

HLB Helps Abandoned Undocumented Teen Navigate Federal and State Bureaucracy to Obtain Permanent Residency and Prepare for a Future in the U.S.

Case Studies

09.19.22

Linda Randlett Kollar devotes two years of pro bono representation to teenage boy maneuvering through the complicated Special Immigrant Juvenile Status (SIJS) program.

The Client's Issues and Risks

The minor (whose initials are O.S.) sought permanent residency status under a federal program aimed at protecting immigrant children abused, abandoned, or neglected by a parent. The process involved appointing a guardian, giving private information to federal Immigration and Customs Enforcement (ICE), and proving to a state court judge that it would not be in O.S.'s best interests to return to the country of his nationality and showing he was of good character and worthy of remaining in the U.S.

SIJS authorizations are limited in number by country of origin, so O.S. faced a long wait; if he turned 18 before moving through the queue, he would lose eligibility and risk deportation. Because juveniles have tried to use the SIJS program to circumvent judicial supervision, courts can be suspicious of SIJS applications. Applicants receive no stays or protection, and by furnishing information about his address, workplace, religious and community activities, and relationships, O.S. effectively handed ICE a list of places to pick him up for detention.

The HLB Difference

Linda Randlett Kollar has been a lifetime advocate for children's rights, most recently for the Alliance for Children's Rights, representing youth seeking legal status in the U.S. A strong proponent of volunteer legal services, she was named the Pro Bono Champion by the American Health Lawyers Association in 2015. Although Linda had counseled organizations offering shelter to undocumented and unattended children, she had not handled any SIJS matters when the Alliance asked her to represent O.S.

Instead of a streamlined, collaborative environment, Linda was thrown into a complex and adversarial system. Because of Linda's tenacity and dedication, she helped O.S. obtain his Green Card, overcoming various obstacles along the way:

- Linda secured the probate court's appointment of O.S.'s grandmother as his legal guardian.

PROFESSIONAL



**LINDA RANDETT
KOLLAR**
Partner
Los Angeles

- When ICE officers refused to allow Linda to enter their offices while O.S. was fingerprinted and interviewed, she demanded to be at his side as the lawyer for her minor client.
- Before the state court evidentiary hearing commenced, she successfully moved to recuse the first assigned judge and avoid anticipated bias.
- For the hearing, Linda obtained several affidavits from character witnesses and made them available to testify in court on O.S.'s behalf.
- To meet the threshold SIJS eligibility requirement, Linda obtained a letter from O.S.'s mother about abandoning her child at age four and procured a translator to read the letter and other foreign-language documents into evidence.
- Aided by O.S.'s courteous and kind demeanor, Linda demonstrated to the court that he was a solid young man with good intentions, worked hard in school, played soccer, was active in his church, and participated in a firefighter explorer program as a potential career path.

The Result and Its Implications

Thanks to Linda, O.S. met the necessary SIJS requirements to earn his Permanent Resident status before his 18th birthday.

After securing an order from the state court judge, Linda helped O.S. obtain a Green Card, which enabled him to apply for scholarships and financial aid for college, get a social security number, and legally enter the workforce. Today, he is gainfully employed and building a career, volunteers at a homeless shelter, and is grateful to be in the U.S.