

Minnesota

2025

Family Deportation Preparedness Manual

*A Guide for People at Risk of
Deportation: How to Prepare your
Family and Assets*

From Volunteer Lawyers Network (Version 1.0)





About the Volunteer Lawyers Network:

Since 1966, the Volunteer Lawyers Network Ltd. (VLN), a 501(c)(3) non-profit, has been providing free legal services in civil law matters through volunteers to income-eligible persons in Minnesota to fulfill its mission of “protecting and promoting the basic human needs of people in poverty through the power of legal volunteers.” Through its Immigrant Legal Services Program, VLN provides free legal advice, brief service, full representation, and education in immigration matters. For more information about how to access VLN’s services, visit www.vlnmn.org.

About this Manual:

VLN developed this Family Deportation Preparedness Manual in 2025 to help individuals at risk of deportation plan ahead if they believe they might be detained or deported. This manual does NOT address immigration law topics directly, but rather is intended to be a compilation of introductory resources related to Minnesota state laws that may be of interest due to the collateral consequences that someone may experience as an indirect result of being taken into detention or deported. The purpose of this manual is to provide important information and tools to know what you may do to try to mitigate or lessen the collateral consequences in the event you or a family member faces arrest, detention, or deportation. This manual also hopes to guide its readers to other, more in-depth resources, that may be of further use to people thinking about how to prepare for detention or deportation.



Acknowledgements and Further Resources:

The Volunteer Lawyers Network thanks those who provided guidance and contributed to the production of this manual. VLN acknowledges other local organizations that also have valuable resources regarding this and related subject matter: the Advocates for Human Rights, Immigrant Law Center of Minnesota, Mid-Minnesota Legal Aid, the Minnesota Judicial Branch's Self Help Centers, the Office of the Minnesota Attorney General, and especially Legal Services State Support, a project of the Minnesota Legal Services Coalition.

A Note on Lawhelpmn.org:

Legal Services State Support (State Support) is a project of the Minnesota Legal Services Coalition (MLSC), a group of seven legal aid programs that help low-income residents with a variety of legal matters. Legal Services State Support operates a fantastic website called www.lawhelpmn.org. [Lawhelpmn.org](http://www.lawhelpmn.org) has a Self Help Library section that contains many helpful resources that explain common legal issues in simple terms in multiple languages, including Spanish. For example, the Self Help Library has sections regarding family, housing, and immigration issues. Lawhelpmn.org publishes several fact sheets that explain what the law in Minnesota is regarding common legal issues. For example, the Self Help Library has fact sheets regarding custody and parenting time, security deposits, and how to get permission to work in Minnesota. Lawhelpmn.org is an invaluable free resource where the average person can go to get good information about Minnesota laws and an individual's right under the law.

A Note on the Appleseed Network's Deportation Preparation Manual for Immigrant Families:

The Appleseed Network is a network of 19 justice centers across the United States and Mexico working together to reduce poverty, combat discrimination, and invigorate democracy. The Appleseed Network publishes a *Deportation Preparation Manual for Immigrant Families* that was recently updated in 2025. This is a fantastic resource that is available in both English and Spanish and that contains much additional information that cannot be found here. Anyone at risk of detention or deportation should be aware that this valuable resource is available for free online at www.appleseednetwork.org/planningmanual.



Legal Disclaimer:

The contents of this manual are provided for general informational purposes only. Volunteer Lawyers Network is not liable and is not responsible for any use or misuse of the information contained in this manual.

The information provided in this manual is not legal advice. The information provided in this manual is not intended to be a substitute for legal advice. Each case is different. You should consult an attorney licensed in the appropriate jurisdiction regarding any legal issues you may have. The information contained in this manual is specific to the state of Minnesota. The laws of other states can be different, so the information contained in this manual may not be correct for any other state. For answers to individual legal questions, you may wish to consult with a lawyer.

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Table of Contents

Page	Topic
5.....	Powers of Attorney
11.....	Children, Delegating Parental Authority, and Passports
24.....	Housing Issues
30.....	Debt
34.....	Cars
39.....	Employment and Unpaid Wage Claims
43.....	What Happens if you get Detained
48.....	Helpful Forms and Sample Letters
	<i>Power of Attorney Form</i>
	<i>DOPA Form</i>
	<i>Family Emergency Preparedness Toolkit (VLN)</i>

1 - Powers of Attorney

This section details the laws surrounding allowing someone to act on your behalf as an “attorney-in-fact.” Having someone who is legally allowed to act on your behalf can be helpful for taking care of your belongings and any legal matters if you are unable to. This section also explains how to make a legal document called a “power of attorney” and goes over some important things you should think about before you make one and give someone else power to take actions that you can be held responsible for.

What is a power of attorney?

A power of attorney is a document that gives written permission for someone else to take action on your behalf, such as taking care of property or money matters for you, in the way you want.¹ In a power of attorney document, you are called the “principal,” and the person you give permission to take care of things for you is called the “attorney-in-fact.” The attorney-in-fact does not have to be a lawyer and can be any adult you choose. A power of attorney authorizes, but does not require, the attorney-in-fact to act for you. You cannot force your attorney-in-fact to do something for you, so it is important that your attorney-in-fact is someone who is motivated to help you and your loved ones in your absence.

What is the statutory short form power of attorney?

There is a law in Minnesota that provides an example of the form that can be used to make a valid power of attorney.² This document is called a “statutory short form power of attorney.” The statutory short form is a relatively common document that most banks and businesses are likely to be familiar with.

What powers does an attorney-in-fact have, and can they act without telling me?

The powers granted to the attorney(s)-in-fact can be broad or limited depending on what powers you choose to give them. The statutory short form power of attorney contains a list of fourteen powers that you may or may not choose to check off to allow your attorney-in-fact to have. For example, authority granted to the attorney-in-fact allows them to do things such as enter into banking, insurance or business transactions, gift your personal property, or engage in litigation or go to court for you.

¹ See the Minnesota Legal Services Coalition fact sheet entitled *Powers of Attorney* (2025) at <https://www.lawhelpmn.org/self-help-library/fact-sheet/powers-attorney>. This fact sheet is a helpful resource on the topic of Powers of Attorney and can be accessed at the Self Help Library on [lawhelpmn.org](https://www.lawhelpmn.org).

² See Minnesota Statutes section 523.23.

An attorney-in-fact can take action without telling you beforehand. If an attorney-in-fact takes legal action in your name, it is the same as if you had done it yourself.³ With a power of attorney, you can still act for yourself when you want to, but the attorney-in-fact can also act for you. They do not have to tell you before they do something, so it is important to have someone you trust be your attorney-in-fact.

What responsibilities does an attorney-in-fact have?

The attorney-in-fact has no duty to use any power given to them under the power of attorney. When using the powers given in the power of attorney, the attorney-in-fact has the responsibility to act like an ordinary person would when managing their own affairs and should keep the interests of the principal in mind. The attorney-in-fact is personally responsible for paying for any harm that results from acting in bad faith, such as stealing or committing fraud.

The attorney-in-fact is required to keep complete records of all transactions they enter into on behalf of the principal, and you can request that they provide you with a copy of those records if you want to review them.⁴

Who should I pick as my attorney-in-fact?

You should be very careful about who you choose to be your attorney-in-fact. Minnesota law's basic requirements state that any competent person 18 years or older can be your attorney-in-fact, including family members. Many people choose a spouse or adult child. However, it is important to consider more than just picking someone you trust deeply.

In addition to being someone you trust, you should also pick someone who has the time and knowledge to be able to actually help you manage your affairs in Minnesota if you are in detention or have been deported. The attorney-in-fact should probably be someone who resides close enough to where your assets are located to be able to take care of them. For example, if you want your attorney-in-fact to sell your car or move your furniture out of a rented apartment, they need to be close enough to do that. Your attorney-in-fact should be responsible and able to communicate with you and other people, so they should have a reliable cell phone number and know how to text and send emails. Finally, the attorney-in-fact should probably not be someone who is themselves at risk of deportation.

3 See Minnesota Statutes section 523.12.

4 See Minnesota Statutes section 523.21.

Can I appoint more than one person?

Yes, you can list more than one attorney-in-fact. However, listing more than one can be complicated. If more than one person is designated to act at the same time, you must specify if each may independently exercise the powers granted or if all must jointly exercise the powers granted. Unless you write out that you want it to be different, each of them can do things in your name without asking permission from others. If you have two attorneys-in-fact who have different ideas about what is in your best interest, this could cause conflict between them and delays in taking care of your affairs or paying your expenses. To avoid having to work through all of these complications, it may be easier to name only one trusted and reliable person as your attorney-in-fact.

How do I make sure my attorney-in-fact is handling things properly?

Stay in communication with your attorney-in-fact as much as possible. Tell the attorney-in-fact what you need them to do for you and then ask them if they did it. Remember, you are not giving up any of your own rights, so you can contact other people to ask them if your attorney-in-fact has done what you asked them to do. For example, if you ask your attorney-in-fact to end your apartment lease agreement with a landlord, you can contact the landlord yourself to ask if any notice to end the lease has been submitted. If you asked your attorney-in-fact to pay your bills, check your online bank account records to see if your bills have been paid from your bank account. You can also ask your attorney-in-fact to keep complete records and provide you with copies.

How do I create a power of attorney?

A power of attorney must be written, dated, and signed by you (the principal) in front of a notary public.⁵ For a statutory short form power of attorney, the principal must read and initial the “Important Notice to the Principal” that appears after the signature lines, and the attorney-in-fact must sign acknowledging they have read and understood the “Important Notice to the Attorney(s)-in-Fact.”⁶ The wording and content of the statutory form must be duplicated exactly, and the principal’s signature must be acknowledged.⁷ You must be mentally competent and able to make decisions on your own to make a power of attorney. You can create a power of

5 See Minnesota Statutes section 523.01.

6 See Minnesota Statutes section 523.23.

7 See Minnesota Statutes section 523.23, subdivision 3.

attorney at www.lawhelpmn.org/forms. A sample statutory short form power of attorney is also included in this manual.

What kind of powers can I grant?

The statutory short form power of attorney allows you to grant broad powers regarding your property, money, and some other specified affairs. Specific powers you can choose to grant include property transactions, banking transactions, business transactions, claims and litigation, and many others.⁸ You can check 'x' on the line in front of each power you want to grant or give to your attorney-in-fact. If you want your attorney-in-fact to be able to do everything possible for you included in the standard statutory short form power of attorney, checking the line in front of power (N) grants all powers listed in (A) through (M). If you do not check a specific power (A) through (M), it is not granted unless power (N) is checked.⁹

When does the power of attorney become effective?

The power of attorney form takes effect and can be used as soon as it is signed. It gives powers to the attorney-in-fact right away. It is important to understand that your attorney-in-fact can start taking action as soon as they are granted powers by you in the form, even if you are not in detention and are able to act freely on your own. So again, it is very important to name only someone you trust who will not take advantage of you as your attorney-in-fact.

When does a power of attorney terminate?

In general, a power of attorney can last until it is stopped or revoked by you as the principal. It can also be stopped or revoked in some of the limited circumstances where Minnesota requires it to end. For example, powers of attorney automatically end when the principal dies, so your attorney-in-fact will not be able to keep taking action on your behalf if you die.¹⁰

A nondurable power of attorney terminates on the principal's death, incapacity or incompetence, or a specified expiration date.¹¹ A power of attorney that names a spouse of the principal as the attorney-in-fact terminates or stops if the married spouses start a divorce, legal separation, or annulment proceeding.¹² If you want to put an expiration date in a power of attorney form, it

8 See Minnesota Statutes section 523.24, subdivision 14.

9 See Minnesota Statutes section 523.23, subdivision 2.

10 See Minnesota Statutes sections 523.09, 523.075, 523.08.

11 See Minnesota Statutes section 523.09.

12 See Minnesota Statutes section 523.09.

must be stated in terms of a specific month, day, and year, such as “January 1, 2040.” An expiration date stated in any other way has no effect.¹³

Can I revoke or cancel the power of attorney?

Yes, you can stop or revoke a power of attorney at any time.¹⁴ You must put it in writing that you revoke the power of attorney, and then sign and date the revocation in front of a notary.¹⁵ You should send copies to the attorney-in-fact and to any person or business that the attorney-in-fact has dealt with for you. If you do not send copies of the revocation, the people and businesses your attorney-in-fact has been interacting with on your behalf will not know about it, and your attorney-in-fact could still try to do business in your name if they are dishonest. It is important to understand that revocation is not effective to any party unless that party has actual notice of the revocation. “Actual notice of revocation” means that a written instrument or document of revocation has been received by the party such as the people or businesses that your attorney-in-fact was dealing with on your behalf.¹⁶ There is a “Revocation of Power of Attorney” form you can use or create online at www.lawhelpmn.org/forms.¹⁷

Do I need a lawyer to make a power of attorney?

No, you do not need a lawyer, but it may be a good idea to use a lawyer if you have questions or concerns about giving someone else so much power to take actions that you will be responsible for. The courts do not watch over what an attorney-in-fact does. An attorney-in-fact could potentially take advantage of you. A lawyer can help you include provisions in your power of attorney papers to limit the actions of the attorney-in-fact or require them to account for their handling of money and property. The “Important Notice to Principal” also advises seeking legal advice if you do not understand something about the form.

13 See Minnesota Statutes section 523.075.

14 See Minnesota Statutes section 523.23.

15 See Minnesota Statutes Section 523.11.

16 See Minnesota Statutes section 523.11, subdivision 2.

17 See the Minnesota Legal Services Coalition fact sheet entitled *Powers of Attorney* for a sample revocation form under the Self Help Library on www.lawhelpmn.org.

Power of Attorney - Action Steps

*Here are some steps you can take **now** to prepare*

- ☐ Decide whether granting someone power of attorney is right for you. If it is, determine who your attorney-in-fact should be.
- ☐ Discuss with the person you intend to have act on your behalf what you want them to do if you are detained. Make detailed plans for what you will ask them to do. *See later sections of this manual for more examples of legal processes your attorney-in-fact may need to carry out for you.*
- ☐ Fill out the “Power-of-Attorney” form. *See the statutory short form at the end of this manual.*
- ☐ Sign the form in front of a notary public.
- ☐ Check in with your attorney-in-fact to ensure that they are doing what you asked them to do.

2 - Children, Delegating Parental Authority, and Passports

This section details what might happen to your children if you are detained. It discusses a legal document called a “Delegation of Parental Authority,” which is often referred to as a “DOPA.” This section also describes possible outcomes for your children if you are deported. It also covers how to obtain a passport for your child.

What Happens to Children if Parents are Detained

Important Disclaimer - The directive that details what ICE is supposed to do when detainees have children is only an internal policy. They are not required by law to follow the directive, and their internal policy can change at any time. Detainees do not have a legally enforceable right to any of these policies being carried out. Information in this manual refers to ICE Directive 11064.4 issued July 2nd, 2025. The information is subject to change. Do not rely on the information contained in this document.

What will happen to my children if I am detained?

Immigration and Customs Enforcement (ICE) should ask you about your parental or legal guardian status when taking you into detention. If the ICE officials do not find any signs of abuse or neglect, they should accommodate your efforts to make care arrangements for your children.¹⁸ It is a good idea to memorize the phone number of someone who lives nearby who might be able to come care for your children on short notice. See the section in this manual on Delegating Parental Authority (DOPA) for one way to empower someone else to be a caregiver for your children.

If ICE suspects abuse or neglect, they will likely contact the local authorities or child welfare authority to take the children into custody. ICE may also do this if you are unable to arrange for the care of your children. In either case, ICE should stay with you until your arranged caretaker or the authorities such as Child Protective Services, show up to take physical custody of your children. For example, if you live in Hennepin County, the Hennepin County Child Protection Services will likely be the authority who shows up. Unless ICE is detaining your children because they are undocumented, they should under no circumstances take your children into detention with you.

¹⁸ See the U.S. Immigration & Customs Enforcement, *Detention and Removal of Alien Parents and Legal Guardians of Minor Children*, (Directive 11064.4, Jul. 2, 2025) at <https://www.ice.gov/detain/parental-interest>.

Where will my child go if Child Protective Services (CPS) takes them into their custody?

If no caregiver is identified to care for your children in your absence, the child may enter emergency foster care and be placed with a foster family. They may also be placed with a relative if CPS finds one and approves them.

How can I see my children after I am detained?

