



Unit 3: Protecting Families in Cases of Separation

Teachers' Guide

LESSON 4: Reading Isabel's Story

FOR MORE INFORMATION TO HELP YOU ANSWER QUESTIONS THAT MAY COME UP DURING THIS LESSON, REFER TO THE FREQUENTLY ASKED QUESTIONS SHEET "LEGAL INFORMATION ABOUT PARENTAL RIGHTS" AT THE END OF THIS LESSON.

Time: 2 hours

Content Objectives

- Students read a story about a family's caretaking plan.
- Students role-play speaking with a child about a caretaking plan.

Rights Objectives

- Students continue to think about the rights to which parents are entitled in cases of separation and how to be prepared to act on those rights.

Language Objectives

- Students continue to build their language skills around rights.
- Students practice reading, writing, and speaking in English.

Materials Needed:

- Student lesson plan
- Paper for role-play activity

KEY VOCABULARY:

Nouns	Verbs	Adjectives & Adverbs	Interrogatives
Right	To tell	Afraid	Where?
Emergency	To call	Safe	When?
Plan	To choose	Alone	Who / Whom?
Sister/Brother	To take care of	Responsible	Why?
Aunt/Uncle	To detain (to be detained)	Nearby	What?
Immigration/ICE	To document (to be documented)		How many?

These lessons contain some basic information about U.S. law. This information is not legal advice and is not a replacement for legal advice from a trained attorney. All information is current as of the date it was produced (April 2016).

LESSON ACTIVITIES:

PART A) Reading Isabel's Story

The instructor should determine which of the following reading situations best suits students' literacy levels and needs:

- **A whole-class reading, guided by the instructor**
- **Semi-independent reading in groups or pairs, supported by a circulating instructor**
- **A split class, where some students are guided by the instructor and some work independently**

Make sure students have the time and support needed to answer the comprehension questions.

Read the story below as a class or in small groups. Write your answers to the questions that follow in the spaces provided. Discuss your answers in English (when possible) or your native language.

My name is Isabel. I am from El Salvador, and I am a wife and the mother of a 12-year-old son. I am undocumented, but my husband Victor is documented, that is, he has a green card, and sometimes goes to El Salvador for business. Our son, Francisco, was born in the U.S. and is a citizen. Because I am undocumented, I am afraid that I may be detained by immigration. If I am detained and Victor is in El Salvador, Francisco could be left alone and afraid.

Stop and discuss in English or your native language:

- *Who is Isabel?*
- *Who is in Isabel's family?*
- *Why is Isabel afraid?*

Francisco does not know that I am undocumented, and I used to be afraid to tell him. I was afraid because I did not want him to be worried, and I did not know what he would do if I was detained while Victor was in El Salvador. But now I have a plan, and I am not so afraid to talk to Francisco about what might happen. If I am detained, Francisco will call my friend Luisa, and Luisa will take care of him. Luisa is documented and lives nearby; I am arranging to grant her power of attorney so she can care for Francisco. I am also going to give Francisco Luisa's cell phone number and tell him about our arrangement.

Stop and discuss in English or your native language:

- *Why was Isabel afraid to tell Francisco that she is undocumented?*

These lessons contain some basic information about U.S. law. This information is not legal advice and is not a replacement for legal advice from a trained attorney. All information is current as of the date it was produced (April 2016).



- *Who did Isabel choose to be Francisco's emergency contact? Why do you think she chose her?*
- *What will Isabel tell Francisco to do if she is detained while Victor is in El Salvador?*

PART B) Role-Playing Isabel's Discussion with Francisco

When the instructor assesses that students have adequately attended to the comprehension questions, move them towards the following activity. As students finish, they should be encouraged to perform their conversation for the class.

With a partner, act out the conversation Isabel might have with Francisco about her family's caretaking plan. Afterward, write a script for their conversation. Write at least ten lines in English or your native language, five for Isabel and five for Francisco. Each pair needs to write only one script.

