

Immigrant Children and Child Welfare in the United States: Demographics, Legislation, Research, Policy, and Practice Impacting Public Services

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Abstract This article summarizes the presentation given at the 2nd International Conference of the International Society for Child Indicators (ISCI) in November 2009, in Sydney, Australia. The intent of the paper is to build a framework of strategic advancement of child wellbeing of a subgroup of vulnerable children, utilizing national indicators from the variety of disciplines mentioned in the title. The paper discusses indicators that have been used to advance the knowledge development, research, policy, advocacy, and practice accomplishments of the Migration and Child Welfare National Network. This national initiative, under the leadership of the American Humane Association, represents a collaborative effort of more than a dozen national organizations, universities, state child welfare agencies, immigrant serving agencies, and child welfare and other professionals across the United States and other nations including Mexico and other Latin American countries whose children are impacted by the issues mentioned in this paper.

Keywords Immigrants · Children · Child welfare · Indicators · Child protection

1 Introduction

Immigration patterns over the last decade have contributed significantly to changing the demographic profile of the United States. Not only have the numbers of foreign-born immigrants living in the United States increased, but also a larger proportion of this population consists of families and children (Capps and Fortuny 2006). During

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the 1990s, more than 15 million immigrants entered the United States, an increase of 50% since the 1980s and over 100% since the 1970s (Capps and Fortuny 2006). As of 2008, foreign-born immigrants comprised 12.6% of the total U.S. population (U. S. Census Bureau 2008), while children of immigrants represented more than one-fifth of all children under 18. Since 1990, the number of children with at least one immigrant parent has more than doubled, from 8 million to 16.4 million in 2007, while their share of all children increased from 13% to 23% (Fortuny et al. 2009).

Among the foreign-born population, the majority of adult immigrants are not U.S. citizens, and many are undocumented. As of 2005, 11.1 million undocumented immigrants were living in the United States, representing 30% of the total foreign-born population. An additional 10.5 million immigrants were legal permanent residents, representing an additional 28% of the total (Passel 2006). Approximately 31% of all immigrants (11.5 million) were naturalized citizens. An additional 7% of the foreign-born population was composed of refugees and 3% were legal temporary residents, which generally consist of students and temporary workers (Passel 2006).

Although a small number of children of immigrants are foreign-born themselves, most (86%) are U.S.-born citizens. However, among children of immigrants, nearly one-third (31%) live in mixed status families, where children are citizens, but at least one parent is not (Fortuny et al. 2009). Children of immigrants are largely concentrated in six states that have been traditional destination states for immigrants—California, Texas, New York, Florida, Illinois, and New Jersey. Together, these states account for 67% of all children of immigrants in the United States. However, along with increased immigration flows and changes in immigration patterns since the 1990s, the number of children with immigrant parents has more than doubled in most other states, while North Carolina, Nevada, Georgia, Arkansas, and Nebraska have experienced growth rates of more than 300% since 1990 (Fortuny et al. 2009). More than half of children of immigrants have parents from Mexico (41%) and other Latin American countries (17%). However, other regions of the world are also well-represented—12% of children of immigrants have parents originating from Europe, followed by East Asia and Pacific (10%), Africa and the West Indies (8%) and the Middle East and South Asia (7%).

Although the population of immigrant children and families who come to the attention of the child welfare system is relatively small, these families often have complex needs that need to be addressed to achieve positive outcomes. Upon migrating to the United States, immigrant families face a multitude of challenges resulting from their experiences with immigration and acculturation. Differences in culture and language serve as significant sources of stress for immigrant children and families and create barriers to accessing needed resources. Compounding these stressors are legislative initiatives that restrict immigrant families' access to basic safety net services, affecting even those with legal status. When immigrant families become involved with child welfare, these laws and policies may impede the ability of child welfare agencies to provide needed services, while a lack of culturally and linguistically competent services may create additional barriers, resulting in disparate outcomes. This manuscript will expand on these challenges and present the knowledge development, research, policy, advocacy, and practice accomplishments of the Migration and Child Welfare National Network, a national initiative designed to raise awareness of these challenges and improve the response of the child welfare system to immigrant children and families.

