form if they are available.
- 3) Sign the form in front of two other adults.
- 4) Have the two other adults sign the form.
- 5) Have the short-term guardian sign the form.

The short-term guardianship form does not need to be notarized.

REMINDER: Once you have filled out the short-term guardianship form and had everyone sign it, put it in your folder with your other important documents. Make sure the guardian you have selected and any attorney you are working with also has copies of the form.

2) Plenary Guardianship

Plenary guardianship is a long-term solution. For example, if you know you are going to be deported and you do not want your children to return to your home country with you, a plenary guardianship arrangement may be a good choice for your family.

- ✓ A **plenary guardian** is a person who has guardianship of your children for an unlimited amount of time.
- ✓ The person you want to be the plenary guardian must go to court for a judge to decide if the person can be the plenary guardian. You do not have to go to court.
- ✓ The judge will have a background check completed on the person you want to be guardian. This includes checking if the person has committed any crimes or been involved with the Illinois Department of Children and Family Services (DCFS).
- ✓ It is up to the judge to decide if and when a plenary guardianship should end. You do not get to decide without the judge's agreement.

Before making a plenary guardianship arrangement, consider:

- ✓ Going to court can create risks for the person you want to be the plenary guardian if he or she is undocumented. This is because going to court can involve interacting with government officials.
- ✓ A judge may not approve an undocumented person to be a plenary guardian of your children. If the court does not approve the person you choose to be the plenary guardian, there will not be a safety plan for your children.
- ✓ It is up to a court to end a plenary guardianship and return your children to you. If your children are in a plenary guardianship arrangement, you will not be able to decide to end the arrangement without the court's approval.

The best way to ensure that the person you want to be a plenary guardian can become your children's plenary guardian is to create a standby guardianship.

3) Standby Guardianship

A standby guardianship arrangement is a safety plan that allows you to select someone to be the plenary guardian in the future. In a standby guardianship arrangement, you name a person you want to become a plenary guardian if and when you can no longer care for your children.

- ✓ Naming a standby guardian makes it clear to the judge that you have thought about who you want to care for your children if you are detained or deported. It helps to ensure that the person you want to care for your children becomes the plenary guardian.
- ✓ If you name a standby guardian and you are detained or deported, the standby guardian must go to court to file for plenary guardianship within 60 days of your being unable to care for your children.
- ✓ After the standby guardian files for plenary guardianship, the court decides whether the standby guardian should be appointed to be the plenary guardian of your children.
- ✓ If the court appoints the standby guardian as plenary guardian, the guardian becomes a plenary guardian.

Before making a standby guardianship arrangement, consider:

- ✓ Standby guardianships are meant to turn into plenary guardianships. Therefore, unless you know you will be unable to take care of your children for a long period of time, a short-term guardianship (see page 15) is probably a better option for your family than a standby or plenary guardianship.
- ✓ If the standby guardian does not go to court to file for plenary guardianship after you are detained or deported, there will not be a guardian for your children.
- ✓ If the court does not appoint the standby guardian, there will no longer be a safety plan for your children.
- ✓ If the person you name as the standby guardian is undocumented, they might be put at risk by going to court because going to court can involve interacting with government officials.

While you are not required to have an attorney to make a standby or plenary guardianship arrangement, it can be important to consult with a family law attorney (see page 7) before arranging a standby or plenary guardianship.

Informal Caregiver Arrangements:

If you do not want to enter into a guardianship arrangement described above, you can still ask a relative or friend to take care of your children should you be detained or deported. This person will be your children's **caregiver**, but would not be a legal guardian. This means the person will have no rights or responsibilities recognized under law to your children.

- ✓ You can choose who you want to take care of your children.
- ✓ You do not have to go to court to make an informal caregiver arrangement.
- ✓ An informal caregiver will make sure your children have somewhere safe to live if you cannot take care of them. However, the caregiver cannot make all of the legal decisions that a guardian can make.
- ✓ A caregiver arrangement is informal. It does not give the caregiver you choose any legal documentation to show they have legal responsibilities or your permission to take care of and make decisions for your children.
- ✓ If you are released from detention, you do not have to go to court to get your children back.

If you decide to make an informal caregiver arrangement, it is important to **put this arrangement into writing**. To make an informal caregiver arrangement in writing:

- 1) State in writing that if you are detained or deported, you want your children to live with your chosen caregiver, and list the person's name.
- 2) Make sure both you and your chosen caregiver sign the document.
- 3) Make a copy of the signed document for yourself and the chosen caregiver.

REMINDER: Once you have put this arrangement into writing and had everyone sign it, put it in your folder with your other important documents. Make sure the guardian you have selected and any attorney you are working with also has copies of the form.

Before making an informal caregiver arrangement, consider:

- ✓ Because an informal caregiver has no signed legal papers, they will not have the legal right to make legal decisions, including medical and educational decisions, for your children.
- ✓ An informal caregiver cannot apply for or collect public benefits for your children such as food stamps or Medicaid.
- ✓ An informal caregiver cannot travel out-of-state or out-of-country with your children.

If you decide to identify an informal caregiver, but do not put this arrangement into writing, make sure the caregiver understands what you are asking them to do and that they agree to it.

Talking to Your Children about Your Child Care Safety Plan

Throughout the country, children of immigrants are scared and anxious that they might be separated from their parents. Some children express this fear and anxiety with aggression and possible violence. Other children express their fear and anxiety through depression or hurting themselves. Even if parents shield their children from what's happening around them, children can still feel the tension in the home.

If you believe your children are old enough to think about these issues, they might feel safer if you talk to them about the plans. Mental health professionals have learned that children feel better when they are able to be involved in these conversations. It may also help them adjust to any new arrangements. Your family has more control over what your children are told if the information comes from you or an adult family member. You can also help them better understand the safety plan.

You are the best person to determine your children's needs. Consider your children's fear and anxiety. Also consider how well they can cope with helping to make plans in case you are detained or deported. Different approaches will be better depending on your children's personalities and ages.

Below are some suggestions about what information to share with your children.

- Let your children know how much you love them and that you are taking steps to make sure they are protected.
- Explain detention and deportation and what each of those means for your children and your family.
- Tell your children who will pick them up from school if you are detained or deported. If there are certain people you do not want them to go with, tell them that as well.
- Children should, at the very least, know who to call if you are detained or deported. Help your children memorize that person's phone number. They should also have it written down on a piece of paper that they keep with them in case they forget it.

- If you have made a safety plan, it is important to inform your children who the caregiver or guardian is. Have your children memorize that person's phone number and also write it on their piece of paper to keep with them.
- It is also important to tell your children the name and phone number of a second person you trust for them to call if you are detained or deported and if the caregiver or guardian is not available. You should write down that number as well.

You can help your children remember this information in many ways, including:

- ✓ Keep an **emergency card** in a visible place in your home, such as on a refrigerator, to remind your children who to call.
- ✓ Write a **letter** to your children so they understand next steps in case of detention or deportation. This is also a good way to keep an emotional connection with your children if you cannot be at home with them. You can explain why you are not at home, what may happen next, and tell your children that you love them and care about them. Make sure your children can find this letter if you are not home by giving it to a trusted friend or telling your children where it will be.

IMPORTANT:

Tell your children what they may need to do or what you are arranging in case you are detained or deported.

If you are unsure about how to have this conversation with your children, or if you feel you and your children might need some additional help during these frightening times, please consider talking to a mental health professional. A list of providers can be found here: <http://cimhil.org/resources/mh-directory/>

For more information on helping your children stay calm and cope with these stressful conversations, see this resource for children:

https://sesamestreetincommunities.org/wp-content/uploads/2017/06/Comfort_Printable_CareCopeConnect-1.pdf

**SECTION II:
THE CHILD WELFARE
SYSTEM**

The Child Welfare System

***The Illinois Department of Children and Family Services (DCFS) does not tell the federal government about the immigration status of the families it comes into contact with. Also, DCFS will not take children away from their families when parents are detained or deported *unless* the child has no safe place to go. ***

As mentioned in the Introduction to this Guide, the child welfare system is separate from both the immigration system and the court that handles guardianships.

- Staff with the child welfare system investigate when there is concern that a child has been abused, neglected or is dependent because a parent cannot take care of them.
- Staff also find temporary and permanent homes for children if a court decides they are not safe with their parents, or if there is no one to take care of them.

