



KIVU
IMMIGRATION LAW
WORTHINGTON, MN

WORTHINGTON AREA FAMILY PREPAREDNESS PLAN

FOR UNDOCUMENTED PARENTS OF US CITIZEN CHILDREN

If you are worried about what will happen to your kids in the event you are detained or deported, it is worth planning ahead to reduce stress and harm in an immigration emergency. While we hope you never have to use this plan, keeping track of the information in this packet will make family matters in any possible detainment or deportation easier. Some of the suggested actions can be done today and without needing to meet with a lawyer.

What you can do now, without an attorney

- ☐ Designate who will take care of your child if you cannot by filling out a Standby Guardianship Form.
- ☐ Make a file containing your child's documents, including medical, school, and emergency contact information.

What more you can do, with the help of an attorney

- ☐ Assign a trusted person "power of attorney," so that they can manage your finances on your behalf.
- ☐ Meet with a lawyer to evaluate your immigration status and discuss possible pathways to a work permit, visa, or permanent residence.

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1. Planning for the care of your child

DESIGNATE TRUSTED ADULTS

- ☐ Talk to friends, family, and trusted community members about caring for your child in the case of an immigration emergency. Make sure they know they will be listed as an emergency contact.
- ☐ Fill out a Delegation of Parent Authority (DOPA) so your trusted adult can make decisions over your child if you are detained or deported. You can find and fill out this form on pages 10-12 of this packet.
- ☐ Give the trusted adult a copy of your child's information and schedule so that they are prepared.
- ☐ Let your child's school or childcare know who is allowed to pick up your child. They may only allow your child to be picked up by those you officially designate.

TALK TO YOUR CHILD ABOUT THE PLAN

- ☐ Tell your child they will be cared for. Let them know who will be taking care of them and any additional emergency contacts. Have them memorize trusted adults' phone numbers.
- ☐ Tell your child where to find a copy of this plan.

MAKE SURE YOUR CHILDREN HAVE PASSPORTS

- ☐ If your child was born in the US, they are a US citizen. For information on getting them a passport visit travel.state.gov. To register their birth with your home country, visit the consulate.
- ☐ If your child was born in your home country, check with the embassy or consulate about getting them a passport.

2. Create a file of your child's information

Having important documents in one safe place will make emergencies easier to navigate. Tell your family members, children, and standby guardian where to find this file.

FILE CHECKLIST

- ☐ All legal documents
 - ☐ Passport
 - ☐ Birth certificate
 - ☐ State ID (if applicable)
 - ☐ Social security card (if applicable)
 - ☐ Marriage license (if applicable)
 - ☐ Restraining orders (if applicable)
- ☐ Child's medical information
 - ☐ Health insurance (if applicable)
 - ☐ Medication list
 - ☐ Doctor's contact information
- ☐ Copies of your important legal and immigration documents, showing your residence in the US and how long you have been in the US
- ☐ A-number (alien number, you can find this on official immigration documents) and any immigration documents

ADDITIONAL DOCUMENTS IN THIS PACKET TO INCLUDE:

- ☐ Important information about your child (#3)
- ☐ Emergency contact information (#4)
- ☐ Other information about your child (#5)
- ☐ Delegation of Parental Authority (DOPA) (#6)

3. Important information about your child

BASIC INFORMATION	Child's name	
	Date of birth	
	Child's phone number (if applicable)	
SCHOOL OR CHILDCARE	Name of school, daycare, or other childcare	
	Phone number of school, daycare, or other childcare	
	Address of school, daycare, or other childcare	
	Name of teacher and classroom number	
	Name of any additional childcare provider (examples: afterschool care, sports, camp)	
	Phone number of any additional childcare provider	
HEALTH INFORMATION	Allergies	
	Medical conditions	
	Medications	
	Name of doctor	
	Doctor's phone number	
	Doctor's address	
	Insurance provider	
	Policy number	

4. Emergency contact information

EMERGENCY NUMBERS	Immediate emergency	911
	Worthington Police Dept.	(507) 295-5400
	Worthington Fire Dept.	(507) 376-5757
	Minnesota Poison Control	1-800-222-1222
PRIMARY CONTACTS	Parent #1 / permanent guardian full name	
	Address	
	Phone	
	Work phone	
	Work address	
	Parent #2 / permanent guardian full name	
	Address	
	Phone	
	Work phone	
	Work address	
EMERGENCY CONTACTS	Emergency contact #1 full name	
	Relationship to child	
	Address	
	Phone	
	Work phone	
	Work address	
	Emergency contact #2 full name	
	Relationship to child	
	Address	
	Phone	
	Work phone	
	Work address	
	Emergency contact #3 full name	

