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ACLU OF RI POSITION: SUPPORT

TESTIMONY ON 25-H 6120, RELATING TO DELINQUENT AND DEPENDENT CHILDREN – PROCEEDINGS IN FAMILY COURT April 10, 2025

The ACLU of Rhode Island strongly supports this legislation, which would expand the Family Court’s jurisdiction over non-citizen minors seeking “special immigrant juvenile” (SIJ) status up to the minor’s 21st birthday.

Federal immigration law, 8 U.S.C. 1101(a)(27)(J), generally allows SIJ status to be provided to a minor when a court with competent jurisdiction over the minor finds that the youth has been abandoned, neglected or abused by their parent. The minor then uses that order as the basis for a petition filed with United States Citizenship and Immigration Services. Successful completion of the SIJ process results in the minor attaining lawful permanent residence.

However, if the court order setting forth the predicate conditions underlying the minor’s eligibility for SIJ status is not entered before the youth ages out of the court’s jurisdiction, the opportunity to get SIJ status is lost.

Depending on the minor’s age when they come to the United States, the window to secure the order might be very small. Other factors working against the youth might include lack of knowledge of the legal procedures and scarce resources to navigate the system.

Giving these vulnerable youths additional time to obtain the predicate order is in line with the federal statute’s intent of protecting abandoned minors by providing lawful resident status. We urge the Committee to extend the Family Court’s jurisdiction over the SIJ process up to the minor’s 21st birthday by approving this legislation.

Thank you for considering our views.