If DCFS staff has reason to believe your children do not have a safe place to live, your children could end up in the custody of DCFS. This section describes how you can find out if DCFS has custody of your children and if so, what you should do to stay involved and show your interest and concern.

IMPORTANT:

One of the best ways to prevent involvement in the child welfare system is to create a safety plan. This is because a safety plan helps make sure your children are safe and that somebody is taking care of them if you cannot. See pages 12–20 of this Guide for information on creating a safety plan.

How to Find Out if Your Children are in the Child Welfare System

Your children might be in the child welfare system if you are detained *and*:

- There was no one available to care for them when you were detained, or
- Someone called the child protection hotline because they did not know you were detained and they believed your children were abandoned, abused, or neglected, or
- Someone called the child protection hotline because they did not believe the person left to care for your children was providing adequate care to them.

DCFS is required to notify you if it has removed your children from home. They should also send you information about steps you need to take to reunite with your children. However, if you have been detained or deported, DCFS might not be able to find you.

IMPORTANT:

If you are detained or deported and do not know where your children are, try to find out, as soon as you can, if your children are in the child welfare system. Also, call your consulate, because they may be able to help you understand how the child welfare system works.

Steps for finding out if your children are in the child welfare system:

- 1) If you believe your children might be in DCFS custody, call the DCFS Advocacy Hotline at (866) 459-6884. Try to have a pen or pencil and paper with you when you call so you can write down important information.
- 2) Give your full name and explain that you are in immigration detention and are calling to see if your children are in the child welfare system.
- 3) If you have more than one child, give each child's full name because they may not be in the same child welfare placement.
- 4) Explain that this is an emergency situation because you are in immigration detention where they do not allow you to receive phone calls, and you want to make sure your children are safe.
- 5) If DCFS has opened a case for your children, ask for and write down the name, address, and phone number of the child welfare caseworker and the office at which the caseworker works.
- 6) Ask if case numbers are available for each child's case, and write them down.
- 7) Ask the Hotline worker to add the following to your children's case records:
 - ✓ Your name;
 - ✓ The name under which you are registered in detention (if different);
 - ✓ Your alien number;
 - ✓ The detention center address.
- 8) Call the caseworker as soon as possible to tell them you are in immigration detention. Give them the best way to contact you so they know where to send updates for your children's cases. Also give them the name and contact information of a family member, friend, or service provider you have been working with. If the caseworker cannot reach you, they may be able to reach another person you trust. Do this even if you gave all this information to the Hotline worker.

What This Means for Your Family

As mentioned above, if you are detained or deported and your children do not have a safe place to live, the child welfare system might get involved and take custody of your child after going to the child welfare-related court. This court may have a different name in different areas, including juvenile court, family court, or circuit court. Making a safety plan discussed in the first part of this Guide (see pages 12–20) can help prevent involvement in the child welfare system.

IMPORTANT:

The child welfare caseworker and judge wants to know that you care about your children. Though it might be hard to do if you have been detained or deported, it is important to stay involved in your children's lives in whatever ways you can. If you are allowed to, attend child welfare-related court proceedings, communicate with your child welfare caseworker, and visit and speak to your children as much as possible.

Where Your Children Will Live

If the child welfare-related court decides to take custody of your children, it is the caseworker's job to find your children a safe place to live. The first choice is usually to place children with family members. The caseworker will also try to keep siblings together. It is possible that the caseworker will decide to place your children with a caregiver you identify and not further involve the agency.

- ✓ It is important to give child welfare caseworkers the names and contact information of any friends or relatives who are able to care for your children.
- ✓ If possible, you should also contact your friends and relatives who are able to take care of your children and ask them to call the child welfare caseworker immediately and offer to be the caregiver.

Your Right to an Attorney

If the child welfare-related court becomes involved in your case, you have a right to an attorney. This means that the court must provide an attorney for you if you cannot pay for one. Having an attorney in these proceedings is important to ensure you have someone representing you in court and to help you understand what you need to do to get your children back.

This attorney may be different than the immigration attorney and family law attorney described earlier in this Guide.

If your children are in the child welfare-related court system and you are detained or deported and unable to come to court, make sure to tell the assigned caseworker if you do not have an attorney. Try to have a family member or friend attend any hearings for you until you get an attorney.

It is important to understand that the caseworker and child welfare attorney may not be familiar with the immigration process.

Participating in Child Welfare-Related Court Proceedings

ICE is supposed to allow you to participate in all child welfare-related court proceedings even if you are in detention. **It is very important that you try to participate in these child welfare-related court proceedings because your involvement can make a difference in when or not your children are returned to you** if you are released from detention or have been deported.

- ✓ Ask an ICE officer to allow you to go to any court hearings or at least participate by phone.
- ✓ Even if you are not allowed to participate in the court hearings, **make sure your child welfare caseworker and the judge are aware of all your efforts to get to court.** Some ways you can do this include:
 - Telling your attorney about your efforts;
 - Asking a family member or a friend to go to court hearings for you;
 - As a last resort, you can write a letter to the judge about your efforts to get to court.
- ✓ If you do not speak English, request an interpreter at any court hearings regarding your children. Also, DCFS is supposed to make every effort to provide a caseworker who speaks your language.

Case Plans and Visiting Your Children

If your children are in the child welfare system, there will be a list of things you need to do to prove you should regain custody of your children after you leave detention. These things will be explained to you in a **case plan**. The caseworker is supposed to include you in making the case plan if they know where you are. Even though it may be hard to do if

you have been detained or deported, you should try to do as many things on the case plan as possible.

One of the tasks on the case plan might be visiting with your children. According to Illinois child welfare policy, parents and children have a right to visit when the children are in foster care. ICE makes its own rules, however. If you are detained by ICE, it is up to ICE whether or not you will be allowed to visit with your children. Make sure you ask your attorney and child welfare caseworker to try to set up visits. You might need to show ICE a court order from the child welfare-related court for visits.

Your caseworker or a foster parent can bring the children to the detention center to visit with you. It might be hard to arrange for visits if you have been detained or deported, but it is still important that you try – for your children, and to show your interest to the court.

IMPORTANT:

Only people who have legal immigration status in the U.S. should enter an immigration detention center. If your children are staying with an undocumented foster parent, ask if the child welfare caseworker can take your children to visit you. People without immigration status who are near a detention center risk being detained or put in deportation proceedings.

You can also ask about having phone calls with your children. If phone calls are not possible, it can be very helpful to write letters. Even if your children do not know how to read, a foster parent or child welfare caseworker can read your letters to them. This can be comforting to your children. It also shows your concern and interest in your children to the child welfare worker and the judge.

Reuniting with Your Children If You Are Released from Detention

If your children are in the child welfare system and you are released from detention, your children will not automatically be returned to you. The child welfare-related court has to give permission for your children to be returned to you.

Your attorney and the child welfare caseworker can help you work towards your children being returned to you once you are released. Once you are released:

- ✓ Start immediately doing anything in your case plan that you were not able to do while you were detained.
- ✓ Ask for the visiting plan to be changed to allow more visits with your children.
- ✓ Find out the date of the next child welfare-related court hearing, plan to attend, and be ready to show you have made progress on your case plan.
- ✓ If possible, find a job to show you are able to support your children.

What Happens to Your Children if You are Deported

If your children are in the child welfare system when you are deported, they do not automatically go with you back to your home country. The child welfare caseworker and judge will decide whether or not your children will be allowed to join you in your home country. This decision will depend on how well DCFS thinks you can safely care for your children.

- ✓ As soon as you know that your immigration case is ending, contact your attorney and the child welfare case worker and tell them the approximate date you think you will be deported and where you are being sent.
- ✓ Make sure your attorney and the child welfare caseworker have a way to contact you once you leave the United States. If you do not know where you will be living after you are deported, ask a friend or relative if you can use their address and phone number to stay in touch with the court until you get settled.
- ✓ If your children are older, let them know how to contact you if your child welfare caseworker allows the contact.
- ✓ Ask the child welfare caseworker and judge if your case plan can be revised to make it easier for you to participate in it from outside the United States.
- ✓ Contact the consulate of your country to let them know about your situation and ask them to assist you in reuniting with your children. They may be able to advocate for you with DCFS and the child welfare-related court, even if your children are United States citizens.

Conclusion

This can be a frightening time, especially if you are undocumented. Even if you are scared and overwhelmed about what might happen to you and your family, it is important to remember that you still have rights in the United States and there are still steps you can take to ensure your children are safe.

