



# OVERVIEW OF SEEKING SIJS FINDINGS IN JUVENILE COURT

*A resource for juvenile defenders and children’s attorneys in California*

By ILRC Attorneys

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## I. What is SIJS? Benefits, requirements, and deadlines.

Special immigrant juvenile status is a unique pathway to immigration status that requires the involvement of state courts before a child is eligible to apply for SIJS with the immigration agency U.S. Citizenship & Immigration Services (USCIS). SIJS is a way for young people who are under the age of twenty-one and unmarried to obtain legal status when they cannot be reunified with one or both parents due to abuse, neglect, or abandonment and when it is not in their best interest to return to their country of origin.<sup>1</sup> Youth who are successful in obtaining SIJS are then eligible to apply for adjustment of status to that of a lawful permanent resident (a green card holder), as soon as a visa is available to them.<sup>2</sup>

Before a youth may apply for SIJS, they must be subject to the jurisdiction of a state court such as a juvenile, probate, or family court, and that court must issue an order making three specific determinations (often referred to as the “state court predicate order” or “SIJS findings”). The three determinations are:

1. That the child has been declared dependent on a juvenile court or legally committed to or placed under the custody of a state agency or department, or an individual or entity appointed by a state juvenile court;
2. That reunification with one or both of the child’s parents is not viable due to abuse, neglect, abandonment, or a similar basis under state law; and
3. That it is not in the child’s best interest to be returned to their country of nationality or last habitual residence.

These three determinations must be made before a child can even apply for SIJS with USCIS. In California, there are a variety of courts and types of proceedings in which SIJS findings can be made:<sup>3</sup>

- Guardianship proceedings in probate court;
- Parentage, custody, divorce, and domestic violence proceedings in family court;
- Juvenile justice (delinquency) proceedings; and
- Dependency proceedings.

<sup>1</sup> 8 U.S.C. § 1101(a)(27)(J).

<sup>2</sup> Note that a visa must be available in order for the child to adjust status. For further information, see ILRC, *Special Immigrant Juvenile Status & Visa Availability* (March 2023), <https://www.ilrc.org/resources/special-immigrant-juvenile-status-visa-availability>.

<sup>3</sup> Cal. Code Civ. Proc. § 155(a)(1) (“A superior court has jurisdiction under California law to make judicial determinations regarding the custody and care of children within the meaning of the federal Immigration and Nationality Act (8 U.S.C. Sec. 1101 et seq. and 8 C.F.R. Sec. 204.11), which includes, but is not limited to, the juvenile, probate, and family court divisions of the superior court.”)

**The Importance of Screening for SIJS.** It is critical that juvenile defenders and children's attorneys, advisors such as CASAs, and others who advocate for minors in state court learn how to screen for possible SIJS eligibility, and understand when and how to file the necessary documents with the state court. For juvenile defenders, screening for SIJS can be done during their normal screening of noncitizen clients pursuant to their *Padilla* duties.<sup>4</sup>

**Many** noncitizen youth in dependency and/or juvenile justice proceedings are eligible for SIJS. Initial screening questions you may want to employ include:

Who do you live with?

Who makes the rules at home? What happens if you break them?

When was the last time you spoke with your mother/father?

Tell me about your relationship with your mother/father.

Is there someone you could live with who would provide for you in your country of origin?

For the young person, gaining lawful immigration status rather than remaining undocumented is a life-changing development that opens the door to the education, lawful employment, and personal security needed for a successful transition to adulthood. Obtaining this can be exciting and motivating for the youth and meaningful for the advocate. There are strict deadlines, however. It is important to identify applicants as soon as possible and obtain the predicate order, and then work to keep the child under state court jurisdiction until the initial approval of SIJS by immigration authorities, as described below.

