



The 2025 ICE Detained Parents Directive: Practice Advisory for Child Welfare Agency Administrators & Practitioners

Understanding and Advocating with the Revised 2025 Directive to Support
Immigrant Children and Families

August 2025

Introduction and Overview

► What is the Detained Parents Directive (DPD)?

The ICE Detained Parents Directive (DPD) is a federal policy that addresses how Immigration and Customs Enforcement (ICE) should handle the arrest, detention, and removal of noncitizen parents and legal guardians of minor children. ICE issued the [Directive 11064.4, Detention and Removal of Alien Parents and Legal Guardians of Minor Children](#) on July 2, 2025, replacing the previous 2022 version.

The DPD establishes protocols that ICE should follow to ensure that parents and legal guardians can:

1. continue to make decisions about the care and custody of their children
2. participate in child welfare proceedings and services in the event of detention or deportation
3. maintain regular visitation with their minor children; and
4. make necessary travel arrangements and associated decisions for their children in the event of a parent's removal or departure from the United States.

► Who Does the Detained Parents Directive Apply To?

The revised 2025 DPD applies to parents or legal guardians who are: (1) primary caretakers of minor child(ren) in the United States, regardless of the minor's citizenship status; and/or (2) those who have a direct interest in family or probate court, guardianship, or child welfare proceedings involving a minor child.

► What Is the Importance of the Detained Parents Directive for Child Welfare?

The DPD provides critical guidance for child welfare agencies with respect to contacts within the Parental Interests unit within ICE and considerations in communicating with ICE. The DPD also sets forth protocols that ICE should follow to ensure parent participation in the child welfare case if a parent wishes to be reunified with their child prior to departing the United States, or in cases where a parent is deported but the child remains in the United States.

While there are notable changes highlighted below, the DPD remains an important tool for child welfare agencies to ensure the rights of parents in cases where a parent is subject to immigration detention or deportation. Understanding the information and protocols set forth in the DPD can support child welfare agencies in developing their own protocols governing communications to ICE.

Key Changes Between the 2022 and 2025 Directives

The 2025 revision of the DPD represents a significant rollback of protections that were available under the previous directive, including:

1. **Removal of Incapacitated Adults Coverage:** The 2025 version only applies to minor children and no longer provides protections for guardians of incapacitated adults.
2. **Loss of Humanitarian Parole:** ICE no longer has guidance to consider facilitating the return of a deported parent back to the United States to participate in proceedings that may result in the termination of parental rights. This represents a significant loss of protection that agencies should document and address in court proceedings and will necessitate consideration of alternatives to satisfy due process and reasonable efforts as well as to maintain parental and familial relationships critical to a child's well-being
3. **Limited Participation Guarantees:** While the DPD mentions facilitating participation in child welfare services and programs, there is limited practical guidance in terms of implementation. Specifically, Section 4.5 gives examples of parenting and anger management classes, but no further information about the frequency, manner, or extent of any participation and documentation of case services. Because this language is less specific than previous versions, child welfare agencies and parents alike may be uncertain as to what extent services will be made accessible to detained individuals.

Terminology Changes:

- The name of the policy itself is now "Detention and Removal of *Alien* Parents and Legal Guardians of Minor Children" vs. the previous "Interests of *Noncitizen* Parents or Legal Guardians of Minor Children or Incapacitated Adults." (Emphasis has been added.)
- The "Parental Interests Coordinator" position has been renamed to "Detained Parent Coordinator," though the role appears to remain largely the same.

How Can Child Welfare Agencies Use the Detained Parents Directive?

Working with Detained Parents

► Developing Points of Contact

1

Identify an immigration point person: Child welfare agencies should identify an immigration point person, or specialized unit, within the agency that caseworkers and supervisors can contact for support and guidance in situations of parental detention or deportation. This position or unit is responsible for being familiar with the DPD and for communicating with ICE, after consultation with agency legal counsel, on a case-by-case basis. Centralizing this role, rather than asking each case worker to become familiar with the intricacies of the DPD, will provide agency leadership increased visibility into these cases, streamline communication with ICE, ensure that case information is kept confidential unless an exception applies, and better ensure compliance with the guidance set forth in the DPD.

i A note on varying child welfare administrative structures

Administrative structures vary across state child welfare systems (e.g., county vs. state administered systems vs. privatized systems). Each child welfare agency should establish a model and process for communicating with ICE that is best aligned with their structure, staff knowledge, and needs of the children and families they serve. For example, counties or regions may decide to designate a point person that tracks individual cases and reports them to an agency immigration specialist at the state level who manages direct communications with ICE. In larger jurisdictions, including those with significant immigrant family populations, having an international families unit, with specialized areas of focus among team members, may be an alternative approach.