According to ICE's current policy, if you are detained in a facility that does not allow contact visits with minors and you make a written request for visit with your children, ICE may choose to arrange for a visit within the first 30 days of your detention. However, visitation rights are not guaranteed, and ICE may deny a request on its own discretion and for its own reasons. They then may consider a written request for a transfer to a facility that does allow contact visitation with minors.

If you request visits in writing, ICE must allow monthly visits even if you are in a facility that does not allow them, such as a county jail that contracts with ICE to house detainees. If you are detained outside of Minnesota, the result of your request to be transferred depends on the availability of bedspace in Minnesota detention facilities. ICE is allowed to deny your request to transfer closer to your children for its own reasons.

Do I lose any parental rights if I am detained by ICE?

It is important to make a detailed plan to ensure that your children will be cared for in case of your detainment. Being detained does not automatically terminate your legal rights to have custody, visitation, and decision-making authority of your child. You have a constitutional right to make decisions about your child's care and custody.¹⁹ However, it is possible to lose that right. If the state feels that the best interests of the child are not being met, they can temporarily suspend custody or even terminate parental rights by going through a court proceeding. To do this, a judge must review clear and convincing evidence that you are neglecting or abandoning your children. The court has to appoint a lawyer for you in parental rights termination proceedings if you cannot afford one because you are low-income.

19 See the U.S. Constitution, Amendment XIV.

What will happen to my children if I am deported?

If you are deported and your child remains in the United States, they can stay with a caregiver such as the person you designate parental authority to using a Delegation of Parental Authority (DOPA), or a relative (see next section on DOPA). If you have not arranged for the care of your children, they may be placed in emergency foster care. If there are no other arrangements made by you or family members after that to care for the child, they will likely remain in the foster care system.

Alternatively, you may choose to bring your children with you back to your country of origin. There can be barriers to doing this, including your child's citizenship status and access to travel documents/passports as well as practical considerations such as the cost of international travel. You should make sure that you have a plan in place to have your children be able to travel to your country of origin before you are taken into detention or deported.

Can the other parent take care of my child if I am taken into detention or deported?

Yes, the other parent of your child can take care of them in most circumstances if you are taken into custody or deported. If you are married to the other parent, this should not be a problem. If the other parent has custody rights through a court, this also should not be a problem. If you and the other parent were never married or if the other parent has not had any custody rights before, you should talk to a family law attorney if you are considering involving the other parent in the long-term care of your child in your absence.

If my child's other parent and I were never married, who has custody, and can the other parent get custody?

In Minnesota, if the parents of a child were not married at the time of a child's birth, the mother has sole legal and physical custody of the child until a court orders otherwise.²⁰ This is true even if both parents signed a Recognition of Parentage (ROP) and both names are on the birth certificate. An unmarried father does not have a right to custody or parenting time until paternity is established.²¹ Even after paternity is established, the father has no right to custody or parenting time unless he goes to court for them.

²⁰ See the Minnesota Legal Services Coalition fact sheet entitled *Paternity and Child Custody* (2025), at <https://www.lawhelpmn.org/self-help-library/fact-sheet/paternity-and-child-custody>. This fact sheet is a helpful resource on the topic of paternity and child custody and can be accessed at the Self Help Library on [lawhelpmn.org](https://www.lawhelpmn.org).

²¹ See previous note for source.

In order for the other parent of your child to get custody rights if they never had them before, they will have to go to a family court. Going to court can be a long and complicated process. The other parent would have to want to get custody rights to your child and actively participate and cooperate in a long and complicated court process. If the other parent of your child is unwilling to do this and has never shown interest in caring for your child, this is probably not a good option to rely on for the long-term care of your child in the event that you are taken into detention or deported.

What if my child's father's paternity has not been established?

Paternity is the legal establishment of a man's status as the father of a child. If the parents are not married when the child is born, there is no legal father until paternity is established. Paternity can be established in two ways: by signing a Recognition of Parentage (ROP) form or by obtaining a paternity order from a court. If you want the father of your child to be able to take care of them long-term in your absence, and paternity has never been established, you should talk to a family law attorney about the potential consequences to both your life and your child's life of encouraging the father to establish paternity.

Can my child's grandparent care for my child if I am detained or deported?

Unless the grandparent has gone through the family court to get a court order giving them third-party custody of your child, they do not have any custody rights to your child. Third-party custody means that someone other than the two parents of the child has custody of the child. Going through the process of getting third-party custody in a Minnesota family court can be complicated and take a long time. A grandparent (or other relative) can potentially seek third-party custody if they meet the legal requirements of being a de facto custodian or interested third-party and can prove to a family court that it is in the child's best interests for them to get custody.²² You and the grandparent that you want to have custody of your child in your absence should talk to a family law attorney to find out if that option is possible given your and your child's circumstances.

From a practical standpoint, you should consider whether the grandparent is healthy enough to care for your child and has the time, money, and other resources needed to provide adequate care for your child. Additionally, the grandparent should not be themselves at risk of detention or deportation.

²² See the Minnesota Legal Services Coalition fact sheet entitled *Third-Party Custody* (2025), at <https://www.lawhelpmn.org/self-help-library/fact-sheet/third-party-custody>. This fact sheet is a helpful resource on the topic of third-party custody and can be accessed at the Self Help Library on [lawhelpmn.org](https://www.lawhelpmn.org).

Can my partner who is not the parent of my child get custody of them?

Maybe. Getting custody of a child is very difficult for someone who is not the parent of a child. This is especially true if there are two parents of a child and if one of them objects to having someone else get custody. If you are deported and the other parent of your child remains in Minnesota and does not want your current partner who is not the parent of your child to get custody of your child, this is probably not a good option for long-term care.

A more realistic option to allow your current partner who is not the parent of your child to be able to care for your child would be to make a DOPA form naming them as the attorney-in-fact or delegated caregiver of your child.

Is there a way for someone else to get long-term legal custody of my child?

Maybe. Someone who is not a biological parent can seek third-party custody through a court action in a Minnesota family court.²³ A court order granting third-party custody is generally permanent, although it can be changed later under certain circumstances. To get third-party custody, the person asking must show the court that they have “standing,” meaning that they are either a “de facto custodian” or an “interested third-party.”²⁴

These are legal terms that have specific meaning, and a family court decides if someone qualifies to be a de facto custodian or an interested third-party. For example:

- A de facto custodian is someone who has been the child’s primary caretaker, the parents are not involved in caring for the child, and the child has lived with this person without their parents for a certain period (6 months if the child is under 3, or 1 year if 3 or older, in the last 2 years).
- An interested third-party is someone with a significant relationship with the child, and one of several conditions are true, such as the parent abandoning or neglecting the child, the child being in physical or emotional danger living with the parent, or other extraordinary circumstances.

In addition to showing standing, the person seeking third-party custody must prove to the court that it is in the best interests of the child for them to have custody. The court looks at many factors to determine the child’s best interests. You and the other person you want to give third-party custody to should consult a family law attorney prior to you being taken into custody if you want to find out if this complicated option is possible given the circumstances.

²³ See the Minnesota Legal Services Coalition fact sheet entitled *Third-Party Custody* (2025), at <https://www.lawhelpmn.org/self-help-library/fact-sheet/third-party-custody>.

²⁴ See previous note for source.

How can I bring my child with me to my country of origin if I am deported?

You may be able to provide notice to ICE that you wish to take your children with you when you are deported. They may be willing to help you gather the necessary travel documents to take your child with you if you do not have them yet. It is better to have travel documents ready before you may be detained just in case.

If your child is a United States citizen and has a U.S. passport, they may be able to enter your country of origin and remain there as a “tourist” for a certain number of days. That time frame varies based on which country you are from. For example, the time limit is 90 days in Ecuador and Colombia, and 180 days in Mexico.²⁵ Check with the local embassy or consulate of your country of origin regarding the guidelines from your country of origin for how long someone can stay as a tourist. Once your child enters your country of origin, you can consult an attorney there to see if you can try to begin the process of having them obtain citizenship there so they can stay longer than the tourist limit. Some countries allow dual citizenship, meaning that your child can remain a United States citizen and obtain citizenship in your country of origin, while others do not.

Many countries, including the United States recognizes dual citizenship. This means that your child can get citizenship in your country of origin while maintaining their citizenship in the United States. Many countries have a process for obtaining citizenship through a parent. For example, this means that if you were born in a country such as Ecuador, and your child was born in the United States, upon returning to Ecuador your child can become an Ecuadorian citizen because you are one.²⁶

If your child is not a United States citizen, and they have a passport from your country of origin, they should be able to travel there with you. See the passport section for more information on how to get your child a passport from your country of origin while you are still in the United States.

²⁵ See the USCIS web page entitled *Visa and Entry Requirements in Ecuador*, at <https://www.uscisguide.com/international/visa-and-entry-requirements-in-ecuador/>.

See also the USCIS web page entitled *Visa and Entry Requirements in Colombia*, at <https://www.uscisguide.com/international/visa-and-entry-requirements-in-colombia/>.

See also the USCIS web page entitled *Visa and Entry Requirements in Mexico*, at <https://www.uscisguide.com/international/visa-and-entry-requirements-in-mexico/>.

²⁶ See the USCIS web page entitled *U.S. Dual Citizenship Requirements with Ecuador*, at <https://www.uscisguide.com/dual-citizenship/u-s-dual-citizenship-requirements-with-ecuador/>.

Delegating Parental Authority (DOPA)

What is a Delegation of Parental Authority (DOPA)?

A DOPA lets you give the legal authority to someone else to make decisions for your child or children. You choose the person you want to care for your child. This is an agreement between you and the person you want to care for your children. It is not a court order. The agreement is temporary and can last up to one year. You can renew it every year. The DOPA is one legal way in Minnesota to temporarily allow someone else to make decisions for your children. You do not need to go to court to do the DOPA. There are other legal actions you can take to give someone else temporary custody of your children. You should talk with a family lawyer if you would like information about these other options.²⁷

The legal term in the DOPA form for the person you give authority to care for your children is an “attorney-in-fact,” but for the sake of clarity and consistency, the attorney-in-fact will be referred to in this manual as the “delegated caregiver.”

Why might I want to do a DOPA?

If you are at risk of being arrested, detained, or deported, and have minor children in your care, you may want to consider doing a DOPA. A DOPA may help avoid your children being placed in foster care if you are picked up by ICE.

What is the delegated caregiver responsible for?

The delegated caregiver is responsible for providing food, clothing, and shelter for your child, protecting the child from harm, obtaining necessary medical care for your child, enrolling the child in school, and, in some cases, arranging for domestic or international travel for the child.

Who can I give this authority to?

You can give permission to anyone you choose to care for your children. Here are some questions to ask before you decide who you would like to care for your children:

- Will the person I choose to care for my children take good care of them?
- Does the person I choose want to care for my children?

²⁷ In addition to the information contained in this manual's Delegating Parental Authority section (pages 16-18), please see the Volunteer Lawyers Network *Family Emergency Preparedness Toolkit* attached at the end of this manual for more comprehensive information and sample forms and letters.

- How long can the person I choose care for my children?
- How much will it cost to take care of my children?
- If the person I choose is not a U.S. citizen or lawful permanent resident, or someone with a legal status, will this affect my children's situation? For now, in Minnesota, the person you choose does not need to have an immigration status, but this could change in the future
- Have I given the person who will take care of my children all of the information they need to take good care of them? For example, do they know my child's medical needs and the names of their doctors? Do they know where my child goes to school? Do they have other important information and emergency contacts?

What information do I need to complete the DOPA form?

- The name and home county of the person who will care for your child
- The county where you will get your form notarized
- The complete names and birthdates of your child or children

When does the DOPA end?

The DOPA is valid for up to one year from the date it is signed and notarized, but it can be renewed for one year at a time. Any parent can revoke or cancel the DOPA at any time. The best thing to do would be to revoke or cancel the DOPA in writing, but this is not a requirement. If a non-custodial parent wants to revoke and/or remove the child from the delegated caregiver's home, they may need to go to court to get an order of custody.

Who has to sign, and who has to know about the DOPA?

One parent can sign the DOPA, but you have to tell the other living parent about the DOPA within 30 days of getting it notarized (see exceptions below). You can mail or deliver by hand the DOPA within 30 days. The parent who signs the DOPA does NOT have to tell the other parent about it if:

- The other parent does not have visitation rights under a court order, or
- The other parent has supervised visitation rights under a court order, or
- The other parent has an existing Order for Protection against them

Who has to sign the DOPA and how?

At least one parent must sign the DOPA with a Notary Public who will watch the parent sign and date the form. The parent must show the Notary Public a valid photo ID.

Where can I get help to complete a DOPA?

There is an online form available in English for free at lawhelpmn.org.²⁸

Local community organizations or legal aid offices may hold workshops to complete DOPAs. Beware of notaries, lawyers, or others who want to charge you large fees to complete a DOPA.

Do I need to talk to a lawyer?

You should talk to a lawyer before you use this form if:

- The other parent wants custody of your child
- Your child will be living in another state
- The other parent is spending time with your child, and the new home will make that more difficult
- You have any questions about whether a DOPA is best for you and your child

What documents should I have ready and in a safe place for each of my children?

Keep two sets of important documents in separate envelopes for each child. Keep one set of the original documents and lists in a safe place in your home. Keep copies of the original documents and information in a second envelope that you give to the delegated caregiver for each of your children.

List of documents and information to gather:

- | | |
|--|---|
| ☐ Each child's birth certificate | ☐ Delegation of Parental Authority (DOPA) |
| ☐ Each child's social security card (if they have one) | by parent with original signature and Notary Seal or other custody arrangement paperwork (or other legal document regarding custody arrangements) |
| ☐ Each child's medical information | ☐ Each child's passport |
| ☐ Each child's school, activity, and church information sheet | ☐ Each child's immigration paperwork (e.g. Green Card, DACA, Certificate of Naturalization, I-94, etc.) |
| ☐ Helpful things to know about each child | ☐ Copies of each document for each child |
| ☐ Names, phone numbers, email addresses of family and friends whom your delegated caregiver may wish to contact | |
| ☐ Emergency contact information | |

²⁸ See Law Help Minnesota, *Delegation of Parental Authority (DOPA) - Do it Yourself*, at https://www.lawhelpmn.org/self-help-library/legal-resource/delegation-parental-authority-dopa-do-it-yourself?factsheet_referral=1.

Passports

Why should my child get a passport?

If your child is a United States citizen, it is important that they have a passport to prove their citizenship. If you are a non-citizen at risk of deportation, your child should have a passport so that you can arrange for international travel in the event that you are deported and your child remains in the United States.

If your child is *not* a United States citizen, it is important that they have a passport from their country of origin to prove their identity and citizenship in that country. Having this documentation is essential for applying for visas and accessing government services. Additionally, without a passport, your child may not be able to return to their country of origin if you are deported.

Is my child allowed to get a United States passport?

If your child was born in the United States, they are a U.S. citizen and can apply for a U.S. passport. If your child has been naturalized as a citizen of the United States, they are a U.S. citizen and can apply for a U.S. passport.

Should my child apply for a passport *book* or a passport *card*?

If you want your child to be able to travel internationally by air, sea, or land, they should get a passport book. Passport books are more expensive, costing \$135.00 for applicants under the age of 16 and \$165.00 for applicants aged 16 or older.²⁹

If you only need your child to be able to travel and enter the U.S. at land border crossings, such as entering from Canada, Mexico, The Caribbean, and Bermuda, they can get a passport card. Passport cards do not allow for international air travel. Passport cards are less expensive, costing \$50.00 for applicants under the age of 16 and \$65.00 for applicants aged 16 or older.³⁰

Passport books are more expensive, but they allow for more types of travel to many more countries than a passport card. If you can afford to apply for a passport book, that is the better option. The application process for passport books and passport cards are the same.

²⁹ See the U.S. Dept. of State web page entitled *Get a Passport, U.S. Passports*, at <https://travel.state.gov/content/travel/en/passports/need-passport.html>.

³⁰ See previous note for source.

How do I apply for my child to get a United States passport?

1. Go online to <https://travel.state.gov/content/travel/en/passports.html> and locate the section called “Get or replace a passport.” If your child is under the age of 16, select “Children under age 16.” If your child is 16 or 17 years old, select “Children age 16 and 17.” This will take you to a step-by-step guide to applying for a passport.
2. Follow the steps by completing the DS-11 form and printing it, finding evidence of U.S. citizenship, and showing that one or both parents approve. You will need either one or both parents to show their approval of the application, depending on the age of the child.
3. Ensure you have all the required documents for your appointment, including identification, passport photos, and parental consent forms if needed. Prepare a check with the correct amount of money the passport will cost. Calculate this amount by reviewing the prices listed on their website.
4. Make and attend your appointment to submit your application.

