

Brief Summary of the Process for Sponsoring A Child's Release from Office of Refugee Resettlement Custody September 2021

Children under the age of 18 who arrive in the United States without legal status (a visa or other official permission) and who are not with a parent or legal guardian when they arrive are designated as “unaccompanied” children. Please note that a child who arrives with an adult family member who is not a parent or legal guardian—such as an aunt, uncle, grandparent or adult brother or sister—will likely be separated from that family member and designated as unaccompanied.

Whether they arrive alone or are separated from family, unaccompanied children will be transferred to the Office of Refugee Resettlement (ORR), which is not an immigration enforcement agency. ORR operates children's facilities for unaccompanied children across the United States. At these facilities, children have the right to food, clothing, shelter, medical care, and recreational (play), educational, and other services. They will also have an opportunity to meet with an attorney, who will advise them about their rights and how they can apply to remain in the United States if that is their wish. Most importantly, children in ORR custody have the right to be released from these facilities to parents, adult family members, or adult family friends.

These parents, other adult family members, and adult family friends are called “sponsors” by government officials. The first step in becoming a sponsor is to complete a sponsorship application, which is available [here](#). During the sponsorship process, the sponsor will speak with ORR staff at the facility where the child is living. At some point in the process, the sponsor may be required to undergo a fingerprint check or may be asked to participate in a “home study,” where a worker will visit the house and speak with the sponsor before making a recommendation about whether the child should be released to the sponsor. The sponsorship and fingerprint process should not expose sponsors to immigration enforcement: right now, federal law prohibits immigration officials from trying to apprehend or deport someone who steps forward to sponsor an unaccompanied child.

The sponsorship process can be confusing and complicated, especially when the child and adult do not have documents to provide evidence about their relationship (for example, the child does not have or cannot access a birth certificate, or the child's biological parent cannot be reached to provide their consent to the child's release to another adult.) Ideally, the sponsorship process should take just days or weeks, but in reality, it can take months. Several nonprofit, legal services organizations are available to help sponsors who have questions about the application at no cost: some of them can be found [here](#).

To begin the sponsorship process, including the process of speaking with the child, adult family members or family friends should call ORR at 1 (800) 203-7001 or send an email to information@ORRNCC.com. The sponsor will have to provide some evidence of their relationship with the child before they are able to speak with the child and learn the child's specific location. If you are concerned that a child is not being approved for release to a family member, or have other concerns about a child in ORR custody, you can ask for the child to be appointed an independent Child Advocate through the Young Center for Immigrant Children's Rights using [this form](#). The Young Center cannot work with every child referred to the organization but will work to help as many children as possible.