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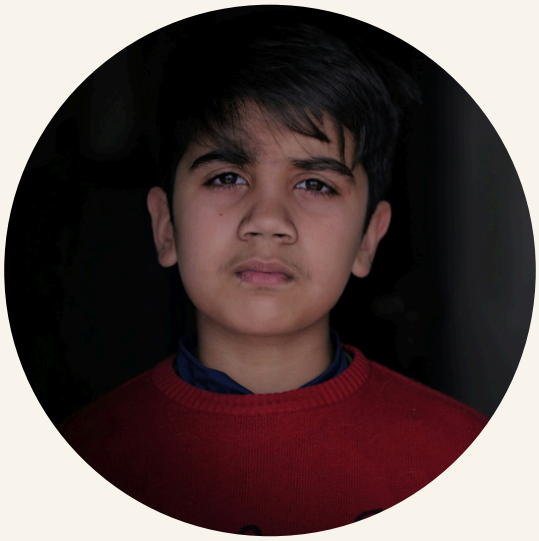
The Trump administration's attack on immigrant children

Over the past four months, the Trump administration has significantly ramped up efforts to deport 26,000 unaccompanied immigrant children – doing so quietly with targeted and cruel tactics.

A typical child's legal challenge right now

"David" is a 14-year-old boy from Honduras, where he was abandoned by his father and neglected by his mother. David came to the US to live with an aunt who agreed to care for him, but he has been stuck in a government shelter for over a year, and he is losing hope.



The government keeps delaying David's release to his aunt.

David's aunt wants to help, but ICE keeps threatening to have her arrested.

ORR staff are pushing David to self-deport and even offer him cash to return to Honduras, but he isn't safe in Honduras.

ICE threatens David: if he is stuck in the shelter until he's 18, they'll put him in an ICE jail.

Under pressure, David gives up on release to his aunt and applies for foster care, but since the government closed foster care programs, there is a waitlist.

Judges are requiring David to be in court every three weeks.

The judge tells David he must apply for relief immediately. As a survivor of abuse, he petitions for SIJS.

The judge tells David SIJS is not good enough anymore, and he needs a different type of case, or he'll be deported.

The government's refusal to pay the money it owes to nonprofits means David may lose his attorney.

These attacks on kids are happening on three fronts

In immigration courts

Eliminating funding for legal services	**Children are losing their attorneys.** Despite federal law and a court order requiring HHS to fund legal services for unaccompanied children, HHS has not paid legal aid nonprofits for months, has failed to issue a workable national contract, and is pressuring attorneys to disclose confidential client information.
Holding "mega masters" court hearings	**Children in court are treated like cattle.** Immigration courts are replacing individual hearings with mass proceedings of up to 80 children, many unrepresented and pressured to make legal decisions without counsel—resulting in deportation and self-deportation.
Attacking Special Immigrant Juvenile Status	**Children are blocked from legal pathways.** Special Immigrant Juvenile Status (SIJS), a key form of relief for abused, neglected, or abandoned children, often takes years to obtain through state courts and USCIS. Historically, immigration courts granted continuances while children pursued SIJS. In March 2026, however, the BIA ruled SIJS was too speculative to justify delays, putting thousands of vulnerable children at risk of deportation.
Courts failing to give notice	**Children are missing.** Immigration courts routinely reschedule or advance hearings without giving children or their attorneys proper notice, resulting in children missing court and being ordered deported in absentia.

In government shelters

Refusing to reunify children with sponsors	**Children are separated from their families.** The government is using a range of tactics to illegally delay or deny release to sponsors, with the average stay in shelters skyrocketing from 35 days in late 2024 to over 200 days as of April 2025.
Demonizing sponsors	**The government paints all sponsors as criminals and traffickers.** During a June 11, 2026, press briefing, the DOJ, DHS, and HHS reiterated the false claims that hundreds of thousands of unaccompanied children are missing and that sponsors are criminals looking to exploit children.
"Rocket dockets" pressuring children to self-deport	**Children are given no time in court.** A new policy gives children in detention scant three-week continuances. By forcing children into court every three weeks, the courts create urgency artificially, which accelerates children's cases and pressures them to take voluntary departure even when it's not safe to do so.