Which parents need to approve?

If your child is under the age of 16, both parents or guardians must approve and go with the child to apply. You should do this before you are taken into detention if possible because it is easier than the alternative. If a parent cannot go in person to apply, you will need to fill out more documentation to prove that they approve of the child getting a passport. That person must sign a DS-3053 form, which is also called a Statement of Consent: U.S. Passport Issuance to a Child, in front of a notary public and submit a photocopy of the ID that was used at the notary appointment. If you have sole custody or are the only legal parent, you must provide proof of that. For more information on how to prove that both parents approve of the child getting a passport, thoroughly review the information on the travel.state.gov website.³¹

If your child is 16 or 17 years old, only one legal parent or guardian must be aware of your application. You can show that you are aware of your child’s application by applying with the child and bringing a photo ID, signing a note that says you are aware with a copy of your photo ID attached, paying the fees associated with the application, or in some cases, signing a notarized statement.

31 U.S. Dept. of State, *Get a Passport, U.S. Passports*, <https://travel.state.gov/content/travel/en/passports/need-passport.html>.

What if my child is a United States citizen, but I do not have evidence of their citizenship?

If your child was born in the U.S. but you do not have a copy of their birth certificate, you can try to obtain one. In Minnesota, you can apply for a copy of your child's birth certificate through the Minnesota Department of Health's Office of Vital Records, which can be contacted at vitalrecords@state.mn.us or 651-201-5970. You can fill out a form called a Birth Certificate Request, pay a fee of \$26.00, and file the form with the Office of Vital Records by mail. In-person services to obtain a birth certificate are not available from the Minnesota Department of Health, Office of Vital Records, and it may take a while to process your request for a birth certificate.

For faster service, request your child's birth record in person at a county vital records office. A directory of county vital records offices for Minnesota is available online at: www.health.state.mn.us/people/vitalrecords/registrars.html. Most of the time, you can receive your birth certificate order while you wait. In contrast, the Minnesota Department of Health, Office of Vital Records orders can take days or weeks for processing and mailing. You can show identification and sign forms in front of county staff rather than seeking out notarization services.

Where do I submit my child's passport application?

There are many facilities where you can submit an application for a passport, including post offices, courts, and other government offices. To find a specific location, visit <https://iafdb.travel.state.gov/DefaultForm.aspx> and input your location.

How do I apply for my child to get a passport if they are not a United States citizen?

If your child is not a United States citizen and was born in another country, they are entitled to a passport from that country.

1. Find the official website of their country's U.S. embassy or consulate. Find which embassy or consulate of the country is closest to you.
2. Find the requirements to apply for a passport. These may include: a completed application form, proof of citizenship in country of origin, passport-style photos, proof of legal guardianship, parents' IDs, and fees.
3. Make an appointment at the embassy or consulate and bring the required documents and application. Make sure you bring money for the fee in a form they will accept.

How will I know which consulate to go to?

Try to search “(Country) consulate in Minnesota.” Some countries will have an embassy or consulate in Minnesota. Other countries do not have Minnesota-based embassies or consulates. In that case, you will need to travel to the consulate that serves Minnesota. Alternatively, some consulates travel around to provide services. To find out when your country’s consulate might be traveling, go to their official website for announcements.

Children, DOPA, and Passports - Action Steps

*Here are some steps you can take **now** to prepare*

- ☐ Ensure you have trusted friends or family members who can care for your children in case you are detained.
- ☐ Consider consulting a family law attorney before you are taken into detention if you would like someone else to have legal custody of your children.
- ☐ Have a plan with a trusted friend or family member and memorize their phone number so you can call them if you need to arrange care for your children in the event of an emergency such as being taken into detention.
- ☐ Have plans in place regarding international travel.
- ☐ Determine if creating a DOPA is right for your situation. If so, decide who you want to appoint as your child’s designated caregiver and complete the DOPA form.
- ☐ Compile your child’s important documents and personal information and store them in a safe place. Give one envelope with copies to their designated caregiver.
- ☐ Determine which passport process makes sense for your family based on your and your children’s status.
- ☐ Research the passport application process for the United States or your child’s home country, depending on which process you are doing.
- ☐ Gather all necessary documents and payment, and go to your child’s appointment to help them apply for a passport.

3 - Housing Issues

This section details what could happen to your apartment or rental unit and property left behind if you are a renter who is detained. It explains eviction and covers the process of regaining the property you might have to leave behind in your apartment if you are detained.

What will happen to my apartment or rental unit and the property inside it if I am suddenly detained or deported and do not pay rent?

You could get evicted if you do not pay your rent on time whenever rent is due. If you suddenly leave your apartment behind due to detainment or deportation, there are laws about what the landlord can do with your apartment or rental unit and the property you had to leave behind.³² You, and anyone else who signed the lease to be a tenant, are still responsible for paying rent for an apartment or rental unit even if you are taken into custody or deported. Failure to pay rent can lead to eviction. Eviction is a process in which a landlord asks a court to issue a court order saying that the tenant and all of their property can no longer stay inside of an apartment or rental unit. If the court approves of the eviction, the county sheriff's office can legally remove people and property from the apartment.

Can my landlord force me out of my apartment because I am taken into detention or deported?

No. The only way a landlord can legally remove a tenant from their rental unit in Minnesota is by going through the court process of eviction.³³ The landlord must file a case in court and obtain a judge's or referee's order requiring the tenant to leave.³⁴ Landlords are prohibited from using methods like changing the locks, removing or throwing away your property, or shutting off utilities to force you out without a court order.³⁵ If a landlord does this, it is considered unlawful, and you could potentially take legal action against them.

³² See the Minnesota Legal Services Coalition fact sheet entitled *Getting Property Back After You Move Out* (2025), at <https://www.lawhelpmn.org/self-help-library/fact-sheet/getting-property-back-after-you-move-out>. This fact sheet is a helpful resource on the topic of getting property back after you move out and can be found at the Self Help Library on [lawhelpmn.org](https://www.lawhelpmn.org).

³³ See the Minnesota Judicial Branch web page entitled *Tenant Resources*, at <https://www.mncourts.gov/Help-Topics/Tenants.aspx>. See also the Office of the Minnesota Attorney General web page entitled *Landlord and Tenants: Rights and Responsibilities* (2023) at <https://www.ag.state.mn.us/Consumer/Handbooks/LT/default.asp>.

³⁴ See the Minnesota Judicial Branch web page entitled *Tenant Resources*, at <https://www.mncourts.gov/Help-Topics/Tenants.aspx>.

³⁵ See Office of the Minnesota Attorney General, *Landlord and Tenants: Rights and Responsibilities* (2023) at <https://www.ag.state.mn.us/Consumer/Handbooks/LT/default.asp>.

Should I have a plan to deal with my landlord and apartment if I am taken into detention or deported?

Yes, it is a good idea to have a plan about who will communicate with your landlord and what will happen to your personal property if you are at risk of deportation. If someone else who is a tenant is also on the lease agreement, they can communicate with the landlord in your absence. However, if you are the only tenant, the landlord will likely refuse to communicate with someone other than you unless that person has the legal ability to take action on your behalf, such as being an “attorney-in-fact” under a power of attorney agreement (see the section of this manual regarding powers of attorney). It is probably a good idea to have a formal power of attorney form that the landlord can be provided a copy of so the landlord knows that your attorney-in-fact can take action on your behalf, such as paying rent or moving your property out.

What should I give to my attorney-in-fact to help with my housing situation in my absence?

From a practical standpoint, your attorney-in-fact should know who the landlord is and who the property management company is if you pay rent and communicate with a property manager instead of the landlord directly. The landlord is the person or company who owns the apartment you live in. The property manager is most often a different person or company from the landlord. Landlords often hire property management companies to interact with tenants so that the landlord does not have to. Property managers often do things for the landlord such as collecting rent, doing move-in and move-out inspections with the tenants, responding to tenant complaints about things needing to be repaired, and deciding what to do with the tenant’s security deposit money. You should provide your attorney-in-fact with the names and contact information of the landlord and any property manager.

You should provide your attorney-in-fact with a copy of your written lease. It is a good idea for you to send a copy of your lease to your attorney-in-fact via email so that you have an electronic copy of your lease that you might be able to access if you need it. If you want your attorney-in-fact to be able to physically access your apartment, they will need a copy of the key, key fob, or any other devices or information needed to enter and exit your apartment. Check the terms of your lease to see what it says about giving someone else a key or the ability to enter your apartment. If you have a garage or storage locker at your rental unit, your attorney-in-fact will also need to be able to get in and out of those places if you have personal property that needs to be removed.

It would also probably be a good idea for your attorney-in-fact to know how much your rent is and how the rent should be paid. For example, if your landlord requires you to pay rent through an app or online portal, your attorney-in-fact would need to have access to those accounts. You will also have to make arrangements for your attorney-in-fact to get money from you to be able to pay the rent. If you do not have any money to pay the rent, the landlord is likely to file an eviction action against you. You or your attorney-in-fact should try to consult a lawyer if an eviction action is filed, and free help may be available depending on where you live and how much money you make.

Do I have to pay rent and other bills like utilities if I must leave my rental unit before the lease ends?

Yes. Your landlord will still want to collect the rent due each month on an apartment that you are leasing, even if you are no longer physically able to access the apartment due to detention or deportation. If you are detained or deported and abandon your rental unit before your lease term ends, you are generally responsible for paying the rent for the entire remaining term of the lease.³⁶

However, if a tenant abandons a rental unit during the lease term, the landlord has to make reasonable efforts to rent the apartment at a fair rental value. If the landlord rents the unit to a new tenant for a term beginning before the expiration of your lease agreement, then your lease agreement is terminated on the date the new tenancy begins.

The rental agreement may also be terminated by the landlord on the date the landlord has notice of the abandonment if the landlord fails to use reasonable efforts to rent the dwelling unit at a fair rental value to a new tenant or if the landlord accepts your abandonment as surrender, and you will not be liable for rent after the termination of the tenancy.³⁷

You as a tenant remain liable for paying any utilities or other bills that you are required to pay under the lease agreement with the landlord or under a contract with a utility company. If you still owe money for unpaid rent to a landlord after your lease ends, the landlord might send the debt to a debt collection agency or report the debt to a credit reporting agency or tenant screening agency. It is also possible that the landlord could try to sue you for unpaid rent or other damages that may have occurred during your tenancy.

³⁶ See the Office of the Minnesota Attorney General web page entitled *Landlords and Tenants: Rights and Responsibilities* (2023), at <https://www.ag.state.mn.us/Consumer/Handbooks/LT/default.asp>.

³⁷ See Minnesota Statutes section 504B.154, subdivision 1.

What notice do I need to give my landlord if I must move out quickly?

If you think that you will not be able to return to your apartment or make the monthly rental payments on your apartment, you may want to consider letting your landlord know that you need to end the lease early and move your personal property out of the rental unit.

The amount of written notice required to end your tenancy depends on your lease agreement.³⁸ If you have a written lease, check its terms. If you do not have a written lease, you are likely renting month-to-month, and state law requires you to give the landlord written notice at least one full rental period plus one day before you intend to leave. For example, if you pay rent monthly on the 1st and want to move out by June 30th, your landlord must receive your written notice by May 31st.³⁹ It is important to give this notice in writing and keep a copy for your records. Failure to give proper notice could mean you are responsible for paying rent for an additional rental period.

If you need to move out suddenly during the winter, be sure to let the landlord know so the pipes do not freeze and so the landlord can prevent other damage to the property that might be caused by the cold. If you move out between November 15th and April 15th from a building with pipes potentially subject to freezing, you are required to give the landlord at least three days' notice of your intention to move out, and failure to do so is a misdemeanor.⁴⁰

Should I move my personal property out before I face eviction action?

Yes. You should make arrangements for your attorney-in-fact or someone else who has access to your apartment to get your property out before you face eviction action if you want to keep your property and avoid the potential costs and frustration associated with your landlord having to do this if you do not take care of it yourself.

You will need to have some other place to store your personal property. Storage units can be expensive and often require you to sign a written lease, so this may not be an option if you are taken into detention or deported. If you have any friends or family members who are willing to help move and store your personal belongings, you should talk with them and make arrangements regarding the storage of items you want to keep.

³⁸ See the Minnesota Legal Services Coalition fact sheet entitled *Basic Information for Tenants* (2025), at <https://www.lawhelpmn.org/self-help-library/fact-sheet/basic-information-tenants>. This fact sheet is a helpful resource on the topic of tenant information and can be accessed at the Self Help Library on [lawhelpmn.org](https://www.lawhelpmn.org).

See also the Office of the Minnesota Attorney General web page entitled *Landlords and Tenants: Rights and Responsibilities* (2023) at <https://www.ag.state.mn.us/Consumer/Handbooks/LT/default.asp>.

³⁹ See previous note for source.

⁴⁰ See Minnesota Statutes section 504B.155.

It would be a good idea for you to email your attorney-in-fact a list of the items you want to keep, where they should be moved to, and who will look after them. It would also be a good idea to make a list of any items that can be thrown away. Consider keeping only items with sentimental or financial value that can easily be moved and stored if you do not have a place to store all your property.

What can happen to my abandoned personal property if I am taken into detention?

You will have only a limited amount of time to get your property back if you abandon your rental unit or apartment due to being detained. Under Minnesota law, if a tenant abandons a rental unit, the landlord may take possession of the tenant's personal property remaining on the premises. The landlord has to store and care for the property for 28 days.⁴¹ After that, the landlord can sell or otherwise dispose of your personal property. Many landlords do not want to go through the effort of selling a tenant's personal property, which requires giving the tenant notice, and will instead just wait 28 days to throw your property out. You should be sure that you have made arrangements for someone else to retrieve your personal property before that 28-day period expires.

What will happen to my property if the landlord evicts me?

If the landlord files an eviction action against you in court and gets a court order evicting you, you will have only a limited amount of time to get your property back. The landlord can have the sheriff come evict your personal property from your rental unit or apartment. How long you have to get your property back depends on whether the landlord chooses to store your items in the building you lived in or someplace else off-site, such as a storage unit.⁴² In general, if the landlord stores your property in the building where you lived, you will have 28 days to get your items back. If your landlord stores your property off-site somewhere other than where you used to live, you will have 60 days to get your property back. You will have to pay the landlord to reimburse the landlord for the moving and storage costs, but the landlord cannot keep your property or prevent you from retrieving it if you do not have the money.

41 See Minnesota Statutes section 504B.271.

42 See Minnesota Statutes section 504B.365.

How do I get my property back?

To get your property back, you should ask for it in writing by text message, email, or letter.⁴³ Put the date on your demand letter and keep a copy. You may want to send it by certified mail. Tell the landlord the specific date and time you want to get your property back.

What can I do if the landlord does not give me my property back?

If the landlord will not give your property back, you could consider potentially suing the landlord in Conciliation Court. However, suing someone when you are in detention or if you have been deported and live in your country of origin can be a difficult experience. If you sue someone, you are called the plaintiff. It is the responsibility of the plaintiff to prove their case. You would have to prove which items were taken from your rental property, what the actual value of the items was, and that the landlord failed to comply with Minnesota law by selling or otherwise disposing of your personal property.

Housing Issues - Action Steps

*Here are some steps you can take **now** to prepare*

- ☐ Consider moving your personal belongings to a safe place now if you think that there is a strong likelihood that you will be detained soon.
- ☐ Discuss with your attorney-in-fact what you would like them to do with your rental unit if you are detained. Give them the information and keys they need to access your apartment. Tell them how to pay rent and utility bills. Send them a copy of your lease.
- ☐ Talk with your attorney-in-fact before you are detained to determine exactly what they are willing to do to help get your property back because taking action on your behalf such as moving all of your property or taking your landlord to court can be burdensome and time consuming for them.
- ☐ Make a plan for retrieving your property if you are detained. Make a detailed list of which items you want to keep, and which can be thrown away. Communicate with friends or family members about where your property can be kept if you are evicted from your apartment.