	Relationship to child	
	Address	
	Phone	
	Work phone	
	Work address	
OTHER CONTACTS	Religious community / place of worship	
	Consulate	
	Dentist	
	Attorney	
	Social worker or non-profit services provider	

5. Other information about _____ (child's name).

Favorite foods:

Dislikes and allergies:

Bedtime routines:

Names of close friends:

Important rules (curfew, driving restrictions, etc.):

Additional information:

Weekly schedule:

	ACTIVITIES	PHONE	LOCATION
MONDAY			
TUESDAY			
WEDNESDAY			
THURSDAY			
FRIDAY			
SATURDAY			
SUNDAY			

Give a copy of your child’s schedule and important contacts to adults who you trust to care for your child. You may have to contact your child’s school to give other adults permission to pick up your child.

If you think filling out a Delegation of Parental Authority (DOPA) is not the best choice for your family, make a verbal agreement with a trusted adult who agrees to care for your child. If it is possible, it’s best to choose someone who doesn’t face the risk of deportation themselves. The downside to a verbal agreement is that your chosen guardian will not be able to legally make medical or educational decisions for your child.

6. Delegation of Parental Authority (DOPA)

WHAT IS A “DOPA?”

A DOPA is a document that lets someone take care of your children when you can't. This person becomes an “Attorney-in-Fact.” The Attorney-in-Fact can make decisions about your children's care, custody, and property. A DOPA does not take away any of your rights to make decisions for your children. DOPAs are only good for one year.

HOW TO FILL OUT THE FORM:

A DOPA must be filled out, dated, and signed in front of a notary public. One or both biological parents of your child must sign in front of the notary. The Attorney-in-Fact must sign but does not need to sign in front of the notary. A DOPA is effective as soon as it is signed and notarized.

WHAT TO DO WITH THE COMPLETED FORM:

Once completed, keep the DOPA in a safe place and we recommend giving a copy of the form to the Attorney-in-Fact. We also suggest giving copies to your child's school and doctor.

DELEGATION OF PARENTAL AUTHORITY (DOPA)

Delegation of Powers by Parent Minn. Stat. § 524.5-211

STATE OF MINNESOTA)
) ss.
COUNTY OF _____)

1. My name is _____.
 (your name)
I am the parent of _____.
 (your child's name)
My child's birthdate is _____.
 (your child's birthday)

2. I appoint _____, to be my legal Attorney-in-Fact to have parental authority over my child, _____.

Note: The person you name to care for your child is called the Attorney-in-Fact. That person does not have to be an attorney.

This DOPA lasts: *(check one)*

- For one year from the date of my signature
OR
- until _____, *(fill in date)* which is less than one year following the date of my signature.

3. This DOPA gives my Attorney-in-Fact permission to care for and make decisions about my child named above. These decisions include, but are not limited to:
a. Getting medical treatment for my child
b. Enrolling my child in school
c. Providing a home, care, and supervision of my child

4. This DOPA does not give my Attorney-in-Fact permission to consent to the marriage or adoption of my child.

5. I understand that by law I have to give or mail a copy of this document to any other parent within 30 days of signing it unless:

- a. The other parent does not have parenting time rights or has supervised parenting time rights
OR
- b. There is an existing Order for Protection (OFP) in effect against the other parent that protects me or my child.

[SIGNATURES ON FOLLOWING PAGE – Page 2]

SIGNATURES

I swear that everything I have stated in this document is true and correct.

Parent or Guardian:

Date: _____

(sign your name)

(print your name)

Subscribed and sworn to before me

this ____ day of _____, 20__.

Notary Public

Attorney-in-Fact: *(the Attorney-in-Fact does not have to sign in front of a notary)*

I accept the responsibilities of Attorney-in-Fact for _____.

(child's name)

Date: _____

(Attorney-in-Fact signature)

(Attorney-in-Fact printed name)

7. Other steps to be prepared

WHAT YOU SHOULD CARRY

Carry documents officially issued by the US government, such as a work permit if you have one. Avoid carrying false documents or documents from your home country. Carry or memorize the phone number of someone who can put your plans into place and access your important documents if you are detained.

LOCATING AND CONTACTING DETAINED LOVED ONES

There are three ICE Detention Centers in Minnesota:

- ☐ Freeborn County Jail Services, (320) 214-6700 ext. 3600
- ☐ Sherburne County Jail Services, (763) 765-3800
- ☐ Kandiyohi County Jail, (320) 214-6700 ext. 3600

You can locate an adult detained by ICE with their A-number or biographical information at locator.ice.gov. Make sure your friends and family have a copy of your A-number.