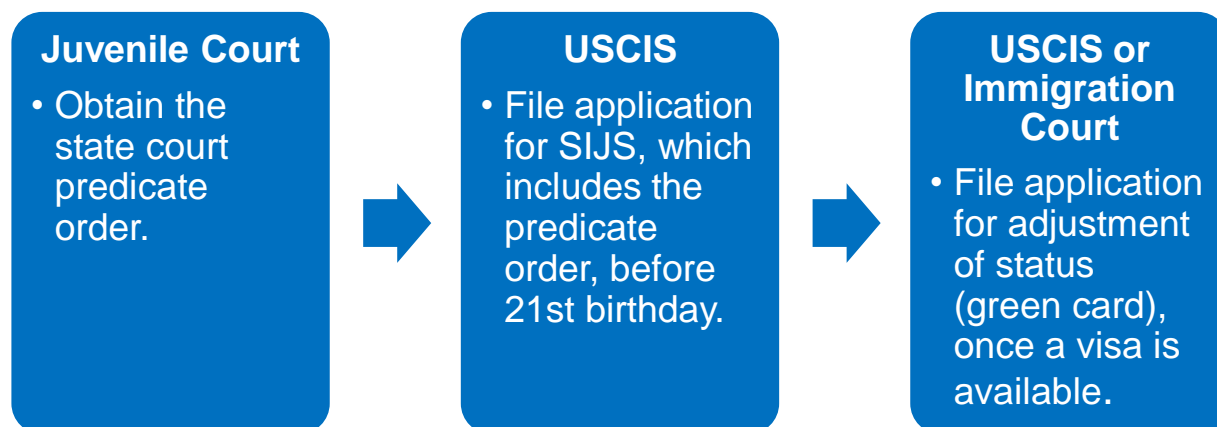
This advisory will provide basic information on how to obtain the SIJS predicate order, with a focus on juvenile justice and dependency proceedings. However, it is important to be aware that young people in dependency or juvenile justice proceedings may have alternate routes to seeking the predicate order through probate or family court.<sup>5</sup>

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<sup>4</sup> See *Padilla v. Kentucky*, 559 U.S. 356 (2010) (holding that the Sixth Amendment requires affirmative, competent advice regarding immigration consequences).

<sup>5</sup> These alternate routes may be particularly important in juvenile justice cases in which young people are offered informal, non-wardship probation (under Cal. Welf. & Inst. Code §§ 654.2, 725(a), 790), and thus may not be able to satisfy the first SIJS eligibility requirement of court-ordered dependency or custody through their juvenile justice proceedings. If the young person is able to pursue a predicate order through guardianship or family court proceedings, that may be preferable to seeking wardship in order to make it possible for them to get the SIJS predicate order through their juvenile justice proceedings.

## The Path to a Green Card Based on SIJS is a 3-Step Process



**The Immigration Case.** This advisory will *not* cover the next part of the process: the immigration applications for SIJS and for adjustment of status to lawful permanent residency.<sup>6</sup> The immigration case starts with submitting the SIJS application, including the predicate order, to USCIS. While state court advocates might not handle the immigration case, they still have a crucial task: they must work to maintain state court jurisdiction over the youth until USCIS adjudicates the initial SIJS application (filed on Form I-360), *or* until there is another acceptable way to end jurisdiction. See Section II below. If you work with young people who may qualify for SIJS, but your county has not yet identified an attorney or organization that can handle the immigration cases, contact the ILRC for support identifying immigration organizations in your area.<sup>7</sup>

Different Judicial Council forms are used to request the predicate order in different types of proceedings in California. In dependency and juvenile justice proceedings, the request for the SIJS predicate order is made on Form JV-356. When filing a request for the predicate order in state court, it is best practice to also submit a declaration from the youth and/or others with personal knowledge of the facts supporting the findings,<sup>8</sup> along with the proposed SIJS predicate order (using Judicial Council Form FL-357/GC-224/JV-357, discussed in more detail in Section IV).

<sup>6</sup> For more information on the immigration portion of an SIJS case, see ILRC, *Adjustment of Status Through Special Immigrant Juvenile Status (SIJS)* (June 2022), <https://www.ilrc.org/resources/adjustment-status-through-special-immigrant-juvenile-status-sijs-june-2022>.