⁴³ See the Minnesota Legal Services Coalition fact sheet entitled *Getting Property Back After You Move Out* (2024), at <https://www.lawhelpmn.org/self-help-library/fact-sheet/getting-property-back-after-you-move-out>. This fact sheet is a helpful resource on the topic of getting property back and can be accessed at the Self Help Library on [lawhelpmn.org](https://www.lawhelpmn.org).

4 - Debt

This section details what can happen to your unpaid debt if you are detained or deported. This section also briefly describes lawsuits in Minnesota and how your earnings and assets could be at risk due to collection action.

Does my debt in the United States go away if I am detained or deported?

No. Any debt you have in the United States stays with you even if you are detained or deported. Debts you incur in the United States typically do not go away until a creditor's legal right to sue you for unpaid debt goes away or expires. In Minnesota, creditors typically have up to six years to start a lawsuit against debtors who break contractual agreements by not repaying money borrowed from a creditor.

What are the consequences of having unpaid debt?

Unpaid debts will often be reported to credit reporting agencies. Credit reporting agencies are companies that collect financial information about people. Unpaid debts showing up on your credit reports lowers your credit rating. Having a low credit rating can make it difficult to get new lines of credit, such as credit cards, car loans, or home mortgages. Having a low credit rating can also make it difficult to obtain rental housing. If you are able to legally return to the U.S. in the future and have a bad credit rating due to not paying off your debts before you got deported, you may have a difficult time trying to get new lines of credit or renting an apartment.

Can I be sued for not paying a debt?

Yes, you may be sued for not paying a debt. You could be sued for breach of contract if you have an agreement with a company that provides you with goods or services in exchange for regular payments. For example, credit card companies often choose to sue people who do not pay their credit card debts. They also may sell their right to sue their customers who do not pay their debts to other companies specializing in buying credit card debt and suing people.

Which courts can someone be sued in for unpaid debts in Minnesota?

There are two courts in Minnesota where people are usually sued for unpaid debts, especially unpaid credit card debt. One court is called “Conciliation Court,” and it is Minnesota’s version of small claims court. To start a lawsuit in Conciliation Court, a case must be filed.

Another court is called “District Court,” and it is much more complicated than Conciliation Court. A lawsuit starts in District Court when legal papers called a “summons” and a “complaint” are hand-delivered to the person being sued or someone who lives with them at their residence. A District Court lawsuit can take up to one year to get filed with the District Court after it starts, so a lot can happen in a District Court case before the case is even filed with the court.

The company starting the lawsuit is called the “plaintiff,” and the person getting sued is called the “defendant.” The plaintiff provides the defendant’s address to the court. Plaintiffs might not know if someone has been taken into custody or deported and are likely to send legal documents to someone’s last known address.

What is a “default” judgment?

A default judgment means that you lost a lawsuit because you did not defend yourself or participate in the lawsuit, so the court decided that the plaintiff should win the case. If you have been detained or deported, you might not get notice that you are being sued. It is common for people to get sued and lose a lawsuit without knowing about it. This is because the court can enter a “default” judgment for failure to respond.

If someone does not show up for a Conciliation Court hearing, the Conciliation Court can enter a default judgment for the plaintiff if the court believes that the plaintiff has notified the defendant properly. If someone does not respond to a District Court lawsuit within 21 days of the summons and complaint being served on the defendant or someone who lives with them at their residence, the plaintiff may ask the District Court to enter a “default” judgment. Many people do not find out they had a default judgment entered against them until after they lose the case, and there is an attempt to take money from their bank account to pay off the judgment.

What can I do about a default judgment?

If you were in detention or were in another country due to deportation at the time the lawsuit was started, if you are able to legally return to the U.S. in the future, you may be able to ask the court to reopen the case or vacate the default judgment if you can prove you were not given proper notice of the lawsuit and were not served according to Minnesota court rules. Vacating a default judgment involves taking action in a Minnesota court. If you cannot return to Minnesota and do not have any bank accounts or other assets in Minnesota that can be taken from you to pay off a default judgment, there might not be any compelling financial reason to try to open or vacate a default judgment entered against you.

How can a creditor try to collect a debt from me?

Generally, before a creditor can try to take your income or property against your wishes, they must sue you and get a court order, called a judgment, stating that you owe them money. Once a judgment is obtained, they can try to garnish you, which means they take money from your wages or bank account. A judgment lasts for 10 years in Minnesota and can be renewed if not paid off in full.

Can creditors take all of my property and income?

No. Even with a court order, a creditor cannot take certain income or property that state or federal law declares to be exempt, which means protected by law.⁴⁴ However, you often have to actively claim these exemptions.⁴⁵ Most exemptions or protections from collection action only apply to people who get financial assistance from the government or government assistance based on need. People who are not U.S. citizens may not be eligible to receive many forms of government assistance based on need. From a practical standpoint, if you are taken into detention or deported, you will not be working in the U.S. and will not have any earnings that a creditor could collect on. If someone loses a lawsuit in Minnesota and a court enters judgment against them, any money they have deposited in a bank account could be garnished or taken at any point in time as long as the judgment is valid and not paid off and if the judgment creditor goes through the proper garnishment process.

⁴⁴ See the Minnesota Legal Services Coalition fact sheet entitled *Property Protected From Creditors* (2020), at <https://www.lawhelpmn.org/self-help-library/fact-sheet/property-and-income-protected-creditors>. This fact sheet is a helpful resource on the topic of protected property and can be accessed at the Self Help Library on [lawhelpmn.org](https://www.lawhelpmn.org).

See also Minnesota Statutes section 571.925.

⁴⁵ See the Minnesota Legal Services Coalition fact sheet entitled *Garnishment and Your Rights* (2025), at <https://www.lawhelpmn.org/self-help-library/fact-sheet/garnishment-and-your-rights>. This fact sheet is a helpful resource on the topic of garnishment and can be accessed at the Self Help Library on [lawhelpmn.org](https://www.lawhelpmn.org).

I am not married, but I live with a partner. Am I responsible for their debts?

You are not responsible for your partner's debts just because you live together. You are only responsible for your own debts or if you have cosigned an agreement saying you will pay a debt for another person. If two people got in debt together and both agreed to pay the debt back, then both people are responsible for paying it.⁴⁶

If I am married, am I responsible for my spouse's debts?

In most cases under Minnesota law, one spouse is usually not liable for the debts of the other spouse. Debts your spouse took on before you were married are theirs alone.⁴⁷ However, there are exceptions such as if both spouses took out the debt together and both agree to pay it back or for certain medical services. If you signed a credit card agreement with your spouse, you can try to close the account in writing to end your liability for new charges, but you remain liable for charges made before the account that you agreed to pay on was closed.⁴⁸

Debt - Action Steps

*Here are some steps you can take **now** to prepare*

- ☐ Pay off your debts while you can and try to keep a zero balance or as close to a zero balance as possible on all accounts that you owe money on.
- ☐ Keep track of your debts. Order your credit reports at least once a year.
- ☐ Set up auto payments if there is sufficient money in your bank account to keep paying bills while you are in detention.

⁴⁶ See the Minnesota Legal Services Coalition fact sheet entitled *Unmarried Couples, Debt, and Property* (2025), https://www.lawhelpmn.org/self-help-library/fact-sheet/unmarried-couples-debt-and-property?factsheet_referral=1. This fact sheet is a helpful resource on the topic of debt and can be accessed at the Self Help Library on [lawhelpmn.org](https://www.lawhelpmn.org).

⁴⁷ See the Southern Minnesota Regional Legal Services fact sheet entitled *Spousal Liability for Debts* (2023), at <https://lawhelpmn.org/self-help-library/fact-sheet/spousal-liability-debts>.

⁴⁸ See previous note for source.

5 - Cars

This section details the complicated processes of selling or giving away your car. It discusses the risks of being uninsured, the risks of having the motor vehicle registration expire, and the risks of letting someone else drive your car without transferring the title to them.

What will happen to my car if I am detained or deported?

If you are at risk of being detained or deported, you should have a plan in place regarding what to do with your car. From a practical standpoint, you do not want anyone to be able to steal or easily drive your car without your permission. You especially do not want people who do not have a driver's license or who have DWI convictions on their records to be able to drive the car. You are responsible for securing your vehicle from theft or unauthorized use.

Also, you do not want to leave or park your car in a place where it might be towed, such as in a private parking lot or on a public street that might have parking restrictions, such as no overnight parking or in the event of street sweeping or snow emergencies. The longer your car is left unattended, the more likely it is to be towed, broken into, or stolen.

What happens to my car registration if I am detained or deported and unable to renew it?

In Minnesota, all motor vehicle registrations must be renewed annually. License plates expire on the last day of the month and year listed on the license plate stickers, which are also called tabs. The Minnesota Department of Public Safety's Driver and Vehicle Services (DVS) Division will usually mail a reminder to the last address that it has on file reminding the owner of the vehicle that the registration must be renewed before it expires. You should be sure to update your address with DVS if you would like the reminder sent to a different address than the one on file, such as one your attorney-in-fact or a trusted friend willing to help you has access to.

Failure to display current registration and having expired license plates is a petty misdemeanor that can result in fees and fines. In Hennepin County, failure to display current registration on a motor vehicle with expired license plates can result in fees, and tickets may be issued for this violation until the motor vehicle registration is renewed and the updated new license plate tabs are properly displayed. People who leave cars with expired license plate tabs on a public city street can often end up getting a vehicle ticketed multiple times, which can be very expensive.

What happens to my car insurance if I cannot make payments because I am detained or deported?

If you do not pay your car insurance payments on time, your car insurance company will cancel your policy. If your policy is canceled, that means that your insurance company will not pay for any damages if your car is involved in an accident.

It is a crime in Minnesota to drive a car that does not have insurance.⁴⁹ If someone else is driving your uninsured car after you are detained or deported and is stopped by law enforcement, a police officer may send you a notice requiring you to produce proof of insurance for your vehicle. Notice by mail is presumed to be received five days after mailing and will be sent to the address listed on your driver's license. Within ten days after receipt of the notice, you are required to produce proof of insurance. If someone fails to produce proof of insurance within ten days of an officer's request, they are guilty of a misdemeanor.⁵⁰

What happens if my car gets into an accident and I do not have insurance?

If someone drives your uninsured car and gets into an accident, you may face several bad consequences as the registered owner of the vehicle. If your car is involved in an accident, you might get sued. It is common in Minnesota for someone without car insurance to get sued by the owner of the other vehicle after their car gets into an accident. The other person's insurance company will usually sue the owner of the uninsured vehicle for negligence, which means that the driver of the other vehicle did not use ordinary care while driving and caused the accident.

If you get sued for negligence and lose a lawsuit because you were the owner of an uninsured car, a court can order you to pay money to the person or insurance company who sued you and won a judgment against you. Minnesota law allows the person or insurance company who sued you to get your driver's license suspended until the judgment is paid in full if the case involved an auto accident with a vehicle not covered by insurance.⁵¹ If you are ever able to legally return to Minnesota and find out that you lost a lawsuit because a default judgment was entered against you as a result of an uninsured car accident for a car you owned, you should talk to a lawyer about what you might be able to do to try to get your driver's license back or what to do about the judgment and the money you were ordered to pay. Minnesota law allows a court to order that your driver's license be reinstated if you set up a payment plan with the person or company

49 See Minnesota Statutes section 169.791.

50 See previous footnote for source.

51 See Minnesota Statutes section 171.182.

that sued you if you go through the proper court process. If the person or company who sued you and won refuses to agree to a payment plan, you can ask the district court where you lost the case to order a payment plan so that you can get your driver's license reinstated. Whether a payment plan will be ordered is up to a judge to decide.⁵²

What documents and information does someone need to get car insurance?

It can be complicated and expensive to get car insurance. If you want someone else to be able to get insurance on your car in your absence, they will likely have to provide a lot of information and documentation to the car insurance company.

Some common requirements to obtain car insurance include your legal name, names and driver's license numbers of family members, names and driver's license numbers of people who drive your car regularly, home address, driving history, email address, and phone number. You may also need to provide vehicle information such as the year, make and model, vehicle identification number or VIN, garaging address, ownership length, title status, lienholder status, odometer mileage reading, estimated annual miles driven, and safety features. Some companies require a Social Security number, marital status, and occupation. The information provided is often used to determine how much your insurance will cost. Car insurance in Minnesota varies in cost depending on multiple factors, such as your age, driving history, and the amount of coverage you want.

Should I sell or give my car to someone else if I am at risk of detention or deportation?

You may choose to sell your car or give it away before you are detained if you are at risk. That is a decision only you can make. There are many circumstances to consider in this decision. If you sell or give your car away, the person you sell or give it to must be able to pay all upkeep, insurance, and registration costs.

How can I give away my car?

To give away your car, you will need to sign and notarize the car title and fill out an Application for Certificate of Title and Registration (PS2000 form) with Driver and Vehicle Services (DVS).⁵³ You will need to take these to a county deputy registrar's office and pay the title and registration fees.

⁵² See Minnesota Statutes section 171.184, subdivision 1.

⁵³ See the Minnesota Department of Public Safety Driver and Vehicle Services web page entitled *Vehicle Forms, Documents, and Tax Manual*, at <https://dps.mn.gov/divisions/dvs/vehicle/vehicle-forms-documents-and-tax-manual>.

If you give away your car, there will be a 6.875 percent sales tax on the fair market value of the car. You will not need to pay this tax if you give your car to your child, parent, grandparent, grandchild, spouse, foster parent, or foster child.⁵⁴

No matter who you transfer the title to, you will need to pay a filing fee and a title fee. Filing fees are \$12.00 and title fees are \$8.25.⁵⁵ You should discuss with the person you are transferring the title to about who will be responsible for these fees.

After the process of transferring your title, you will need to notify that you have given your car away to the Minnesota Driver and Vehicle Services website. You will go online to onlineservices.dps.mn.gov and select “Mark Vehicle as Sold/Donated/Removed from State” under the “Vehicle Services” section. To complete this process, you will need to have access to vehicle information such as the vehicle identification number or VIN, the current title number, and the name and address of the person who now owns the vehicle.⁵⁶

How can I sell my car?

To sell your car, you need to find someone willing to buy it and work with you to ensure the motor vehicle title is transferred from your name to the buyer’s name. You should go to a Driver and Vehicle Services (DVS) office to make sure that the title transfer paperwork is done properly and filed with the state. The title is a legal document that proves the car is legitimately owned by the seller and free of any auto liens that may have been held by a bank that financed any car loan taken out to purchase the vehicle. You will need to pay a fee and taxes to the state when you sell a motor vehicle in Minnesota. The tax rate is 6.875 percent of the taxable vehicle sales price. The tax is paid to a deputy registrar or Driver and Vehicle Services when the title is transferred. Local sales tax does not apply to sales of vehicles. Instead, a local vehicle excise tax may apply. The taxable sales price is determined by subtracting any rebates and trade-in allowance from the vehicle’s sales price. The title filing fee is \$10.00, and the title fee is \$8.25.⁵⁷

Selling a car in Minnesota can be complicated.⁵⁸ The process involves following many steps, such as making an odometer disclosure statement, a damage disclosure if the car was ever involved in

⁵⁴ See Minnesota Department of Public Safety Driver and Vehicle Services web page entitled *Vehicle Sales Tax*, at <https://dps.mn.gov/divisions/dvs/vehicle/vehicle-fees/vehicle-sales-tax>.

⁵⁵ See the Minnesota Department of Public Safety Driver and Vehicle Services web page entitled *Vehicle Fees*, at <https://dps.mn.gov/divisions/dvs/vehicle/vehicle-fees>.

⁵⁶ See the Minnesota Department of Public Safety Driver and Vehicle Services web page entitled *Vehicle Sales Tax*, at <https://dps.mn.gov/divisions/dvs/vehicle/vehicle-fees/vehicle-sales-tax>.

⁵⁷ See previous footnote for source.

⁵⁸ See the Minnesota Legal Services Coalition fact sheet entitled *How to Sell a Used Car* (2025), at <https://www.lawhelpmn.org/self-help-library/fact-sheet/how-sell-used-car>. This fact sheet is a helpful resource on the topic of selling used cars and can be accessed at the Self Help Library on [lawhelpmn.org](https://www.lawhelpmn.org).

an accident, doing a title transfer, sending a notification of the sale to DVS, detaching the license plates, and canceling the seller's car insurance after the sale. Minnesota sellers must follow all the legal requirements when selling a vehicle to avoid liabilities and being responsible for paying for traffic tickets or accident expenses in the future after the sale of the car. Simply reporting a sale to Driver and Vehicle Services is not the same as transferring the title of the vehicle, so be sure that you are taking all of the legal steps required to properly transfer your car title to the buyer.