In communities

ICE arresting children and intimidating parents	**Families do not feel safe anywhere.** ICE is targeting children for arrest, likely due to information sharing between agencies. ICE is also threatening sponsors with arrest and has now hired a private security contractor to conduct "wellness checks" on children

The Trump administration's attack on immigrant children

Over the past four months, the Trump administration has significantly ramped up efforts to deport immigrant children – doing so quietly with targeted and cruel tactics. This campaign against children operates on three fronts: in immigration courts the government is cutting off due process so that children cannot access legal protections; in government shelters, the officials are coercing children into accepting self-deportation orders; and in communities, ICE is targeting families at home and on the streets.

This briefing paper outlines the tactics undertaken by the Department of Justice (DOJ), the Department of Health and Human Services (HHS), and the Department of Homeland Security (DHS) to target over 26,000 unaccompanied immigrant children. Advocates at nonprofits across the country contributed to this briefing and are available to provide additional context and answer any questions.

Overview of Government Actions Targeting Children

Eliminating Funding for Legal Services – *children are losing their attorneys.*
Even though HHS is required by federal law (and a court order) to fund legal services for unaccompanied children, HHS has not paid owed invoices to legal aid nonprofits since last year and refuses to issue a workable new national contract. Further, HHS is trying to use funding as leverage to force attorneys to turn over confidential information on child clients.

Refusing to reunify children with sponsors – *children are separated from their families.*
HHS is required by federal law and its own policies to release children from government shelters to vetted and approved sponsors, who are often parents or other family members. The government is using a range of tactics to illegally delay or deny release to sponsors, with the average stay in shelters skyrocketing from 35 days in late 2024 to over 200 days as of April 2025. These tactics include arbitrarily restricting the forms of identification sponsors may provide, delaying the scheduling of required steps in the process such as DNA appointments or home studies, and threatening sponsors with ICE arrests.

Demonizing Sponsors – The government continues to paint sponsors as criminals and traffickers, in an effort to stop children from being reunified with families. During a June 11, 2026, press briefing, the DOJ, DHS, and HHS continued to make false claims, dating back to the 2024 election, that hundreds of thousands of unaccompanied children were missing.[1] There is no evidence to support that 300,000+ children went missing – that false statement comes from a government report that children did not receive court notices[2].

During the Press Conference, Acting Attorney General Todd Blanche referred to sponsors as criminals and liars and repeated claims that the sponsor system is rampant with child trafficking. This appears to be another attempt to punish children by making reunification impossible.

Holding "mega masters hearings" - *children in court are treated like cattle.*
Instead of holding individual master calendar hearings for children to take pleadings and set hearing schedules, immigration courts are holding large-group hearings of up to 80 kids at a time. The children are often unrepresented and forced to make legal pleadings or sign

documents without time or legal assistance. This is leading to deportation orders and self-deportation.

"Rocket dockets" making children self-deport – *children are given no time in court.*
In recent months, immigration courts have been following a new policy to give children in detention scant three-week continuances. This is a break from practice and logic – children need time to develop their cases. By forcing children into court every three weeks, the courts create urgency artificially, which accelerates children's cases and pressures them to take voluntary departure even when it is unsafe to do so.

Courts failing to give notice – *children are missing court.*
Immigration courts routinely reschedule or advance hearings without giving children or their attorneys proper notice. At best, these last-minute changes waste the limited resources of nonprofit legal service providers, and at worst, they result in children missing court and being ordered deported *in absentia*. Proper notice is a basic tenet of due process and is being ignored in an effort to harm children.

Attacking SIJS – *legal pathways for children are blocked off.*
One of the primary forms of relief from deportation available to children is Special Immigrant Juvenile Status (SIJS), which requires children to go to state court, usually a juvenile or family court with expertise in child welfare issues, and then apply to United States Citizenship and Immigration Services (USCIS). Including visa wait times, this process can take years.