<sup>7</sup> Contact Rachel Prandini, senior staff attorney at the ILRC by emailing [rprandini@ilrc.org](mailto:rprandini@ilrc.org).

<sup>8</sup> Cal. Code Civ. Proc. § 155(b) states that the evidence to support the SIJS findings “may consist solely of, but is not limited to, a declaration by the child who is the subject of the petition.” Such a declaration should address the nonviability of reunification with a parent due to abuse, neglect, abandonment, or a similar basis under state law, and why it would not be in the young person’s best interest to be returned to their country of origin.

**Deadlines!** There are three important deadlines in this process. These are discussed in more detail in Section II, but the basic requirements are:

1. The request for the predicate order must be filed in state court while the youth is subject to the jurisdiction of the juvenile court and under the age of twenty-one.
2. Once the predicate order is obtained, the application for SIJS should be filed with USCIS as soon as possible, and **must be filed with USCIS before the youth's twenty-first birthday**.
3. The youth must remain under the jurisdiction of the juvenile court until the time that USCIS adjudicates the SIJS application, Form I-360 (this process is supposed to be completed within six months but can sometimes take longer).<sup>9</sup>

**Alert! Recent Policy Changes Help Address Years-Long Wait for Special Immigrant Juveniles to Get a Green Card.** Practitioners already familiar with SIJS should know that in March 2022, USCIS announced several policy changes to the SIJ program, through new final regulations<sup>10</sup> and new policy guidance in the USCIS Policy Manual.<sup>11</sup>

Among other changes and clarifications, the new rules address the fact that, due to a visa backlog,<sup>12</sup> applicants who are granted SIJS may have to wait for years until an immigrant visa becomes available and they can apply for adjustment of status to lawful permanent residency (the green card). These young people have been left in limbo during the increasingly long wait. To ease the situation, the new rules provide:

1. The juvenile court must maintain jurisdiction over the young person *only* through USCIS's adjudication of the SIJS application (Form I-360), rather than through the adjudication of the subsequent application for adjustment of status.<sup>13</sup> There are several exceptions to this rule, discussed in Section II below.
2. SIJS applicants are now required to remain unmarried only through adjudication of the SIJS application, rather than through the adjudication of the subsequent application for adjustment of status.<sup>14</sup>
3. Young people who are granted SIJS but cannot yet adjust status because of the visa backlog will automatically be considered for deferred action (temporary protection from deportation) on a case-by-case basis.<sup>15</sup> If deferred action is granted, it will be for a period of four years. Young people granted deferred action are then eligible to apply for an employment authorization document (EAD) for the period of deferred action by filing an Application for Employment Authorization (Form I-765), indicating eligibility category (c)(14). USCIS has stated

<sup>9</sup> Pursuant to the 2022 regulations, state court jurisdiction no longer has to be maintained beyond the adjudication of the Form I-360 (through the possible years-long wait until an immigrant visa becomes available).

<sup>10</sup> The new SIJS regulations are located at 8 CFR § 204.11 (governing SIJS petitions), and 8 CFR § 245.1(e)(3) (governing SIJS-based adjustment of status).

<sup>11</sup> 6 USCIS Policy Manual (USCIS-PM) J.4(G).

<sup>12</sup> Visas for special immigrant juveniles come from the employment-based fourth preference category, which is subject to statutory annual numerical limits. See INA §§ 201(d), 202(a)(2), 203(b)(4).

<sup>13</sup> 8 CFR § 204.11(c)(3)(ii).

<sup>14</sup> 8 CFR § 204.11(b)(2).