Can I sell or give my car to someone after I am detained or deported?

It is much easier to sell or give your car away before you are detained. The same processes described above must be used by someone other than you, such as the person named as your attorney-in-fact in a power of attorney form, to sell or give away your car. If you want to avoid problems such as having the motor vehicle registration expire or the car insurance coverage lapse on your vehicle while you are in detention or after you are deported, you may want to consider transferring your motor vehicle title and ownership before you are detained so that you are able to officially give away or sell your car. Doing this can help you avoid fees or misdemeanor charges that may come with someone else driving your car in your absence if it has been titled and registered only in your name.

Cars - Action Steps

*Here are some steps you can take **now** to prepare*

- ☐ Decide whether selling or giving away your car now may be the right option for you given your situation.
- ☐ If you decide to sell or give away your car, ensure you follow all of the steps detailed to transfer your title to someone else.
- ☐ If you want to keep your car, discuss your plan with your attorney-in-fact or a trusted family member or friend about how they can help you maintain your car's registration and insurance after you are detained and make sure your car is not parked somewhere subject to towing.

6 - *Employment and Unpaid Wage Claims*

This section details what might happen to your employment status if you are detained or deported. It also discusses options for demanding payment of any unpaid wages.

Can I be fired from my job if I am taken into detention or deported?

You should not be working in Minnesota or the United States unless you are legally allowed to do so. Minnesota is an at-will state when it comes to employment law. An “at-will” employee means that there is no written contract between the employer and the employee that says when an employee can be fired or when the job ends. That means that an employee can quit a job whenever they want, and an employer can terminate an employee whenever they want for any legal reason. It is illegal for an employer to fire an employee for certain illegal reasons, such as discrimination based on things such as race, gender identity, age, religion, or sexual orientation.⁵⁹

However, it is legal in Minnesota for an employer to fire an employee for reasons related to job performance. If you are taken into detention and do not show up for work, your employer likely has a policy that allows them to fire you if you are absent. If you are worried that you may be taken into detention, you should check with your employer to find out if you might be able to use any vacation time or paid time off while you are detained.

Does my employer still have to send me my last paycheck if I am taken into detention or deported?

Yes, your employer still has to pay you any money you are owed for work you performed before you are taken into detention or deported.

⁵⁹ See the Minnesota Legal Services Coalition fact sheet entitled *Discrimination and Harassment at Work* (2024), at <https://www.lawhelpmn.org/self-help-library/fact-sheet/discrimination-and-harassment-work>. This fact sheet is a helpful resource on the topic of workplace discrimination and harassment and can be accessed at the Self Help Library on [lawhelpmn.org](https://www.lawhelpmn.org).

When should I get my last paycheck?

The timing of your last paycheck depends on whether you quit or were fired from your job. Under Minnesota law, an employee who is fired or terminated should receive their last paycheck within 24 hours of making a written demand for payment. If you quit your job, then you must generally be paid by the next regularly scheduled pay day.⁶⁰

What can I do if I do not get my last paycheck?

You could send a written demand to your former employer requesting that they pay you the money you are owed. You should keep a copy of the written demand and proof that you sent it to your employer for your own records. If your former employer does not pay you in response to the written demand, there are a couple of additional steps you can take to try to get paid.

Can I complain about my former employer not paying me to the Minnesota Department of Labor and Industry?

Yes, you can make a complaint about your former employer not paying you to the Minnesota Department of Labor and Industry's (DLI) Labor Standards Division. The DLI is part of the Minnesota state government. You can make a complaint to the DLI for free. Call 651-284-5075 or email dli.laborstandards@state.mn.us. An investigator will reach out within three business days.

The mailing address is:
Labor Standards
443 Lafayette Road N.
St. Paul, MN 55155

Complaining to the Minnesota Department of Labor and Industry does not guarantee that your former employer will pay you. Your employer may choose to ignore the DLI even if you make a complaint. However, making a complaint to the Minnesota DLI is easier than the other option of suing your employer, as described below. If you are detained or deported, complaining to the DLI about a Minnesota employer who did not pay you might be a more realistic option to try to get paid than going through the court process.

⁶⁰ See Minnesota Statutes section 181.14. Regarding the timing of payment under this statute, if the first regularly scheduled payday is less than five calendar days following the employee's final day of employment, full payment may be delayed until the second regularly scheduled payday but shall not exceed a total of 20 calendar days following the employee's final day of employment.

Can I sue my former employer for unpaid wages?

Yes, you can start a lawsuit against your former employer if they do not pay the money they owe you. You can sue them for money you are owed, and you might also be able to sue them for an additional amount as a penalty if they broke the law.⁶¹

Minnesota has its own version of small claims court, which is called “Conciliation Court.” Conciliation Court has simplified rules and forms, so it is the easiest court for a person to represent themselves in. The cost of filing a lawsuit is usually about \$70-80, depending on the county where the case is filed. To start a lawsuit, you have to file a form called a “Statement of Claim” in which you explain why you are suing your former employer. After the case is filed with the Conciliation Court, a hearing date will be set where you and your former employer will get a chance to talk to a judge or referee who will decide whether you win or lose the lawsuit. Most Conciliation Courts allow people to attend hearings remotely via Zoom and do not require in-person hearings. It may take the Conciliation Court a few weeks or up to a couple of months to schedule a hearing after you file your case. If you win your case, the Conciliation Court will give you a “judgment.” Once you have a judgment, you have a legal right to try to collect money from the person or company that you sued.

Unfortunately, it is often easier to sue a former employer in Conciliation Court than it is to collect money from the former employer if you win your case and the employer does not pay you voluntarily. After the hearing and entry of judgment, there is a 21-day appeal period that allows your employer to file an appeal from Conciliation Court to another court called “District Court” if they are unhappy with the court’s decision. You cannot collect any money during that appeal period.

If no appeal is filed, you will still need to take additional action before you can begin the process of attempting to collect money. You must “transcribe” your judgment from Conciliation Court to District Court and file a form with the District Court called an “Affidavit of Identification of Judgment Debtor” to get your judgment “docketed” with the District Court and begin the collection process. Most people who win judgments will try to collect on the judgment by finding out where the person or company they sued has bank accounts so that money can be taken or “garnished” from their account. There is no guarantee that you will ever be paid in full even if you win a judgment, and going through the collections process can be very long, complicated, and frustrating. For these reasons, some employees who are not paid their last paychecks decide to accept their losses and move on rather than go through a long court process with an uncertain outcome.

⁶¹ See the Minnesota Legal Services Coalition fact sheet entitled *My Old Job Owes me Money: Wage Claims* (2025), at <https://www.lawhelpmn.org/self-help-library/fact-sheet/my-old-job-owes-me-money-wage-claims>. This fact sheet is a helpful resource on the topic of wage claims and can be accessed at the Self Help Library on [lawhelpmn.org](https://www.lawhelpmn.org).

Can my attorney-in-fact under a power of attorney form take action on my behalf?

Yes. However, you should talk with your attorney-in-fact about how much time and effort they are willing to put in to help you try to be paid. Going through the Conciliation Court and collection process after a judgment is won will most likely take a lot of time and effort on the part of your attorney-in-fact, probably many hours over the course of several months. On the other hand, making a complaint with the Minnesota Department of Labor and Industry is a much simpler process that can be done in a day with little time commitment.

Unpaid Wage Claims - Action Steps

*Here are some steps you can take **now** to prepare*

- ☐ Talk with your employer about the possibility of taking vacation or paid time off in the event you are detained.
- ☐ Make a plan with your attorney-in-fact about the steps you want them to take if you are not paid your last paycheck. Make sure they are aware of the process of complaining to the Minnesota Department of Labor and Industry.

7 - What Happens If You Get Detained

This section details what may happen if you are detained. It details where you might go, how family and friends might be able to contact you, and how you can try to access money while you are detained.

If I am detained, where will I go?

There are three immigration detention facilities in Minnesota.⁶²

- Freeborn County Jail Services (in Albert Lea, Minnesota)
- Kandiyohi County Jail (in Willmar, Minnesota)
- Sherburne County Jail Services (in Elk River, Minnesota)

It is important to keep in mind that even if you are arrested in Minnesota, there is no guarantee that you will be detained in Minnesota. U.S. Immigration and Customs Enforcements (ICE) may decide to transfer you to facilities in other states due to limited space in Minnesota facilities, and being transferred out of state has recently become increasingly common. If you are transferred out of state, you could end up in a state with more detention centers, such as Louisiana or Texas.

How can my family members find out where I am being detained?

Your family can locate you using the ICE Online Detainee Locator System at: locator.ice.gov. This system allows people to locate a detainee who is currently in ICE custody and is over the age of 18. To locate a loved one in this system, one must enter the detainee's A-number and country of birth. If they do not have your A-number, they may search your location using your name, country of origin, and date of birth.⁶³

Can my family members visit me while I am detained?

Rules and visitation times vary depending on where you might be detained.

⁶² See U.S. Immigration and Customs Enforcement, *Detention Facilities*, www.ice.gov/detention-facilities.

⁶³ See U.S. Immigration and Customs Enforcement, *Online Detainee Locator System*, locator.ice.gov.

If you are detained at the **Freeborn County Jail** in Albert Lea, Minnesota:

- To visit virtually, visitors can go to the lobby of the Law Enforcement Center in the Freeborn County Government Center. Visiting from the lobby is free. Alternatively, they can go online to www.inmatecanteen.com. Visitors must pay a fee to visit online through Inmate Canteen.
- The lobby visitation is open Monday through Friday until 5:00pm, and on Saturdays and Sundays from 2:00pm to 4:00pm by appointment only
- There is a dress code for visitors. Visitors may not wear sleeveless tops, halter tops, tank tops, hats, shorts, mini-skirts/dresses, see-through clothing, camouflage attire, or brief cut or provocative clothing. Children aged 10 or younger may not be allowed to wear shorts. Take care to follow the dress code, because the staff can deny visitation to any person not following it.⁶⁴
- It is important to remember that cell phone usage is prohibited in visitation rooms, and that your visit will be monitored by the staff.⁶⁵

If you are detained at the **Kandiyohi County Jail** in Willmar, Minnesota:

- To visit virtually, visitors can go to the lobby of the Kandiyohi County Sheriff's Office. Visiting from the lobby is free for 30 minutes. Alternatively, they can go online to www.inmatecanteen.com to register for a visit. Visitors must pay \$0.39 per minute for up to 30 minutes of online visitation.
- Video visitation is available every day between 8:00am and 9:00pm, except from 11:00am-12:30pm and from 4:30pm-6:30pm.
- Additionally, the Kandiyohi County Jail offers extended visits for ICE detainees. Visitors must schedule a visit online through the Kandiyohi County Jail website. These extended hours are on Saturdays and Sundays, with visits lasting an hour.
- There are a few regulations for visitors. All visitors must be appropriately dressed. Children must be supervised. Visitors must have a current valid ID, and all visitors must register before visiting.⁶⁶

⁶⁴ See Freeborn County Sheriff's Office, *COVID-19 Detainee Visitation*, at <https://www.co.freeborn.mn.us/DocumentCenter/View/5857/COVID-19-Detainee-Visitation>.

⁶⁵ See the U.S. Immigration & Customs Enforcement web page entitled *Freeborn County Jail Services* at <https://www.ice.gov/detain/detention-facilities/freeborn-county-jail-services>.

⁶⁶ See the U.S. Immigration & Customs Enforcement web page entitled *Kandiyohi County Jail*, at <https://www.ice.gov/detain/detention-facilities/kandiyohi-county-jail>.

If you are detained at the **Sherburne County Jail** in Elk River, Minnesota:

- To visit virtually, visitors can go to Door “I” of the Sherburne County Government Center. Visiting from on-site is free. Each visit is limited to 30 minutes. Visitors can schedule their visit at www.NCIC.com.
- The on-site visitation is open Monday through Friday at 8:30 am, 9:30 am, 10:30 am, 12:30 am, and 3:30 pm. The on-site visitation is open Saturday, Sunday, and on Government Holidays at 10:30 am.
- Keep in mind that visitors coming to the on-site visitation area must present a valid government-issued photo identification card such as a driver’s license, state-issued ID card, or a military ID card.
- Alternatively, visitors can remotely visit loved ones. Visitors must schedule appointments 24 hours in advance using www.NCIC.com.
- Off-site visits cost \$0.27 per minute. Inmates are allowed five remote visits per day which can be scheduled any day of the week from 8:30 am to 8:50 pm.⁶⁷

If you are detained out of state:

- Your friends and family will need to locate you using the ICE Detainee Locator System at locator.ice.gov.
- Once located, they should research the specific requirements surrounding virtual visitation at the detention center you are in. These requirements can often be found on the detention center’s website or on ICE’s website.

How can I access money while I am detained?

Accessing money will depend on where you might be detained.

If you are detained at **Freeborn County Jail** in Albert Lea, Minnesota:

- Friends and family can deposit money in person by coming to the Turnkey Kiosk inside the Law Enforcement lobby of the Freeborn County Government Center. The Kiosk accepts paper money and credit cards.
- Friends and family can send money orders
- Friends and family can deposit money online by going to inmatecanteen.com.⁶⁸

⁶⁷ See the U.S. Immigration & Customs Enforcement web page entitled *Sherburne County Jail Services* at <https://www.ice.gov/detain/detention-facilities/sherburne-county-jail-services>.

⁶⁸ See the Freeborn County Sheriff’s Office web page entitled *Detainee Money*, at www.co.freeborn.mn.us.

If you are detained at **Kandiyohi County Jail** in Willmar, Minnesota:

- Friends and family can deposit money in person by coming to the entrance of the Kandiyohi County Jail and finding the Kiosk inside the building.
- Friends and family can deposit money online by going to www.inmatecanteen.com.⁶⁹

If you are detained at **Sherburne County Jail** in Elk River, Minnesota:

- Friends and family can deposit money into your commissary account during visiting hours in person. Visitors must go to the kiosk in the video visiting area, or the kiosk in the jail lobby at Door “D.” The visiting area kiosk is open during visiting hours. The lobby kiosk is open Monday through Friday from 8:00 am to 4:30 pm. Deposits must be cash, and there is a fee on deposits made at both kiosks.
- Friends and family members can deposit money online through accesscorrections.com. Money deposited this way will be in your account within 15 minutes. There is a fee for these deposits.
- Friends and family members can deposit money by calling Access Corrections at 1-866-345-1884. When they call, they will create an account and deposit money for you. There is a fee on these deposits.⁷⁰

If you are detained out of state:

- Your friends and family will need to locate you using the ICE Detainee Locator System at locator.ice.gov.
- Once located, they should research the specific requirements surrounding depositing money at the detention center you are in. These requirements can often be found on the detention center’s website.

Am I eligible to get out on bond?

Determining whether you are eligible for bond can be complicated. If you are in mandatory detention, you will not be eligible. To find out if you are eligible for bond, you should request a hearing if bond has not already been set for you.

69 See the Kandiyohi County web page entitled *Jail*, at www.kcmn.us/departments/sheriff/departments/jail.php.

70 See the Sherburne Sheriff’s Office entitled *Commissary Account*, at www.co.sherburne.mn.us/902/Commissary-Account.

The judge will decide whether you are eligible for bond. If you have certain criminal convictions, were detained while entering the United States, have been deported before, or have a final deportation order, you will not be eligible. If the judge views you as a danger to the public, you will not be granted bond. If the judge views you as having a risk of running away, you will not be granted bond.⁷¹

How does bond work?

A bond is a payment of money to the Department of Homeland Security (DHS). It operates as a promise that you will return for all court hearings. If you return for every step of the process, the payment will be returned to the person who paid it. The person paying the bond needs to be a U.S. citizen or have lawful permanent resident status. ICE may set a bond for you. If they do not, you can ask for a bond hearing for a chance to prove why you deserve to have bond set.

What Happens if you are Detained - Action Steps

*Here are some steps you can take **now** to prepare*

- ☐ Ensure your trusted family members and friends know how to locate you if you are detained. Share the ICE Detainee Locator System with them and prepare them for the possibility that they will have to locate you this way.
- ☐ Make copies of your information, including your A-number, and give them to your trusted family members and friends. They will need that information to locate you if you are detained.
- ☐ Inform your trusted family members and friends that depending on where you are detained, visitation and access to money will vary. Prepare them to be able to find the information for each detention center on how to visit you and send you money.
- ☐ Make a plan for posting bond if you might be eligible. Discuss with trusted friends and family members about who will be able to post bond for you.