Historically, a child seeking SIJS would receive continuances or closure of their immigration court case to allow them to pursue this "collateral" relief. In March 2026, the Board of Immigration Appeals (BIA) upended that longstanding practice, suddenly finding that SIJS is too speculative to warrant a continuance in immigration court. Now, thousands of children who have been determined by state courts to have been abused, neglected, or abandoned are scrambling to find other forms of relief or be deported. With a single stroke of the pen, the BIA has overwritten Congressional intent and functionally eliminated an entire form of relief for the most vulnerable youth.

More recently, on June 2, 2026, DHS took the unprecedented step of addressing a letter to state court judges, prodding them to deny SIJS-related findings to children in their courts. [1]In addition to misleadingly implying that state court orders alone allow children to remain in the country—which was untrue even before the BIA's recent decision—the letter[2] further undermines Congress' intent to defer to juvenile court judges as experts in child welfare.

ICE arresting children and intimidating parents – *families do not feel safe anywhere.*
Across the country, lawyers are seeing ICE target their child clients for arrest, likely due to information sharing between agencies. ICE is also threatening sponsors with arrest and has now hired a private security contractor to conduct "wellness checks" on children. ICE has no background in child welfare and no business in conducting sham wellness visits – these are thinly disguised efforts to arrest and deport families.

Government actions targeting children: Dive deeper

Refusing to reunify children with sponsors.

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[2] https://x.com/DHSGenCounsel/status/2062938911731527829/photo/1

Under federal law, unaccompanied children in government custody are held by the Office of Refugee Resettlement (ORR), not ICE. The children are held in shelters across the country, run by both for-profit and nonprofit organizations. With some exceptions, the system is designed to keep children in shelters longer than necessary – instead, the children are to be reunified with sponsors, who are typically family members and often parents. This allows the child to remain in a family environment at home while their case progresses.

At the end of the Biden administration, the average time a child spent in a shelter before reunification was 31 days[3]. Now, the average is over 200 days and growing.[4] The government's claims that additional vetting is necessary to ensure the safety of children upon their release are belied by the actual steps HHS has taken, many of which increase release timelines with no measurable benefit to the quality of sponsor vetting:

- HHS is sharing potential sponsors's information with ICE, facilitating arrests and creating an atmosphere of fear preventing otherwise-fit caregivers from coming forward to apply to sponsor children's releases.[6] (Prior to March 2025, HHS would not deny a sponsor based soley on their immigration status, and HHS policy explicitly recognized that it is not a law enforcement agency.)

- HHS has restricted the types of proof of identity it will accept from potential sponsors, including no longer accepting a valid, unexpired foreign passport unless it includes proof of lawful entry to the United States. This has functionally converted the step of confirming a sponsor's identity to one confirming whether they are lawfully present.

- HHS has expanded DNA testing to all blood-relative sponsors without exception *in addition* to a separate requirement for documentary evidence proving the relationship. These duplicative requirements have caused absurd results, such as a mother's sponsorship application for her child being delayed for consular verification of the child's birth certificate even though the mother has already been confirmed as a 100% DNA match.

- HHS has centralized its review and approval of reunification applications, leaving some children waiting for more than a month before HHS has even assigned a caseworker to their case.

- HHS has added additional layers of red tape to the sponsor application itself, including requiring sponsors to resubmit the same forms multiple times because HHS has updated the versions of the form after the sponsor had already submitted it.

- HHS has arbitrarily begun requiring home studies for all sponsors, even where the sponsor is a parent, has provided proof of identity and income, and has passed criminal and child welfare background checks. Prior to this change, home studies were typically conducted for fewer than 10% of children. Now, the dramatic increase in home studies has caused a backlog with the providers who conduct them, adding even more delays to release.

- Any remaining doubt regarding the Administration's motivations for these changes was dispelled in late 2025, when Congress obtained a copy of the so-called Unaccompanied

[3] https://acaciajustice.org/wp-content/uploads/2025/09/Acacia-Dismantling-Protections-2025-09.pdf
[4] https://acf.gov/orr/about/ucs/facts-and-data
[6] https://www.cnn.com/2025/11/14/politics/parents-arrested-migrant-children-ice.

Children's "Processing Pathway Advisal,"[7] a document provided to children in CBP custody prior to transfer to HHS. According to this document, children were advised at the border that they would be detained in the custody of the U.S. government "for a prolonged period of time"—an explicit violation of the TVPRA of 2008—and that if they turned 18 while in HHS custody, they "will be turned over to [ICE] for removal."

