# SIJS Predicate Order Checklist
## Custody Cases

- ☐ Sign and return NIJC Pro Bono Attorney Guidelines
- ☐ Accept case: NIJC sends State Court Referral Form for Immigrant Minors with all information to get started on case
- ☐ Confirm client's language; arrange for interpreter if necessary (NIJC staff cannot serve as interpreters)
- ☐ Meet with client (parent or guardian). If appropriate, interview child.
- ☐ Draft Petition for Allocation of Parental Responsibilities.
- ☐ Client signs the Petition and the Affidavit of Military Service.
- ☐ File the documents to initiate case: Petition, Domestic Relations Cover Sheet, Affidavit of Military Service, Summons, Civil Legal Service Provider form (fee waiver).
- ☐ Determine how the Respondent(s) will be served:
  - o Personal service by sheriff (if Respondent lives in Illinois)
  - o Personal service by special process server (if whereabouts are known but Respondent lives in home country)
  - o Publication (if whereabouts are unknown)
  - o If Respondent consents, draft and have them sign a Consent and Waiver of Service, which makes service unnecessary.
  - o If all Respondents are deceased, file death certificates with initial petition, and skip service of process step.
- ☐ Once service has been perfected, file a Motion for Default and schedule final hearing
- ☐ Prepare proposed final order ahead of hearing and send to immigration attorney for review. Order MUST contain required findings for SIJS:
  1. Child's **reunification with parent(s) is not viable**;
  2. **Due to abuse/abandonment/neglect** (with cite to appropriate definition under state law);
  3. It is **not in the child's best interest to return** to home country.
- ☐ Prepare client's testimony for final hearing
- ☐ Drop off courtesy copies of proposed final order and appropriate documents for final hearing with judge's clerk several days prior to final hearing date (check judge's standing order for number of days they require)
- ☐ Attend final hearing
- ☐ Provide client and immigration attorney with a copy of the final order