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**To: Assignment Judges
Trial Court Administrators**

DIRECTIVE # 04-25

Questions may be directed to the Family
Practice Division at 609-815-2900, ext. 55350.

From: Michael J. Blee, J.A.D. *mqb*

Re: Family – Special Immigrant Juvenile Status (SIJS) Filing Requirements

Date: August 13, 2025

This Directive is to clarify the filing requirements for complaints filed in the Superior Court for parties seeking a “predicate” order for Special Immigrant Juvenile Status (SIJS).

Federal immigration law affords protections for abused, neglected, or abandoned children who wish to apply for lawful, permanent resident status in the United States. These children may be eligible for classification as a “special immigrant juvenile,” which permits them to remain legally in the United States.

The two-step SIJS process involves both state and federal systems. It begins with an application in a state court requesting the entry of a “predicate” order, which requires the court to make the following findings:

1. The juvenile is under the age of 21 at the time the complaint is filed and is unmarried;
2. The juvenile is dependent on the court or has been placed under the custody of an agency or an individual appointed by the court;
3. The court has jurisdiction under State law to make judicial determinations about the custody and care of the juvenile;
4. Reunification with one or both juvenile’s parents is not viable due to abuse, neglect, or abandonment or a similar basis under State law; and
5. It is not in the “best interest” of the juvenile to be returned to the parent's previous

country of nationality or country of last habitual residence.

The state's predicate order is not an immigration determination. It is a prerequisite that must be fulfilled prior to the second step of the process, which is the submission of a SIJS application to the United States Citizenship and Immigration Services (USCIS) in the form of an 1-360 petition. The predicate order is to be included with the SIJS application. If the USCIS approves the 1-360 petition, the juvenile is granted SIJS.

Requests for the SIJS predicate order should be filed in the Superior Court, Family Part. The form, “Verified Complaint for Special Immigrant Juvenile Status Predicate Order” (CN 13321) was created for self-represented litigants and is available online at [Forms/13321](#). The form when completed sets forth the minimum statutorily required information that must be submitted as part of the complaint for a SIJS predicate order. The court, in its discretion, may require additional information it deems necessary to make the predicate SIJS findings.

A complaint for a SIJS predicate order may be filed by any of the following:

1. The parent or guardian of the minor child.
2. A law guardian or the Division of Child Protection & Permanency (DCPP) if there is an open FN or FG case.
3. The child, if they are 18 years of age or older.
4. The child, if they are under the age of 18 and do not have a parent or guardian.

Superior Court Filing Requirements

Generally, requests for a SIJS predicate order shall be filed in the non-dissolution (FD) docket except as set forth below (based on any existing Family case). For complaints filed in the FD docket, a separate complaint shall be filed for each child. If there is more than one child seeking SIJS under an active/open FN, FG or FM matter, a separate predicate order for each child shall be entered.

| Existing Family Case | Filing Docket |
|---|----------------------|
| None | Non-Dissolution (FD) |
| Active/Open Child Protection (FN) | FN |
| Closed FN | FD |
| Active/Open Termination of Parental Rights (FG) | FG |
| Closed FG | FD |
| Active/Open Kinship Legal Guardianship (FL) | FL |
| Closed FL | FD |
| Active/Open or Closed Child Placement (FC) | FD |

| | |
|---|--|
| Active/Open Adoption (FA) | FA |
| Closed FA | FD |
| Active/Open or Closed Juvenile Delinquency (FJ) | FD |
| Active/Open or Closed Family Crisis (FF) | FD |
| Active/Open Dissolution (FM) | FM - Filing party is the plaintiff or defendant in FM case. FD - Filing party is not the plaintiff or defendant in FM case. |
| Closed FM | FD |
| Active/Open or Closed Domestic Violence (FV) | FD |
| Active/Open or Closed Family - Other (FO) | FD |

Confidentiality

SIJS predicate orders shall contain language permitting limited release of information for SIJS purposes, such as the following sample text:

This Order is a confidential document. Nevertheless, the court authorizes its disclosure to federal immigration officials in connection with the child's application for immigration relief.

Questions regarding Special Immigrant Juvenile Status (SIJS) Filing Requirements may be directed to the Family Practice Division at (609) 815-2900, ext. 55350.

cc: Chief Justice Stuart Rabner
Family Presiding Judges
Steven D. Bonville, Chief of Staff
AOC Directors and Assistant Directors
Clerks of Court
Special Assistants to the Administrative Director
AOC Family Practice Chiefs
Family Division Managers and Assistant Managers