One nonprofit in Texas reported: "*We continue to see ICE detain sponsors through Operation Guardian Trace, also referred to as a UAC Initiative in one of our cases, where ORR and DHS collude to detain sponsors, using their children as bait. We have seen so many loving parents detained as a result of this, both after being lured to DHS offices and also where DHS has come to their home to lay in wait for them, and it is honestly so devastating for the children we serve as well as their families.*"

Also from Texas, a nonprofit has seen: "*ICE taking children to detention when they turn 18 and age out of custody - where there are *pending* criminal *charges* (not convictions). They did this last week for a girl at one of our shelters who had been the victim of domestic violence and sexual assault and had pending legal relief. When we advocated for her release, raising these points and asking them to reconsider, they said that 'the decision came from ICE HQ and there was nothing they could do*."

"Rocket dockets" making children self-deport

Starting in April 2026, the immigration courts began implementing a new policy on how they handle continuances for children in ORR custody (i.e., in ORR shelters). The new policy requires judges to grant only 3-week continuances for these children at each hearing. This has had the effect of coercing children into accepting self-deportation.

Before this policy, immigration judges would typically grant children in ORR custody continuance in the _____ to _____ range. There was a sound reason for doing so: much of the adjudication of a child's case occurs outside of immigration court. If a child is seeking asylum, they first go to USCIS for an asylum interview. That wait can be years long. If a child is seeking SIJS, they must go through state court and then USCIS, a process that can also take years. Immigration judges would reasonably provide children the time required to follow the process set out by Congress for their cases.

What happens now is that a child must show up to immigration court every three weeks, or sooner. If a child cannot show up, they get ordered deported automatically. If they appear at each hearing, they are bullied by immigration judges and DHS attorneys into providing updates and showing why their case is not moving faster. We are seeing kids get intimidated and give up instead of fighting.

"We have observed children being ordered removed after being forced to take pleadings unrepresented where it is clear to all on the docket that they do not understand what is happening at all, and due to the accelerated nature of the dockets nowadays, they are not able to secure pro bono legal assistance to adequately prepare them for their hearings, understand their options, or pursue legal relief they may qualify for. In one such instance, we witnessed an indigenous Guatemalan child ordered removed despite having a Child Advocate on the docket who advocated for a continuance so he could consult with a legal service provider about voluntary departure." – A legal aid group in Texas.

Courts failing to give notice

[7] https://www.finance.senate.gov/imo/media/doc/120825_letter_to_cbp_-_uac_processing_pathway_advisal.pdf

When a child has a court hearing, the courts are supposed to send them notice in a timely manner. This includes notice to both the child and, if the child is represented, their attorney. What we are now seeing, however, is that courts are scheduling hearings or advancing hearings without giving notice[8]. Attorneys representing children are accustomed to seeing notice of schedules in the EOIR Courts & Appeals System (ECAS) Online Filing System. Without notice, a child may face deportation for failure to appear in court – an outcome that seems to be the goal of ICE.

"We regularly receive less than 24 hours' notice of detained juvenile dockets, and sometimes we get modified schedules emailed to us by a court clerk the morning of the hearing. Sometimes the children have doctor's appointments already scheduled that must be canceled because of the lack of notice about court hearings. Despite our pushback, the norm now is that neither children nor their custodians receive proper service, and ICE is not held to its burden under the law." *A legal service provider nonprofit in Texas.*

In May, we learned about several unaccompanied children whose cases were advanced without notice. Notably, a child who was detained whose individual hearing on asylum was scheduled in 2028 had her hearing date suddenly advanced with two weeks' notice. The short notice created an immediate crisis for both the child and counsel. Key evidence had not yet been fully gathered, and expert reports and corroborating documentation, typically developed over months, could not be completed in time. The child, who had been relying on the originally scheduled timeline to stabilize their case and prepare emotionally, experienced significant distress and confusion. Despite diligent efforts by counsel, the compressed timeline severely limited the ability to present the case, undermining the child's due process rights and leading to an unjust outcome. The court specifically indicated that the case must be completed expeditiously and prior to June 2nd. This UAC was compelled to prep for the IH on an urgent and compressed timeline, while also preparing for the SATS and then the regent exams (for NY high school students). A legal service provider nonprofit in New York City.