2 Level of Activity of Legislation Related to Immigrants and Immigration

In the United States, the level of activity around a specific issue during a legislative session often indicates the extent of public concern for the issue. Bills are introduced reflecting the constituency support of a position, laws get enacted, and resolutions passed. Since the 2001 terrorist attacks in U.S. land, the American public has gained more awareness of the need to control who enters and lives in the U.S. to ensure increased security. Additionally, as the number of non-European immigrants to the U.S. has grown visibly, the national intent, yet unsuccessful, to pass comprehensive immigration reform is often in the news. Unemployment and its association with the presence of foreign-born people raises reactions to the presence of immigrants.

The immigration project of the National Conference of State Legislators (NCSL) has tracked the level of activity related to immigration. While many of the bills proposed by states are intended to favor the integration of immigrants and provision of services to all people regardless of immigration status, many other bills introduced by states in the past several years represent measures of security and restraint to the ability of foreign-born, non-naturalized people to function with the same liberties as the U.S.-born. In other words, many states have seen bills that call for the provision of services to all people, including undocumented immigrants, while other bills are intended to limit services or access to civil resources to only naturalized citizens or to those immigrants with legal status. As a result, these bills address both documented and undocumented immigrants, depending on their intent. Topics revolve around employment, identification, driver's licenses, health, and education benefits. According to the NCSL (2010),

- In 2005, 300 bills were introduced, 38 laws were enacted and 6 vetoed;
- In 2006, 570 bills were introduced, 84 laws were enacted and 12 resolutions adopted;
- In 2007, 1,562 bills were introduced, 240 laws were enacted and 50 resolutions adopted;
- In 2008, 1,305 bills were introduced, 206 laws were enacted and 64 resolutions adopted;
- In 2009, more than 1,500 bills were introduced, 222 laws were enacted and 131 resolutions adopted.

In the first 6 months of 2010, every state in regular session considered laws related to immigrants or immigration. State legislators introduced 1,374 bills and resolutions in 46 states. The number of bill introductions is comparable to the first half of 2009, when 50 states considered more than 1,400 bills and resolutions pertaining to immigrants (NCSL 2010). Some celebrate America's ethnic heritage and others applaud immigrants or programs that serve refugees or immigrants. Twelve resolutions urge Congress to support funding, expedite naturalizations, change requirements for enhanced driver's licenses, promote travel to the United States, permanently extend e-verify, address delays at ports of entry on the Texas-Mexican border, and grant waivers for an employer sponsored work program. Examples of laws passed include an offer of in-state tuition to certain unauthorized immigrant students, extension of a driver's license for temporary immigrants serving in the armed forces, appropriation of funds for naturalization assistance for certain

immigrants, and multi-issue legislation laws addressing employment, law enforcement, and verification of lawful presence for public benefits.

At the federal level, aspects of immigration change have been promoted since 2001, such as the DREAM (Development, Relief, and Education for Alien Minors) Act, a bi-partisan bill that would allow states to offer in-state tuition to unauthorized immigrant students, and would provide temporary residency for immigrants enrolled in college or serving in the military. This legislation would provide a pathway for students who pursue two or four-year degrees to obtain permanent residency. Although the legislation is not passed, a move to suspend deporting undocumented immigrants who would be eligible to stay under the proposed Act seems apparent. The legislation, which if enacted would apply to only a small number of students, would provide a path to permanent residency for those who came to the United States illegally with their parents before the age of 15, who have lived in the country for at least 5 years, who have a high-school diploma or GED, and who attend college.

Additionally, the Humane Enforcement and Legal Protections (HELP) for Separated Children Act was introduced in 2010 to keep kids safe, informed, and accounted for during Immigrations and Customs Enforcement (ICE) raids. According to ICE, 108,434 parents of U.S. citizen children were deported between 1998 and 2007. These raids have left numerous children—most of them citizens and legal residents—without their parents and with no way of finding them (Capps et al. 2007). This legislation offers safeguards for children whose parents are placed in federal custody so they are not left on their own. Beyond public opinion polls, these legislation activity patterns and examples offer and indicator of societal views on an issue that crosses the legal, social service, and cultural aspects of the U.S.

3 Loss of Child Protection?

The U.S. child welfare system provides one of the world's most involved child protection interventions on behalf of children suspected of abuse, neglect, or abandonment. Vulnerability of children in the U.S. is generally consistent with definitions of vulnerable children in countries world-wide and include children belonging to minority and indigenous groups (ethnic and religious); children on the move; unaccompanied minors; asylum seeking and refugee children; victims of sale, trafficking, and abduction; homeless/street children, immigrant children, unregistered/undocumented children; working children; and children affected by drug/substance abuse (Federal Interagency Forum on Child and Family Studies 2008).

