

Fact Sheet: Mixed-Status Families

Definitions:

Mixed-Status Family: A family with members of varying legal status. While this term refers to families with both citizen and non-citizen parents and children, these families may consist of members with any combination of legal status. A prevalent situation is one in which the children have citizenship by being born in the U.S. and at least one parent is a non-citizen.

Non-citizen: A person who has not obtained U.S. citizenship, but resides in the U.S. as an undocumented immigrant or a lawful immigrant.

Lawful immigrant: A person who has received a type of status that allows him or her to legally reside in the U.S. This includes lawful permanent residents, refugees, asylees, temporary visitors, and others.

Non-immigrant: A person who is allowed to enter the U.S. for a specific purpose for a certain period of time. This includes students, tourists, visitors, migrant laborers, and others.

Scope:

- In 2002-2003, there were 4.6 million families of mixed-status in the U.S. and 57% of children of immigrants lived in mixed-status families. (Capps & Fortuny, 2006)
- In 2005, of children in immigrant families, 80% were U.S. citizens, 6% were legal immigrants, and 10% were undocumented. (Capps & Fortuny, 2006)

Eligibility for Services to Maintain Well-Being:

- Citizens are eligible for services to maintain well-being. These programs usually refer to food stamps, Medicaid, TANF, housing assistance and SSI benefits.
- Non-citizens' eligibility for services depends on their status and on the source of funding.
- Undocumented immigrants are barred from access to any means-tested benefits, but can receive emergency medical assistance that includes medical assistance during pregnancy.
- Lawful immigrants are generally restricted from participating in federally-funded means-tested benefits for the first 5 years of their legal status. During this time, assistance may be available through some states' programs or limited private sector programs by non-profit or faith organizations.
- Refugees, asylees, and some victims of domestic abuse will qualify for more generous federal and state programs than the undocumented and some legal permanent residents.
- Eligibility depends on the person receiving the benefits. To this end, child-only grants may be available for families with children who are U.S. citizens.

Issues:

Confusion over eligibility rules leads to a reduction in benefit use.

- Eligibility depends on the status of the person receiving benefits (e.g. a child, but not the parent). However, confusion and fear regarding eligibility rules has caused a reduction in benefit use.

In mixed-status families, there is reluctance to seek benefits even for those who are eligible.

- *Many families with non-citizen members fear interaction with government officials.* Families worry that such interaction will jeopardize their immigration status or will lead to the deportation of undocumented family members. The typical scenario is an undocumented mother will not seek any benefits or even medical attention, at times, due to fear that "the government" will find out she is undocumented and deport her. With the increase in raids, arrests and deportations in MN by USICE (immigration) this anxiety is markedly increasing. Additionally, immigrant families living in rural MN generally feel more exposed or vulnerable when contemplating interacting formally with government services than those living in larger urban areas. (Over)

Issues: (continued)

- *Many families also worry about being perceived as a “public charge.”* Families believe that utilizing benefits will jeopardize their ability for future status changes toward becoming citizens.
- *These situations results in a “chilling effect” in which eligible members do not receive the benefits to which they are entitled.*

The unequal status of family members may cause tensions/divisions.

- Although part of the same family, one sibling may have access to resources another does not or one parent may have access to resources another does not.
- Although both citizens, a child in one family may have greater access to resources than a child in another family due to the status of the parents.

Please Note:

- It is advisable to consult legal services for advice with concerns regarding mixed-status families. Contact Immigrant Law Center of Minnesota at 651-641-1011.

Sources:

- Capps, R. & Fortuny, K. (2006). Immigration and child and family policy. Washington, DC: The Urban Institute and Child Trends.
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