



U.S. Department of Health and Human Services
Administration for Children and Families

OFFICE OF REFUGEE RESETTLEMENT
Division of Children's Services
Legal Resource Guide—Notice of Rights and Provision of Services

Notice of Rights and Provision of Services

You are in the custody of the Office of Refugee Resettlement (ORR) because you are an Unaccompanied Child. While in ORR custody, you have the right to be treated humanely and with consideration for your safety. You are also entitled to have a safe place to stay and people that take care of your basic needs, such as having meals regularly, medical care, and other services. If you have questions, you may ask to speak to an attorney or legal service provider listed in this packet.

Your Rights Under the Law

You will

- Be treated with dignity and respect, with special concern for the fact that you are here as a child without your parent.
- Be protected from people who want to harm and hurt you. Be protected from people who may try to force you to be involved in crimes, gangs, smuggling or other illegal things.
- Have the right to a hearing in court before an immigration judge (a “removal hearing”) to apply for the right to stay in the United States. You have the right to explain that you are here because of fears that the government or other people in your country may put you in prison or otherwise hurt you because of your race, religion, nationality, political opinion or connection to a group. You have the right to ask the judge to let you return to your home country at no cost to you. (You may also be eligible for some other type of legal relief.)

- Be provided access to an attorney consistent with the law, and to have counsel represent you in legal proceedings or matters. (You are free to choose to meet or not meet with an attorney or legal service provider and may hire your own attorney or other legal representative.)
- Be placed in the least restrictive setting as determined by ORR. That means that you will not be put in a place with bars or locks (a more restrictive setting) unless ORR determines that you pose a danger to yourself or others or you have been charged with having committed a criminal offense or present a risk of running away. (You have additional rights if you are placed in a more restrictive setting, including a review of your situation by ORR).
- Not be subject to corporal punishment (hitting or physical abuse), humiliation, mental abuse, or punishment that interferes with the daily functions of living, such as eating or sleeping, or your right to have legal help or your ability to try to find or talk to your family.
- Be able to take your personal possessions and legal papers with you to your new placement in the event that you are transferred.
- Have access to your consulate in accordance with all laws and treaty obligations of the United States, upon request and at your discretion.

Provided Services

You are entitled to these services under the law. Services will be delivered in a manner that is sensitive to your age, culture, language, and special needs.

The law requires you to receive.....

- Food, clothing, a safe place to live, and items you need to take care of yourself
- Routine medical and dental care and emergency health care services
- Help from a case manager who can determine what your individual needs and situation requires in order to prepare you for the next steps
- An education that matches your age and needs and help understanding the rules and systems in the United States so that you can adjust to the new setting
- Recreation and leisure time

- Individual and group counseling
- Access to religious services
- A reasonable right to privacy
- Visitation and communication with family members
- Services to promote a safe and timely release to a parent or other trusted adult

If you believe you have been denied your rights or access to the required services.....

You may file a complaint (called a “grievance”) using procedures your care provider must have in place for all children and youth. If your complaint is unanswered or you are dissatisfied with the response, contact the ORR funded legal service provider or other legal service provider or attorney listed in the *Legal Service Provider List for UC*. You can also talk to someone who does not work for the shelter you are in (either a “Case Coordinator” or the “ORR Federal Field Specialist”). The legal service provider, attorney, Case Coordinator or ORR Federal Field Specialist will work with you, the care provider, and ORR to resolve the matter. If you are still dissatisfied or believe that you are still being denied your rights or access to services, you and the legal service provider or your attorney may appeal to the ORR Director or his or her designee by contacting UCPolicy@acf.hhs.gov . If the ORR Director determines that there was no denial of service, your care provider will inform you of the determination. You then have the right to work with your legal service provider or attorney to challenge the decision in the local U.S. District Court.

If you have been physically or sexually abused or mistreated.....

Immediately report the incident(s) to care provider staff, your legal service provider, to an ORR Federal Field Specialist, to ORR, and/or any other trusted adult.

ORR has a zero tolerance policy toward all forms of sexual and physical abuse, sexual harassment, and mistreatment. That means ORR will not tolerate another

unaccompanied child, care provider staff, foster parent, or other adult physically or sexually assaulting or abusing you, or sexually harassing or mistreating you.

Remember: No one has the right to touch you in any way that makes you uncomfortable. No one has the right to hit you or mistreat you.

THE PAPERWORK REDUCTION ACT OF 1995 (Pub. L. 104-13) Public reporting burden for this collection of information is estimated to average .10/hour per response, including the time for reviewing instructions, gathering and maintaining the data needed, and reviewing the collection of information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.