Some of these subgroups are at the center of special protections in the U.S. and worldwide, under various national and regional laws and conventions, international conventions and declarations, as well as the United Nations Convention on the Rights of the Child (Article 19), and are the subject of worldwide monitoring and national or regional observatories of child wellbeing. However, among these groups, undocumented and immigrant children suffer particular vulnerabilities and a complex set of circumstances due to the legal ramifications of their documentation status, and to local sentiments regarding the foreign-born. Children become impacted not only by the intricate set of issues related to acceptance of new groups, but by

their own needs for acculturation and the restrictions of immigration status imposed upon them. Because of both local and international issues, these children remain without the universal protections the world has set forth for children, and frequently fall through the cracks of legal and child protection systems.

Immigrants often come to the United States in search of better opportunities and equality (Jennissen 2007). A U.S. destination for migrant or refugee families has signified increased safety, better economic opportunities, and systems that more adequately serve the needs of health, education, and security (Segal and Mayadas 2005). However, although the U.S. may show increased measures of wealth or security than the country of origin, access to social and other services is constrained by factors that include not only the legal status of families, but also their knowledge and ability to navigate foreign systems (Capps et al. 2004). Another barrier applicable to many immigrants is a lack of English language ability, and in many cases a lack of sufficient education in their own language (Mather and Foxen 2010). Fear of authorities and government officials is a further barrier to involvement with systems designed to help immigrant populations (Hagan et al. 2003). After a few years in the new country, children and families can overcome many of these barriers and develop more supportive networks, but gaps in the early years may have an impact on children and not support their functioning as fully integrated adults (Olson 2000; Portes and Rumbaut 2001).

This set of circumstances also stops children from more than one generation of immigrants from accessing preventive or community based services in the same manner that non-newcomers can, and for immigrant children, what is universally known as “child protection” is strongly connected to the ability of the family to access public services. Without preventive services and education, families become more vulnerable to intra-familial abuse and violence, and to the sequels of trauma that can easily result from their own separation circumstances (Earner 2007; Roer-Strier 2001). In the worst scenarios of vulnerabilities of immigrant families, the accessibility of services is not only a family factor, but also a legal factor, either real or perceived by the family itself or by the services in place to serve them.

Given the common legal challenges of newcomers’ immigration status, children and families are at a high risk of separation from each other. Enforcement of immigration laws causes separation of parents from children in ways that are often traumatic and leave separation and emotional sequels (Capps et al. 2007). Policies of deportation procedures that could be humane are characterized by isolation, surprise, rapid removal, and inability to settle affairs (Cervantes and Lincroft 2010). When parents are removed due to immigration laws, children can be taken into custody by state child protection agencies, and their family ties cut off. The importance of preserving the information and the conditions to support the culture and identity of the child are unfortunately a secondary concern, particularly under emergency placement circumstances. The state child protection system is not prepared to focus on the particular needs of immigrant children, which can include not only the mental health and family connection needs, but also necessitate attention to registration, birth records, documentation status, and application of immigration relief or refugee protections (Dettlaff et al. 2009b). Federal systems such as the Office of Refugee Resettlement, or the office of Unaccompanied Minors can play supportive roles, but the federal and state systems protecting immigrant children are not yet designed to interact efficiently around a child’s case.

4 Child Welfare and the Challenges of New Americans

In addition to potential separation due to immigration status, immigrant children and families face numerous challenges that may make them vulnerable for contact with the child welfare system (Velazquez et al. 2007). Children of immigrants are significantly more likely to live in poverty than children of native parents and are at significant risk of poor outcomes in a number of other factors. Working immigrant families with children are twice as likely as working non-immigrant families to have incomes below 200% of the federal poverty level, and overall, 51% of children of immigrants live below the poverty level, compared with 35% of children of U.S.-born parents (Fortuny et al. 2009). Contributing to this economic hardship, 26% of children of immigrants have parents with less than a high school education, compared to only 8% of children of U.S.-born parents, and 61% of children of immigrants have at least one parent with limited English proficiency (Fortuny et al. 2009). Children of immigrants are twice as likely as children of natives to be reported in fair or poor health, and are at risk for slower cognitive and language development, as well as poorer academic performance in school (Capps and Fortuny 2006).

