

**CHILDREN DISPLACED ACROSS BORDERS
BRIDGING POLICY, PRACTICE AND DISCIPLINARY
APPROACHES TO FURTHER HUMAN RIGHTS**

NON-DISCRIMINATION

By:

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1. In your work, what different conceptualizations and categorizations do you see regarding children who have been displaced across borders?
 - U.S. immigration does not necessarily distinguish between children and adults in the immigration process, specifically children are not provided with a court appointed lawyer to help represent them, and sometimes the best interest of the child is considered
 - Undocumented unaccompanied children are placed in a children's shelter through the Office of Refugee Resettlement. The children are assigned to a caseworker, and they are attempted to reunite with family
 - Undocumented orphaned children or those who cannot reunite with one or both parents may be eligible for a special immigrant juvenile status visa
 - Undocumented children, who enter with one or both parents and are caught entering the United States, may end up in a detention (jail) facility with their mother. The father will be placed in an adult detention facility. Sometimes, the children or mother does not know where the father is being held.
 - Refugee children, those who enter the U.S. as refugees, are provided with the basic and immediate needs

2. In what ways do current policies or practices treat children more or less favorably according to those categories and conceptualizations?
 - Children who go through the immigration court system do not receive court appointed counsel and many cannot afford to pay for private counsel, and the non-profit agencies only have so many resources. Some of these children will have to represent themselves before an immigration judge or an asylum officer. Statistics show that a large percent of individuals in general, but especially children, would at least have a fighting chance to win their case.
 - Children who may be eligible for the special immigrant juvenile status may not be able to obtain this status due to lack of court appointed counsel and needing a State District Court Order with specific language.

Obtaining such an Order is a challenge with an attorney, which would be impossible without an attorney.

- Children who are in the family detention facilities are not necessarily receiving proper education or medical treatment. The best interest of the child is also not necessarily considered when dealing with the children.
 - Even though refugee children are provided with basic needs, refugee children may need more resources to help them get through the education system and this would include immigrant children as well. Many immigrant and refugee children fall through the cracks due to lack of English skills, and parents having to work more than one job to survive.
3. If you could identify two key aspects of policy or practice that need to be changed to ensure displaced children are not discriminated against, what would you recommend, and why?
- Children who are in Immigration Court proceedings or are going through the immigration process need to be appointed a lawyer to be able to have their rights protected. Children, who have been arrested due to an alleged criminal act, do receive court appointed counsel. Immigrant children would greatly benefit from being represented.
 - Children should not be detained in a jail like facility. Their basic education and medical treatment need to be addressed. Best interest of a child is not always considered in the immigration process.
4. If you could identify one critical question that future research should investigate to address challenges with “nondiscrimination”, what would that be, and why?
- Would children who are detained in a detention facility, where the best interest of the child standard is not applied, suffer long term trauma and result in future issues?
 - I believe this is a research question that could help with policy changes in the future, as these children have not been charged with a criminal act, but have fleeing their country because of fear of harm. They are not represented by counsel and they struggle with representing themselves in an immigration court proceeding. Whether they stay in the United States after winning or losing their immigration case, being held in detention (jail) could cause future harm due to trauma.