"Mega master" hearings

In immigration proceedings, there are two types of hearings: merits hearings, where a person's deportation case is adjudicated, and master calendar hearings, where judges take pleadings and set the schedule for a case. Typically, on a master calendar (before this year), a judge would meet with one child at a time. This would allow the judge to properly assess the status of the child's case, including whether the child had an attorney, whether they needed a continuance, etc.

In the past few months, a new model of master calendar hearings has emerged, referred to as "mega masters[2]," in which groups of up to 80 children appear together at one time. Many of the children are not represented, and they are intimidated into expediting their deportation hearings or signing paperwork that would result in their removal from the country. This is a blatant violation of due process. Unrepresented children should never be forced to sign court documents or enter consequential pleadings while packed into a courtroom.

"Our attorneys have been to several "mega masters" over the last 2 weeks in the course of direct representation of minors and unaccompanied children. The hearings are rapid-fire, with little time for questions or clarification or to distinguish cases from others participating in the hearings. Due process and fairness are sidelined in the interest of ease and speed to move children through the court process. Attorneys report clients asking many questions after the hearing because they do not understand the process that just occurred. In cases of pro se

[8] https://www.cnn.com/2026/04/28/politics/migrant-children-deportations-trump

respondents, this is particularly concerning as they have no one to help them clarify the confusion after the fact." A legal service provider nonprofit based in Washington, DC.

Immigration judges are harming children
Through a variety of duplicitous tactics, the bench of immigration judges now overseeing children's cases is taking steps to undermine due process, intimidate children, and limit legal relief. Most of the child-friendly judges have been fired or reassigned. Children are now facing unfriendly judges. Across the country, nonprofit advocates are reporting:

- Judges refusing to continue removal proceedings, despite a child having filed for asylum with USCIS (the correct venue for asylum filing for unaccompanied children);
- For children who filed for asylum with USCIS and then subsequently turned 18 years old, judges are forcing them to also apply for asylum in immigration court, creating a parallel track of asylum cases (USCIS is the proper venue, and children should not be punished for the backlog at USCIS, where asylum filings can languish for years);
- Judges are routinely demanding that children quickly determine and press legal relief, despite the complexity of the law. We are also seeing ICE attorneys receive information from ORR (which data sharing should not happen) to target specific kids with demands for self-deportation. It seems ICE is being told which children have weak cases or who are losing resolve to continue fighting their case.

"A colleague recently denied pleadings in a client's case on the juvenile docket (first master calendar hearing). She argued that ICE had not met their burden to prove alienage. The immigration judge got visibly upset and told the attorney she was 'wasting the Court's time' and ordered her and her client to appear in person the next day (although the client had school, and the judge regularly waives the presence of children in school). Terrified of the ICE presence in the courthouse, the client got scared and told the attorney to just concede alienage." A legal service provider nonprofit in New York.

ICE is arresting children
Nonprofits across the country are seeing ICE target their child clients for arrest and detention. Children are typically not held in government shelters while their cases are pending, instead living with family and attending school. This comports with federal law requiring the government to place children in the least restrictive setting that is in the child's best interest. While not being detained is good, it also puts children at risk of roving ICE arrests.

"*Clients with pending and approved SIJS have been racially profiled and detained by ICE, requiring rapid-response habeas petitions. In two cases, young people with approved SIJS were detained and then stripped of their SIJS deferred action and work authorization. In one case, a 16-year-old client with a pending SIJS petition was detained by ICE and held in adult ICE custody; ICE claims he is an adult, but has provided no proof whatsoever." A legal aid organization in New York.*

Board of Immigration Appeals constraining legal relief
Like the Immigration Courts, the Board of Immigration Appeals (BIA) is a component of the DOJ and has been purged of reasonable judges by the Trump administration. Any pretense of the BIA being an independent adjudicative body is false. The BIA has recently set out to limit the legal relief that immigrant children can access to fight deportation. The change, making it practically impossible for children to use SIJS, occurred in March.