Although immigrant families have higher rates of poverty and economic hardship, they are less likely than native families to receive public benefits, including TANF, food stamps, housing assistance, and health insurance. Children in immigrant families are also more likely to lack health insurance coverage (Capps et al. 2004; Douglas-Hall and Koball 2004). These disparities exist largely due to eligibility rules that exclude non-citizen parents, both documented and undocumented, from accessing these benefits. In 1996, Congress enacted the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA), which had a significant impact on the eligibility of public benefits for immigrants. PRWORA denies Supplemental Security Income (SSI) and food stamps to immigrants, including legal immigrants who reside in the U.S. Before its passage, legal immigrants were eligible for public benefits immediately upon gaining legal status. PRWORA also gives states broader power to determine eligibility of “qualified” immigrants for state-funded programs. States also retain the option to deny non-emergency Medicaid, social services block grants, and the Supplemental Food Program for Women, Infants & Children (WIC). Although the large majority of children of immigrants are U.S.-born citizens and eligible for many of these benefits, many legal immigrants fear that attempts to access these benefits may interfere with their process of becoming citizens, while undocumented parents fear deportation and separation from their citizen children (Hagan et al. 2003).

In addition to poor economic outcomes and restricted access to services, changes within family systems may increase immigrant families’ vulnerability. Following immigration, changes to previously established gender roles and expectations may occur as a result of cultural and financial pressures on the family system (Coltrane et al. 2004). These financial stressors often necessitate women entering the workforce, which may require men to accept additional responsibilities for childcare and housework (Coltrane et al. 2004). However, while immigrant women who are employed in the U.S generally experience greater autonomy and independence, men often experience the opposite (Pessar 1999). This situation is further compounded

when men struggle with unemployment, as this may increase the risk for relationship conflict and domestic violence (Cunradi et al. 2002). Research indicates that outside employment of wives and unemployment of men are both significantly associated with domestic violence among immigrant couples (Aldarondo et al. 2002).

Among parents and children, differences in acculturation levels often form the basis for significant tension between parents who adhere to traditional cultural values and children who are more rapidly exposed to the social norms of the majority culture (Portes and Rumbaut 2001).

Children generally acculturate faster than adults, creating an acculturation gap between parents and children that precipitates family stress (Hernandez and McGoldrick 1999). Tensions may occur as children experience conflict between parental expectations and the values of the majority culture that emphasize autonomy and independence (Fontes 2002; Portes and Rumbaut 2001). Increased parenting stress is common among immigrant parents, who feel they are no longer able to control their children. As parents struggle to maintain discipline, they may become more rigid in their attempts to regain authority (Bacallao and Smokowski 2007). Additionally, children in immigrant families often become language brokers, due to their increased exposure to English through social and institutional contexts (e.g., school, peer groups). Although this may place children in a valued position as they can assist the family in meeting certain needs (Bacallao and Smokowski 2007), it may also create conflicts, particularly when parents are dependent on children to communicate with external systems (Belítz and Valdez 1997; Yu et al. 2004). When this occurs, parents lose their sense of power and respect, while children may be uncomfortable with these additional responsibilities (Garcia 2009).

5 Loss of Ability to Protect? Challenges for Child Welfare Systems

Once immigrant children come to the attention of the child welfare system, they face multiple barriers that may prevent their needs from being met (Dettlaff et al. 2009a, b; Earner 2007; Maiter et al. 2009). Many child welfare systems lack the awareness of the complexity of immigration issues, and are ill-equipped to assist children in addressing these issues. Beyond concerns directly associated with immigration status, many child welfare practitioners are unfamiliar with the unique challenges immigrants may face resulting from immigration and acculturation. Although considerable efforts have been made over the past two decades to increase cultural competence within child welfare agencies and among child welfare staff, these efforts have largely focused on U.S.-born racial and ethnic groups (Dettlaff and Lincroft 2010; Lincroft and Cervantes 2010). This lack of cultural awareness can lead to inaccurate assessments that fail to consider the underlying issues affecting immigrant families.

In addition to a lack of awareness of the issues affecting immigrant families, there is a lack of knowledge of effective practices that can be used to strengthen and support immigrant families (Ayón 2009; Dettlaff and Rycraft 2009). Interventions that are effective in meeting the needs of U.S.-born populations may not be effective in meeting the needs of immigrant families due to their unique challenges and cultural differences; yet, empirical knowledge of practices to support immigrant families within a child welfare context is extremely limited.