PART C) Reflection

Guide students in the following discussion, gathering them as a class or in small groups. Part of the discussion can take place in the students' native languages if necessary and possible.

As a class or in small groups, discuss the following questions in English (when possible) or your native language. If it will be helpful to you, write your answers in the spaces provided.

Some parents choose not to talk to their children about what might happen if they, the parents, are detained or deported. Why is it difficult for parents to talk about this possibility with their children?

What questions would you ask yourself when considering whether to talk to your child about the possibility of your being detained and/or deported?

These lessons contain some basic information about U.S. law. This information is not legal advice and is not a replacement for legal advice from a trained attorney. All information is current as of the date it was produced (April 2016).

In your opinion, would having a caretaking plan make it easier for a parent to talk to his or her child about the possibility of being detained or deported? Why or why not?

END OF LESSON REFLECTIONS: The teacher asks students at the end of each lesson what they learned and how they felt doing these activities. The teacher may want to take notes based on what students share to help in preparing the lesson for the following week.

Guiding questions for instructors to pose to students include the following:

- What new ideas/content did you learn?
- What new vocabulary did you learn?
- What new rights did you learn?
- What was difficult? What was easy?
- How did you feel?
- What would you change?
- How would you use this information?
- What situations can you think of when you may want to assert your rights?

These lessons contain some basic information about U.S. law. This information is not legal advice and is not a replacement for legal advice from a trained attorney. All information is current as of the date it was produced (April 2016).

FAQ: INFORMATION ABOUT DIFFERENCES IN FAMILY LAW

- ❖ Each state has its own laws and procedures related to family and caretaking arrangements. These laws and procedures differ depending on where you live. It is important to find out what the rules are in the state where you live. A local attorney can help you do that.
- ❖ Also, different states may use different terminology in their family law procedures. For example, some states may have guardianship hearings while other states may call a very similar proceeding a dependency hearing. Therefore, it is important to learn what the different procedures in your state are called and make sure you understand them. A local attorney can help you do that.
- ❖ The information provided here is general in nature and provides examples of caretaking arrangements. However, it is important to find out whether these arrangements or similar arrangements can be used in your state.

FAQ: FINDING RESOURCES IN YOUR COMMUNITY

- ❖ Because family law differs so much from state to state, it is important to know how to find resources in your community that can help you create caretaking arrangements that comply with the law where you live.
- ❖ In many states, the family court may provide assistance to people who do not have lawyers and need help creating legal documents or filing papers with the court. You can usually find information about any court programs intended to help people who do not have lawyers by checking the court's website or calling the courthouse.
- ❖ Many communities have non-profit organizations that provide free or low-cost legal assistance to people who need it. To find these organizations, you may want to check with your local library, community center, school, or place of worship to find out if the people there know what organizations are helping people in your local area. You can also ask other people in your community who may have had similar issues.

This information is meant to provide useful basic information about the law and is not legal advice. It is not a replacement for legal advice from a trained attorney. All information is current as of the date it was produced.

January 2016

These lessons contain some basic information about U.S. law. This information is not legal advice and is not a replacement for legal advice from a trained attorney. All information is current as of the date it was produced (April 2016).

FAQ: GENERAL INFORMATION ABOUT CARETAKING ARRANGEMENTS

❖ What is a Power of Attorney?

A Power of Attorney is a legal arrangement that authorizes one person to act on behalf of another. A Power of Attorney can only be created in writing and usually must be notarized. The scope of the authority granted by a Power of Attorney is determined by the writing that created it. A Power of Attorney arrangement can be used to give another person (besides the parent) authority to make some choices about the wellbeing of a child. For instance, a parent could give a person who is a temporary caretaker of their children a Power of Attorney to make decisions (e.g. about child's healthcare) in the parent's absence.

❖ What are some helpful tips regarding creating a Power of Attorney?