This Guide provides information on several different types of safety plans you can make so your children are cared for if you are detained or deported. If you have any questions about these options or about your immigration status, please see an attorney as described on pages 6–8 of this Guide.

SECTION III: APPENDICES

Appendix A: Form for Important Information and Contacts

Appendix B: Contact Information for Consulates

Appendix C: U.S. Passport Application

Appendix D: Parental Consent for a Passport Form

Appendix E: Statement of Exigent/Special Family Circumstances Form

Appendix F: Short-Term Guardianship Form

APPENDIX A
**Form for Important
Information and Contacts**

IMPORTANT INFORMATION AND CONTACTS

Fill out this form and add it to the documents in your folder.
Please use more pages if needed to answer any of the questions below:

Parental Information:

Parent #1's Name: _____

Address: _____

Place and Date of Birth: _____

Work Place: _____

Work Schedule: _____

Work Phone: _____ Cell Phone: _____

Parent #2's Name: _____

Address: _____

Place and Date of Birth: _____

Work Place: _____

Work Schedule: _____

Work Phone: _____ Cell Phone: _____

Immigration Attorney or Accredited Representative (if you have one):

Name: _____

Phone Number: _____

Address: _____

Family Law Attorney (if you have one):

Name: _____

Phone Number: _____

Address: _____

Home Country Consulate:

Name: _____

Phone Number: _____

Address: _____

Church, Priest, Pastor (if you have a religious leader you trust):

Name: _____

Phone Number: _____

Address: _____

Family Members in the U.S.:

(NOTE: Consider whether it is beneficial to list friends and family who are undocumented. While ICE is not likely to see this form, there is always a chance they could. For this reason, it is not recommended that you list these individuals' addresses):

Name: _____

Phone Numbers: _____

Relation: _____

Name: _____

Phone Numbers: _____

Relation: _____

Name: _____

Phone Numbers: _____

Relation: _____

Friends you trust in the U.S.:

(NOTE: Consider whether it is beneficial to list friends and family who are undocumented. While ICE is not likely to see this form, there is always a chance they could. For this reason, it is not recommended that you list these individual's addresses):

Name: _____

Phone Numbers: _____

Address: _____

Name: _____

Phone Numbers: _____

Address: _____

Family Members Outside the U.S.:

Name: _____

Country: _____

Phone Numbers: _____

Relation: _____

Name: _____

Country: _____

Phone Number: _____

Relation: _____

In the case that we are not here and available to care for our children, it is our desire that our children are cared for by:

Name(s): _____

Phone Numbers: _____

Address: _____

Instructions: _____

Has a guardianship arrangement been prepared with this person? YES NO

If yes, what type of guardianship arrangement? _____

Second Choice:

Name(s): _____

Phone Numbers: _____

Address: _____

Instructions: _____

Has a guardianship arrangement been prepared with this person? YES NO

If yes, what type of guardianship arrangement? _____

Information on Children in the U.S.:

Child's Name: _____

Place and Date of Birth: _____

Citizenship: _____

Social Security Number: _____

Medical History: _____

Allergies: _____

Immunizations: _____

Doctor: _____

Name of School: _____

School Address: _____

School Phone Number: _____

Bedtime Routine: _____

Favorite Activities: _____

Any other information you would want person caring for your child to know:

Child's Name: _____

Place and Date of Birth: _____

Citizenship: _____

Social Security Number: _____

Medical History: _____

Allergies: _____

Immunizations: _____

Doctor: _____

Name of School: _____

School Address: _____

School Phone Number: _____

Bedtime Routine: _____

Favorite Activities: _____

Any other information you would want person caring for your child to know:

Child's Name: _____

Place and Date of Birth: _____

Citizenship: _____

Social Security Number: _____

Medical History: _____

Allergies: _____

Immunizations: _____

Doctor: _____

Name of School: _____

School Address: _____

School Phone Number: _____

Bedtime Routine: _____

Favorite Activities: _____

Any other information you would want person caring for your child to know:

Child's Name: _____

Place and Date of Birth: _____

Citizenship: _____

Social Security Number: _____

Medical History: _____

Allergies: _____

Immunizations: _____

Doctor: _____

Name of School: _____

School Address: _____

School Phone Number: _____

Bedtime Routine: _____

Favorite Activities: _____

Any other information you would want person caring for your child to know:

REMINDER: Make sure safety planning documents, including guardianship forms, are in your folder.

Signature of parent or parents completing this form: _____

Date: _____

APPENDIX B
Contact Information
for Consulates

Contact Information for Consulates

Consulate-General of Guatemala

Address:

5559 N. Elston Ave., Suite 100
Chicago, IL 60630

Phone Number:

(+1) (312) 540-0781

Email Address:

conschicago@minex.gob.gt

Website:

<http://www.conschicago.minex.gob.gt>

Consulate-General of Honduras

Address:

4506 W. Fullerton Ave.
Chicago, IL 60639

Phone Number:

(+1) (773) 324-8281

Consulate-General of Mexico

Address:

204 S. Ashland Ave.
Chicago, IL 60607

Phone Numbers:

(+1) (312) 738-2382

Email Address:

conchicago@sre.gob.mx

Website:

<https://consulmex.sre.gob.mx/chicago/>

Consulate-General of El Salvador

Address:

177 N. State St., 2nd Floor, Mezzanine
Chicago, IL 60601

Phone Numbers:

(+1) (312) 332-1393
(+1) (312) 578-5390

Email Address:

consuladochicago@rree.gob.sv

Website:

<http://consuladochicago.rree.gob.sv>

APPENDIX C
U.S. Passport Application



U.S. PASSPORT APPLICATION

PLEASE DETACH AND RETAIN THIS INSTRUCTION SHEET FOR YOUR RECORDS

FOR INFORMATION AND QUESTIONS

Visit the official Department of State website at travel.state.gov or contact the National Passport Information Center (NPIC) via toll-free at 1-877-487-2778 (TDD: 1-888-874-7793) and NPIC@state.gov. Customer Service Representatives are available Monday-Friday 8:00a.m.-10:00p.m. Eastern Time (excluding federal holidays). Automated information is available 24 hours a day, 7 days a week.

WHAT TO SUBMIT WITH THIS FORM:

- 1. PROOF OF U.S. CITIZENSHIP:** Evidence of U.S. citizenship **AND a photocopy** of the front (and back, if there is printed information) must be submitted with your application. The photocopy must be on 8 ½ inch by 11 inch paper, black and white ink, legible, and clear. Evidence that is not damaged, altered, or forged will be returned to you. **Note:** Lawful permanent resident cards submitted with this application will be forwarded to U.S. Citizenship and Immigration Services, if we determine that you are a U.S. citizen.
- 2. PROOF OF IDENTITY:** You must present your original identification **AND submit a photocopy** of the front and back with your passport application.
- 3. RECENT COLOR PHOTOGRAPH:** Photograph must meet passport requirements – full front view of the face and 2x2 inches in size.
- 4. FEES:** Please visit our website at travel.state.gov for current fees.

HOW TO SUBMIT THIS FORM:

Complete and submit this application in person to a designated acceptance agent: a clerk of a federal or state court of record or a judge or clerk of a probate court accepting applications; a designated municipal or county official; a designated postal employee at an authorized post office; an agent at a passport agency (by appointment only); or a U.S. consular official at a U.S. Embassy or Consulate, if abroad. To find your nearest acceptance facility, visit travel.state.gov or contact the National Passport Information Center at 1-877-487-2778.

Follow the instructions on Page 2 for detailed information to completion and submission of this form.

REQUIREMENTS FOR CHILDREN

● AS DIRECTED BY PUBLIC LAW 106-113 AND 22 CFR 51.28:

To submit an application for a child under age 16 **both parents or the child's legal guardian(s) must appear** and present the following:

- Evidence of the child's U.S. citizenship;
- Evidence of the child's relationship to parents/guardian(s); **AND**
- Original parental/guardian government-issued identification **AND a photocopy** of the front and back side of presented identification.

IF ONLY ONE PARENT APPEARS, YOU MUST ALSO SUBMIT ONE OF THE FOLLOWING:

- Second parent's notarized written statement or DS-3053 (including the child's full name and date of birth) consenting to the passport issuance for the child. The notarized statement **cannot** be more than **three** months old and **must** be signed and notarized on the same day, and **must** come with a photocopy of the front and back side of the second parent's government-issued photo identification; **OR**
- Second parent's death certificate if second parent is deceased; **OR**
- Primary evidence of sole authority to apply, such as a court order; **OR**
- A written statement or DS-5525 (made under penalty of perjury) explaining in detail the second parent's unavailability.