<sup>15</sup> 6 USCIS-PM J.4(G).

that strong negative discretionary factors that might weigh against a grant of deferred action include: (1) where background and security checks indicate that the young person triggers an inadmissibility ground that cannot be waived, and (2) serious unresolved criminal charges that may result in the triggering of an inadmissibility ground that cannot be waived.<sup>16</sup>

## II. When can you obtain an SIJS predicate order in juvenile court proceedings?

In order to be eligible for SIJS, a young person must be declared dependent on a juvenile court located in the United States, or the court must have legally committed them to or placed them under the custody of an agency or department of a state, or an individual or entity appointed by a state or juvenile court.<sup>17</sup> The term “juvenile court” means a court located in the United States having jurisdiction under state law to make judicial determinations about the dependency and/or custody and care of juveniles.<sup>18</sup>

**Juvenile Justice Proceedings.** Among the courts in California that make decisions about the care and custody of children are those that adjudicate delinquency petitions. A decision adjudicating a young person a ward of the juvenile court pursuant to Welfare and Institutions Code Section 602 and making determinations about their custody can serve to establish the requisite jurisdiction of the juvenile court. Specifically, the statute provides SIJS eligibility for a young person “whom such a court has legally committed to, or placed under the custody of, an agency or department of a State, or an individual or entity appointed by a State or juvenile court.”<sup>19</sup> When a juvenile court places a young person under the custody of the county probation department, which constitutes an agency or department of a state, or of a parent or other family member, who constitute individuals, this satisfies the first SIJS eligibility requirement regarding dependency or custody.

**Dependency Proceedings.** Dependency courts also make decisions about the care and custody of children. A decision making a child dependent upon the court pursuant to Welfare and Institutions Code Section 300 because the court has found allegations of parental abuse, neglect, or abandonment true can serve to establish the requisite jurisdiction of the juvenile court. Specifically, the statute provides SIJS eligibility for a young person “who has been declared dependent on a juvenile court.”<sup>20</sup> When a juvenile court makes a child dependent upon the court, this satisfies the first SIJS eligibility requirement regarding dependency or custody.

<sup>16</sup> Note that the crimes and security related grounds of inadmissibility are not waivable with the SIJS waiver standard (except for possession of 30 grams or less of marijuana), see INA § 245(h)(2)(B); however, most of the crimes-related grounds of inadmissibility are triggered only by an adult criminal conviction and not by a delinquency adjudication. *Matter of Devison*, 22 I&N Dec. 1362, 1365 (BIA 2000). The most important exception to this is that a juvenile adjudication for drug sales, trafficking, or a related offense can trigger inadmissibility under the “reason to believe drug trafficker” ground at INA § 212(a)(2)(C) because that ground does not require a conviction.

<sup>17</sup> 8 U.S.C. § 1101(a)(27)(J).

<sup>18</sup> 8 CFR § 204.11(a).

<sup>19</sup> 8 U.S.C. § 1101(a)(27)(J).

<sup>20</sup> *Id.*

**Timing and Deadlines.** To be eligible for SIJS, a young person must be under the age of twenty-one at the time their application for SIJS is received by USCIS. If they miss this deadline, they will have missed the opportunity to gain legal status through SIJS forever; in some cases, SIJS may be their only path to legal status. For this and other reasons (explained below), timing is incredibly important in SIJS cases.

- The state court predicate order should be sought as soon as the young person is eligible (once they have been made a ward or dependent of the court and the court can find that reunification is not viable with at least one parent and that it is not in the young person’s best interest to be returned to their country of origin). This is because there is a limit on the number of visas that can be issued to people applying for a green card based on SIJS each year which has led to a long visa backlog, and the sooner that a young person files their application for SIJS with USCIS, the sooner they can get a place in line for a visa.
- So long as the juvenile court maintains jurisdiction over the young person past the age of eighteen, the court may sign an SIJS predicate order after their eighteenth birthday. It needs to be signed before their twenty-first birthday with enough time to allow them to file their SIJS application with USCIS before they turn twenty-one.
- After the juvenile court signs an SIJS predicate order, the court should maintain jurisdiction over the young person until their SIJS application has been adjudicated by USCIS, which may take months.<sup>21</sup> Fortunately, there are some exceptions to this general requirement.<sup>22</sup> Termination of juvenile court jurisdiction prior to the SIJS approval should not invalidate the SIJS application if:
  - The juvenile court jurisdiction terminates because of the young person’s age (for example, when they reach the age of eighteen). If the juvenile court wants to terminate jurisdiction over your client with a pending application for SIJS based on their age, it is best practice to get an order saying this.<sup>23</sup>
  - The juvenile court jurisdiction terminates because the young person was:
    - adopted;
    - placed in a permanent guardianship; or
    - another child welfare permanency goal was reached (other than reunification with a parent or parents with whom the court previously found that reunification was not viable).

