



**Department for Children and Families  
Commissioner's Office**  
280 State Drive  
HC 1 North  
Waterbury, VT 05671-1080  
[www.dcf.vermont.gov](http://www.dcf.vermont.gov)

[phone] 802-241-0927

*Agency of Human  
Services*

**Operating Agreement Between  
The Department for Children and Families (DCF) and Vermont Legal Aid (VLA) Regarding  
Immigration and the Minor Guardianship Project**

This Operating Agreement is entered by and between the Vermont Department for Children and Families and Vermont Legal Aid.

Whereas, DCF and VLA believe that the well-being of children of immigrant parents who have been detained by U.S. Immigration and Customs Enforcement (ICE) is best promoted through efforts to establish safe and appropriate legal guardianship arrangements with people already known to the children whenever possible. DCF and Vermont Legal Aid are making this agreement in order to honor the intent of immigrant parents to establish powers of attorney and minor guardianships for their children whenever possible.

The undersigned hereby agree as follows:

1. When DCF's Central Intake & Emergency Services (CIES) receives a report concerning children of parents who have been detained by ICE, DCF shall proceed as follows:
  - a. If the child has not been ordered into DCF custody at the time of the initial call to CIES:
    - i. DCF shall contact VLA representatives Barb Prine, Alicia Roderigue, Sandra Paritz or other VLA staff at [802-383-2217](tel:802-383-2217) and share the names of the family members involved.
    - ii. VLA representatives shall provide DCF with information as to whether there is minor guardianship and/or power of attorney paperwork prepared for the family.
    - iii. If there is minor guardianship or power of attorney paperwork prepared for the family, then VLA will disclose the individual(s) identified to assume guardianship and DCF will check the name(s) in the Child Abuse & Neglect Registry as well as Vermont Court Access database.
    - iv. If no concerns regarding safety of children are produced through the background checks, DCF shall coordinate with Homeland Security, Border Patrol or local law enforcement and VLA to unite the child with the proposed guardian.
    - v. If VLA does not have information related to minor guardianship paperwork or power of attorney or there is a concerning result in the background related to the individual that was to assume guardianship, DCF shall explore other possible caretakers that could be utilized for this child. DCF may consider opening a CHINS B assessment due to lack of an established caretaker for the child.





- vi. If the above efforts are exhausted and no other options remain, the child may enter DCF custody, at which time the established protocols/procedures related to children entering DCF custody will be followed. In such a circumstance, CIES shall notify VLA of the custody status and provide the contact information for the DCF district office assigned to the family.
- b. If, at the time of the initial call to CIES, the child has already been ordered into DCF custody:
  - i. DCF shall contact VLA representatives Barb Prine, Alicia Roderigue, Sandra Paritz, or other VLA staff at [802-383-2217](tel:802-383-2217) who shall inform DCF as to whether there is minor guardianship or power of attorney paperwork prepared related to the family.
  - ii. If there is an identified proposed guardian, DCF shall make efforts to place the child with that guardian in accordance with DCF policy related to placing children in non-licensed foster homes after hours, and to honor establishment of the minor guardianship.
  - iii. If no proposed guardian is identified, then DCF will follow the established protocols/procedures related to the placement of the children in custody of DCF.
  - iv. CIES shall inform VLA of the custody status and provide contact information for the DCF district office assigned to the family.
2. If DCF has an open case or child safety intervention with a family in which a parent may lack proper immigration documentation:
  - a. The DCF social worker shall inform the parent of the VLA Minor Guardianship Project and offer to assist the family in accessing VLA services.
  - b. If a parent with an open DCF family case or intervention is detained by ICE, DCF shall proceed as follows:
    - i. The DCF supervisor shall contact VLA representatives Barb Prine, Alicia Roderigue, or Sandra Paritz or other Legal Aid staff at [802-383-2217](tel:802-383-2217) and share the names of the family members involved.
    - ii. VLA representatives shall provide DCF with information as to whether there is minor guardianship and/or power of attorney paperwork prepared for the family.
    - iii. If there is minor guardianship or power of attorney paperwork prepared for the family, then VLA will disclose the individual(s) identified to assume guardianship and DCF will check the name(s) in the Child Abuse & Neglect Registry as well as Vermont Court Access database.
    - iv. If no concerns regarding safety of children are produced through the background checks, the DCF SW is encouraged to unite the child with the proposed guardian. If VLA does not have information related to minor guardianship or power of attorney or there is a concerning result in the background related to the individual that was to assume guardianship, DCF shall explore other possible caretakers that could be utilized for the child.
    - v. If the above efforts are exhausted and no other options remain, the child may enter DCF custody, at which time the established protocols/procedures related to children entering DCF custody will be followed. In such a circumstance, the social worker shall notify VLA of the custody status.
  - c. If a parent is detained by ICE while there is an open custody case with DCF, the social worker shall make a referral for other immigrations services VLA may offer.





d. Upon 90 days' notice this agreement can be terminated by either party.

Signed by:  
*Aryka Radke*  
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1/17/2025

Chris Winters or Aryka Radke  
Commissioner or Deputy Commissioner  
DCF-Family Services Division

Date

Signed by:  
*Rebecca T. Plummer*  
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1/20/2025

Rebecca Plummer  
Deputy Director  
Vermont Legal Aid

Date