● AS DIRECTED BY REGULATION 22 C.F.R. 51.21 AND 51.28:

- Each minor child applying for a U.S. passport book and/or passport card must appear in person.

PASSPORT VALIDITY LENGTH

If you are 16 years of age or older: Your U.S. passport will be valid for 10 years from the date of issue except where limited by the Secretary of State to a shorter period.

If you are under 16 years of age: Your U.S. passport will be valid for five years from the date of issue except where limited by the Secretary of State to a shorter period.

APPLICANTS WHO HAVE HAD A PREVIOUS U.S. PASSPORT BOOK AND/OR PASSPORT CARD

LOST OR STOLEN - If you cannot submit your valid or potentially valid U.S. passport book and/or passport card with this application and you have not previously submitted Form DS-64, Statement Regarding a Lost or Stolen U.S. Passport, you are required to fill out and submit a DS-64 with this application.

IN MY POSSESSION - If your most recent U.S. passport book and/or passport card was issued less than 15 years ago, and you were over the age of 16 at the time of issuance, you may be eligible to use Form DS-82 to renew your passport by mail.

FAILURE TO PROVIDE INFORMATION REQUESTED ON THIS FORM, INCLUDING YOUR SOCIAL SECURITY NUMBER, MAY RESULT IN SIGNIFICANT PROCESSING DELAYS AND/OR THE DENIAL OF YOUR APPLICATION.

WARNING: False statements made knowingly and willfully in passport applications, including affidavits or other documents submitted to support this application, are punishable by fine and/or imprisonment under U.S. law including the provisions of 18 U.S.C. 1001, 18 U.S.C. 1542, and/or 18 U.S.C. 1621. Alteration or mutilation of a passport issued pursuant to this application is punishable by fine and/or imprisonment under the provisions of 18 U.S.C. 1543. The use of a passport in violation of the restrictions contained herein or of the passport regulations is punishable by fine and/or imprisonment under 18 U.S.C. 1544. All statements and documents are subject to verification.

PROOF OF U.S. CITIZENSHIP

APPLICANTS BORN IN THE UNITED STATES: Submit a previous U.S. passport or **certified** birth certificate. Passports that are limited in validity will need to be supplemented by other evidence. A birth certificate must include your full name, date and place of birth, sex, date the birth record was filed, the seal or other certification of the official custodian of such records (state, county, or city/town office), and the full names of your parent(s).

- **If the birth certificate was filed more than 1 year after the birth:** It must be supported by evidence described in the next paragraph.
- **If no birth record exists:** Submit a registrar's notice to that effect. Also, submit a combination of the evidence listed below, which should include your given name and surname, date and/or place of birth, and the seal or other certification of the office (if customary), and the signature of the issuing official.
 - A hospital birth record;
 - An early baptismal or circumcision certificate;
 - Early census, school, medical, or family Bible records;
 - Insurance files or published birth announcements (such as a newspaper article); and
 - Notarized affidavits (or DS-10, Birth Affidavit) of older blood relatives having knowledge of your birth may be submitted **in addition** to some of the records listed above.

APPLICANTS BORN OUTSIDE THE UNITED STATES: Submit a previous U.S. passport, Certificate of Naturalization, Certificate of Citizenship, Consular Report of Birth Abroad, or evidence described below:

- **If you claim citizenship through naturalization of parent(s):** Submit the Certificate(s) of Naturalization of your parent(s), your foreign birth certificate (and official translation if the document is not in English), proof of your admission to the United States for permanent residence, **and** your parents' marriage/certificate and/or evidence that you were in the legal and physical custody of your U.S. citizen parent, if applicable.
- **If you claim citizenship through birth abroad to at least one U.S. citizen parent:** Submit a Consular Report of Birth (Form FS-240), Certification of Birth (Form DS-1350 or FS-545), or your foreign birth certificate (and official translation if the document is not in English), proof of U.S. citizenship of your parent, your parents' marriage certificate, **and** an affidavit showing all of your U.S. citizen parents' periods and places of residence/physical presence in the United States and abroad before your birth.
- **If you claim citizenship through adoption by a U.S. citizen parent(s):** Submit evidence of your permanent residence status, full and final adoption, **and** your U.S. citizen parent(s) evidence of legal and physical custody. (**NOTE:** Acquisition of U.S. citizenship for persons born abroad and adopted only applies if the applicant was born on or after 02/28/1983.)

ADDITIONAL EVIDENCE: You must establish your citizenship to the satisfaction of the acceptance agent and Passport Services. We may ask you to provide additional evidence to establish your claim to U.S. citizenship. Visit travel.state.gov for details.

PROOF OF IDENTITY

You may submit items such as the following containing your signature AND a photograph that is a good likeness of you: previous or current U.S. passport book; previous or current U.S. passport card; driver's license (not temporary or learner's license); Certificate of Naturalization; Certificate of Citizenship; military identification; or federal, state, or municipal government employee identification card. Temporary or altered documents are not acceptable.

You must establish your identity to the satisfaction of the acceptance agent and Passport Services. We may ask you to provide additional evidence to establish your identity. If you have changed your name, please see travel.state.gov for instructions.

IF YOU CANNOT PROVIDE DOCUMENTARY EVIDENCE OF IDENTITY as stated above, you must appear with an IDENTIFYING WITNESS, who is a U.S. citizen, non-citizen U.S. national, or permanent resident alien that has known you for at least two years. Your witness must prove his or her identity and complete and sign an Affidavit of Identifying Witness (Form DS-71) before the acceptance agent. You must also submit some identification of your own.

COLOR PHOTOGRAPH

Submit a color photograph of you alone, sufficiently recent to be a good likeness of you (taken within the last six months), and 2x2 inches in size. The image size measured from the bottom of your chin to the top of your head (including hair) should not be less than 1 inch, and not more than 1 3/8 inches. The photograph must be in color, clear, with a full front view of your face. The photograph must be taken with a neutral facial expression (preferred) or a natural smile, and with both eyes open and be printed on photo quality paper with a plain light (white or off-white) background. The photograph must be taken in normal street attire, without a hat, or head covering unless a signed statement is submitted by the applicant verifying that the hat or head covering is part of recognized, traditional religious attire that is customarily or required to be worn continuously when in public or a signed doctor's statement is submitted verifying the item is used daily for medical purposes. Headphones, "bluetooth", or similar devices must not be worn in the passport photograph. Glasses or other eyewear are not acceptable unless you provide a signed statement from a doctor explaining why you cannot remove them due to medical reasons (e.g., during the recovery period from eye surgery). Any photograph retouched so that your appearance is changed is unacceptable. A snapshot, most vending machine prints, hand-held self portraits, and magazine or full-length photographs are unacceptable. A digital photo must meet the previously stated qualifications, and will be accepted for use at the discretion of Passport Services. Visit our website at travel.state.gov for details and information.

FEES

FEES ARE LISTED ON OUR WEBSITE AT TRAVEL.STATE.GOV. BY LAW, THE PASSPORT FEES ARE NON-REFUNDABLE.

- **The passport application fee, security surcharge, and expedite fee may be paid in any of the following forms:** Checks (personal, certified, or traveler's) with the applicant's full name and date of birth printed on the front; major credit card (Visa, Master Card, American Express, and Discover); bank draft or cashier's check; money order (U.S. Postal, international, currency exchange), or if abroad, the foreign currency equivalent, or a check drawn on a U.S. bank. All fees should be payable to the "U.S. Department of State" or if abroad, the appropriate U.S. Embassy or U.S. Consulate. When applying at a designated acceptance facility, the execution fee will be paid separately and should be made payable to the acceptance facility. **NOTE: Some designated acceptance facilities do not accept credit cards as a form of payment.**
- **For faster processing,** you may request expedited service. Please include the expedite fee in your payment. Our website contains updated information regarding fees and processing times for expedited service. Expedited service is only available for passports mailed in the United States and Canada.
- **OVERNIGHT DELIVERY SERVICE** is only available for passport book mailings in the United States. Please include the appropriate fee with your payment.
- An additional fee will be charged when, upon your request, the U.S. Department of State verifies issuance of a previous U.S. passport or Consular Report of Birth Abroad because you are unable to submit evidence of U.S. citizenship.
- **For applicants with U.S. government or military authorization for no-fee passports,** no fees are charged except the execution fee when applying at a designated acceptance facility.