Of additional concern for immigrant children and families is access to services in their preferred language, which is a challenge for many child welfare systems (Ayón 2009; Barrios et al. 2004). Language barriers can result in miscommunication and misunderstandings, which can considerably affect families' abilities to respond to interventions. Language barriers can also result in delays in service delivery, which can affect parents' abilities to complete required services and place them at risk for termination of parental rights due to the timeframes mandated by the Adoption and Safe Families Act (ASFA) of 1997 (Ayón 2009; Committee for Hispanic Children and Families 2003). ASFA calls for permanency decisions to be made in 12 months, and requires the filing of petitions for termination of parental rights for children who have been in substitute care for 15 of the last 22 months. This has resulted in more rapid proceedings of child welfare cases and increased terminations of parental rights and adoptions. Given the lack of accessibility of services in families' native languages, this expedited process may place immigrant families at a disadvantage in meeting case requirements, thus placing them at risk for termination of parental rights.

For immigrant children in foster care, the lack of culturally or linguistically appropriate services can also limit their ability to receive services needed to address both their physical and mental health needs (Dettlaff and Cardoso 2010). Further, funding for services for immigrant children may be limited due to restrictions within Title IV-E of the Social Security Act, which serves as the primary source of federal child welfare funding to states. This funding source allows states to receive federal matching funds for the care of children in state custody. However, the receipt of Title IV-E funds is restricted to children who meet eligibility requirements, which include immigration status. Immigrant children who are undocumented do not meet the eligibility requirement, and thus, states must bear the total burden of the cost of substitute care. In times of shrinking resources for public child welfare systems, this may limit states' abilities to adequately care for ineligible immigrant children.

Non-citizen immigrant children who enter foster care and cannot be reunified with their families may be eligible for Special Immigrant Juvenile Status (SIJS), which makes them immediately eligible to apply for legal permanency residency (LPR) in the U.S. This status is available for undocumented children under the jurisdiction of a court due to dependency or delinquency. With this status, immigrant children become Title IV-E eligible, and receive the other benefits of LPR, including the ability to live and work permanently in the U.S. Yet, awareness of this option is limited in many child welfare systems and if eligibility for SIJS is not assessed early in the process, children may age out of foster care without any legal status (Lincroft and Cervantes 2010). Once children leave the system, they are no longer eligible for immigration relief.

Finally, there is a lack of collaboration between the U.S. and foreign countries that may further restrict families' access to timely and necessary services. Many child welfare cases involving immigrant families have transnational dimensions that require collaboration between child welfare and human service systems in both the sending and receiving countries (e.g., obtaining birth certificates from the country of origin, obtaining home studies by local child welfare authorities for transnational family placements, and obtaining documentation needed to complete applications for immigration relief). However, such collaboration and coordination is lacking between most states and countries.

6 Migration: A Critical Issue for Child Welfare

While historic data regarding immigrant children and families in the child welfare system has not been collected, it is clear that these families present unique service challenges. As a group, immigrant families present a number of characteristics that increase their economic and social insecurity and can be associated with negative child outcomes. This is particularly true during the period of insertion in a new society. In addition to linguistic, cultural, religion, and trauma factors, there are complex legal issues related to immigration, social welfare, and civil rights that should be considered in working with immigrant children and families.

Given the rapid growth of this population and the numerous challenges they present, child welfare systems need to be prepared to respond to these challenges to facilitate positive outcomes for immigrant children and families who come to the attention of this system. Yet, although specialized agencies in certain ethnic neighborhoods have developed to bring public services to immigrant populations (Earner 2007), child welfare has largely been unaware of the challenges that may compound these cases and has been slow to respond to these challenges (Ayón 2009; Dettlaff et al. 2009a, b; Earner 2007; Lincroft and Resner 2006). This has resulted in a general consensus that there is a need for the development of tools, approaches, and policy and practice improvements within child welfare systems in order to effectively address the needs of this population.

7 Birth of a Coalition: The Migration and Child Welfare National Network

In response to this emerging issue, the American Humane Association (AHA) began a dialogue with the School of Social Work at Loyola University Chicago (LUC) about the growth of the immigrant population and the challenges this poses for child welfare systems. These discussions provided the impetus for a wider degree of engagement and discourse with professionals from many disciplines, including those in higher education, child welfare, international immigration, and legal practice. These discussions resulted in the creation of a roundtable specifically focused on the intersection of immigration and child welfare. This roundtable created a transnational opportunity to discuss the emerging impact of immigration on child welfare services in the U.S. and formed the basis of a continuing multidisciplinary collaboration designed to inform and impact policy and practice at the local, state, and national levels.

