

# **SARAVIA V. WILKINSON – NOTICE OF RIGHTS**

**If you are a non-citizen minor who came to the United States as an unaccompanied child, were released from government custody to a parent or other adult, and then re-arrested by immigration authorities for removal while under suspicion of gang membership, you may be part of a class action settlement in a federal case called *Saravia*.**

***If you are part of the Saravia case, you have the right to a hearing in front of an immigration judge about whether you should stay detained. That hearing has certain rules to give you a chance to show that you should not stay detained. Those rules include, among others:***

- Within 48 hours of your rearrest, the government has to give you notice about the hearing process, and the reasons that you were re-arrested.
- Within 10 days of your rearrest, you will get a hearing in front of an immigration judge to show that you should not stay detained, unless you request a different venue than the one you were arrested in. You can ask for more time to prepare your case or find an immigration lawyer to help you.
- If you win your hearing, and your parent or the adult you were living with before can take you back, the government has to release you from detention back to that parent or adult with some exceptions

***If you are part of the Saravia case and you applied for certain types of immigration benefits, but the government wants to deny those benefits because it believes you are a gang member, you may also have certain rights. Those rights include, among others:***

- The right to get notice and explanation from the government about why they are denying your application, including why they think you are a gang member.
- The right to explain to the government why you are not a gang member or should not be denied immigration benefits
- Please note that these rights only apply if you are applying for certain types of immigration benefits, like asylum, Special Immigrant Juvenile Status (“SIJS”), or visas for people who were victims of crime or trafficking.

***If you believe you are part of the Saravia case, you should talk to an immigration lawyer for more information. More information is also available in English and Spanish at these websites:***

<https://www.aclunc.org/our-work/legal-docket/saravia-v-sessions-due-process-immigrant-youth>

<https://www.ice.gov/legal-notice>

<https://www.acf.hhs.gov/orr/resource/unaccompanied-childrens-services>

***You can also contact these lawyers for the Saravia class:***

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