NOTE REGARDING MAILING OF YOUR PASSPORT(S)

Passport Services will not mail a U.S. passport to a private address outside the United States or Canada. If you do not live at the address listed in the "mailing address", then you must put the name of the person and mark it as "In Care Of" in item # 8. If your mailing address changes prior to receipt of your new passport, please contact the National Passport Information Center.

If you choose to provide your email address in Item #6 on this application, Passport Services may use that information to contact you in the event there is a problem with your application or if you need to provide information to us.

You may receive your newly issued passport book and/or card and your returned citizenship evidence in **two separate mailings**. If you are applying for both a U.S. passport book and passport card, **you may receive three separate mailings**; one with your returned citizenship evidence, one with your newly issued passport book, and one with your newly issued passport card.

FEDERAL TAX LAW

Section 6039E of the Internal Revenue Code (26 U.S.C. 6039E) and 22 U.S.C 2714a(f) require you to provide your Social Security number (SSN), if you have one, when you apply for or renew a U.S. passport. If you have never been issued a SSN, you must enter zeros in box #5 of this form. If you are residing abroad, you must also provide the name of the foreign country in which you are residing. The U.S. Department of State must provide your SSN and foreign residence information to the U.S. Department of the Treasury. If you fail to provide the information, your application may be denied and you are subject to a \$500 penalty enforced by the IRS. All questions on this matter should be referred to the nearest IRS office.

NOTICE TO CUSTOMERS APPLYING OUTSIDE A DEPARTMENT OF STATE FACILITY

If you send us a check, it will be converted into an electronic funds transfer (EFT). This means we will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will usually occur within 24 hours and will be shown on your regular account statement.

You will not receive your original check back. We will destroy your original check, but we will keep the copy of it. If the EFT cannot be processed for technical reasons, you authorize us to process the copy in place of your original check. If the EFT cannot be completed because of insufficient funds, we may try to make the transfer up to two times, and we will charge you a one-time fee of \$25, which we will also collect by EFT.

FEE REMITTANCE

Passport service fees are established by law and regulation (see 22 U.S.C. 214, 22 C.F.R. 22.1, and 22 C.F.R. 51.50-56), and are collected at the time you apply for the passport service. If the Department fails to receive full payment of the applicable fees because, for example, your check is returned for any reason or you dispute a passport fee charge to your credit card, the U.S. Department of State will take action to collect the delinquent fees from you under 22 C.F.R. Part 34, and the Federal Claims Collection Standards (see 31 C.F.R. Parts 900-904). In accordance with the Debt Collection Improvement Act (Pub.L. 104-134), if the fees remain unpaid after 180 days and no repayment arrangements have been made, the Department will refer the debt to the U.S. Department of Treasury for collection. Debt collection procedures used by U.S. Department of Treasury may include referral of the debt to private collection agencies, reporting of the debt to credit bureaus, garnishment of private wages and administrative offset of the debt by reducing, or withholding eligible federal payments (e.g., tax refunds, social security payments, federal retirement, etc.) by the amount of your debt, including any interest penalties or other costs incurred. In addition, non-payment of passport fees may result in the invalidation of your passport. An invalidated passport cannot be used for travel.

USE OF SOCIAL SECURITY NUMBER

Your Social Security number will be provided to U.S. Department of Treasury, used in connection with debt collection and checked against lists of persons ineligible or potentially ineligible to receive a U.S. passport, among other authorized uses.

NOTICE TO APPLICANTS FOR OFFICIAL, DIPLOMATIC, OR NO-FEE PASSPORTS

You may use this application if you meet all of the provisions listed on Instruction Page 2; however, you must **CONSULT YOUR SPONSORING AGENCY FOR INSTRUCTIONS ON PROPER ROUTING PROCEDURES BEFORE FORWARDING THIS APPLICATION**. Your completed passport will be released to your sponsoring agency for forwarding to you.

PROTECT YOURSELF AGAINST IDENTITY THEFT! REPORT YOUR LOST OR STOLEN PASSPORT BOOK OR PASSPORT CARD!

For more information regarding reporting a lost or stolen U.S. passport book or passport card (Form DS-64), or to determine your eligibility for a passport renewal (Form DS-82), call NPIC at 1-877-487-2778 or visit travel.state.gov.

NOTICE TO U.S. PASSPORT CARD APPLICANTS

The maximum number of letters provided for your given name (first and middle) on the U.S. passport card is 24 characters. The 24 characters may be shortened due to printing restrictions. If both your given names are more than 24 characters, you must shorten one of your given names you list on item 1 of this form.

U.S. passports, either in book or card format, are only issued to U.S. citizens or non-citizen U.S. nationals. Each person must obtain his or her own U.S. passport book or U.S. passport card. The passport card is a U.S. passport issued in card format. Like the traditional U.S. passport book, it reflects the bearer's origin, identity, and nationality, and is subject to existing passport laws and regulations. **Unlike the U.S. passport book, the U.S. passport card is valid only for entry at land border crossings and sea ports of entry when traveling from Canada, Mexico, the Caribbean, and Bermuda.** The U.S. passport card is **not** valid for international air travel.

ELECTRONIC PASSPORT STATEMENT

The U.S. Department of State now issues an "Electronic Passport" book, which contains an embedded electronic chip. The electronic passport book continues to be proof of the bearer's U.S. citizenship/nationality and identity, and looks and functions in the same way as a passport without a chip. The addition of an electronic chip in the back cover enables the passport book to carry a duplicate electronic copy of all information from the data page. The electronic passport book is usable at all ports-of-entry, including those that do not yet have electronic chip readers.

Use of the electronic format provides the traveler the additional security protections inherent in chip technology. Moreover, when used at ports-of-entry equipped with electronic chip readers, the electronic passport book provides for faster clearance through some of the port-of-entry processes.

The electronic passport book does not require special handling or treatment, but like previous versions should be protected from extreme heat, bending, and from immersion in water. The electronic chip must be read using specially formatted readers, which protects the data on the chip from unauthorized reading.

The cover of the electronic passport book is printed with a special symbol representing the embedded chip. The symbol  will appear in port-of-entry areas where the electronic passport book can be read.

ACTS OR CONDITIONS

If any of the below-mentioned acts or conditions have been performed by or apply to the applicant, the portion which applies should be lined out, and a supplementary explanatory statement under oath (or affirmation) by the applicant should be attached and made a part of this application.

I have not, since acquiring United States citizenship/nationality, been naturalized as a citizen of a foreign state; taken an oath or made an affirmation or other formal declaration of allegiance to a foreign state; entered or served in the armed forces of a foreign state; accepted or performed the duties of any office, post, or employment under the government of a foreign state or political subdivision thereof; made a formal renunciation of nationality either in the United States, or before a diplomatic or consular officer of the United States in a foreign state; or been convicted by a court or court martial of competent jurisdiction of committing any act of treason against, or attempting by force to overthrow, or bearing arms against, the United States, or conspiring to overthrow, put down, or to destroy by force, the government of the United States.

Furthermore, I have not been convicted of a federal or state drug offense or convicted of a "sex tourism" crimes statute, and I am not the subject of an outstanding federal, state, or local warrant of arrest for a felony; a criminal court order forbidding my departure from the United States; a subpoena received from the United States in a matter involving federal prosecution for, or grand jury investigation of, a felony.

PRIVACY ACT STATEMENT

AUTHORITIES: Collection of this information is authorized by 22 U.S.C. 211a et seq.; 8 U.S.C. 1104; 26 U.S.C. 6039E, 22 U.S.C. 2714a(f), Section 236 of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001; Executive Order 11295 (August 5, 1966); and 22 C.F.R. parts 50 and 51.

PURPOSE: We are requesting this information in order to determine your eligibility to be issued a U.S. passport. Your Social Security number is used to verify your identity.

ROUTINE USES: This information may be disclosed to another domestic government agency, a private contractor, a foreign government agency, or to a private person or private employer in accordance with certain approved routine uses. These routine uses include, but are not limited to, law enforcement activities, employment verification, fraud prevention, border security, counterterrorism, litigation activities, and activities that meet the Secretary of State's responsibility to protect U.S. citizens and non-citizen nationals abroad. More information on the Routine Uses for the system can be found in System of Records Notices State-05, Overseas Citizen Services Records and State-26, Passport Records.