USCIS has not defined “another child welfare permanency” goal, but at a March 2023 USCIS stakeholder engagement, a USCIS official stated that completion of juvenile

<sup>21</sup> 8 CFR § 204.11(c)(3)(ii).

<sup>22</sup> *Id.*

<sup>23</sup> For example, you could request a supplemental order stating something like the following: “The Court is issuing this order as an addendum to the Form JV-357, Special Immigrant Juvenile Findings, signed on [DATE]. The Court orders that its jurisdiction under Welfare & Institutions Code § 602 over the above-named youth, who has completed the terms and conditions of his probation, is hereby terminated based on the youth’s age, as he is now 18 years old.”

probation could constitute a child welfare permanency goal being reached, so successful completion of probation arguably would allow for early termination of juvenile court jurisdiction.

### III. What is the role of the juvenile defender or children’s attorney in the SIJS process?

Juvenile defenders and children’s attorneys play a critical role in the SIJS process, in at least four ways. First, they can screen young people for eligibility for SIJS. This is important as it is likely to be the young person’s first time being screened for eligibility to gain immigration status, and because SIJS is only available to people under the age of twenty-one, they might otherwise miss the opportunity to gain legal status through SIJS.

Second, juvenile defenders and children’s attorneys can request the SIJS predicate order from the juvenile court. If the young person already has an immigration attorney, this can be done in collaboration with the immigration attorney. If the young person does not yet have an immigration attorney, the juvenile defender or children’s attorney should make the request for the SIJS predicate order themselves, taking into consideration the guidance in Section IV. Note that neither the District Attorney nor the Probation Department play a formal role with respect to the request for the SIJS predicate order in juvenile justice proceedings.

Third, juvenile defenders and children’s attorneys can provide an immense service to their clients by connecting them with an immigration legal services provider if they do not yet have an immigration attorney. Some counties have established relationships with one or two immigration non-profits that take on the immigration cases of young people in the juvenile justice and/or dependency systems. In counties that do not have established relationships with immigration non-profits, juvenile defenders and children’s attorneys should provide referrals for their clients, ideally through a warm hand-off with an immigration non-profit that has already agreed to meet with their client. To find non-profit immigration legal services providers by zip code, visit <https://www.immigrationlawhelp.org/>.<sup>24</sup>

Lastly, juvenile defenders and children’s attorneys can help ensure that their clients maintain eligibility for SIJS-based adjustment of status by avoiding certain juvenile adjudications and most adult criminal convictions.<sup>25</sup> Because juvenile adjudications are not considered convictions for immigration purposes,<sup>26</sup> most juvenile adjudications do not create an outright bar to getting a green card. However, all juvenile adjudications will be considered in USCIS’s or the immigration judge’s exercise of discretion when deciding an application for SIJS-based adjustment of status. Thus, it is important for noncitizen youth to avoid gang-related offenses, enhancements, or probation terms, sexual and violent offenses, and drug related offenses. The one type of juvenile adjudication that can bar a young person from getting a green card based on SIJS is a drug sales, trafficking, or related adjudication. Noncitizen youth must avoid

<sup>24</sup> If you are struggling to find immigration legal services for your clients, please contact Rachel Prandini at [rprandini@ilrc.org](mailto:rprandini@ilrc.org) for support.

<sup>25</sup> If your office does not have a Padilla attorney to advise on immigration consequences for noncitizen clients or a contract with an immigration law service center that can provide advice, please contact the ILRC to discuss options for obtaining this type of support.