2

Locate Detained Parents:

- **ICE Online Detainee Locator:** Use the ICE Online Detainee Locator system to locate adults detained in the United States (<https://locator.ice.gov>)
 - Search using the immigration number (A-number), first and last name, birthdate, and/or country of birth
 - This system provides detention facility location and contact information. Legal and family visitation procedures vary and can be determined by contacting the facility directly.
- **ICE Field Offices:** Each detention facility has an ICE field office with jurisdiction over its occupants. A list of field offices can be found here: <https://www.ice.gov/contact/fieldoffices>
- **Assigned ICE Officer:** Each detained person has an individual ICE officer assigned to their case. Child welfare agencies should consider if communication is necessary or helpful and who is best situated to do so. If the parent has representation, that attorney may be best positioned to communicate with the officer.

Best Practices for Communication with ICE

Best practice is to document all communications with ICE in writing, including use of email as a follow-up to a phone call. While it may be necessary to provide some information to ICE, in general, case-specific information remains protected according to the agency's confidentiality and privacy policies. Child welfare agencies should:

- Document all communications in writing (email follow-ups to phone calls) and include in case notes
- Reference the specific Directive 11064.4 provisions in all correspondence with ICE
- Clearly identify yourself as a child welfare professional and specify your role
- Provide immigration case numbers, A-numbers, and facility information related to the immigration case and facility when available
- Request written confirmation of agreements or accommodations

Information to consider providing ICE after consultation with attorneys on the case (e.g., agency, parent, and child) to ensure protection of critical and confidential information includes:

- Child welfare case number
- Name and location of court
- Upcoming hearings and deadlines
- Specific services or programs the parent needs to access
- Visitation requests and proposed schedules

3

Connect with the Parental Interests Team/Detained Parent Coordinator

- There is an overall Detained Parent Coordinator and designated Detained Parent Field Point of Contact (POC) within each ICE area of responsibility. The general email is Parental.Interests@ice.dhs.gov.
- While the Parental Interests Unit can be copied on all email communications, child welfare agencies are advised to contact the ICE office with jurisdiction over the specific facility where the parent is located to determine the area POC, as this person will likely be the primary contact for the agency.

► Facilitating Child Welfare Case Participation

1

Parent-Child Communication & Visitation: Per the DPD, ICE should facilitate the maintenance of family connections through visitation. To ensure this occurs, advocacy strategies the child welfare agency can take include:

- Facilitate parent-child communication and visits through in-person meetings, video/teleconference, or phone calls; coordinate with detention centers; and establish points of contact to ensure consistent communication.
 - **Note:** Child welfare agencies should make video and/or teleconferencing a case requirement whenever possible, as this then requires ICE to offer these calls free of charge to the parent.
- Coordinate with external parties including the ICE Detained Parent Coordinator, foreign consulates, and detention facility staff to facilitate communication and/or visitations between detained parents and their children and/or the child welfare agency.

2

Child Welfare Case & Court Proceedings: ICE should facilitate the detained parent's participation in family court, child welfare, or guardianship proceedings. To ensure this occurs, advocacy strategies the child welfare agency can take include:

- Request parent participation in the child welfare case in writing by sharing information about upcoming hearing dates and deadlines with the ICE Parental Interest Unit and the identified Field POC.
- Seek court orders for a parent to be present.
 - While ICE is not required to comply with state court orders, the issuance of such orders may aid in documenting agency efforts to ensure parent presence and participation in the case.
- Explore options for release from detention or transportation for in-person attendance at court.
 - Advocate for telephonic or video participation if transportation isn't feasible
 - Document any barriers to participation for court records
- Extend reunification timelines with courts when parents are in detention to provide adequate time to complete necessary services.
- Document ongoing efforts by the parent or guardian to maintain a relationship with the child.
- Facilitate legal consultation and completion of legal documents pertaining to care of the child including powers of attorney, emergency guardianship, emergency contacts, and other necessary documents, as appropriate.

3

Legal Consultation: Detained parents should have access to both child welfare counsel and an immigration attorney. To promote legal representation for parents, child welfare agencies and practitioners should:

- Connect parents to immigration resources by referring them to non-profit or pro-bono immigration legal service providers as well as sharing available resources with any non-detained family members.
- At the system's level, child welfare agencies should seek to establish relationships with non-profit and pro-bono immigration legal service organizations and providers

- Facilitate communication between detained parents and their public defenders as well as between parents and their immigration attorneys.
- Explore options with ICE for parents' release from detention, particularly in cases where reunification is recommended. While some people are subject to mandatory detention, often the choice whether to detain or release a person is discretionary.