DISCLOSURE: Providing information on this form is voluntary. Be advised, however, that failure to provide the information requested on this form may cause delays in processing your U.S. passport application and/or could result in the refusal or denial of your application.

Failure to provide your Social Security number may result in the denial of your application (consistent with 22 U.S.C. 2714a(f)) and may subject you to a penalty enforced by the Internal Revenue Service, as described in the Federal Tax Law section of the instructions to this form. Your Social Security number will be provided to the Department of the Treasury and may be used in connection with debt collection, among other purposes authorized and generally described in this section.

PAPERWORK REDUCTION ACT STATEMENT

Public reporting burden for this collection of information is estimated to average 85 minutes per response, including the time required for searching existing data sources, gathering the necessary data, providing the information and/or documents required, and reviewing the final collection. You do not have to supply this information unless this collection displays a currently valid OMB control number. If you have comments on the accuracy of this burden estimate and/or recommendations for reducing it, please send them to: U.S. Department of State, Bureau of Consular Affairs, Passport Services, Office of Legal Affairs and Law Enforcement Liaison, 44132 Mercure Cir, P.O. Box 1227, Sterling, Virginia 20166-1227



APPLICATION FOR A U.S. PASSPORT

Please Print Legibly Using Black Ink Only

OMB CONTROL NO. 1405-0004
OMB EXPIRATION DATE: 08-31-2019
ESTIMATED BURDEN: 85 MIN

Attention: Read WARNING on page 1 of instructions

Please select the document(s) for which you are applying:

- U.S. Passport Book U.S. Passport Card Both
- Regular Book (Standard) Large Book (Non-Standard)

The U.S. passport card is **not** valid for international air travel. For more information see page 1 of instructions.

Note: The large book option is for those who frequently travel abroad during the passport validity period, and is recommended for applicants who have previously required the addition of visa pages.

1. Name Last

D O Dep DOTS _____

End. # _____ Exp. _____

First

Middle

2. Date of Birth (mm/dd/yyyy)

____/____/____

3. Sex

M F

4. Place of Birth (City & State if in the U.S., or City & Country as it is presently known.)

5. Social Security Number

____-____-____

6. Email (Info alerts offered at travel.state.gov)

_____@_____

7. Primary Contact Phone Number

____-____-____

8. Mailing Address: Line 1: Street/RFD#, P.O. Box, or URB.

Address Line 2: **Clearly label** Apartment, Company, Suite, Unit, Building, Floor, In Care Of or Attention if applicable. (e.g., In Care Of - Jane Doe, Apt # 100)

City

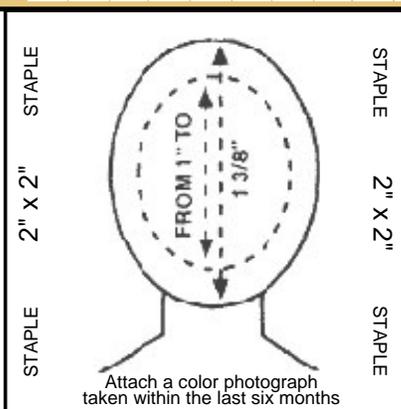
State

Zip Code

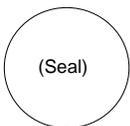
Country, if outside the United States

9. List all other names you have used. (Examples: Birth Name, Maiden, Previous Marriage, Legal Name Change. Attach additional pages if needed)

A. _____ B. _____



- Acceptance Agent (Vice) Consul USA
- Passport Staff Agent



STOP! CONTINUE TO PAGE 2

DO NOT SIGN APPLICATION UNTIL REQUESTED TO DO SO BY AUTHORIZED AGENT

Identifying Documents - Applicant or Mother/Father/Parent on Second Signature Line (if identifying minor)

- Driver's License State Issued ID Card Passport Military Other _____

Name _____

Issue Date (mm/dd/yyyy) _____ Exp. Date (mm/dd/yyyy) _____ State of Issuance _____

ID No. _____ Country of Issuance _____

Identifying Documents - Applicant or Mother/Father/Parent on Third Signature Line (if identifying minor)

- Driver's License State Issued ID Card Passport Military Other _____

Name _____

Issue Date (mm/dd/yyyy) _____ Exp. Date (mm/dd/yyyy) _____ State of Issuance _____

ID No. _____ Country of Issuance _____

I declare under penalty of perjury all of the following: 1) I am a citizen or non-citizen national of the United States and have not, since acquiring U.S. citizenship or nationality, performed any of the acts listed under "Acts or Conditions" on page four of the instructions of this application (unless explanatory statement is attached); 2) the statements made on the application are true and correct; 3) I have not knowingly and willfully made false statements or included false documents in support of this application; 4) the photograph attached to this application is a genuine, current photograph of me; and 5) I have read and understood the warning on page one of the instructions to the application form.

Name of courier company (if applicable)

____-____-____
Facility ID Number

Facility Name/Location

____-____-____
Agent ID Number

Signature of person authorized to accept applications

Date

X _____
Applicant's Legal Signature - age 16 and older

X _____
Mother/Father/Parent/Legal Guardian's Signature (if identifying minor)

X _____
Mother/Father/Parent/Legal Guardian's Signature (if identifying minor)



* DS 11 C 09 2013 1 *

For Issuing Office Only → Bk _____ Card _____ EF _____ Postage _____ Execution _____ Other _____

Name of Applicant (Last, First, & Middle) _____ Date of Birth (mm/dd/yyyy) _____

10. Parental Information
Mother/Father/Parent - First & Middle Name _____ Last Name (at Parent's Birth) _____

Date of Birth (mm/dd/yyyy) _____ Place of Birth _____ Sex Male Female U.S. Citizen? Yes No

Mother/Father/Parent - First & Middle Name _____ Last Name (at Parent's Birth) _____

Date of Birth (mm/dd/yyyy) _____ Place of Birth _____ Sex Male Female U.S. Citizen? Yes No

11. Have you ever been married? Yes No *If yes, complete the remaining items in #11.*

Full Name of Current Spouse or Most Recent Spouse _____ Date of Birth (mm/dd/yyyy) _____ Place of Birth _____

U.S. Citizen? Yes No Date of Marriage (mm/dd/yyyy) _____ Have you ever been widowed or divorced? Yes No Widow/Divorce Date (mm/dd/yyyy) _____

12. Additional Contact Phone Number _____ Home Cell Work **13. Occupation (if age 16 or older)** _____ **14. Employer or School (if applicable)** _____

15. Height _____ **16. Hair Color** _____ **17. Eye Color** _____ **18. Travel Plans**
Departure Date (mm/dd/yyyy) _____ Return Date (mm/dd/yyyy) _____ Countries to be Visited _____

19. Permanent Address - *If P.O. Box is listed under Mailing Address or if residence is different from Mailing Address.*
Street/RFD # or URB (No P.O. Box) _____ Apartment/Unit _____

City _____ State _____ Zip Code _____

20. Emergency Contact - *Provide the information of a person not traveling with you to be contacted in the event of an emergency.*
Name _____ Address: Street/RFD # or P.O. Box _____ Apartment/Unit _____

City _____ State _____ Zip Code _____ Phone Number _____ Relationship _____

21. Have you ever applied for or been issued a U.S. Passport Book or Passport Card? Yes No *If yes, complete the remaining items in #21.*

Name as printed on your most recent passport book _____ Most recent passport book number _____ Most recent passport book issue date (mm/dd/yyyy) _____

Status of your most recent passport book: Submitting with application Stolen Lost In my possession (if expired)

Name as printed on your most recent passport card _____ Most recent passport card number _____ Most recent passport card issue date (mm/dd/yyyy) _____

Status of your most recent passport card: Submitting with application Stolen Lost In my possession (if expired)

PLEASE DO NOT WRITE BELOW THIS LINE - FOR ISSUING OFFICE ONLY

Name as it appears on citizenship evidence _____

- Birth Certificate SR CR City Filed: _____ Issued: _____
- Nat. / Citiz. Cert. USCIS USDC Date/Place Acquired: _____ A# _____
- Report of Birth Filed/Place: _____
- Passport C/R S/R Per PIERS #/DOI: _____
- Other: _____
- Attached: _____



* DS 11 C 09 2013 2 *

P/C of Citiz P/C of ID DS-71 DS-3053 DS-64 DS-5520 DS-5525 PAW NPIC IRL Citiz W/S

APPENDIX D
**Parental Consent for a
Passport Form**



**U.S. Department of State
STATEMENT OF CONSENT:
ISSUANCE OF A U.S. PASSPORT TO A MINOR UNDER AGE 16**

USE OF THIS FORM

The information collected on this form is used in conjunction with the DS-11, "Application for a U.S. Passport." When a minor under the age of 16 applies for a passport and one of the minor's parents or legal guardians is unavailable at the time the passport is executed, a completed and notarized DS-3053 can be used as the statement of consent. If the required statement is not submitted, the minor may not be eligible to receive a U.S. passport. The required statement may be submitted in other formats provided they meet statutory and regulatory requirements.

