

# A QUESTIONABLE FUTURE:

## THE EFFECTS OF THE IMMIGRATION PROCESS ON CHILDREN

By Jerry Grzeca and John Sesini, March 2010



Immigrants account for over 12.6% of the U.S. population. As the demographics of the last presidential election demonstrated, immigration reform should be at the forefront of our country's political agenda now more than ever. As hundreds of thousands took to the streets in Washington D.C. on March 21<sup>st</sup> to protest the lack of immigration reform in the United States, one area of immigration that rarely makes headlines is how our broken system impacts children.

Today, there are an estimated 5.5 million children of undocumented immigrant parents living in the U.S., three-quarters of who are U.S.-born citizens. These children, like all

children, grow up needing social, economic, and familial security. However, many of these children are faced with the harsh reality that their parent or parents may be detained, arrested, or even deported from our country at any given time. As a result, countless children of undocumented immigrants are forced to either separate from their families or leave the United States, losing any opportunities that the U.S. can offer them.

U.S. Immigration and Customs Enforcement ("ICE"), is responsible for detaining undocumented immigrants. In 2008, 357,000 undocumented immigrants were deported. Many of these immigrants were apprehended through border enforcement efforts; however, through large scale raids of worksites, homes, and other locations, ICE arrests tens of thousands of immigrants each year. Many of the tactics that ICE has used in apprehending undocumented immigrants have been inhuman. ICE officials have separated families, detained children, moved detainees to inaccessible locations, prevented contact with lawyers and family members and contracted out detention proceedings to private companies with poor track records in detainee treatment.

Children are at the center of this controversy, as they not only witness the arrests of their own parents, but are also often separated from their families altogether. The Urban Institute recently conducted a comprehensive study of the effects separation from a deported parent can have on a child. Results of this research showed that parent-child separation can cause serious emotional harm to the life of the child and the structure of each family. For example, after separation, many children lose their sense of personal and economic security, thus delaying their long-term development.

One of the most pressing issues, which affect the United States directly, is the decline in academic development of many of these children after they are separated from their families. Due to the stress of separation, children

often begin to miss school, find it more difficult to focus on academics, or even drop out of school all together. Since these students have been raised in the U.S. all their lives, it is crucial to our economy that these children attain an education so they can become productive members of American society. It may be difficult for children to want to succeed if they have lost their connection to their families. If this happens, then what kind of future do they have? What kind of future does our country have?

There are several measures undocumented parents can take to help protect and secure their children's future in the event of a parent being deported or removed from the U.S. Some of those protective measures may include but not be limited to:

- Naming a trusted individual to act as the children's temporary guardian;
- Naming a guardian in one's Last Will and Testament who will take care of the children;
- Keeping the children's birth certificates, social security cards, passports, and other important documents in a safe location and informing a confidant where these important documents can be found;
- Making a list of any bank accounts, car registrations, or credit cards for which the parent and minor child are co-signers, and taking action before deportation occurs to protect those assets;
- Transferring 'legal title' of any owned property to another guardian or custodian; and
- Making plans for any government benefits the minor child receives that may be affected by a deportation.

The harm that children face as a result of separation from their family is detrimental to both the future of these children and to our country. Our community and government leaders must immediately and compassionately face the issue of parent-child separation. After all, children are our country's most precious asset as they hold the key to our future in their hands.

Grzeca Law Group has extensive experience with advising clients on their options for establishing residency, citizenship, deportation/removal defense or asylum and is in the business of connecting families and working with them to obtain legal status. For more information please contact Grzeca Law Group at (414) 342-3000 or visit our website at [www.grzecalaw.com](http://www.grzecalaw.com).



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