



Office of Children and Family Services

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Informational Letter

Transmittal:	18-OCFS-INF-07
To:	Commissioners of Social Services Executive Directors of Voluntary Authorized Agencies (or other specific types of agencies)
Issuing Division/Office:	Executive Office
Date:	December 20, 2018
Subject:	Assistance and Services Provided by the Office of the Mexican Consulate to Mexican National Minors in Federal, State, and Local Custody
Suggested Distribution:	Directors of Social Services Adoption Supervisors Planning Coordinators Staff Development Coordinators Runaway and Homeless Youth Programs Municipalities
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Attachments:	Consulate General of Mexico Informational Attachment

Filing References

Previous ADMs/INFs	Releases Cancelled	NYS Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
11-OCFS-ADM-01					

I. Purpose

The purpose of this Informational Letter (INF) is to inform local departments of social services (LDSSs) and voluntary agencies (VAs) of the availability of assistance and services provided by the Consulate General of Mexico to Mexican national minors in federal, state, and local custody. Consular officials are representatives of a foreign government and have no official relationship with United States federal immigration authorities. The New York State Office of Children and Family Services (OCFS) Administrative Directive, *Special Immigrant Juvenile Status*, issued in 2011 (11-OCFS-

ADM-01) highlighted consular services. This INF provides additional information on assistance and services the Mexican consulate offers that may be particularly helpful to LDSSs and VAs. Lastly, this INF distinguishes circumstances where the consulate should not be engaged, such as when individuals seek asylum.

II. Background

Children and families involved with the child welfare, juvenile justice, health, and social services systems often have a variety of complex needs. These needs can at times extend beyond the receipt of direct health and human services and include the need for assistance with obtaining certain official documents, such as birth certificates, passports, and marriage licenses. The Mexican consulate may be a resource when encountering Mexican nationals who require assistance in obtaining official documents and information from Mexico, or need guidance through government systems and court proceedings. Obtaining documents from Mexico may also be crucial for families completing legal paperwork or applying for certain administrative relief where delays could result in the denial of immigration relief or other serious consequences. For Mexican children and families, consular resources are available throughout New York State that can assist the LDSS, VA or individual with obtaining official documents to help navigate the processes involved in adoption, immigration, custody, and other court proceedings.

III. Program Implications

The Mexican Consulate as a Potential Resource

For Mexican youth who are in the custody of the federal government, state, or LDSS, the Mexican consulate can serve as a liaison between agencies and courts in the United States, and the Mexican government or permanency resources in Mexico. The consulate can assist with the following:

- Coordination of home studies with the Agency for Integral Family Development, which is the child welfare lead agency in Mexico.
- Coordination of the remote participation of individuals in Mexico so they may appear via telephone in a court hearing for a minor in custody in the United States.
- Connecting families with legal assistance and helping them repatriate children to reunite them with family or a permanency resource in Mexico

For children or families who already have legal representation regarding their immigration status, it is recommended that the LDSS coordinate any contact with the Mexican consulate with such legal representative.

Special Consideration for Asylum or Refugee Cases

As referenced in 11-OCFS-ADM-01, when a child or family is applying for asylum or seeking refugee status, that fact should not be disclosed to the consulate.

The consulate is an excellent resource and can also be of assistance regarding referrals to legal services for immigration, criminal, civil, labor, human rights, and administrative law court cases. Please refer to the informational attachment for a full list of services offered by the Mexican consulate that a VA or LDSS may utilize.

/s/ Sheila J. Poole

Issued by:

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Title: Acting Commissioner

Division/Office: Executive Office