FORM INSTRUCTIONS

1. Complete fields 1, 2, and 3. If field 3 is not completed, authorization will be valid for both products.
2. Complete field 4, Statement of Consent, only if you are a non-applying parent or guardian consenting to the issuance of a passport for your minor child. NOTE: Your signature must be witnessed and notarized in field 5.
3. The written consent from the non-applying parent that accompanies an application for a new U.S. passport must not be more than 90 days old. A clear photocopy of the front and back of the non-applying parent's government-issued photo identification presented to the notary is required with the written consent.
4. Please submit this form with your minor child's new DS-11 passport application to any designated acceptance facility, U.S. Passport Agency, U.S. Embassy, or U.S. Consulate abroad.

SPECIAL REQUIREMENTS FOR INSTITUTIONS/ENTITIES GRANTED GUARDIANSHIP

Below is a list of documents **you must** submit with your DS-3053:

1. A **certified** order of a court of competent jurisdiction granting guardianship to the institution/entity. (Photocopies are not acceptable.)
2. A signed statement from the institution/entity **on letterhead** authorizing a specific person to apply for a passport for the child on its behalf. The statement must include the minor's name and the name of the individual(s) authorized to apply for the passport.
3. A photocopy of employee identification documents proving the person applying for the minor's passport works at the institution/entity.

Please ensure that all of the above **do NOT have any conditions** placed on the period of validity of the passport or where the minor may travel. If there are conditions in the statement, a new statement of unequivocal consent is required.

WARNING: False statements made knowingly and willfully on passport applications, including affidavits or other supporting documents submitted therewith, may be punishable by fine and/or imprisonment under U.S. law, including the provisions of 18 U.S.C. 1001, 18 U.S.C. 1542, and/or 18 U.S.C. 1621.

FOR INFORMATION AND QUESTIONS

For passport and travel information, please visit our website at travel.state.gov. In addition, contact the National Passport Information Center (NPIC) toll-free at 1-877-487-2778 (TDD 1-888-874-7793) or by e-mail at NPIC@state.gov. Customer Service Representatives are available Monday-Friday, 8:00 a.m. - 10:00 p.m. Eastern Standard Time (excluding federal holidays). Automated information is available 24/7.

For information on International Parental Child Abduction, please visit www.travel.state.gov/childabduction or contact the Office of Children's Issues by telephone at 1-888-407-4747 or by e-mail at PreventAbduction1@state.gov.

PRIVACY ACT STATEMENT

AUTHORITIES: We are authorized to collect this information by 22 U.S.C. 211a et seq.; 8 U.S.C. 1104; 26 U.S.C. 6039E; Executive Order 11295 (August 5, 1966); and 22 C.F.R. parts 50 and 51.

PURPOSE: The primary purpose for soliciting the information is to establish two parent consent for a minor's passport application, as required by Public Law 106-113, Section 236.

ROUTINE USES: This information may be disclosed to another domestic government agency, a private contractor, a foreign government agency, or to a private person or private employer in accordance with certain approved routine uses. These routine uses include, but are not limited to, law enforcement activities, employment verification, fraud prevention, border security, counterterrorism, litigation activities, and activities that meet the Secretary of State's responsibility to protect U.S. citizens and non-citizen nationals abroad. More information on the Routine Uses for the system can be found in System of Records Notices State-05, Overseas Citizen Services Records and State-26, Passport Records.

DISCLOSURE: Failure to provide the information requested on this form may result in the refusal or denial of a U.S. passport application.

PAPERWORK REDUCTION ACT STATEMENT

Public reporting burden for this collection of information is estimated to average 20 minutes per response, including the time required for searching existing data sources, gathering the necessary data, providing the information and/or documents required, and reviewing the final collection. You do not have to supply this information unless this collection displays a currently valid OMB control number. If you have comments on the accuracy of this burden estimate and/or recommendations for reducing it, please send them to: U.S. Department of State, Bureau of Consular Affairs, Passport Services, Office of Legal Affairs and Law Enforcement Liaison, Attn: Forms Officer 44132 Mercure Cir, P.O. Box 1227, Sterling, Virginia 20166-1227.

APPENDIX E
**Statement of Exigent/Special
Family Circumstances Form**



U.S. Department of State
STATEMENT OF EXIGENT/SPECIAL FAMILY CIRCUMSTANCES
FOR ISSUANCE OF A U.S. PASSPORT TO A MINOR UNDER AGE 16

USE OF THIS FORM

Passport applications for minors under the age of 16 require both custodial parents/legal guardians' signatures unless a notarized, written statement of consent from the non-applying custodial parent/legal guardian is provided.

If you have a current court order reflecting full/sole custody or granting permission to obtain a passport, it is likely you will not need to fill out this form. Court orders must be submitted with the minor's passport application.

Use this form only if the notarized, written consent of a parent or legal guardian with custody of the minor applicant under 16 cannot be obtained. Your statement in the form must explain the reason why you cannot obtain the notarized statement of consent. You must justify that there are exigent or special family circumstances that make two parent/guardian consent unobtainable. Please note completion of this form does not guarantee passport issuance.

Your request may qualify as a exigent circumstance if there is a time-sensitive emergency and the inability of the minor to obtain a passport would jeopardize the minor's health or welfare and safety or welfare of the minor or would result in the minor being separated from the rest of his or her traveling party.

Your request may qualify as a special family circumstance if the minor's family situation makes it exceptionally difficult or impossible for one or both of the minor's custodial parents/legal guardians to provide the notarized, written consent.

FORM INSTRUCTIONS

1. **Please complete the questions on this form to the best of your knowledge.** Generally, the more information you are able to provide, the faster we may be able to process your minor child's U.S. passport application. For example, if you are unsure of an exact address, please provide the city, state, or street name if you can recall them. Passport Services will consider all the information derived from the form in its entirety.

2. If you need more space to respond to a question, please write the rest of your response on a separate sheet of paper.

FOR MORE INFORMATION AND/OR QUESTIONS

For passport and travel information, please visit our website at travel.state.gov. In addition, contact the National Passport Information Center (NPIC) toll-free at 1-877-487-2778 (TDD 1-888-874-7793) or by e-mail at NPIC@state.gov. Customer Service Representatives are available Monday-Friday, 8:00a.m.-10:00p.m. Eastern Standard Time (excluding federal holidays). Automated information is available 24/7.

For information on International Parental Child Abduction, please visit www.travel.state.gov/childabduction or contact the Office of Children's Issues by telephone at 1-888-407-4747 or by e-mail at PreventAbduction1@state.gov.

WARNING

False statements made knowingly and willfully on passport applications, including affidavits or other supporting documents submitted therewith, may be punishable by fine and/or imprisonment under U.S. law, including the provisions of 18 U.S.C. 1001, 18 U.S.C. 1542, and/or 18 U.S.C. 1621.

PRIVACY ACT STATEMENT

AUTHORITIES: We are authorized to collect this information by 22 U.S.C. 211a et seq.; 8 U.S.C. 1104; 26 U.S.C. 6039E; Executive Order 11295 (August 5, 1966); and 22 C.F.R. parts 50 and 51.

PURPOSE: The primary purpose for soliciting this information is to establish a possible exigent/special family circumstance exception to Public Law 106-113, Section 236, requiring two parent consent for a minor's passport application.

ROUTINE USES: This information may be disclosed to another domestic government agency, a private contractor, a foreign government agency, or to a private person or private employer in accordance with certain approved routine uses. These routine uses include, but are not limited to, law enforcement activities, employment verification, fraud prevention, border security, counterterrorism, litigation activities, and activities that meet the Secretary of State's responsibility to protect U.S. citizens and non-citizen nationals abroad.