⁷¹ See Advocates for Human Rights publication entitled *Understanding Immigration Bonds* (2021) on their website at www.theadvocatesforhumanrights.org.

See also the Minnesota Legal Services Coalition fact sheet entitled *Immigration Bonds*, at <https://www.lawhelpmn.org/self-help-library/fact-sheet/immigration-bonds>.

8 - *Helpful Forms and Sample Letters*

Forms, letters, and resources attached in this manual:

1. Statutory Short Form Power of Attorney

- Review the information about appointing someone as your attorney-in-fact in the “Power of Attorney” section, starting on page 3 of this manual.

2. Delegation of Parental Authority (DOPA) Form

- Review the information about delegating parental authority using a DOPA form in the “Children, Delegating Parental Authority, and Passports” section. The DOPA section of the chapter starts on page X of this manual.

3. Excerpts of “Family Emergency Preparedness Toolkit - Minnesota” by the Volunteer Lawyers Network

- The excerpts included from the Family Emergency Preparedness Toolkit made by the Volunteer Lawyers Network cover the topic of Delegations of Parental Authority (DOPA).
- Included in these excerpts are an in-depth explanation of DOPAs, a copy of the DOPA form in Spanish not for legal use, and several information worksheets and sample letters
- The first information sheet included in the attached toolkit is a template for parents to write important contact information and details about their children.
- If you are at risk of deportation and have children, you should fill out and give this sheet to the person you are designating as the delegated caregiver for your children or attorney-in-fact in a DOPA form.
- The second information sheet included in the attached toolkit is a template for parents to write important information about their child’s medical needs, school information, and extracurricular activities.
- If you are at risk of deportation and have children, you should fill out and give this sheet to the person you are designating as the delegated caregiver for your children or attorney-in-fact in a DOPA form.
- There are three sample letters included in the attached toolkit. The first one is to give to the person you designated as the delegated caregiver or attorney-in-fact in a DOPA form in case you are detained or unavailable. The second one is to give to a friend or relative to contact the delegated caregiver or attorney-in-fact. The third one is for a person who might be willing to take care of your children if you have not officially delegated authority to anyone.

**STATUTORY SHORT FORM POWER OF ATTORNEY
MINNESOTA STATUTES, SECTION 523.23**

Before completing and signing this form, the principal must read and initial the IMPORTANT NOTICE TO PRINCIPAL that appears after the signature lines in this form. Before acting on behalf of the principal, the attorney(s)-in-fact must sign this form acknowledging having read and understood the IMPORTANT NOTICE TO ATTORNEY(S)-IN-FACT that appears after the notice to the principal.

PRINCIPAL (Name and Address of Person Granting the Power)

.....
.....
.....

ATTORNEY(S)-IN-FACT
(Name and Address)

.....
.....
.....
.....
.....
.....

SUCCESSOR ATTORNEY(S)-IN-FACT
(Optional) To act if any named attorney-in-fact
dies, resigns, or is otherwise unable to serve.

(Name and Address)

First Successor
.....
.....
Second Successor
.....
.....

NOTICE: If more than one attorney-in-fact is designated to act at the same time, make a check or "x" on the line in front of one of the following statements:

..... Each attorney-in-fact may independently exercise the powers granted.

..... All attorneys-in-fact must jointly exercise the powers granted.

EXPIRATION DATE (Optional)

..... ,
Use Specific Month Day Year Only

I, (the above-named Principal) hereby appoint the above named Attorney(s)-in-Fact to act as my attorney(s)-in-fact:

FIRST: To act for me in any way that I could act with respect to the following matters, as each of them is defined in Minnesota Statutes, section 523.24:

(To grant to the attorney-in-fact any of the following powers, make a check or "x" on the line in front of each power being granted. You may, but need not, cross out each power not granted. Failure to make a check or "x" on the line in front of the power will have the effect of deleting the power unless the line in front of the power of (N) is checked or x-ed.)

.....(A) real property transactions;

I choose to limit this power to real property in County,
Minnesota, described as follows:

(Use legal description. Do not use street address.)

.....
.....
.....
.....

(If more space is needed, continue on the back or on an attachment.)

.....(B) tangible personal property transactions;

.....(C) bond, share, and commodity transactions;

.....(D) banking transactions;

.....(E) business operating transactions;

.....(F) insurance transactions;

.....(G) beneficiary transactions;

.....(H) gift transactions;

.....(I) fiduciary transactions;

.....(J) claims and litigation;

.....(K) family maintenance;

.....(L) benefits from military service;

.....(M) records, reports, and statements;

.....(N) all of the powers listed in (A) through (M) above and all other matters, other than health care decisions under a health care directive that complies with Minnesota Statutes, chapter 145C.

SECOND: (You must indicate below whether or not this power of attorney will be effective if you become incapacitated or incompetent. Make a check or "x" on the line in front of the statement that expresses your intent.)

..... This power of attorney shall continue to be effective if I become incapacitated or incompetent.

..... This power of attorney shall not be effective if I become incapacitated or incompetent.

THIRD: My attorney(s)-in-fact MAY NOT make gifts to the attorney(s)-in-fact, or anyone the attorney(s)-in-fact are legally obligated to support, UNLESS I have made a check or an "x" on the line in front of the second statement below and I have written in the name(s) of the attorney(s)-in-fact. The second option allows you to limit the gifting power to only the attorney(s)-in-fact you name in the statement.

Minnesota Statutes, section 523.24, subdivision 8, clause (2), limits the annual gift(s) made to my attorney(s)-in-fact, or to anyone the attorney(s)-in-fact are legally obligated to support, to an amount, in the aggregate, that does not exceed the federal annual gift tax exclusion amount in the year of the gift.

..... I do not authorize any of my attorney(s)-in-fact to make gifts to themselves or to anyone the attorney(s)-in-fact have a legal obligation to support.

..... I authorize (write in name(s)), as my attorney(s)-in-fact, to make gifts to themselves or to anyone the attorney(s)-in-fact have a legal obligation to support.

FOURTH: (You may indicate below whether or not the attorney-in-fact is required to make an accounting. Make a check or "x" on the line in front of the statement that expresses your intent.)

..... My attorney-in-fact need not render an accounting unless I request it or the accounting is otherwise required by Minnesota Statutes, section 523.21.

..... My attorney-in-fact must render

(Monthly, Quarterly, Annual)

accountings to me or

(Name and Address)

during my lifetime, and a final accounting to the personal representative of my estate, if any is appointed, after my death.

In Witness Whereof I have hereunto signed my name this day of,

.....
(Signature of Principal)

(Acknowledgment of Principal)

STATE OF MINNESOTA)
) ss.
COUNTY OF)

The foregoing instrument was acknowledged before me this day of, 20....., by

.....
(Insert Name of Principal)

.....
(Signature of Notary Public or other Official)

Acknowledgement of notice to attorney(s)-in-fact and specimen signature of attorney(s)-in-fact.

By signing below, I acknowledge I have read and understand the IMPORTANT NOTICE TO ATTORNEY(S)-IN-FACT required by Minnesota Statutes, section 523.23, and understand and accept the scope of any limitations to the powers and duties delegated to me by this instrument.

(Notarization not required)

.....
.....

This instrument was drafted by:

Specimen Signature of Attorney (s)-in-Fact
(Notarization not required)

.....
.....
.....
.....

.....
.....
.....
.....

IMPORTANT NOTICE TO THE PRINCIPAL

READ THIS NOTICE CAREFULLY. The power of attorney form that you will be signing is a legal document. It is governed by Minnesota Statutes, chapter 523. If there is anything about this form that you do not understand, you should seek legal advice.

PURPOSE: The purpose of the power of attorney is for you, the principal, to give broad and sweeping powers to your attorney(s)-in-fact, who is the person you designate to handle your affairs. Any action taken by your attorney(s)-in-fact pursuant to the powers you designate in this power of attorney form binds you, your heirs, and assigns, and the representative of your estate in the same manner as though you took the action yourself.

POWERS GIVEN: You will be granting the attorney(s)-in-fact power to enter into transactions relating to any of your real or personal property, even without your consent or any advance notice to you. The powers granted to the attorney(s)-in-fact are broad and not supervised. THIS POWER OF ATTORNEY DOES NOT GRANT ANY POWERS TO MAKE HEALTH CARE DECISIONS FOR YOU. TO GIVE SOMEONE THOSE POWERS, YOU MUST USE A HEALTH CARE DIRECTIVE THAT COMPLIES WITH MINNESOTA STATUTES, CHAPTER 145C.

DUTIES OF YOUR ATTORNEY(S)-IN-FACT: Your attorney(s)-in-fact must keep complete records of all transactions entered into on your behalf. You may request that your attorney(s)-in-fact provide you or someone else that you designate a periodic accounting, which is a written statement that gives reasonable notice of all transactions entered into on your behalf. Your attorney(s)-in-fact must also render an accounting if the attorney-in-fact reimburses himself or herself for any expenditure they made on behalf of you.

An attorney-in-fact is personally liable to any person, including you, who is injured by an action taken by an attorney-in-fact in bad faith under the power of attorney or by an attorney-in-fact's failure to account when the attorney-in-fact has a duty to account under this section. The attorney(s)-in-fact must act with your interests utmost in mind.

TERMINATION: If you choose, your attorney(s)-in-fact may exercise these powers throughout your life-time, both before and after you become incapacitated. However, a court can take away the powers of your attorney(s)-in-fact because of improper acts. You may also revoke this power of attorney if you wish. This power of attorney is automatically terminated if the power is granted to your spouse and proceedings are commenced for dissolution, legal separation, or annulment of your marriage.

This power of attorney authorizes, but does not require the attorney(s)-in-fact to act for you. You are not required to sign this power of attorney, but it will not take effect without your signature. You should not sign this power of attorney if you do not understand everything in it, and what your attorney(s)-in-fact will be able to do if you do sign it.

Please place your initials on the following line indicating you have read this IMPORTANT NOTICE TO THE PRINCIPAL:

IMPORTANT NOTICE TO THE ATTORNEY(S)-IN-FACT

You have been nominated by the principal to act as an attorney-in-fact. You are under no duty to exercise the authority granted by the power of attorney. However, when you do exercise any power conferred by the power of attorney, you must:

- (1) act with the interests of the principal utmost in mind;
- (2) exercise the power in the same manner as an ordinarily prudent person of discretion and intelligence would exercise in the management of the person's own affairs;
- (3) render accountings as directed by the principal or whenever you reimburse yourself for expenditures made on behalf of the principal;
- (4) act in good faith for the best interest of the principal, using due care, competence, and diligence;
- (5) cease acting on behalf of the principal if you learn of any event that terminates this power of attorney or terminates your authority under this power of attorney, such as revocation by the principal of the power of attorney, the death of the principal, or the commencement of proceedings for dissolution, separation, or annulment of your marriage to the principal;
- (6) disclose your identity as an attorney-in-fact whenever you act for the principal by signing in substantially the following manner:
Signature by a person as "attorney-in-fact for (name of the principal)" or "(name of the principal) by (name of the attorney-in-fact) the principal's attorney-in-fact";
- (7) acknowledge you have read and understood this IMPORTANT NOTICE TO THE ATTORNEY(S)-IN-FACT by signing the power of attorney form.

You are personally liable to any person, including the principal, who is injured by an action taken by you in bad faith under the power of attorney or by your failure to account when the duty to account had arisen.

The meaning of the powers granted to you is contained in Minnesota Statutes, chapter 523. If there is anything about this document or your duties that you do not understand, you should seek legal advice.

DELEGATION OF PARENTAL AUTHORITY (DOPA)

Delegation of Powers by Parent Minn. Stat. § 524.5-211

STATE OF MINNESOTA)
) ss.
COUNTY OF _____)

1. My name is _____.
(*your name*)

I am the parent of _____.
(*your child's name*)

My child's birthdate is _____.
(*your child's birthday*)

2. I appoint _____, to be my legal Attorney-in-Fact to
have parental authority over my child, _____.

Note: An Attorney-in-Fact is what the person you name to care for your child is called. That person does
not have to be an attorney.

This DOPA lasts: (*check one*)

☐ For one year from the date of my signature
OR

☐ until _____, (*fill in date*) which is less than one year following
the date of my signature.

3. This DOPA gives my Attorney-in-Fact permission to care for and make decisions about my child
named above. These decisions include, but are not limited to:

- a. Getting medical treatment for my child
- b. Enrolling my child in school
- c. Authorizing national and/or international travel
- d. Providing a home, care, and supervision of my child.

4. This DOPA does not give my Attorney-in-Fact permission to consent to the marriage or adoption of
my child.

5. I understand that by law I have to give or mail a copy of this document to any other parent within 30
days of signing it unless:

- a. The other parent does not have parenting time rights or has supervised parenting time rights
OR
- b. There is an existing Order for Protection in effect against the other parent to protect me or my
child.

[SIGNATURES ON FOLLOWING PAGE - Page 2]

SIGNATURES

I swear that everything I have stated in this document is true and correct.

Parent or Guardian:

Date: _____

(sign your name)

(print your name)

Subscribed and sworn to before me

this ____ day of _____, 20__.

Notary Public

Attorney-in-Fact: *(the Attorney-in-Fact does not have to sign in front of a notary)*

I accept the responsibilities of Attorney-in-Fact for _____.
(child's name)

Date: _____

(Attorney-in-Fact signature)

(Attorney-in-Fact printed name)

FAMILY EMERGENCY PREPAREDNESS TOOLKIT— MINNESOTA

A toolkit for families to plan in the case of arrest, detention or deportation.
English Version, Third Edition 2025.

INFORMATION SHEETS-Table of Contents



- 1.01-Eng-VLN InfoSheet_What is a Family Emergency Plan?_February 2025**
- 2.01-Eng_VLN InfoSheet_Choosing a Good Lawyer_February 2025**
- 2.02-Eng-VLN_List of Free and Low-cost Immigration Legal Services in Minnesota_November 2023**
- 2.04-Eng-VLN_List of Free and Low-cost Immigration Legal Services in Minnesota QR CODES_February 2025**
- 4.01A-Eng-VLN_InfoSheet_Child Documentation List_February 2025**
- 4.01B-Eng-VLN_InfoSheet_Delegation of Parental Authority (DOPA) in Minnesota_February 2025**
- 4.01C-Eng-VLN_DOPA Sample Form_VLN&MMLA&LawHelpMN_February 2025**
- 4.01C-Esp-VLN_DOPA in Spanish (not for legal use)_February 2025**
- 4.01D-EngEsp-VLN_InfoSheet_Child Emergency Contacts_February 2025**
- 4.01E-EngEsp-VLN_InfoSheet_Child Important Information_February 2025**
- 4.01F-Eng-VLN_InfoSheet_Sample Letters_February 2025**
- 4.02G-Eng-VLN_InfoSheet_Passport Information_February 2025**

INFORMATION SHEET 1.01-Eng (1 page):

What is a Family Emergency Plan?



Why should I have a family emergency plan?

We all need to have a plan in case we face an emergency, no matter what our situation or legal status. This is even more important in uncertain times when we do not know what may happen to people who are undocumented or families made up of people with mixed immigration situations. Here are some reasons why it is important for all families and individuals have a plan and be prepared:

- It helps us to make decisions on our own before they are made for us.
- It frees us from being anxious because we have done what we can to plan for the unexpected.
- It helps us to be ready in case of an emergency so that we do not have to do things at the last minute.
- It protects our children and families from unnecessary disruption.
- It protects what we have worked hard to earn in the best way possible.

How can I use the information sheets in this toolkit?

This toolkit contains basic information and checklists of some things that you may need to learn about or do to create a family emergency. To start, below is a list of general topics that may be more fully explained in Information Sheets in separate sections in this manual. Look for the section you want to work on and get started! As you complete sections, check the items off the list of things to do to prepare!

☐ Section One: Important Immigration Information and Resources that I have collected and saved

- ☐ I know what my immigration options are and I got this information from a trustworthy immigration lawyer, or DOJ (Department of Justice) accredited representative.
- ☐ I know about my legal rights from a trustworthy organization or lawyer.
- ☐ I know where to get free immigration and other legal information and help in the community.
- ☐ I know what my rights are and what I need to do if I am arrested or detained by ICE.
- ☐ I know the documents that I should and should not carry with me.
- ☐ I am aware that there are scams that steal people's money and make promises that are not true and I will not let myself get scammed!

