
OVERVIEW

The Unaccompanied Refugee Minors (URM) program provides culturally appropriate foster care services to assist eligible minors to develop appropriate skills to enter adulthood, while achieving economic self-sufficiency and social adjustment. The URM program currently operates in 21 program sites in 15 states.

Legal Authority

45 CFR 400, Subpart H

Definition

Unaccompanied Refugee Minor- refugee minors, identified by the U.S. Department of State, who are eligible for resettlement in the U.S. but do not have a parent or adult relative available/willing to commit to provide long-term care.

Note: The Director of the U.S. Office of Refugee Resettlement (ORR) may approve the reclassification of a child as unaccompanied; see FOM 722-6K, Services to Children Who are Not U.S. Citizens.

PROGRAM ADMINISTRATION

Michigan has two URM programs; Bethany Christian Services (BCS), in Grand Rapids and Lutheran Social Services of Michigan (LSSM), in Lansing. The programs are administered by the Michigan Department of Health and Human Services' (MDHHS) Office of Refugee Services (ORS).

Agencies that operate the URM program are responsible for:

- Obtaining legal custody of the minor from the court of jurisdiction, by utilizing the documentation supplied by their national affiliated resettlement agency.
- Operating the program in compliance with all applicable contractual, legal, policy, licensing, payment, and administrative review requirements.

MDHHS, Office of Refugee Services (ORS) is responsible for:

- The regulatory framework for foster care services to this population, consistent with care and services available to the

rest of the foster care population, and in compliance with foster care policy.

- Direction and guidance on the reports required by the ORR.
- Completion of federal reporting on the URM program outcomes.
- General program information needed to facilitate the implementation of the URM program.
- Educational planning and coordination of the Education and Training Voucher (ETV) program for URM youth; see [FOM 960, Education and Training Voucher Program](#).

ELIGIBILITY STATUSES

Minors eligible for the URM program include:

- **Refugees:** The URM classification is granted while the minor is overseas and the individual is lawfully admitted to the United States as an unaccompanied minor.
- **Cuban/Haitian Entrants:** The ORR reclassifies the individual as a URM after arrival.
- **Asylees:** The ORR reclassifies the individual as a URM after asylum is granted.
- **Minor Victims of a Severe Form of Trafficking:** Upon issuance of a letter of eligibility, or a benefit letter, by the ORR. The ORR reclassification process requirements also apply to these minors after the letter of eligibility has been issued.
- **Reclassification:** Reclassification of refugee minors of refugee family breakdown cases; see, FOM 722-6K, Services to Children Who Are Not U.S. Citizens.
- Other minors, including those with Special Immigrant Juvenile status (SIJS), which may be determined eligible by ORR.

PROVISION OF SERVICES

In providing child welfare services to refugee children in the state, the supervising agency must provide the same child welfare

services and benefits to the same extent as are provided to other children in the state under the state's title IV-B plan **and** foster care maintenance payments must be provided under a state's program under title IV-E of the Social Security Act if a child is eligible under that program.

DETERMINATION OF ELIGIBILITY AND PLACEMENT

Eligibility Determination

Eligibility is determined by the federal government in one of three ways:

1. The U.S. State Department, in concert with other federal immigration authorities, and in consultation with the national resettlement agencies and the U.S. Department of Health and Human Services, determines the status of the child as a URM upon entering the United States.
2. At the request of the ORS, the ORR may reclassify a non-citizen minor as a URM; see FOM 722-6K, Services to Children Who Are Not U.S. Citizens.
3. The ORR, at the request of law enforcement officials, may issue an eligibility letter on behalf of a non-citizen minor determined to be a victim of a severe form of trafficking under federal law.

Duration of Eligibility

An unaccompanied minor continues to meet the definition of unaccompanied minor while maintaining one of the eligibility statuses listed above, until the minor:

- Is reunited with a parent; or
- Is united with a non-parental adult, willing and able to care for the minor, to whom legal custody and/or guardianship is granted under the appropriate state law; or
- Attains 18 years of age, is continued as a temporary court ward to age 20, or enters and is complying with a Young Adult Voluntary Foster Care agreement.

Note: Youth may voluntarily discharge from URM when youth reaches age of legal majority. The family court must also discharge the case.

State Placement

A URM is placed by the federal government with a participating authorized child care agency, affiliated with a national resettlement agency; U.S. Conference of Catholic Bishops or Lutheran Immigration and Refugee Services. The two affiliated agencies in Michigan, BCS and LSSM, hold contracts with the ORS for services to unaccompanied minors. Once placed in Michigan, the agency must ensure that the services provided to these children meet the requirements set forth by MDHHS.