Entitled *Migration—A Critical Issue for Child Welfare: A Transnational Research and Policy Forum*, the roundtable was held in July 2006 at LUC and included 70 participants from across the United States and Mexico representing practitioners, academics, and advocates from multiple fields including social work, anthropology, sociology, religious studies, and demography; legal practitioners from immigration, child welfare, and policy advocacy; practitioners and administrators from public, private, local, and state child welfare agencies; representatives from United States and Mexico federal child welfare agencies; consular staff; public and private immigrant service agency staff; immigration and domestic violence organization staff; and philanthropic foundation staff. Convening this diverse group of

professionals promised the opportunity to gather insights from multiple vantage points to forge a program of response to address the unique challenges immigrant families present to the child welfare system.

The roundtable provided a slate of expert panelists who addressed various aspects of the intersection of immigration and child welfare including the causes, patterns, and projections of migratory flows; immigration and its effects on the family; the effects of immigration on child wellbeing; current and proposed immigration laws and policies; and the impact of immigration laws and policies on child welfare systems. Following the panel sessions, participants convened in small workgroups to identify the salient emerging issues that needed to be addressed in order to advance a program of action. Emerging issues were identified in four areas—research, workforce and training, cross-systems collaboration, and policy and advocacy.

7.1 Research

Participants noted that there is a lack of reliable data on the number of immigrant children and families involved in the child welfare system. Several factors contribute to this lack of reliable data, including fear of reporting immigration status, mixed immigration statuses within families, and reporting systems that are not designed to capture this information. As a result, it is difficult to demonstrate the need for additional research, policy development, and practice improvements.

7.2 Workforce and Training

Participants identified the need for advanced training in child welfare agencies on the issues and challenges affecting immigrant children and families. Training is needed that provides information on the experiences of immigration and acculturation, and how these experiences may affect assessment and families' response to interventions. Practitioners also need to be familiar with federal and state policies that affect immigrant children and families and understand how these policies may affect service delivery. In addition to training, efforts are needed to recruit and retain bilingual and bicultural staff to ensure that services are provided in the native language of immigrant children and families. Although some families may be able to speak English, they may be more comfortable speaking in their native language, particularly when addressing issues concerning their children's wellbeing. It is also important for child welfare agencies to recognize that child welfare cases that involve immigration issues present additional complexities that need to be considered in workload assignments. If these complexities are not taken into consideration, this can result in a decreased ability to respond appropriately.

7.3 Cross-Systems Collaboration

Participants also identified the need for cross-systems collaboration between child welfare agencies and other systems working with immigrant populations (e.g., legal professionals, service providers, advocacy organizations). Often, service delivery to immigrant families is complex and fragmented, resulting in families who do not receive needed services. Service delivery can be aided through collaborative

relationships between child welfare agencies and immigrant service providers who work as a team to meet their needs. Transnational collaborations are also needed to ensure timely access to needed records and resources that can facilitate reunification of separated children.

7.4 Policy and Advocacy

Participants identified that existing state and federal policies may create barriers for child welfare agencies to provide effective service delivery to immigrant children and families. In addition to limited eligibility, immigrant parents who are undocumented or applying for LPR are often fearful of accessing public services and benefits. Those fears, as well as confusion regarding eligibility, leave many immigrants without access to needed resources and supports. This also creates a barrier for child welfare agencies to provide effective services, as parents may be resistant to receiving services.

7.5 The Migration and Child Welfare National Network

To continue the multidisciplinary and transnational dialogue started at the roundtable, the participants formed a national coalition—the Migration and Child Welfare National Network (MCWNN)—and developed a steering committee to provide leadership to the actions that received consensus from the roundtable participants. These action steps included the following: a) creation of a group identity; b) creation of an interactive listserv to promote dialogue and dissemination of information and resources; c) collaboration among organizations for limited scope research projects; d) dissemination of a roundtable report with analysis of discussions and recommendations; e) presentations and networking at national conferences; f) dissemination of practice, policy, research, and advocacy efforts through publications and other media; g) creation of a website; and h) collaboration with technical assistance providers including Bridging Refugee Youth and Children's Services (BRYCS) and the Annie E. Casey Foundation. The steering committee subsequently developed the following statement to reflect the consensus of the roundtable participants and to guide the ongoing work of the MCWNN (Velazquez 2007):