☐ Section Two: Important Documents and Information I should have and keep in a safe place

- ☐ I have gathered important documents that I may need quickly to keep in a safe place.
- ☐ I have important information that I may need to share quickly with someone I trust in a safe place.

☐ Section Three: I have to care for my children and my property.

- ☐ I have decided what I will do with my children and have made the proper legal arrangements.
- ☐ I have decided what I will do with my property, like my house, car, etc., and have made the proper legal arrangements.
- ☐ I have friends, family and groups who know me and who I can contact if something happens to me.

Where can I get help to create a plan for my family and me?

Call the Volunteer Lawyers Network at (612) 752-6677 or email us at vlm@vlmn.org for more information about where to get help to create an emergency plan.

INFORMATION SHEET 2.01-Eng:

Choosing a Good Lawyer: What to Know to Get the Best Legal Help



What are civil legal services?

Civil legal services help people with non-criminal legal matters such as medical care, housing, family, bankruptcy, government benefits, employment, immigration, consumer, and education.

What kind of help is there in Minnesota for people with civil legal problems?

Minnesota has some free and low cost civil legal services. Private attorneys charge a fee.

- **Free legal services programs.** There are agencies that provide free civil legal services, including immigration. If you qualify for free help depends on:
 - Your income and the income of your household.
 - Where you live.
 - What kind of legal case you have.
 - Your immigration status (in some cases).
 - The agency's capacity.
 - For a list of free legal services in MN and a list of free immigration legal service providers in MN visit: www.lawhelpmn.org
- **Other free legal services.** Unions, social service, advocacy, and government agencies may provide free legal services. For example:
 - Minnesota Department of Human Rights.
 - Department of Labor.
 - American Civil Liberties Union.
 - Children's Law Center of Minnesota.
 - Harriet Tubman and other domestic violence programs.
 - Call 211 for more information about free legal help.
- **Low-cost legal services in immigration matters.**
 - For a list of low cost immigration legal service agencies in Minnesota visit: <https://www.justice.gov/eoir/recognition-accreditation-roster-reports>
- **Legal services for a fee.** If you can't find free legal services, you may want or need to pay for a lawyer.

What kind of free help is available to me in most civil law matters, including immigration?

Depending on your legal case, you may be eligible for different kinds of free legal help including:

- **Full Representation** - a lawyer helps you with your case from start to finish.
- **Brief Service** - a lawyer helps you do a specific task but does not represent you.
- **Advice** - a lawyer gives you advice about your legal situation but does not represent you.
- **Education** - a lawyer or person who knows the law presents general legal information to a group.

How can I get free legal help in Minnesota with my civil legal case?

- **Call.** Call legal services providers to see if you qualify and to get connected to free legal help.
- **Online.** Apply for services and get legal answers online from some agency websites.
- **In Person.** Visit a free legal clinic to talk in person with a lawyer for 15 to 30 minutes. Call the agencies for schedules, legal issues covered, and processes for getting an in-person consultation.
- **Community Event.** Attend an event that provides education, brief service, and/or advice by a legal service agency at a local community center, school, church, etc.



Volunteer Lawyers Network Family Emergency Preparedness Toolkit—English Minnesota—Version 2025

What should I have with me when I talk to a lawyer?

- Have all the legal documents and paperwork for your case, even if it seems unimportant.
- Have the names and phone numbers of people the lawyer may need to call.
- Give the lawyer all the information they ask for so you can get the best advice possible.

How can I hire a lawyer if I cannot find a free lawyer?

- You have the right to hire any lawyer you choose.
- Ramsey and Hennepin County Bar Associations have lawyer referral services that connect you to private lawyers that will charge you for services. Some legal service agencies also have lists of private lawyers that you can hire for a fee.

Will I get better services if I pay for a lawyer instead of getting a free lawyer?

No. You should receive the same quality of legal service whether you pay your lawyer or not.

Can people who are not lawyers give legal advice or services?

Generally, no. A person must be a lawyer to be able to legally provide legal advice and services.

How can I tell who is a lawyer and who is not a lawyer in Minnesota?

If you want proof that someone is a lawyer, you can ask to see their diploma and license, or check if they are a registered lawyer in Minnesota at <https://www.lro.mn.gov/for-the-public/lawyer-registration-database-search-public/>. A Notary Public or Notary is not a lawyer and should give legal advice or help.

What makes a lawyer "good"?

Good lawyers generally will:

- Only help you if they have enough experience and knowledge.
- Be honest with you about your case, even if they think you should not continue with your case.
- Be in regular communication with you about your case.
- Give you copies of paperwork filed for you.
- Not make any promises about how your case will turn out, but they should tell you what could possibly happen, how, why and when.
- Clearly explain the law and what to expect.
- Put in writing what they agree to do and not do, how much they will charge you, what the legal fees cover (e.g. if the client pays extra filing and/or court fees, etc.), and how you must pay them and when. This is called a client agreement, contract or retainer. The client signs this document.

How do lawyers for a fee charge?

Some ways to charge fees include:

- **Flat fees:** the lawyer charges the client one fee to do one task.
- **Fees by the hour:** the lawyer charges for each hour spent on the case.
- **Retainer:** the lawyer charges part of the fee at the beginning.
- **Contingency:** the lawyer gets part of the money you receive if you win the case.

What can you do if you have trouble with your lawyer?

- Fire your lawyer.
- Get a second opinion from another lawyer.
- Consider filing a complaint with the Minnesota Lawyers Professional Responsibility Board at <http://lprb.mncourts.gov/complaints/Pages/default.aspx>
- If you have an immigration case, you may need to file other complaints, but you should talk to a new immigration lawyer first.



Free and Low-cost Immigration Legal Services Minnesota — INFORMATION SHEET 2.03-Eng

FREE NON-PROFIT IMMIGRATION SERVICES

CONTACT INFORMATION	ELIGIBILITY	SERVICES PROVIDED
THE ADVOCATES FOR HUMAN RIGHTS 330 2 nd Ave S, Suite 800 Minneapolis, MN 55401 <u>Client Intake:</u> (612) 341-9845 or online at: https://www.theadvocatesforhumanrights.org/Become_a_Client <u>Fax:</u> (612) 341-2971	Minnesota, North Dakota, South Dakota and Western Wisconsin <i>Income guidelines applied.</i>	<u>Areas of legal assistance:</u> Affirmative and Defensive Asylum applications, T-Visa applications, SIJS applications, removal hearings including for detained immigrants. <u>Types of legal assistance:</u> Representation before USCIS filing asylum applications and asylum interviews (credible and reasonable fear interviews and affirmative applications). Representation before USCIS filing, T Visa and SIJS applications. Representation before the Immigration court and board of immigration appeals (BIA) with focus on humanitarian relief claims, federal court appeals including habeas corpus petitions.
IMMIGRANT LAW CENTER OF MINNESOTA 450 N Syndicate St. Suite 200 St. Paul, MN 55104. <u>Website:</u> www.ilcm.org <u>Office Phone No.:</u> 651-641-1011 <u>Client Intake Phone No.:</u> 800-223-1368 <u>Intake Service hours—NO WALK INS</u> Mon & Wed. 10:00AM – 1:00PM Tue. 1:00PM-4:00PM Th. 3:00PM – 6:00PM <u>Intake hours for people detained by ICE:</u> Call (651) 641-1011, Mon. 2:00PM – 4:00PM	Statewide – Minnesota with offices in St. Paul, Worthington, Austin, Moorhead and Fargo, ND. <i>Income guidelines applied.</i>	<u>Areas of legal assistance:</u> Adjustment of status (based on U, T, VAWA, refugee and asylee status), DACA renewals, Employment Authorization (for refugees, asylees and current clients with pending applications), I-90s (for refugees/asylees in the US less than 5 years), Naturalization, Removal hearings (for detainees), Special Juvenile Immigration Status (based on abuse), T Visas, U Visas, Violence Against Women Act (VAWA) applications, and I-751 Petitions to remove conditions on Residency (based on abuse). Afghan SIV adjustments. <u>Types of legal assistance:</u> Legal consultation and screening; full representation includes completing and filing forms with USCIS and in limited cases, representation before the Immigration Court and Board of Immigration Appeals (BIA).
MID-MINNESOTA LEGAL AID (MMLA) Immigration Law Project 111 North 5th Street, Suite 100 Minneapolis, MN 55403 <u>Immigration Intake:</u> (612) 332-1441; M 10:30-12:30 and Th 1:30 - 3:30 Fax: (612) 446-5800	Hennepin County and Anoka County. <i>Income guidelines applied.</i>	<u>Areas of legal assistance:</u> Detained removal defense, N-400, DACA renewal, N-600, U-Visa, I-751, VAWA I-360, SIJS, TPS renewal. U, Asylee, Refugee, SIV and T Adjustment – Might be limitations within these areas of representations. <u>Types of legal assistance:</u> Full representation
MID-MINNESOTA LEGAL AID-WILLMAR 415 7th Street SW P.O. Box 1866 Willmar, MN 56201 <u>Client Intake:</u> (320) 235-9600 or (888) 360-3666 (Preferred intake hours M-F, 8:30am-12pm)	MN counties: Big Stone, Chippewa, Kandiyohi, Lac qui Parle, Lincoln, Lyon, Meeker, Renville, Swift, & Yellow Medicine <i>Income guidelines applied.</i>	<u>Areas of legal assistance:</u> N-400 for seniors (60+), victims of domestic/sexual violence, refugees, asylees, T visa holders, and Cuban parolees. U, VAWA, asylee, refugee, T Visa and Cuban parolee adjustment of status. DACA renewals, U Visa, VAWA. - Will accept other case types (TPS, I-360 SIJS - Not custody part, I-765, N-600) as resources allow. <u>Types of Legal Assistance:</u> Full representation
ST. CLOUD AREA LEGAL SERVICES (MMLA) 110 6 th Ave So, Ste 200 St. Cloud, MN 56301 <u>Client Intake:</u> (320) 253-0121 or (888) 360-2889 (M-F, 1:30pm-4:30pm)	Central MN counties: Stearns, Benton, Sherburne, Wright, Todd, Morrison, Mille-Lacs, Isanti, and Chisago Counties <i>Income guidelines applied.</i>	<u>Areas of legal assistance:</u> N-400 for seniors (60+), victims of domestic/sexual violence, refugees, asylees, T visa holders, and Cuban parolees. U, AWA, asylee, refugee, T Visa and Cuban parolee adjustment of status. DACA renewals, U Visa, VAWA. - Will accept other case types (TPS, I-360 SIJS - Not custody part, I-765, N-600) as resources allow. <u>Types of Legal Assistance:</u> Full representation



Volunteer Lawyers Network Family Emergency Preparedness Toolkit—English Minnesota—Version 2025

SOUTHERN MN REGIONAL LEGAL SERVICES 450 N. Syndicate Street, Suite 285 St. Paul, MN 55104 Website: www.smrls.org Phone numbers: To get help: (877) 696-6529 (new clients accepted 1st business day of the month at 9am) For existing cases or general information: (651) 222-5863	East Metro and Southern Minnesota <i>Income guidelines applied.</i>	Areas of legal assistance: Adjustment of Status, Consular Processing, employment authorization, family-based petitions, T visas, U visas, Naturalization/ Citizenship, Violence Against Women Act (VAWA) petitions. Types of legal assistance: Help completing forms, filings with USCIS <i>No clients in removal proceedings or seeking cancellation of removal, etc.</i>
VOLUNTEER LAWYERS NETWORK 600 Nicollet Avenue South, Suite 390A Minneapolis, MN 55402 No walk-ins at this location. Call for an intake: (612) 752-6677 M, T, W, TH between 10:00am and 1:00pm In Person Legal Clinics: Visit the VLN website for in person legal clinic locations and times at www.vlnmn.org	Statewide <i>Income guidelines applied.</i>	Areas of Legal Assistance: Immigration related: 1) Advice; most immigration matters; 2) Brief service: select immigration matters; 3) Pro Se service: asylum and select others; 3) Full Representation: citizenship and select immigration matters such as DACA, Adjustment of Status & other. VLN also provides services for other civil law matters. Types of Legal Assistance: Advice, brief service, pro se, full representation.

SOME DOJ-RECOGNIZED AGENCIES PROVIDING LIMITED LOW-COST IMMIGRATION SERVICES

CONTACT INFORMATION	SERVICE AREA	SERVICES PROVIDED
INTERNATIONAL INSTITUTE OF MINNESOTA 1694 Como Avenue St. Paul, MN 55108 Phone number: (651) 377-8642 – <i>Leave a message and you'll get a call back.</i>	Twin Cities and surrounding areas <i>Nominal fees may apply.</i>	Areas of legal assistance: Help refugee, asylees and other immigrants with AOR's, citizenship, lawful permanent residency, replacement of documents, and other immigration-related issues. Central American Minor family reunification.
MINNESOTA COUNCIL OF CHURCHES 122 East Franklin Avenue, Suite 100 Minneapolis, MN 55404 (612) 230-3224 (Nina Vang); Walk-in hours: Thursdays, 1-4pm	Twin Cities and surrounding areas <i>Nominal fees may apply.</i>	Areas of legal assistance: Help for refugees and asylees in family reunification, green cards, citizenship, replacement of documents, work authorization, travel documents, AOR's.
LUTHERAN SOCIAL SERVICE 2400 Park Ave Minneapolis, MN 55404 Walk in hours: Tuesdays @ 9am-3pm Intake phone number: (612) 879-5258 AND 2835 W St Germain St, Ste 550, St. Cloud, MN 56304 Call for an appointment: (320) 251-7700	Statewide <i>Nominal fees may apply.</i>	Areas of legal assistance: Help refugees, asylees and persons holding other humanitarian statuses with AOR's, green card adjustment of status, employment authorization, citizenship, renewals and replacement documents, and family visa petitions.
ARRIVE MINISTRIES 1515 East 66 th St. Richfield, MN 55423 Website: www.arriveministries.org Call for an appointment: (612) 798-4332	Twin Cities and Surrounding Areas. Nominal fees may apply.	Areas of legal assistance: Help refugees, asylees, SIV, Afghan Parolees and other certain humanitarian categories with N-400, I-485, I-90, I-765 and DS-4317.

The information in this resource sheet is subject to change.

You may also visit www.lawhelpmn.org/loon-guidance for more information about free legal services in Minnesota.



Free and Low-cost Immigration Legal Services Minnesota QR CODES – INFORMATION SHEET 2.04-Eng

 www.vlnmn.org/clinics/ Volunteer Lawyers Network-Legal Clinics	 www.vlnmn.org/help/ Volunteer Lawyers Network – Get Help
 www.theadvocatesforhumanrights.org The Advocates for Human Rights	 www.ilcm.org Immigrant Law Center of MN
 www.mylegalaid.org Mid-Minnesota Legal Aid	 www.smrls.org Southern MN Regional Legal Services
 www.iimn.org International Institute of MN	 https://mnchurches.org/ MN Council of Churches
 https://arriveministries.org/ Arrive Ministries	 https://www.lssmn.org/services/refugees Lutheran Social Service of MN
 https://www.lawhelpmn.org/minnesotas-immigration-legal-services-hub-initiative	

INFORMATION SHEET 4.01A-Eng (1 page):

Documentation List for Each Child

CHILD'S NAME: _____



What documents should I have ready and in a safe place for each of my children?

Keep two sets of important documents in separate envelopes for each child.

- ☐ Keep one set of the original documents and lists in a safe place in your home.
- ☐ Keep copies of the original documents and information in a second envelope that you give to the designated caretaker for each of your children.

List of Documents and Information to Gather:

- ☐ Each child's birth certificate
- ☐ Each child's social security card (if they have one)
- ☐ Each child's medical information
- ☐ Each child's school, activity, and church information sheet
- ☐ Helpful things to know about each child
- ☐ Names, phone numbers, email addresses of family and friends who your designated caretaker may wish to contact
- ☐ Emergency contact information
- ☐ Delegation of Parental Authority (DOPA) by parent with an original signature and Notary Seal or other custody arrangement paperwork (or other legal document regarding custody arrangements)
- ☐ Each child's passport (if your child does not have a passport, you should consider obtaining a passport from his/her country of citizenship; see instructions on how to obtain a passport for U.S. citizens and the contact information for Latin American Consulates in the USA)
- ☐ Each child's immigration paperwork (e.g. greencard, DACA, certificate of naturalization, I-94, etc.)
- ☐ Copies for each document above for each child

Where should I keep these documents and information?