Establishing Legal Responsibility

The URM program agency must petition the local family court for an order of adjudication for temporary court wardship, placing the youth with MDHHS. The petition is to be filed as soon as possible, but no later than 30 days after the minor is initially placed in the URM program with the agency. Subsequent court reviews and issuances must be completed in accordance with the legal requirements of the family court of legal jurisdiction.

Note: In establishing legal responsibility, ORS strongly cautions against contacting the minor's natural parents in their native country, as contact could place the parents in danger.

DEVELOPING THE SERVICE PLAN

The supervising agency must provide child welfare services and benefits to URMs to the same extent as are provided to other children in the state as identified in the state's title IV-B and IV-E plans.

URM Case Planning

Refugee-specific services may aid in the additional trauma and barriers associated with being a URM and may help to preserve the child's own ethnic identity, native culture, and/or religion. These services are described as refugee-specific to emphasize the special needs of the refugee minors in the state's care.

The services provided through the URM program must minimally include the following elements:

- Family reunification.
- Appropriate placement of the unaccompanied child in a foster home, residential facility, supervised/independent living, or other setting, as deemed appropriate in meeting the best interests and special needs of the child.
- Health screening and treatment, including provision for medical and dental examinations and for all necessary medical and dental treatment.
- Orientation, assessment, and counseling to facilitate the adjustment of the child to American culture.
- Preparation for participation in American society, with special emphasis upon English language instruction, occupational and cultural training as necessary to facilitate the child's social integration and to prepare the child for independent living and economic self-sufficiency.
- Preservation of the child's ethnic and religious heritage.
- Periodic review (at least every six months) of the appropriateness of each unaccompanied minor's living arrangement and services.

Family Reunification

While reunification is a rare occurrence, it is appropriate for the service plan to consider family reunification as follows:

With Parents

Where possible, the supervising agency must facilitate family reunification in the United States by encouraging minors to apply for admission of their parent(s) to the United States. The minor should be assisted with the preparation of the necessary documentation, including applications, as long as doing so will not pose any danger or risk of danger to the parent(s) in their native country, or to the minor.

With a Non-Parental Adult Relative

Upon appropriate investigation and following established MDHHS rules, the agency may approve a prospective non-parent adult relative foster home for URMs.

If any non-parent adult relative expresses interest in providing care for a URM outside of the foster care system, the agency must assess the request based on the following factors:

- Input from the child, if age appropriate;
- Best interests of the child;
- Safety of the child;
- Willingness and ability of the non-parental adult relative to care for the minor; and
- Commitment made by the non-parental adult relative(s) to assume legal custody and/or guardianship.

If the agency, ORS, and the court determines that it would not be in the best interests of the minor to transfer legal custody and/or guardianship to the non-parental adult relative(s), foster care will continue as established.

**Permanency
Planning for URM**

Generally, the URM program pursues the concurrent goals of reunification and Permanent Placement with a Fit and Willing Relative or APPLA.

When a youth reaches 16 years old, APPLA is typically the most utilized permanency goal, as it allows an unaccompanied minor to develop appropriate skills to enter adulthood and to achieve economic and social self-sufficiency, through the delivery of child welfare services in a culturally sensitive manner.

URMs are not generally eligible for adoption, however, in certain situations; for example, when the parents are known to be deceased, or missing and presumed dead, adoption may be permitted pursuant to state adoption laws. The child must express an interest/desire to be adopted, the court must find that adoption would be in the best interest of the minor, and there must be a termination of parental rights. When adoption occurs, the URM

classification ends. See FOM 722-7 thru FOM 722-7F for permanency planning policy.

URM PROGRAM REPORTING

The Office of Refugee Resettlement provides the following forms online at <http://www.acf.hhs.gov/programs/orr/resource/report-forms>.

ORR-3 Placement Report Form

This form must be submitted to ORS within 30 days of any of the three following events:

- The initial placement of the child.
- A change of status of the minor in care. A change of status may involve such things as a change of placement, a change in legal responsibility, a reunification of the minor with adult relatives, or a reclassification of the minor.
- Termination or discharge of the child from the care and custody of MDHHS, such as when the child is reunited with the parents or reaches emancipation age.

ORR-4 Progress Report Form

For each minor, the URM program agency must send a completed ORR-4 Progress Report Form, annually. The ORR-4 should be received within 30 days, but in no case later than 60 days, from the annual due date. This report provides information on the status of the minor and the progress towards the goal of self-sufficiency.

INTERSTATE MOVEMENT OF URM

The Michigan Interstate Compact Office processes any interstate movement of URM cases.

After the initial placement of an unaccompanied refugee minor, the same procedures that govern the movement of non-refugee cases to other states apply to the movement of unaccompanied minors to other states.