CONSIDER DESIGNATING “POWER OF ATTORNEY”

Giving a trusted person legal power over your assets can add a level of protection, but it can also introduce risk. Read more about this option in the following section.

8. Designating the power of attorney

WHAT IS THE POWER OF ATTORNEY?

Granting someone the power of attorney gives them written legal permission to make decisions about your finances and property on your behalf. They are not required to tell you when they make legal decisions on your behalf. It is very important to choose someone you deeply trust.

DO I NEED A LAWYER?

You do not need a lawyer to designate the power of attorney, but meeting with one can help reduce the ability of someone to take advantage of you and your finances.

HOW DO I FILL OUT THE FORM?

You do not need to go to court to designate the power of attorney. You will need to sign and date a form in front of a notary public. If you would like, you can also specify a particular date the permissions end.

CAN I STILL MAKE MY OWN LEGAL DECISIONS?

You can still make your own legal decisions after granting someone else the power of attorney. You can also end the powers of attorney at any time by filling out an additional form called “Revocation of Power of Attorney.”

You can find more information on designating the power of attorney and the forms to fill out online at <https://www.lawhelpmn.org/forms>.

9. Know your rights in an interaction with ICE

Knowing and asserting your constitutional rights can be an important act of defense in an encounter with ICE.

The Immigrant Legal Resource Center makes “Red Cards” detailing your legal rights on a paper that fits in your pocket. They tell you what to do—and what not to do—in an interaction with ICE. You can find and print copies for your family online: <https://www.ilrc.org/red-cards>.

You can also read your rights pertaining to particular ICE scenarios at <https://www.aclu.org/know-your-rights/immigrants-rights>.

HERE ARE A FEW KEY THINGS TO KNOW:

- ☐ You do not have to let ICE into your home unless they have a warrant signed by a judge, stating your correct name and address
- ☐ You have the right to remain silent, even if agents have a warrant
- ☐ If you are detained, you have the right to call a lawyer or your family
- ☐ As long as you are not at a border crossing, you can say no to being searched. Agents do not have the right to search you or your belongings without probable cause

10. Finding legal assistance

An attorney can help you with legal immigration matters such as applying for visas, asylum, work permits, or adjusting status. The Department of Justice (DOJ) also gives some employees of non-profits “permission” to work on immigration matters. It is important that you only pay and take legal advice from an attorney or a DOJ-accredited representative.

WHAT SHOULD I EXPECT FROM AN ATTORNEY?

- ☐ You will sign a contract that states what services are being provided by the attorney and how much money you will pay for them.
- ☐ Your attorney should explain your case and provide you with updates. They should answer your questions.
- ☐ Your attorney should always give you copies of documents submitted on your behalf and any receipts they receive from the government. It is important to keep track of all these documents.

WHERE DO I FIND AN ATTORNEY?

Kivu Immigration Law is an immigration law firm in downtown Worthington, Minnesota. Kivu Law is open from 8am to 6pm on Monday through Thursday. Kivu charges \$150 for an initial consultation and charges a flat fee for representation, with the amount depending on case type.

Kivu Immigration Law PLLC

[\(507\) 295-4858](tel:5072954858), <https://kivulaw.com>

222 10th St, Worthington, MN 56187

There are also organizations in Minnesota that help connect low-income clients to free legal representation.

FREE LEGAL SERVICES FOR LOW-INCOME CLIENTS

- ☐ Immigrant Law Center of Minnesota
(651) 641-1011, <https://www.ilcm.org>
450 Syndicate St N #200, St Paul, MN 55104
- ☐ The Advocates for Human Rights
(612)-341-9845,
https://www.theadvocatesforhumanrights.org/Become_a_Client
330 Second Avenue South, Suite 800, Minneapolis, MN 55401
- ☐ Southern Minnesota Regional Legal Services
Worthington office:
(507) 372-7368
1567 North McMillan Street, Suite 6, Worthington, MN 56187
St. Paul main office:
1-877-696-6529, <https://www.smrls.org>
800 Alliance Bank Center, 55 East 5th Street, St. Paul, MN 55101

FILING COMPLAINTS

- ☐ If you believe DHS/ICE has acted unlawfully, you can file a complaint with DHS: <https://www.dhs.gov/file-a-civil-rights-complaint>.
- ☐ If you or someone you know was arrested arbitrarily, you can file a complaint with the United Nations' Working Group on Arbitrary Detention:
<https://www.ohchr.org/en/special-procedures/wg-arbitrary-detention/complaints-and-urgent-appeals>

This document is modeled, with gratitude, after the Family Preparedness Plans made by the Immigrant Legal Resource Center and the State of Connecticut.



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