<sup>26</sup> *Matter of Devison*, 22 I&N Dec. 1362, 1365 (BIA 2000).



this type of adjudication at all costs. Lastly, it is critical to keep cases of noncitizen youth in juvenile court, as adult criminal convictions carry steep consequences for noncitizen youth.<sup>27</sup>

#### IV. What needs to be included in a successful SIJS state predicate order?<sup>28</sup>

As stated in Section I, the three eligibility determinations for SIJS must be included in the state court predicate order. In addition, the predicate order should include the following:

- **Factual basis for the three SIJS determinations.** A short statement of the factual basis for each of the three determinations should be included in the predicate order.<sup>29</sup> (If it is not possible to include the factual basis within the predicate order itself, petitioners for SIJS must submit other evidence of the factual basis in order to demonstrate eligibility for SIJS.<sup>30</sup>) The factual basis should include information regarding with whom or with what entity the young person is placed, which of the grounds for non-viability of reunification exist for one or both parents, and each parent's name (if known), in addition to more general facts supporting each finding and aligning with the elements of state law. See an example of a completed SIJS predicate order that includes the factual basis for the SIJS determinations attached as an **Appendix**.
- **Relief provided by the court.** The state court predicate order should also highlight how the state court proceedings granted relief from parental maltreatment, either by placing the child in a custodial arrangement, or by ordering the child dependent on the court for the provision of services (e.g. child welfare services).<sup>31</sup>
- **Citations to state law.** The state court predicate order must also include citations to state law provisions that the court relied upon in making each of the three findings.<sup>32</sup>

A uniform Judicial Council Form is available and should be used for all SIJS predicate orders issued in California courts. Form FL-357/GC-224/JV-357 is available on the California Judicial Branch's website (<http://www.courts.ca.gov>). The form includes the three judicial determinations required to demonstrate eligibility for SIJS, as well as space on the form to set

<sup>27</sup> For more information on the immigration consequences of delinquency adjudications, see ILRC, *What are the Immigration Consequences of Delinquency?* (Mar. 2020), <https://www.ilrc.org/resources/what-are-immigration-consequences-delinquency>. For more information on the immigration consequences of adult criminal convictions, visit <https://www.ilrc.org/crimes>.

<sup>28</sup> For additional information and samples regarding the SIJS predicate order, see ILRC, Kids in Need of Defense (KIND), and Legal Services for Children (LSC), *Guidance for SIJS State Court Predicate Orders in California: What You Need to Know in 2021* (June 2021), <https://www.ilrc.org/resources/guidance-sijs-state-court-predicate-orders-california-what-you-need-know-2021>.

<sup>29</sup> 8 CFR § 204.11(d)(5)(i).

<sup>30</sup> *Id.*

<sup>31</sup> 8 CFR § 204.11(d)(5)(ii).

<sup>32</sup> 8 CFR § 204.11(c)(3)(i). California law also requires that state court judges cite California law in the SIJS predicate order. See *O.C. v. Superior Court* (2019) 44 Cal. App. 5th 76 (holding that a probate court is required to issue SIJS findings based on state law and to cite to state authority for those findings in its order).

forth the factual basis supporting each finding and the relevant state law. An example of a completed JV-357 from juvenile justice proceedings is attached as an **Appendix**.

## V. Appendix (see attached)



### San Francisco

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### About the Immigrant Legal Resource Center

The Immigrant Legal Resource Center (ILRC) works with immigrants, community organizations, legal professionals, law enforcement, and policy makers to build a democratic society that values diversity and the rights of all people. Through community education programs, legal training and technical assistance, and policy development and advocacy, the ILRC's mission is to protect and defend the fundamental rights of immigrant families and communities.

