



June 19, 2018

Statement of the National Council of Juvenile and Family Court Judges Regarding the Separation Policy at the U.S. Border

The National Council of Juvenile and Family Court Judges (NCJFCJ) deplores the wholesale separation of children from their parents at the U.S. border, without the due process of law, as a devastating tragedy. The fact that these children and families are detained in facilities without an opportunity to be heard in court is contrary to our country's established rule of law.

The NCJFCJ urges all to consider the adverse effects on these children, placed in congregate care, a placement strongly disfavored by federal law when they are removed from their parents. Not only are these children immediately traumatized, but also their chance for a productive and happy life is significantly reduced by their experience. We see similarly situated children in our juvenile and family courts daily and work with all parties involved to give children an opportunity to see their parents regularly and to gain a safe, permanent, and stable home. This is not the case with the children being removed at the border.

In 2010, the NCJFCJ adopted a resolution supporting a bipartisan amendment to the Humane Enforcement and Legal Protections (HELP) for Separated Children Act, which supports our nation's immigration laws to be appropriately enforced, but must also protect children from unnecessary harm in the process.

To this day, the NCJFCJ, the oldest judicial membership organization in the U.S., supports the access of children to fair, equal, effective and timely justice by requiring provisions in state plans for adoption and foster care, including placement of children with a parent, legal guardian, or primary caregiver relative who is in immigration detainment or has been removed from the U.S.; mandates immigration enforcement personnel be better equipped by receiving vulnerable population and child welfare training; and implements measures for ensuring that immigration detention facilities take steps to preserve family unity.

We ask our nation's leaders to reconsider the current separation policy so that these children are reunited with their families and not subject to further trauma.

Hon. Anthony (Tony) Capizzi
President