1. The migration of children and families to the U.S. is a very important—but largely unaddressed—issue affecting the child welfare system.
2. Immigrant children who are involved in the programs that provide child protection and child welfare services must be afforded services that will address their needs for safety, permanency, and general wellbeing.
3. Child welfare services should be available to all children regardless of immigration status.
4. Federal, state, and local policies should encourage full integration of immigrant families into U.S. society through an expanded delivery of child welfare services.
5. All child welfare agencies, courts, and the professionals who work within these settings must, individually and through their membership organizations, become

- better informed about immigration laws and best practices affecting the immigrant children and families they are serving.
6. Delivering services to migrating children and families should be a focus at major national child welfare conferences, in the work of the federal child welfare resource centers, and in new research and demonstration projects.
 7. The roots and causes of migration issues impacting child welfare cannot begin to be resolved unless collaboration with other countries exists; the issues that impact U.S. systems do not start and stop at our borders, but are the result of larger, more complex problems that need to involve transnational activities and a global approach.

8 Progress Through Collaboration: Indicators of Advancement

Since 2006, the MCWNN has formed partnerships with universities, child welfare systems, philanthropic foundations, and advocacy organizations to foster productive discussions and advance the understanding and response to the emerging issues identified at the first national roundtable. These partnerships have led to advancements in research to improve the knowledge base regarding immigrant families who come to the attention of child welfare systems and to fostering and promoting practice and policy improvements. These advancements are discussed in the following sections.

8.1 Advancements in Research

In addition to the lack of data on the number of immigrant children involved in child welfare systems, this lack of data resulted in limited information on the characteristics, risk factors, or service needs among this population. These data were needed not only to respond effectively to this population, but also to develop culturally competent assessment, intervention, and prevention activities in child welfare agencies. Through blended funding from AHA and the Annie E. Casey Foundation, the MCWNN funded the first national research study to examine the presence of children of immigrants in the child welfare system and to identify differences in the risk factors and types of maltreatment experienced by children of immigrants as compared to children of U.S.-born parents (Dettlaff and Earner 2010). As data on immigrant status or country of origin were not available in national child welfare reporting systems such as the Adoption and Foster Care Analysis and Reporting System (AFCARS) and the National Child Abuse and Neglect Data System (NCANDS), researchers analyzed data from the National Survey of Child and Adolescent Wellbeing (NSCAW), a nationally representative sample of children who were subjects of reports of maltreatment to child protective services agencies. The analyses identified that children of immigrants accounted for 8.6% of all children who come to the attention of child welfare agencies, among whom 82.5% are U.S.-born citizens.

In addition to identifying the number of children of immigrants involved in this system, the study sought to identify differences in the risk factors and maltreatment

experienced in immigrant and U.S.-born families. Understanding these differences was important to advancing the knowledge base on children of immigrants involved in this system, as prior literature had suggested that children in immigrant families may be particularly vulnerable for contact with child welfare systems due to the many stresses and challenges these families encountered resulting from their experiences with immigration and acculturation (e.g., Earner 2007; Pine and Drachman 2005; Roer-Strier 2001; Segal and Mayadas 2005). However, as data from child welfare systems were unavailable, these suggestions of increased risk could not be confirmed.

Through the research conducted by MCWNN using data from NSCAW, Dettlaff and Earner (2010) found no significant differences in the overall rates of maltreatment between children in immigrant families and U.S.-born families. However, significant differences were found in the risk exposure of children in immigrant families compared to children in U.S. born families. But surprisingly, these differences were not in the direction anticipated. Children in immigrant families were significantly *less likely* than children in U.S.-born families to live in homes with many of the risk factors associated with child maltreatment, including active alcohol abuse, active drug abuse, and recent criminal activity. Additionally, no significant differences were present in the prevalence of several risk factors often associated with immigrant families, including the use of excessive discipline, active domestic violence, low social support, and difficulty meeting basic needs. These findings were of considerable importance as they contradicted much of the previous suggestions concerning increased risk among children in immigrant families, and thus have considerable implications for child welfare practice.