Working with Deported Parents

► Voluntary Departure Considerations

In some cases, a detained parent may be eligible for voluntary departure and choose to leave the United States rather than contest removal. This often requires consultation with an immigration attorney who can explain the legal implications and timing requirements and seek any needed approval from the immigration court. If a parent is considering voluntary departure, the child welfare agency should:

- Assess impact on child welfare case planning and court deadlines and discuss this with the parent
- Document the parent's preferences and circumstances for court
- Coordinate with ICE and the immigration attorney on timing of voluntary departure
- Assist with travel documentation for the children, if the children will reunify and depart with them.

► Coordinating Care and Travel of Children

1

Reunification Planning: Deported parents have the right to reunite with their children outside of the United States as long as parental rights have not been terminated. To support reunification, child welfare agencies should:

- Assess opportunities to support safety, well-being, and stability as part of planning for international reunification
- Coordinate with consular services and obtain travel documents (see #2 below)
- Work with international child welfare agencies and [International Social Service-USA](#) when possible, to obtain home studies and connections with supportive services, if necessary
- Document reunification plans for court approval

In some cases, parents are removed to countries other than their home country, which can also complicate the child's travel arrangements. Child welfare agencies should maintain communication with ICE as to the parent's location and any anticipated movement and update the children's travel documents and permissions accordingly.

2

Travel Document Coordination: Child welfare agencies should support children in obtaining all necessary documents. Specifically, they can:

- Assist with passport and travel document applications for children, including coordination with consular offices
- Ensure proper legal documentation for international travel
- Consider guardianship or custody orders that facilitate travel
- If the child is a U.S. citizen, ensure that the child has a passport or other evidence of citizenship, such as a birth certificate, so that the child may easily return to the United States at any later point.

Key Takeaways

While the 2025 DPD represents a significant weakening of protections for parents and families compared to previous versions, it still provides important protections for families impacted by immigration enforcement.

To support well-being and permanency, child welfare agencies must be proactive in advocacy and documentation to ensure detained and deported parents can maintain meaningful relationships with their children. This includes extensive documentation, persistent advocacy with ICE, coordination with legal partners, and family preparedness planning for deportation scenarios.

Resources

► Resources from ICE

- **ICE Parental Interests Website:** <https://www.ice.gov/detain/parental-interest>
- **Guidance for Facilitating Visits with Parents in ICE Custody:**
https://www.ice.gov/doclib/detention/parentalInterest/facilitatingVisitsBetween%20ParentsInICE_CustodyAndMinorChildren.pdf
- **Child Welfare Stakeholder Fact Sheet:**
<https://www.ice.gov/doclib/detention/parentalInterest/factsheetChildWelfareStakeholders.pdf>

► Other Resources & Technical Assistance

- **Center on Immigration and Child Welfare Initiative (CICW):** www.cimmcw.org
Offers training and resources on immigration-child welfare intersection
 - Page of example policies, procedures, and guides from state and county child welfare agencies across the country: <https://cimmcw.org/resources/state-specific-resources/>
 - **Immigration and Child Welfare Practice Network:** Community of practice for child welfare practitioners and administrators, legal practitioners, and policy advocates who work with immigrant children and families who touch the child welfare system
 - Resource: [Serving Immigrant Children & Families with Child Welfare System Involvement: Promising Models for Meeting Complex Needs at the Intersection of Immigration & Child Welfare](#):
The resource explores the specialized models that child welfare agencies in CA, NJ, NM, NYC, and OR have implemented in order to meet the unique needs of immigrant children and families who become involved with the child welfare system.
- **Kids in Need of Defense (KIND):** www.supportkind.org
KIND offers various programs to support unaccompanied children, including legal protection, psychosocial programs, policy and advocacy, and international programs. Their [Child Migrant Return and Reintegration Program](#) provides support and accompaniment to unaccompanied children prior to and after return to their home countries.
- **Immigrant Legal Resource Center (ILRC):** www.ilrc.org
Resource: [The ICE Parental Interests Directive: How Child Welfare Agencies Can Advocate with ICE to Ensure Fair Treatment of Detained or Deported Parents](#) (updated version coming soon!)

- **New Mexico State University – Global Campus**

Training: [Supporting Immigrant Children and Families in the Child Welfare System: Challenges & Best Practices for Child Welfare Agencies & Practitioners](#) - This online training addresses the unique challenges and opportunities when working with immigrant children and families in the child welfare system, drawing from successful immigrant-serving child welfare models across the U.S.

- **Young Center for Immigrant Children’s Rights:** Offers interdisciplinary case consultations, training, mentorship, and connection to resources to attorneys, caseworkers, government officials, and other professionals serving immigrant children in child welfare and other state court systems.
<https://www.theyoungcenter.org/what-we-do/stakeholder-support/>

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