DO:

- Be specific about what authority you want the Power of Attorney holder to have.
- Consider what important decisions you would want the Power of Attorney holder to be able to make in your absence.
- Only give a Power of Attorney to someone with whom you have a relationship of trust and confidence.
- Consider consulting with a lawyer before creating a Power of Attorney.
- You may need to have the writing creating the Power of Attorney notarized.
- Keep a copy of the writing creating the Power of Attorney and have the holder do the same.
- Protect your rights by not granting the Power of Attorney holder any more authority than you want them to have.
- Tell the holder of the Power of Attorney that he or she will need to keep detailed records of the actions he or she takes on your behalf.

You should consult a lawyer before creating a Power of Attorney, formal custody arrangement, temporary guardianship, or other legal document creating a caretaking arrangement.

This information is meant to provide useful basic information about the law and is not legal advice. It is not a replacement for legal advice from a trained attorney. All information is current as of the date it was produced.

January 2016

These lessons contain some basic information about U.S. law. This information is not legal advice and is not a replacement for legal advice from a trained attorney. All information is current as of the date it was produced (April 2016).

FAQ: GENERAL INFORMATION ABOUT CARETAKING ARRANGEMENTS

❖ What is a custody agreement?

A custody agreement is a legal document that creates guidelines for child custody. It is often an agreement between the parents of a child or children, but it may apply to other adults as well. A custody agreement will discuss both legal and physical custody of a child. Legal custody is the ability to make decisions about a child's upbringing and welfare, including medical decisions and decisions about schooling. Physical custody refers to who the child will live with.

Granting custody to another person can seriously limit your parental rights. It often requires court involvement. You should speak to an attorney before creating a custody agreement.

❖ What other caretaking arrangements are available?

Many states have other mechanisms that parents can use to make sure that their children are cared for in the event of an emergency. For example, some states allow parents to appoint a temporary guardian. A temporary guardian is an individual appointed to care for a child for a limited time in the event of an emergency. Appointing a temporary guardian can ensure that a child is looked after by a trusted person during the parent's absence. In some states, a temporary guardian can be appointed by completing a special form, which may need to be notarized. In other states, a hearing in court may be required.

Each state has different procedures and different terminology. These different procedures may also have different impacts on your parental rights. Therefore, it is important to consult with an attorney in your state to learn more about these other options.

You should consult a lawyer before creating a Power of Attorney, formal custody arrangement, temporary guardianship, or other legal document creating a caretaking arrangement.

This information is meant to provide useful basic information about the law and is not legal advice. It is not a replacement for legal advice from a trained attorney. All information is current as of the date it was produced.

January 2016

These lessons contain some basic information about U.S. law. This information is not legal advice and is not a replacement for legal advice from a trained attorney. All information is current as of the date it was produced (April 2016).

FAQ: GENERAL INFORMATION ABOUT CARETAKING ARRANGEMENTS

- ❖ **What steps can I take TODAY to prepare a plan for my children’s welfare in case of an emergency resulting in my absence?**

DO:

- Make a plan for what you would like to happen to your children in the event of an emergency absence and discuss the plan with your children.
- Memorize contact information for the person you would like to take care of your children in the event of an emergency and have your children do the same.
- Collect important documents (hospital records, school records, etc.) and make copies for your children’s emergency caretaker.
- Consider establishing a Power of Attorney or other legal document for your children’s caretaker.
- Consider registering the birth of your children in your home country if your children were born elsewhere.

You should consult a lawyer before creating a Power of Attorney, formal custody arrangement, temporary guardianship, or other legal document creating a caretaking arrangement.

This information is meant to provide useful basic information about the law and is not legal advice. It is not a replacement for legal advice from a trained attorney. All information is current as of the date it was produced.

January 2016

These lessons contain some basic information about U.S. law. This information is not legal advice and is not a replacement for legal advice from a trained attorney. All information is current as of the date it was produced (April 2016).