

	INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE POLICY	
	Chapter 2: Administration of Child Welfare	Effective Date: December 1, 2015
	Section 22: International and Cultural Affairs Services	Version: 1

STATEMENTS OF PURPOSE

The Indiana Department of Child Services (DCS) will ensure all children and families with international and cultural needs receive services through DCS [International and Cultural Affairs \(ICA\)](#).

[ICA](#) should be contacted for services and information including, but not limited to:

1. Cultural needs or concerns;
2. Notification to Consulate or Embassy:
 - a. Detention of child,
 - b. Termination of Parental Rights (TPR),
 - c. Change in legal custody, and
 - d. Guardianship.
3. Immigration status concerns:
 - a. Visas,
 - b. Immigration relief options (Special Immigrant Juvenile Status [SIJS] and Deferred Action for Childhood Arrivals [DACA]),
 - c. Citizenship, and
 - d. Refugees.
4. [International dialing](#);
5. Translation requests/interpreter services (see policy [GA-3 Language Services](#));
6. Requests for Vital Documents issued abroad:
 - a. Birth certificate/verification,
 - b. Death certificate/verification,
 - c. Marriage certificate, and
 - d. Divorce Order.
7. International family search;
8. International background checks:
 - a. Criminal background check,
 - b. Child Abuse Registry check, and
 - c. International Deoxyribonucleic Acid (DNA) testing.
9. International placement or international permanency plans:
 - a. [Repatriation](#) of child,
 - b. International home study,
 - c. International DNA testing.

10. Immigration and Customs Enforcement (ICE) holds or custody:
 - a. Deportation verification,
 - b. Detained parent search,
 - c. Immigration court information, and
 - d. Visit pending deportation.
11. Indian Child Welfare Act (ICWA) See policy [2.12 Indian Child Welfare Act \(ICWA\)](#) for additional information; and
12. Any other cultural need or concern that may arise that is not an emergency.

DCS will utilize [ICA](#) to communicate with Immigration and Customs Enforcement (ICE) and any embassy or consulate.

Note: ICA liaisons are the only individuals authorized to communicate with an embassy, consulate, or ICE. The [ICA](#) liaison will provide updated information and carbon copy (cc) the DCS Staff Attorney on any email communication with the Consular Official. [ICA](#) should be contacted immediately if information is obtained regarding a parent, guardian, or custodian in ICE custody.

DCS will thoroughly complete the [Consulate/Embassy Notification \(SF 55676\)](#) immediately when a foreign or [dual](#) national child is detained or [foreign nationality](#) is identified, whichever comes first. A [Consulate/Embassy Notification \(SF 55676\)](#) must be completed for each child at detention, filing Termination of Parental Rights (TPR), change in legal custody, and Guardianship. DCS will notify the appropriate foreign consulate or embassy in the United States (U.S.) within 48 hours of detention. See [Practice Guidance](#) for additional information.

Code References

1. [IC 34-45-1-3: Interpreters; entitlement](#)
2. [IC 34-45-1-4: Interpreters; appointment and qualifications](#)
3. ["Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons" 67 F.R. 4968 \(August 8, 2003\)](#)
4. [Section 601 of Title VI of the 1964 Civil Rights Act, 42 U.S.C. 2000d](#)
5. [United States Executive Order 13166: Improving Access to Services for Persons with Limited English Proficiency](#)

PROCEDURE

The Family Case Manager (FCM) will contact the [ICA](#) liaison immediately when:

1. Communication (phone, fax, email) from ICE and/or Consulant/Embassy is received;
2. Information is received that a parent, guardian, or custodian is subject to deportation; or
3. Completing an assessment of an unaccompanied alien minor.

The FCM will:

1. Complete a Permanency and Practice Support referral in KidTraks for [ICA](#) services when a need is identified;
2. Provide the [ICA](#) Liaison with updated information and cc the DCS Staff Attorney on all communication with the [ICA](#) liaison;
3. Ensure all child and family cultural needs are met by utilizing [ICA](#) for identified services;

4. Verify the identity of all family members. See policies [2.09 Verifying Identity](#) and [2.23 Verifying Citizenship or Immigration Status](#); and
5. Complete the [Consulate/Embassy Notification \(SF 55676\)](#) immediately when a foreign or [dual](#) national child is detained or foreign nationality is identified, whichever comes first, and send to the [ICA](#) liaison.

Note: A [Consulate/Embassy Notification \(SF 55676\)](#) must be completed for each child.

The [ICA](#) liaison will:

1. Provide updated information and cc the DCS Staff Attorney on any email communication with the Consular Official and FCM; and
2. Notify the appropriate foreign consulate or embassy in the United States (U.S.) within 48 hours of detention of a foreign or [dual](#) national child or when foreign nationality is identified, whichever comes first.