Clearly research has documented a number of stressors and challenges present in immigrant families, including high rates of poverty, linguistic difficulties, restricted access to supportive services, low rates of health insurance, low rates of parental educational attainment, and difficulty obtaining employment (Fortuny et al. 2009). Additional research has documented stressors resulting from changing family dynamics that may result in tension between spouses and between parents and children (e.g., Coltrane et al. 2004; Pessar 1999; Portes and Rumbaut 2001). However, the current research findings suggest that these challenges may not lead to increased risk for child maltreatment. Dettlaff and Earner (2010) suggest that this is likely due to the number of strengths embedded within immigrant families associated with their reasons for migration that is often overlooked in the literature. Undertaking a long, uncertain journey to a foreign country requires determination, strength, and a strong sense of personal and family responsibility. For many immigrant families, the desire for a better life for their children is a powerful strength that may serve as a buffer against many of the risk factors associated with child maltreatment. Further, immigration status may act as a social control agent, particularly for the undocumented, as an arrest can result in deportation and separation from their children. Even for those with legal status, an arrest or other involvement with criminal activity can result in losing legal permanent residency. In addition, immigrant families' culture and connections to their countries of origin may serve as important protective factors. Although learning to function in a new culture may serve as a source of stress, researchers have suggested that adherence to cultural values and beliefs is a significant source of strength that allows individuals

to maintain flexibility and cohesion in the face of a changing environment (Falicov 2005; Hancock 2005). Additional studies have found that identification with core values and beliefs rooted in their native culture may protect immigrants from experiencing many negative outcomes including substance use and mental health problems (De La Rosa 2002; Holleran and Waller 2003). Thus, the current research and resulting implications pointed to the need for child welfare systems to assess for strengths and protective factors within immigrant families, as these strengths may serve as significant sources of resilience.

8.2 Fostering and Promoting Policy and Practice Improvements

Building from this important study, the MCWNN has since led a number of initiatives designed to gather data, disseminate information, and improve the response to immigrant children and families who come to the attention of child welfare systems. These include a partnership with the Texas Department of Family and Protective Services designed to identify and promote strengths within immigrant families along the border regions of the state, a partnership with the Annie E. Casey Foundation that has produced two toolkits to assist social workers in responding effectively to immigrant children and families, and a partnership with the child welfare system in Colorado to address aspects of data, policy, and practice concerning the needs of undocumented children in foster care who are eligible for Special Immigrant Juvenile Status. Each of these initiatives is described in greater detail at the MCWNN website (www.americanhumane.org/migration), along with additional resources including the child welfare toolkits and research briefs.

9 Conclusion

While the national debate over immigration is far from being resolved, emerging themes involving the best interests of the child, the humane treatment of families and children when law must be enforced, and the role of public policy become relevant. These themes are shared by international organizations, as demonstrated in the following quote from Jorge Bustamante, Special Rapporteur on the Human Rights of Migrants, Office of the United Nations, Commission on Human Rights (United Nations News Centre 2009):

The lack of specific provisions on children in most migration laws, and the failure to take into account the specific condition and needs of migrant children in public policies only exacerbates these problems for child migrants and leaves them exposed to further abuses.

Responses to the societal problem of unregulated immigration (impacting not only the U.S., but other countries with large influx of immigrants), and to the need to serve the immigrant families already inserted in an economy are needed and are urgent. Although emerging, these responses must give consideration to indicators of best practice, policy, and research. The experiences and approaches described in this article are a demonstration of the utilization of indicators and

data at multiple levels of national, state, agency, and professional systems for a multi-faceted problem.

Given their mandate of protecting children, child welfare agencies must work diligently to limit the potential for further trauma to children resulting from immigration laws and policies. These laws and policies often operate in ways that undermine family unity as they do not recognize children's interests as valid factors in immigration decisions (Morrison and Thronson 2010). Thus, practitioners are often faced with inherent tensions between immigration law and acting in the best interests of the child. As immigration policies become more restrictive, resources and strategies are needed that recognize and respond to these competing values. The activities and indicators addressed in this manuscript help to frame the goals for the wellbeing of immigrant children in care of public child welfare agencies. At the national and state levels, indicators of particular difficulties to the integration of children and families may drive the availability of services that provide effective skills to families to partner with child welfare agencies and build protective capacities to raise children in a new country.

While indicators have not been systematically utilized in seeking solutions to this national problem, their access and use has facilitated dialogue, a focus on solutions, and the dissemination of humane approaches to a problem that is extremely polarizing. In this retrospective view, we have seen that the attention to these diverse measures has contributed to the local and national appreciation and understanding of a mostly misunderstood problem. Those involved in the national network described within have also found that the dialogue with public audiences about the gaps and contradictions existing in this problem has helped to identify definitions of further data needed to advance plans for services, needs for local policy, and public understanding of the magnitude and ramifications of services or lack of services to immigrant children and families. The indicators presented in the context of this initiative represent a non-traditional convergence of fields, and the opportunity to advance an intuitive connection of issues that become critical to child wellbeing.

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