



May 10, 2018

The Honorable Marc Levine
State Capitol, Room 5135
Sacramento, CA 95814

**RE: ?AB 2642 (Levine) Guardianship: special immigrant juveniles?
AAP-CA Position: Support**

Dear Assemblyman Levine,

The American Academy of Pediatrics, California (AAP-CA), representing over 5,000 California pediatricians, supports your proposed legislation AB 2642 (Levine), which would increase the number of non-profit charitable corporations that would be able to apply to offer guardianship to unaccompanied Special Immigrant Juveniles and other minors.

Detained immigrant children in federal custody are released into long-term foster care through the Office of Refugee Resettlement when they cannot be released to an appropriate family member or other adult. As of 2014, more than 5,100 children were in the U.S. foster care system because a parent had been detained or deported.¹ This number has increased since then. Long term foster-care placements are run by non-profit agencies, which enter into contracts with the Office of Refugee Resettlement. However, the current statute requires that the non-profit that acts as entity guardian be “incorporated in this state”, meaning those that are incorporated in other states are ineligible even though those programs have experience caring for unaccompanied immigrant children.

AB 2642 allows for a non-profit “entity” guardian not incorporated in California to be appointed legal guardian of a child if all of the following requirements are met: (1) The articles of incorporation specifically authorize the nonprofit charitable corporation to accept appointments as a guardian. (2) The nonprofit charitable corporation is contracted by the federal Department of Health and Human Services, Office of Refugee Resettlement, or its successor federal government entity, to provide care and custody of the minor. (3) The petition for guardianship is filed in connection with a petition to make the necessary findings regarding special immigrant juvenile status pursuant to subdivision (b) of Section 155 of the Code of Civil Procedure.(4) The nonprofit charitable corporation is licensed by its state to provide care for minors. (5) The nonprofit charitable corporation complies with all of other requirements for similar entities incorporated in California.

Pediatrician members of AAP California Chapters 1, 2, 3 and 4 statewide strongly support proposed legislation AB 2642 (Levine). Thank you for your public service and leadership on behalf of the health and well-being of children, youth, and families in California.

Sincerely,

Kris E. Calvin

Kris Calvin
Chief Executive Officer, American Academy of Pediatrics, California

cc: AAP-CA Leadership; Lobbyist Lydia Bourne

¹ <https://www.southerncoalition.org/resource-detained-deported-parents/>