



U.S. Citizenship and  
Immigration Services

## J.L., et al v. Cissna, et al, Special Immigrant Juvenile Status Class Notice

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**If you received guardianship order from the California Probate Court after you reached the age of 18 and then filed or will file for Special Immigrant Juvenile Status (SIJS), you may have a right to relief in a federal class action lawsuit:**

**J.L., et al v. Cissna, et al,  
United States District Court  
Northern District of California  
Case Number 18-cv-04914-NC**

**MORE INFORMATION:** <http://www.publiccounsel.org/SIJS-CA>

*A federal court authorized this notice. This is not an advertisement from a lawyer. You are not being sued or restrained.*

A federal lawsuit is happening right now in the United States District Court for the Northern District of California, against Lee Francis Cissna, Director of the U.S. Citizenship and Immigration Services; Kirstjen M. Nielsen, Secretary of the U.S. Department of Homeland Security; Robert Cowan, Director of the National Benefits Center, U.S. Citizenship and Immigration Services; the United States Department of Homeland Security; and the United States Citizenship and Immigration Services (the “Government”).

- **What is this case about?** This case involves claims by the Plaintiffs that the Government has imposed a new requirement on SIJS eligibility and, as a result, refuses to approve the SIJS petitions of California petitioners who received guardianship orders from a California Probate Court when they were between the ages of 18-20 on the ground that a California Probate Court does not have jurisdiction or authority to “reunify” the petitioner with his or her parents.
- **Why am I receiving this notice?** The Court has determined that this case may proceed as a class action. A class action is a lawsuit in which one or more people sue for themselves and for others who have similar claims. You are receiving this notice because you may be part of the class in this case.
- **How do I know if I am part of the class?** You are part of the class if you received a guardianship order from the California Probate Court after your 18th birthday and subsequently filed a SIJS petition that: (1) has not yet been adjudicated; or (2) was denied (or you received a Notice of Intent to Deny (NOID)) on the basis that the Probate Court lacked jurisdiction to issue the SIJ Findings accompanying that guardianship order because it could not reunify you with a parent. You also become part of the class if you have received or will receive a guardianship from the Probate Code after your 18th birthday and file a SIJS petition.
- **Do I need to do anything in response to this notice?** No. This notice is meant to inform you of your potential rights as a result of this lawsuit. If you are part of the class, you do not have to do anything now to benefit from this lawsuit. You will also still be able to challenge your own SIJS Petition, NOID, or denial on other grounds.

- **The Court has issued a preliminary injunction.** The Court has temporarily ordered the Government to stop denying SIJS applications on the ground that a California Probate Court does not have jurisdiction or authority to “reunify” an 18- to 20-year-old immigrant with his or her parents for youth who received California guardianship orders after they turned 18. The Court has also temporarily ordered the Government to not initiate removal proceedings against or remove any SIJS petitioner who was appointed a guardian and whose SIJS petition has been denied on the grounds that the California Probate Court did not have jurisdiction or authority to “reunify” an 18- to 20-year-old immigrant with his or her parents. However, the Court has not made a final determination in this lawsuit regarding whether the Government’s conduct is lawful or unlawful. This lawsuit does not seek any money from the Government on behalf of the class, except to reimburse Plaintiffs’ attorneys for their fees and costs spent in bringing this lawsuit.
- **What are the Plaintiffs asking for?** The Plaintiffs are asking that the Government be prevented from denying the SIJS applications of petitioners who received guardianship orders from the California Probate Court after reaching the age of 18, that any petitions that were denied or any NOIDs that were issued on this basis be rescinded, that no future petitions be denied on this basis, and that the Court declare that the California Probate Court meets the legal definition of a “juvenile court.” In addition, Plaintiffs are asking for attorneys’ fees and costs of bringing the suit.

### THE LAWYERS REPRESENTING YOU

#### 1. Do I have a lawyer in this case?

The Court has decided that the law firm of Manatt, Phelps & Phillips, LLP; Public Counsel; and the Lawyers’ Committee for Civil Rights of the San Francisco Bay Area are qualified to represent you and all Class Members in this case. These lawyers are called Class Counsel. They are experienced in handling similar cases. If you have any questions about this case you may call 213-385-2977 x 185 to speak with one of the lawyers handling the case. More information about Class Counsel, their practice, and their lawyers’ experience is available at [www.manatt.com](http://www.manatt.com); [www.publiccounsel.org](http://www.publiccounsel.org); and [www.lccr.com](http://www.lccr.com).

#### 2. Should I get my own lawyer?

You do not need to hire your own lawyer because Class Counsel is working on your behalf. But if you want your own lawyer, you will have to pay that lawyer.

#### 3. How will the lawyers be paid?

You will not have to pay any fees or expenses to Class Counsel. If Class Counsel obtain any benefits for the Class, they will ask the Court for fees and expenses. If the Court grants Class Counsel’s request, or if the matter is settled, the fees and expenses will be paid by the federal Government Defendants.

### THE TRIAL

#### 4. How and when will the Court decide who is right in this case and whether any money should be awarded?

If this case is not resolved by a settlement or otherwise, Class Counsel will have to prove the Plaintiffs’ claims at trial. The trial has been scheduled for November 4, 2019. You do not need to attend the trial; however, you or your own lawyer are welcome to come at your own expense.