PRACTICE GUIDANCE

Completing the Notification to Consulate or Embassy

When completing the [Consulate/Embassy Notification \(SF 55676\)](#), it is imperative to have accurate information. If information is unknown, the form should reflect that it is unknown. FCMs should not submit a [Consulate/Embassy Notification \(SF 55676\)](#) with an assumed place of birth. If the place of birth is unknown, attempt to obtain the information by:

1. Reviewing the child's birth certificate;
2. Asking the parent to which country the absent parent, guardian, or custodian was deported;
3. Contacting known relatives; and/or
4. Reviewing any identification paperwork obtained.

Do not contact ICE to obtain this information.

FCMs should attach copies of any case documents (e.g., court orders, identification documents, paternity orders, etc.) and any additional contact information they may have received when submitting the [Consulate/Embassy Notification \(SF 55676\)](#) to [ICA](#).

ICE Holds, Custody, and Communication

It is important to contact [ICA](#) immediately when information is obtained that a parent, guardian, or custodian may be deported (ICE hold). Individuals may still be deported even if they hold a Green Card (an identity card attesting the temporary or permanent resident status of an alien in the U.S.). It is important to attempt to gather as much information as possible when a non-citizen parent is incarcerated or in ICE custody, as individuals will be deported without notification to DCS even if there is an open case regarding their children.

A person's immigration status (legal alien/resident, temporary resident, refugee, student visa holder, undocumented, etc.) is independent from his or her nationality/citizenship. See policy [2.23 Verifying Citizenship or Immigration Status](#) for additional information on verifying identity.

If an FCM receives communication from ICE or a Consular Official, they should refer them to [ICA](#). [ICA](#) will provide updated information to the FCM and cc the DCS Staff Attorney on any email or communication with ICE or a Consular Official.

Cultural Awareness

FCMs should be aware that children and families from different cultures may refer to adult non-relatives in their life as “Husband”, “Wife”, “Aunt”, or “Uncle” when they are not blood relatives. FCMs should always verify the identity of all individuals involved with the family. See policy [2.09 Verifying Identity](#). This is also important in cases of human trafficking as children may be forced to claim familial relationships with the individuals who are exploiting them.

Verification Requests

Consulates are the only entity able to verify birth certificates issued by a respective country. A request for verification of a birth certificate may be submitted to [ICA](#). If deportation is suspected, a request may be submitted to [ICA](#).

International Dialing

International dialing cards are ONLY to be used for the specific purpose of making international calls on behalf of the agency as part of DCS’ involvement with a child or family. An interpreter should be present to ensure effective communication with the individual being contacted. An FCM may contact his or her Regional Manager (RM) to request the International Dialing Card and follow tracking instructions outlined by the RM.

ICA Resources

ICA information is available on the [Focused Needs and International and Cultural Affairs](#) webpage. This information includes services provided by ICA and several documents are also available on the SharePoint. The [Focused Needs and International and Cultural Affairs](#) webpage serves as a resource for FCMs and other DCS staff seeking information to help improve services to multicultural populations and families (e.g., immigrant; tribal; sensory-impaired; Lesbian, Gay, Bi-Sexual, Transgender, Questioning [LGBTQ]; and members of the military) by honoring the diversity of cultures and perspectives constituting the Indiana child welfare population. An email inbox is available to obtain guidance from an ICA liaison, (Internationalandculturalaffairs@dcs.in.gov). Questions that may be sent to the email inbox include questions regarding service providers for interpreter services. Emergency situations that require immediate attention, should not be emailed to the inbox.

FORMS AND TOOLS

[Consulate/Embassy Notification \(SF 55676\)](#)

RELATED INFORMATION

Foreign National

A foreign national is any person (adult or child) who is born outside of the U.S. and has not become a U.S. citizen.

Dual Nationality/Citizen

A dual national/citizen is a person who holds or shares two (2) or more nationalities. If one (1) of the child’s parents is born in a different country, the child may be a dual national.

Repatriation

Repatriation is the process of permanently placing the child with the child’s parent or relatives in a placement. The child and/or the child's parent are known to be nationals of the other country.

The child may be a [dual](#) citizen (citizen of the U.S. and a citizen of the other country) and still be considered for reunification through repatriation procedures.

Vienna Convention

In compliance with the provisions of the Vienna Convention, DCS will contact the appropriate foreign consulate or embassy in the U.S. as soon as possible after the detention of a foreign national.

Memorandum of Understanding (MOU) with the Mexican Consulates

The MOU with the Mexican Consulates serving Indiana may be found on the [Focused Needs and International and Cultural Affairs](#) webpage. DCS will notify the Mexican Consulates of the detention of a child who is a Mexican National or whose parents are Mexican Nationals.

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