

TESTIMONY OF MEGAN R. NAUGHTON
IN SUPPORT OF SECTIONS 8 and 9 of RAISED BILL NO. 155, AN ACT CONCERNING
PROBATE COURTS

This testimony is submitted by Megan R. Naughton, a partner at Robinson & Cole LLP in Hartford, Connecticut. I have practiced in the field of immigration for almost 15 years in the State of Connecticut. In the past 10 years, I have filed five Special Immigrant Juvenile petitions with the U.S. Citizenship and Immigration Services (USCIS), serving as pro-bono counsel to the Center for Children's Advocacy.

I **support** sections 8 and 9 of Raised Bill No. 155, which codifies federal language pertaining to Special Immigrant Juvenile Status (SIJS) into Connecticut General Statutes. As a business immigration attorney, the most rewarding cases that I work on are these SIJS cases involving foreign-born children in the U.S. without status who have escaped abuse or neglect from one or both parents. U.S. immigration laws offer a path to permanent residence for children who qualify as special immigrant juveniles. It can be a challenge to obtain the best evidence to present in these cases and to hold the hope of a child in your hands while working in an immigration system that can be unpredictable. It would assist the process greatly if the probate court was given a clear legislative mandate as to the findings necessary to assist in the processing of the SIJS petition with USCIS. These cases already have many issues regarding evidence and immigration documentation to contend with and I believe that it would expedite the process greatly to have the appropriate and necessary language included in the special findings language used by the probate court. These children have already faced enough obstacles.

For example, I had one case where the child's petition had been denied, and we had to refile before she turned 21. It was her last chance. We discovered at the last moment before refileing that the birth certificate provided to her by her abusive father, who abandoned her in the U.S., was fraudulent and that her mother's name was actually a name she had never heard before. The name on the fraudulent birth certificate was the name of the woman who accompanied her father to the U.S. when she was brought here as a young child.

This new evidence was able to legitimize my client's claim all along that her real mother had died when she was born and that she was abandoned in the U.S. by her father (the U.S. Citizenship and Immigration Services previously believed she lied because it had proof that the woman named on the fraudulent birth certificate had accompanied my client and her father to the U.S.). Ultimately, the case was approved, and this amazing young woman has been able to move on with her life and live legally in the U.S. Luckily, because the Center for Children's Advocacy was involved the appropriate language was used in the special findings. If not, we may not have had enough time to achieve the necessary.

The USCIS can be unforgiving in its adjudications. If the correct language is not included, the case will be denied. Because most SIJ cases are filed along with Applications for Adjustment to Permanent Resident (Form I-485), both the SIJ petition and the I-485 application would be denied together. The filing fee of as much as \$1,070 for the I-485 can be lost and is not refunded by the USCIS. This can be devastating to a case which has limited resources. It is critical that the appropriate language is used to help children which are eligible for this status.

I hope that you are compelled to pass sections 8 and 9 of Raised Bill No. 155. By passing this bill you will protect children in our State who truly are among the most vulnerable and greatly assist those trying to help them.

Respectfully submitted,
Megan R. Naughton, Esq.
Robinson & Cole LLP