PARTY WITHOUT ATTORNEY OR ATTORNEY STATE BAR NO.: 123456 NAME: Jane Defender FIRM NAME: Law Office of the Public Defender of Spring County STREET ADDRESS: 1234 Main Street, Ste. 202 CITY: Springville STATE: CA ZIP CODE: 12345 TELEPHONE NO.: 213-123-4567 FAX NO.: 213-123-4568 E-MAIL ADDRESS: jane@pubdef.gov ATTORNEY FOR (name): Johnny Alejandro Doe Smith	FOR COURT USE ONLY <b>CONFIDENTIAL</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF Spring</b> STREET ADDRESS: 1234 Main Street MAILING ADDRESS: CITY AND ZIP CODE: Springville, CA 12345 BRANCH NAME: Juvenile	
CASE NAME: In the Matter of Johnny D., a minor	
<b>SPECIAL IMMIGRANT JUVENILE FINDINGS</b>	CASE NUMBER: SIJ1234567

1. Child's name: Johnny Alejandro Doe Smith Date of birth: 01/02/2002
2.  The petition or request for Special Immigrant Juvenile (SIJ) findings was heard
  - a. Date of hearing: 8/20/2017 Time: 8:30 Dept.: 1 Room:
  - b. Judicial officer (name): Hon. Ruth B. Ginsberg
  - c. Persons and attorneys present (names):  
 Johnny Alejandro Doe Smith (minor); Jane Defender (minor's attorney), John District (District Attorney); Jennifer Probation (Probation)

**The court has reviewed the evidence and finds the following:**

3. Notice of the underlying proceeding was given as required by law.
4. a.  The child was declared a dependent of the juvenile court of the county of (specify):  
 on (date): and remains under the court's jurisdiction.

**OR**

- b.  The child was
  - (1)  placed under the custody of an individual (name, unless confidential):
  - (2)  placed under the custody of an entity (name): Spring County Juvenile Probation Department
  - (3)  committed to a state agency or department (name):  
 appointed by this court or another California court on (date): 01/02/2017  
 The custody or commitment order remains in effect.

Supporting legal conclusions or factual findings, if necessary:

The minor is a Ward of the Court pursuant to California Welfare and Institutions Code Section 602, and his care and custody has been vested in the Spring County Probation Department. He has been ordered placed [in a group home, in a foster family, home on probation with his mother/father, NAME, etc.] and receives therapeutic services and support.

Continued on Attachment 4.

CASE NAME: In the Matter of Johnny D., a minor	CASE NUMBER: SIJ1234567
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5. Reunification of the child with  the mother  the father  the other legal parent is not viable under California law because of parental  abuse,  neglect,  abandonment, or  a similar legal basis (specify):

as established on (date): 8/20/2017, for the following reasons (for each parent with whom reunification is not viable, state the reasons that apply to that parent):

THE COURT FINDS, that sufficient evidence of abandonment was presented, as follows:

Johnny Alejandro Doe Sanchez's father, Carlos David Doe Juarez, has not had contact with or provided for the minor since the minor was approximately two years old. The minor's father has provided no financial or emotional support to the minor since that time, leaving him without provision for support.

For the foregoing reasons, THE COURT FINDS that the conduct of the father falls within the following definitions of abandonment under California law: Welfare and Institutions Code Section 300(g); California Family Code Section 3204(a).

Continued on Attachment 5.

6. It is not in the child's best interest to be returned to the child's or parent's country of nationality or country of last habitual residence (specify country or countries): Mexico for the following reasons:

THE COURT FINDS, that sufficient evidence as to the minor's best interests was presented, as follows:

The minor has resided in the United States with family since he was approximately five years old, speaks English better than Spanish, is attending school and is receiving counseling and other supportive services in the United States. Conversely, in Mexico, he has no adult caretaker available to care for him, and would not have access to educational and therapeutic opportunities.

For the foregoing reasons, THE COURT FINDS it is not in Johnny Alejandro Doe Smith's best interests, as described in California Family Code Section 3011, to return to Mexico. It is in his best interests to remain in the United States.

Continued on Attachment 6.

Date: August 20, 2017

\_\_\_\_\_  
JUDICIAL OFFICER  
 SIGNATURE FOLLOWS LAST ATTACHMENT