More information on the Routine Uses for the system can be found in System of Records Notices State-05, Overseas Citizen Services Records and State-26, Passport Records.

DISCLOSURE: Failure to provide the information requested on this form may result in the refusal or denial of a U.S. passport application.

PAPERWORK REDUCTION ACT STATEMENT

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including the time required for searching existing data sources, gathering the necessary data, providing the information and/or documents required, and reviewing the final collection. Responding to this collection of information is required to obtain a benefit. You do not have to supply this information unless this collection displays a currently valid OMB control number. If you have comments on the accuracy of this burden estimate and/or recommendations for reducing it, please send them to: U.S. Department of State, Bureau of Consular Affairs, Passport Services, Office of Legal Affairs and Law Enforcement Liaison, Attn: Forms Officer, 44132 Mercure Cir, P.O. Box 1227, Sterling, Virginia 20166-1227.



U.S. Department of State
STATEMENT OF EXIGENT/SPECIAL FAMILY CIRCUMSTANCES
FOR ISSUANCE OF A U.S. PASSPORT TO A MINOR UNDER AGE 16

OMB CONTROL NO. 1405-0216
 OMB EXPIRATION DATE: 08-31-2019
 ESTIMATED BURDEN: 30 Minutes

1. Minor's Name <i>(Last, First, Middle)</i>		2. Minor's Date of Birth <i>(mm/dd/yyyy)</i>	
3. Applying Parent/Guardian's Name <i>(Last, First, Middle)</i>			
4. Non-Applying Parent/Guardian's Information			
Last Name		First & Middle Name	
Date of Birth <i>(mm/dd/yyyy)</i>	Other Names They May Have Used		
Street		Apartment No.	
City	State	ZIP Code	Country
Telephone Number: (_____) _____		E-mail Address: _____	
5. Has any court, either in the United States or abroad, ever issued an order/decreed that references the custody or travel of the minor child in question? (Examples include a divorce decree, custody order, protection order, stay away order, restraining order, etc.) <input type="checkbox"/> Yes <input type="checkbox"/> No			
<i>If yes, you must submit a complete, signed, and dated copy of the most recent order(s)/decree(s) with this form.</i>			
6. Is the non-applying parent/guardian currently incarcerated? <input type="checkbox"/> Yes <input type="checkbox"/> No			
<i>If yes, submit evidence of incarceration with this form, such as a letter from the convicting criminal court, a copy of the incarceration court order, or a copy of the on-line inmate locator page.</i>			
7. Describe your attempts to contact the Non-Applying Parent. <i>(If you need more space, continue on a separate paper.)</i>			
By Mail	Number of times: _____	Approximate Dates: _____	Result: _____
Phone	Number of times: _____	Approximate Dates: _____	Result: _____
E-mail	Number of times: _____	Approximate Dates: _____	Result: _____
Social Media	Number of times: _____	Approximate Dates: _____	Result: _____
Other	Have you attempted to contact through a friend or relative? If so, please fill out the information below.		
Name: _____	How they know the non-applying parent: _____		_____
<small><i>Ex: John Smith</i></small>			<small><i>Ex: Works with Non-Applying Parent</i></small>
Address: _____	<small><i>Street</i></small>	<small><i>City</i></small>	<small><i>State or Country</i></small>
Phone: _____	Approximate Dates: _____	Result: _____	_____
Name: _____	How they know the non-applying parent: _____		_____
<small><i>Ex: John Smith</i></small>			<small><i>Ex: Works with Non-Applying Parent</i></small>
Address: _____	<small><i>Street</i></small>	<small><i>City</i></small>	<small><i>State or Country</i></small>
Phone: _____	Approximate Dates: _____	Result: _____	_____
8. Please explain in detail the reason for your request to issue a U.S. passport book and/or card without the non-applying parent/guardian's consent. <i>(If you need more space, please continue on a separate paper.)</i>			
OATH: I declare under penalty of perjury that all statements made in this supporting document are true and correct.			
Signature of Parent or Legal Guardian:		Date <i>(mm/dd/yyyy):</i>	

APPENDIX F
Short-Term
Guardianship Form

APPOINTMENT OF SHORT-TERM GUARDIAN
755 ILCS 5/11-5.4

It is important to read the following instructions:

By properly completing this form, a parent or the guardian of the person of the child is appointing a guardian of the child of the parent (or a minor ward of the guardian, as the case may be) for a period of up to 365 days. A separate form should be completed for each child. The person appointed as the guardian must sign the form, but need not do so at the same time as the parent or parents.

If you are a parent or guardian who is a member of the Armed Forces of the United States, including any reserve component thereof, or the commissioned corps of the National Oceanic and Atmospheric Administration or the Public Health Service of the United States Department of Health and Human Services detailed by proper authority for duty with the Armed Forces of the United States, or who is required to enter or serve in the active military service of the United States under a call or order of the President of the United States or to serve on State active duty, you may appoint a short-term guardian for your child for a period of your active duty service plus 30 days. When executing this form, include the date your active duty service is scheduled to begin in part 3 and the date your active duty service is scheduled to end in part 4.

This form may not be used to appoint a guardian if there is a guardian already appointed for the child, except that if a guardian of the person of the child has been appointed, that guardian may use this form to appoint a short-term guardian. Both living parents of a child may together appoint a guardian of the child, or the guardian of the person of the child may appoint a guardian of the child, for a period of up to 365 days through the use of this form. If the short-term guardian is appointed by both living parents of the child, the parents need not sign the form at the same time.

1. Parent (or guardian) and Child. I, _____,
currently residing at _____,
am a parent (or the guardian of the person) of the following child (or of a child likely to
be born): _____.

2. Guardian. I hereby appoint the following person as the short-term guardian for my child:
(include name and address) _____
_____.

3. Effective date. This appointment becomes effective: (Check one if you wish it to be applicable)

- On the date that I date in writing that I am no longer either willing or able to make and carry out day-to-day child care decisions concerning the child.
- On the date that a physician familiar with my condition certifies in writing that I am no longer willing or able to make and carry out day-to-day child care decisions concerning the child.
- On the date that I am admitted as an in-patient to a hospital or other health care institution.
- On the following date: _____.
- On the date my active duty service begins: _____.
- Other: _____.

(Note: If this item is not completed, the appointment is effective immediately upon the date the form is signed and dated below.)

4. Termination. This appointment shall terminate 365 days after the effective date, unless it terminates sooner as determined by the event or date I have indicated below: (check one if you wish it to be applicable.)

- On the date that I state in writing that I am willing and able to make and carry out day-to-day child care decisions concerning the child, but not more than 365 days after the effective date.
- On the date that a physician familiar with my condition certifies in writing that I am willing and able to make and carry out day-to-day child care decisions concerning the child, but not more than 365 days after the effective date.
- On the date that I am discharged from the hospital or other health care institution where I was admitted as an in-patient, which established the effective date, but not more than 365 days after the effective date.
- On the date which is _____ days after the effective date. (may not exceed 365 days).
- On the date no more than 30 days after my active duty service is scheduled to end (insert date active duty service is scheduled to end: _____).
- Other: _____.

(Note: If this item is not completed, the appointment will be effective for a period of 365 days, beginning on the effective date.)

5. Date and signature of appointing parent or guardian.

This appointment is made this ____ day of _____, 20 ____.

Signed _____

Appointing parent(s) or guardian

6. Witnesses. I saw the parent (or the guardian of the person of the child) sign this instrument or I saw the parent (or the guardian of the person of the child) direct someone to sign this instrument for the parent (or the guardian). Then I signed this instrument as a witness in the presence of the parent (or the guardian). I am not appointed in this instrument to act as the short-term guardian for the parent's child.

Witness _____
(Signature)

(Name)

(Address)

Witness _____
(Signature)

(Name)

(Address)

7. Acceptance of short-term guardian.

I accept this appointment as short-term guardian on this ____ day of _____, 20 ____.

Signed _____
(Short-term guardian)

8. Consent of child's other parent. I, _____,
currently residing at _____,
hereby consent to this appointment on this _____ day of _____, 20_____.

Signed _____
(Consenting parent)

(Note: The signature of a consenting parent is not necessary if one of the following applies: (i) the child's other parent has died; or (ii) the whereabouts of the child's other parent are not known; or (iii) the child's other parent is not willing or able to make and carry out day-to-day child care decisions concerning the child; or (iv) the child's parents were never married and no court order has issued an order establishing parentage.)