Established in 1990 and expanded in 2008, SIJS is a statutory legal relief from deportation available only to children who have been abused, neglected, or abandoned by one or both parents. It requires a state family court order, a visa application with USCIS, and then, eventually, a green card (legal permanent resident status) application. Unfortunately, kids can wait for years between the state court order and USCIS approving a green card.

SIJS has been one of the primary ways that unaccompanied immigrant children have sought protection from deportation, as Congress intended. But the BIA has made this highly difficult for most children.

On March 11, 2026, the BIA issued Matter of Pinzon Rozo, which is binding on immigration courts. In the case, the BIA ruled that it is an error for an immigration judge to grant a continuance to a child who had an approved SIJS visa but who was still waiting for a green card. Without a continuance, children will face deportation – despite having jumped through all of the legal hoops set out in statute and not having a green card through no fault of their own.

Beyond the lack of continuances, we are seeing immigration judges citing the BIA decisions to claim that the children have no real legal relief or that any relief is too speculative. This has forced children to try to find other types of cases or face the reality that they have no options.

Eliminating funding

Federal law requires that the government fund programs that provide free counsel to unaccompanied immigrant children[3]. This requirement was upheld by a District Court and the Ninth Circuit Court of Appeals[4] – The Office of Refugee Resettlement, a sub-agency of HHS, is under an injunction to continue the nearly two-decade-long program that currently serves 26,000+ children.

Despite the court Order, HHS has developed two tactics to avoid paying its mandated funding obligations:

- HHS has not paid invoices for services under the existing contract since last November. The agency insists that it will not pay until it receives details on the specific services provided to each child (which data must not be aggregated or anonymized). This is not only a level of detail HHS has never required before, but also a clear breach of the attorney-client privilege. The only logical reason to request child-specific case details is to data-mine them to prioritize which children to target. The lack of funding is starving the nonprofit network and forcing smaller nonprofit groups to resort to furloughs or layoffs.

- The current multi-year contract between HHS and the nonprofits that provide legal counsel to children is at the end of its term. HHS has stymied the issuance of a new contract by issuing wholly deficient requests for proposals (RFPs)_since last November. The first two RFPs mandated a reduction in services, video services, inappropriate data sharing, and onerous pro bono mandates. HHS revoked both RFPs following protests at the GAO.

- The newest RFP[9], issued in Mary 2026 (i) mandates that providers turn over individualized case data for each child; (ii) requires that providers immediately enter representation in immigration court for every child, which is unworkable given how fluid

[9] https://sam.gov/workspace/contract/opp/4fd0b12182ec4cc38a7d7f7f9f243986/view

and changing the representing of a child in immigration courts can be; and, (iii) states that if any child attends a calendar hearing without counsel (of 24,000 children), it would be a breach of the contract.

ICE's "wellness" checks

In May 2026, ICE hired a private company to conduct "wellness" checks on unaccompanied children living with sponsors. The company that ICE hired, MVM, is a security contractor that provides detention and transport services to federal immigration agencies. It previously provided security services to the CIA."[5] MVM previously faced lawsuits for its role in the family separation crisis in Trump's first term.

ICE is not qualified to conduct wellness checks, and the public contracting documents underpinning the hiring of MVM make it clear that this move is about finding children and reporting their location to ICE. This is not about helping children; it is about helping ICE arrest, scare, and deport children.

Other actions

The government continues to try to bribe children into forfeiting their rights and self-deporting. Under a 2025 policy, children are promised $2,500 to leave the country[10]. In addition to being exceptionally coercive, a child who takes the money must sign away their right (unlawfully, we believe) to apply for asylum in the future.

The government has revoked a policy that allowed children awaiting SIJS approval to receive deferred action. This allowed them to have some certainty in their lives and, if old enough, to work legally.

USCIS refuses to process applications, including green card applications, and has hiked up fees for basic applications (including asylum) to the point that they are unaffordable for many families.

The government is unilaterally revoking children's status as "unaccompanied" despite this being against the norm and policy that has been in place since 2008. Doing so makes it easier to arrest, jail, and deport children.

[10] https://msmagazine.com/2025/10/07/trump-2500-children-deport-resettlement-stipend/