



Analyzing the Effects of the Misapplication of Refugee Protections for Juveniles

Summer Associate Project Exchange

Project Title

Analyzing the Effects of the Misapplication of Refugee Protections for Juveniles

Scope of Work

Timing

Due by August 17, 2024

Jurisdiction

New Mexico law; Other state laws that have similar Special Immigrant Juvenile state court processes for 18–21-year-olds; Federal Immigration law and specifically the Administrative Appeals Office of the U.S. Citizenship and Immigration Service (USCIS).

Contact Information

Please contact Paul Lee (plee@steptoe.com) and Guerby Noel (guerby@lawfirmantiracismalliance.org) to claim this project as part of the 2024 Summer Associate Project Exchange.


Description

The proposed research would focus on the implementation of the New Mexico Special Immigrant Juvenile Classification Act (SIJCA) across New Mexico Judicial Districts. Specifically, the project would analyze SIJCA case denials resulting from either the misapplication of the law or racially discriminatory rulings by state court judges. While the SIJCA applies to all immigrant youth who meet the criteria for this form of relief, if a state court judge misapplies the law due to misinformation or racial bias, then the youth will be adversely impacted, potentially losing eligibility for the rest of their life and remaining

vulnerable to various forms of systemic oppression based on immigration status. Through this project, the associate would investigate the reasons for denials of SIJCA declaratory judgements and dependency findings; compare New Mexico law with other states that use declaratory judgements for their SIJS findings; and compile a case review of relevant federal appeal decisions that support the use of declaratory judgments and dependency findings in this context. This research could further the successful implementation of the NM SIJCA, offer valuable insight into the reasoning behind case denials, and provide research that could be beneficial in the court of appeals or in future legislative efforts.

Subtasks (0)

Reminders(1)

 1 day(s) before

