

**Protocol for Requesting U Visa Certifications from the Los Angeles County
Department of Children and Family Services (DCFS)
November 2017**

**U Visa Certification Preferences
Contact Information**

Name of Certifying Agency	Los Angeles County Department of Children and Family Services
Name of Certifying Official	Cecilia Saco, MSW
Head of Certifying Agency	Bobby Cagle, Director [as of November 2017]
Address	1933 S. Broadway, 5 th Floor, Los Angeles, CA 90007
Phone	(213) 765-7265
Fax	(213) 742-7072
Agency Type	Local
Certifying Agency Category	Child Protective Services
E-mail address	sacoce@dcfs.lacounty.gov
Preferred request method	Via US mail. Follow-up by e-mail. No telephone calls please. Please DO NOT email asking if DCFS is willing to sign. This will simply delay the process.

Required Documents

Which documents should be included in the U Visa Certification request?

1. Brief Cover Letter (with client's identifying information, mailing address, and the name and DOB of at least one of the children (preferably the oldest child included in the DCFS case).
 - a. Include a brief description of the crime that forms the basis of the U visa case. Client may have had one or several DCFS referrals or cases investigated over several years. Please address in your cover letter the specific crime or incident you are using to file the U Visa and when it happened (approximately month, day and year). For example, a client with a history of four referrals investigated by DCFS over the past five years, may be the perpetrator of neglect on three referrals, and the victim of domestic violence on the fourth one.
2. *Declaration In Support of Access to Juvenile Records* (Form LAJUV 010) (Revised 9/2016) (signed by client) with the following (or similar) language:

"I request permission to submit to USCIS the I-918 B certification which includes information from the dependency file."

3. Pre-Filled I-918 B:

A few pointers for filling out the I-918B for DCFS:

PART 1 –This information needs to be in the name of the undocumented individual (either child or parent, depending on how you intend to file the case with direct/indirect and principal/derivative considerations). If the direct victim is a USC, his/her information does NOT go in this part of the form or it will be rejected by USCIS.
PART 2 – The case number should either be the referral number/state number OR, if the case was referred to court, the court case number (often begins with the letters "CK").

4. Police report and restraining order (if available).
5. DCFS report of the incident/crime.

Note: You do not need to send a self-addressed envelope with your request.

Notification

What is the average processing time from receipt of request to final decision?

About four weeks

Signed certification will be mailed to you via US Certified mail.
You will be notified via e-mail if your U certification request is denied.

Cecilia Saco is the Supervising Children's Social Worker of the LA County DCFS Special Immigrant Status Unit. She is the designated official authorized to sign U Visa Certifications on behalf of LA County DCFS. Unless you have an emergency, please **do not email Cecilia**. See below for "Updated DCFS Procedure for U Certification Requests" for a discussion of emergency situations. Cecilia is trying to minimize the numbers of e-mails she receives. Cecilia handles a large workload, so please be kind and patient.

Procedure

Before requesting a U Visa certification from DCFS, please verify whether your client has his/her (child's) DCFS records.

If DCFS investigated a referral, the duration of the investigation is brief and the available documentation is limited (a few pages per incident). The possible outcomes of a referral investigation are Unfounded, Unsubstantiated, and Substantiated. If the allegations are Substantiated, most likely DCFS opened a case; a case could be Voluntary or Court. DCFS may keep a Voluntary case open for 6 to 12 months. Court cases may be open for 6-24 months and even longer, depending on the complexity of the case. Court cases have the most abundant information; the gist of the investigation is in the DCFS Jurisdiction Report.

If your client does not have any DCFS documentation, please have the parent (or child, if 18+) follow the Office of County Counsel procedure for requesting records.

The DCFS U Visa Certifier's office only has access to DCFS electronic data (starting in 2000) and not police reports or restraining orders.

Once you receive the hard copy of the file, review it, and, unless there is evidence that the parent (or now adult child) has refused to cooperate, prepare the certification based on the information in the report and **MAIL** it to Cecilia Saco. See page 1 above for specific instructions and required documents.

Please be aware that some standard language of the Welfare and Institutions Code (WIC) (which governs DCFS petitions) may allege that your client allowed the perpetrator access to the children and that she/he failed to protect. Also that client was reluctant to cooperate at first but then ultimately cooperated with DCFS. All the facts in each case will be evaluated in full to decide if the I-918 B will be signed.

UPDATED DCFS PROCEDURE FOR U CERTIFICATION REQUESTS

DCFS policy for U certification requests:

Follow the above DCFS Protocol for U certification requests and include documents if available.

Requests to expedite the U certification request:

DCFS prioritizes the following cases: detained clients, clients in removal proceedings (with an upcoming immigration court hearing) and clients with age-out situations.

For DCFS cases filed in 2000 to the present: If you have requested DCFS records and have not received responsive documents within 3 months:

Cecilia can review electronically DCFS cases filed from 2000 to the present.

In your U Visa Certification request, include as much information and documentation as possible, including:

- Victim name and DOB.
 - And include the name and DOB of the oldest child included in the DCFS case.
- If the victim is a child, include the mother's name and DOB.
- Explain your efforts to obtain documents and the lack of response; request DCFS (Cecilia) to check their system for relevant records.
- Date of the incident that forms the basis of the U visa case (at a minimum the year and at best the month, day and year).
- Detailed *description* of the incident/crime that forms the basis of the U Visa case (so Cecilia knows what to look for in the DCFS records).
- Description of client's cooperation with DCFS in the investigation of the incident/crime.

Cecilia will search for and review the records, and if she finds the records, assess whether DCFS can certify. In many cases, the victim has several DCFS referrals over a long period of time (and involving many different issues), and the victim might be a perpetrator of child abuse, neglect, substance abuse issues, etc. She essentially has to review many reports in order to make her final determination regarding cooperation in the DCFS investigation.

Cecilia is willing to search for the records herself to assess the U certification request. **She will NOT release DCFS records.** She will review them so that she can make a decision regarding the U certification request. Please do not request confidential records from Cecilia; she cannot release them to you.

For pre-2000 cases:

For pre-2000 cases, Cecilia needs to request and review a hard file. This process takes a very long time. She does not have the staff to easily access and review pre-2000 cases.

Request for DCFS records:

Please review and follow the Los Angeles County Counsel policy. Send all requests to the Office of County Counsel - Confidentiality Unit at Juvenile Dependency Court located at 201 Centre Plaza Drive, Suite 1, Monterey Park, CA 91754, Fax (323) 881-3791, Dependencyrecords@counsel.lacounty.gov.

Do not request records from Cecilia Saco, Elizabeth Verjan-Molina or any other staff member from the DCFS Special Immigrant Juvenile Unit:

The Special Immigrant Juvenile Unit no longer assists with processing requests for records. Follow the Los Angeles County Counsel policy for all cases (pre and post-2000).

The bottom line:

You must requests DCFS records from County Counsel before sending your U certification request to DCFS.