Keep the documents together in a separate envelope for each child and find a safe place for the original documents. Keep the copies in another safe place. Keep in mind that wherever you keep the documents safely, they should also be accessible in case of emergency.

Do I need to talk to a lawyer?

You can collect the information and documents mentioned above on your own without a lawyer. You may want to talk to a lawyer if you have questions about custody for your child, your legal rights, or other legal questions. First seek out help from a free legal service before paying a lawyer to help you.

Where can I get help to organize my documents?

Contact VLN at vlm@vlmn.org to see about a Family Preparedness services near you. You may want to ask help from a local social service agency, a church or other community institution that you trust to help you.

HELPFUL

FORMS:

- Information Sheet: DOPA
- DOPA in English
- DOPA translation in Spanish
- Emergency Contact Sheet
- Important Document Sheet

INFORMATION SHEET 4.01B-Eng (2 pages):

Delegation of Parental Authority (DOPA) in Minnesota (Minn. Stat. § 524.5-211)



What is a Delegation of Parental Authority (DOPA)?

- A DOPA lets you give the legal authority to someone else to make decisions for your child or children. You choose the person you want to care for your child. This is an agreement between you and the person you want to care for your children. It is not a court order. The agreement is temporary and can last up to one year. You can renew it every year.
- The DOPA is one legal way in Minnesota to temporarily allow someone else to make decisions for your children. You do not need to go to court to do the DOPA. There are other legal actions you can take to give someone else temporary custody of your children. You should talk with a family lawyer if you would like information about these other options.

Why might I want to do a DOPA?

- If you are at risk of being arrested, detained or deported, and have minor children in your care, you may want to consider doing a DOPA.
- A DOPA may help avoid your children being placed in foster care if you are picked up by ICE.

What is the delegated caregiver responsible for?

- The delegated caregiver is responsible for:
 - providing food, clothing and shelter for your child
 - protecting the child from harm
 - obtaining necessary medical care for your child
 - enrolling the child in school

Note: You may also add other responsibilities in the Delegation of Parental Authority. For example, some parents may want to add that they give permission for the caregiver to arrange for domestic or international travel for the child. This may or may not be honored.

Who can I give this authority to?

- You can give permission to anyone you choose to care for your children. Here are some questions to ask before you decide who you would like to care for your children:
 - Will the person I choose to care for my children take good care of them?
 - Does the person I choose want to care for my children?
 - How long can the person I choose care for my children?
 - How much will it cost to take care of my children?
 - If the person I choose is not a U.S. citizen or lawful permanent resident, or someone with a legal status, will this affect my children's situation? (For now in Minnesota, the person you choose does not need to have an immigration status, but this could change in the future.).
 - Have I given the person who will take care of my children all the information they need to take good care of them? (For example, do they know my child's medical needs and the names of their doctors? Do they know where my child goes to school? Do they have other important information and emergency contacts?



What information do I need to complete the DOPA form?

- The name and home county of the person who will care for your child
- The county where you will get your form notarized
- The complete names and birthdates of your child or children

When does the DOPA end?

- The DOPA is valid for up to one year from the date it is signed and notarized but it can be renewed for one year at a time.
- Any parent can revoke or cancel the DOPA at any time. The best thing to do would be to revoke or cancel the DOPA in writing, but this is not a requirement.
- If a non-custodial parent wants to revoke and /or remove the child from the designated caregiver's home, s/he may need to go to court to get an order of custody.

Who has to sign and who has to know about the DOPA?

- One parent can sign the DOPA but you have to tell the other living parent about the DOPA within 30 days of getting the DOPA notarized (see exceptions below). You can mail or deliver by hand the DOPA within 30 days.
- The parent who signs the DOPA does NOT have to tell the other living parent about the DOPA IF:
 - The other parent does NOT have visitation rights under a court order, OR
 - The other parent has supervised visitation rights under a court order, OR
 - The other parent has an existing Order for Protection against him/her.

Who has to sign the DOPA and how?

- At least one parent must sign the DOPA with a Notary Public who will watch the parent sign and date the form. The parent must show the Notary Public a valid photo ID.

Where can I get help to complete a DOPA?

- There is an online form available in English for free at: https://www.lawhelpmn.org/self-help-library/legal-resource/delegation-parental-authority-dopa-do-it-yourself?factsheet_referral=1
- Local community organizations or legal aid offices may hold workshops to complete DOPAs.
- Beware of notaries, lawyers or others who want to charge you large fees to complete a DOPA.

Do I need to talk to a lawyer?

- You should talk to a lawyer before you use this form if:
 - The other parent wants custody of your child, OR
 - Your child will be living in another state, OR
 - The other parent is spending time with your child, and the new home will make that more difficult, OR
 - You have any questions about whether a DOPA is best for you and your child.

**HELPFUL
FORMS:**

- Information Sheet: DOPA
- DOPA in English
- DOPA translation in Spanish
- Emergency Contact Sheet
- Important Document Sheet



Volunteer Lawyers Network
Family Emergency Preparedness Toolkit—English
Minnesota—Version 2025

DELEGATION OF PARENTAL AUTHORITY (DOPA)

Delegation of Powers by Parent Minn. Stat. § 524.5-211

STATE OF MINNESOTA)
) ss.
COUNTY OF _____)

1. My name is _____.
(your name)
I am the parent of _____.
(your child's name)
My child's birthdate is _____.
(your child's birthday)

2. I appoint _____, to be my legal Attorney-in-Fact to
have parental authority over my child, _____.

Note: An Attorney-in-Fact is what the person you name to care for your child is called. That person does not have to be an attorney.

This DOPA lasts: (check one)

☐ For one year from the date of my signature

OR

☐ until _____, (fill in date) which is less than one year following the date of my signature.

3. This DOPA gives my Attorney-in-Fact permission to care for and make decisions about my child named above. These decisions include, but are not limited to:
- a. Getting medical treatment for my child
 - b. Enrolling my child in school
 - c. Authorize national and/or international travel
 - d. Providing a home, care, and supervision of my child.
4. This DOPA does not give my Attorney-in-Fact permission to consent to the marriage or adoption of my child.
5. I understand that by law I have to give or mail a copy of this document to any other parent within 30 days of signing it unless:
- a. The other parent does not have parenting time rights or has supervised parenting time rights
- OR
- b. There is an existing Order for Protection in effect against the other parent to protect me or my child.

[SIGNATURES ON FOLLOWING PAGE – Page 2]



**Volunteer Lawyers Network
Family Emergency Preparedness Toolkit—English
Minnesota—Version 2025**

SIGNATURES

I swear that everything I have stated in this document is true and correct.

Parent or Guardian:

Date: _____

(sign your name)

(print your name)

Subscribed and sworn to before me

this _____ day of _____, 20____.

Notary Public

Attorney-in-Fact: *(the Attorney-in-Fact does not have to sign in front of a notary)*

I accept the responsibilities of Attorney-in-Fact for _____.
(child's name)

Date: _____

(Attorney-in-Fact signature)

(Attorney-in-Fact printed name)

This form is available in English online for free at:

<http://www.lawhelpmn.org/resource/online-delegation-of-parental-authority?lang=EN>



Volunteer Lawyers Network
Family Emergency Preparedness Toolkit—English
Minnesota—Version 2025

(Para propósitos de tener una copia en español-no para uso legal)

DELEGACIÓN DE PODERES DE PADRE

Código de Minnesota § 524.5-211

ESTADO DE MINNESOTA)

) ss.

CONDADO DE HENNEPIN)

1. Yo, _____, del Condado de _____, Estado de Minnesota, soy madre/padre de _____, nacido el _____ del mes de _____ de _____.
2. Designo por este medio a _____, del Condado de _____, Estado de Minnesota, ser “Apoderado Notarial” para el ejercicio de la custodia legal y física sobre mi menor hijo/a, _____, hasta _____ (fecha hasta un año de la fecha de firmar) de conformidad con el Código de Minnesota § 524.5-211.
3. Este “Poder Notarial” constituye mi delegación a _____ para ejercer derechos de custodia legal y física sobre mi menor hijo/a, incluyendo, pero no limitado a:
 - a. autorizar tratamiento médico;
 - b. registrarle a mi menor hijo/a en la escuela;
 - c. proporcionar alimentación, alojamiento, y supervisión a mi menor hijo/a en la casa de _____; y
 - d. autorizar viaje nacional y/o internacional de mi menor hijo/a.

Este “Poder Notarial” no autoriza consentimiento para el matrimonio y/o la adopción de mi hijo/a, _____.

Yo, _____, comprendo que tengo la obligación legal, bajo el Código de Minnesota § 524.5-211 (b), de enviar por correo o dar una copia de este documento al otro padre/madre de mi menor hijo adentro de un periodo de 30 días posterior de su ejecución, a menos que:

- a. el otro padre/madre no tenga derechos de visita o si tiene derechos de visita supervisada; o
- b. Exista una orden de protección bajo Capítulo 518B de la ley de Minnesota o una ley semejante de cualquier otro estado en efecto en su contra.

EN TESTIMONIO DE LO CUAL y EN PLENO USO DE MIS FACULTADES, firmo este documento el día _____ del mes _____ de 2017.

Firma del padre/Madre/Tutor Legal

Nombre en letra de molde del padre/madre/tutor Legal

Suscrito y jurado ante mí
Ese _____ día de _____, 20 _____.

Notario Público

Por este medio, acepto la delegación de poder sobre _____.

Firma del “Apoderado Notarial”

Nombre en letra de molde del padre/madre/tutor Legal

INFORMATION SHEET/HOJA INFORMATIVA 4.01D-Eng/Esp (2 pages):

Emergency and Other Contact Sheet for Each Child

Contactos de Emergencia y Otros Contactos para Cada Hijo

Complete this form for each child./Complete una hoja para cada hijo.



CHILD'S INFORMATION/INFORMACION DEL NIÑO

☐	First and Middle Names/ Nombre(s):	
☐	Last Name(s)/ Apellidos:	
☐	Date of Birth/Fecha de Nacimiento:	Month/mes: _____ Day/día: _____ Year/año: _____
☐	Complete Address/ Dirección Completa:	
☐	Telephone Number/# de Teléfono	
☐	Siblings (first and last names)/ Hermanos (nombres y apellidos)	(1) (2) (3) (4) (5)

EMERGENCY CONTACTS IN CASE PARENTS ARE UNAVAILABLE / CONTACTO DE EMERGENCIA EN CASO DE QUE LOS PADRES NO ESTÉN DISPONIBLES

☐	Designated Caregiver (DOPA) / Personas designada como el guardián legal	Name/Nombre y Apellido: Address/Dirección: Apt. _____ City/Ciudad: _____ Zip/Código Postal: _____ Telefono/No. de Teléfono: _____ Text Message/No. para textear: _____ Email/Correo Electrónico: _____
☐	Alternate person to contact / Otra persona para contactar	Name/Nombre y Apellido: Address/Dirección: Apt. _____ City/Ciudad: _____ Zip/Código Postal: _____ Telefono/No. de Teléfono: _____ Text Message/No. para textear: _____ Email/Correo Electrónico: _____



Volunteer Lawyers Network Family Emergency Preparedness Toolkit—English Minnesota—Version 2025

FAMILY CONTACTS / CONTACTOS DE FAMILIARES

☐	Mother / La Madre	Complete Name/Nombre(s) y Apellido(s): Current Address / Dirección Actual: Cell Number / Número Celular: Home Number / Número de Casa: Work Number / Número de Trabajo:
☐	Father / El Padre	Complete Name/Nombre(s) y Apellido(s): Current Address / Dirección Actual: Cell Number / Número Celular: Home Number / Número de Casa: Work Number / Número de Trabajo:

CONTACT INFORMATION FOR ADULT RELATIVES, FRIENDS, NEIGHBORS / INFORMACION DE CONTACTO PARA FAMILIARES, AMIGOS, VECINOS

☐	Adult Siblings / Hermanos Adultos	
☐	Grandparents / Abuelos	
☐	Aunts, Uncles, Cousins/ Tios y Primos	
☐	Family Friends / Amigos	
☐	Neighbors / Vecinos	

OTHER IMPORTANT EMERGENCY NUMBERS / OTROS CONTACTOS DE EMERGENCIA IMPORTANTE

☐	General Number / No. General	911
☐	Police / La Policia	
☐	Fire Department / Los Bomberos	
☐	Poison Control / En Caso de Envenenación	911

INFORMATION SHEET/HOJA INFORMATIVA 4.01E-Eng/Esp (2 pages):

Important Information Sheet for Each Child

Información Importante para Cada Hijo

Complete this form for each child./Complete una hoja para cada hijo.



CHILD'S INFORMATION/INFORMACION DEL NIÑO

☐	First and Middle Names/ Nombre(s):	
☐	Last Name(s)/Apellidos:	
☐	Date of Birth/Fecha de Nacimiento:	Month/mes: _____ Day/día: _____ Year/año: _____

MEDICAL INFORMATION/INFORMACION MEDICA

☐	Name of Doctor or Medical Practice/Nombre y Apellido del Médico y/o la clínica Médica:	Name/Nombre y Apellido: Address/Dirección::: Telephone #/# de teléfono:
☐	Date of Last Physical Exam/Fecha de último examen medico:	
☐	Important Medical Conditions of Child/condiciones médicas importantes:	
☐	Medication(s) taken by child/medicamentos que toma el niño o recetados:	Name/Nombre: Reason medicine is taken/Motivo para el medicamento: Dose and Frequency/dosis y frecuencia:
☐	Allergies/alergias:	
☐	Name of Dentist or Dental Practice/nombre y apellido del dentista y/o su clínica:	Name/Nombre y Apellido: Address/Dirección::: Telephone #/# de teléfono:
☐	Date of Last Dental Exam/Fecha de último examen dental:	
☐	Ongoing Dental Treatment/Tratamiento Actual:	
☐	Name of Eye Doctor or Practice, if any/Nombre y Apellido del oculista y/o la clínica del oculista, si hubiera:	Name/Nombre y Apellido: Address/Dirección::: Telephone #/# de teléfono:
☐	Ongoing eye treatment/Tratamiento ocular:	



Volunteer Lawyers Network Family Emergency Preparedness Toolkit—English Minnesota—Version 2025

SCHOOL INFORMATION/INFORMACIÓN DE LA ESCUELA

☐	Name, Address, and Phone Number of School/Nombre, dirección y # de teléfono de la escuela:	Name/Nombre y Apellido: Address/Dirección::: Telephone #/# de teléfono:
☐	Grade and Teacher or Guidance Counsel/Ano escolar y nombre del maestro o consejero principal:	Grade/Ano Escobar: Teacher-Counselor/Maestro-Consejero:
☐	Special Educational Services, if any/Servicios especiales educativos:	
☐	Medications Child Receives at School, if any/Medicamentos que toma durante el día escolar:	
☐	Extracurricular Activities AT School and instructors/ Actividades extra-curriculares EN la escuela y los instructores:	
☐	Extracurricular Activities OUTSIDE of School and instructors / Actividades extra-curriculares AFUERA de la escuela y los instructores:	

OTHER INFORMATION/OTRA INFORMACIÓN

☐	Name, Address, and Phone Number of Church/Nombre, dirección y teléfono de la iglesia:	
☐	Church Activities/Actividades en la iglesia:	

HELPFUL THINGS TO KNOW/INFORMACIÓN DE INTERÉS

☐	Favorite Foods/Comida preferida:	
☐	Food Allergies/Alergias a la comida:	
☐	Bedtime/Hora de acostarse:	
☐	Favorite Toys, Books, and Activities/Juguetes, libros y actividades favoritos:	
☐	Restrictions/restricciones:	



SAMPLE LETTERS/CARTAS EJEMPLARES 4.01F-Eng/Esp (2 pages):

To Give to Temporary Custodian of Child

Para Entregar al Tutor Temporal del Niño

Complete this form for each child./Complete una hoja para cada hijo.

1. **SAMPLE LETTER ONE:** for the person to whom you delegated parental authority in case you are detained or unavailable.

Dear _____,

Please keep this sheet with you or somewhere you can find it immediately. If you learn that I have been detained, please get my children right away. If you cannot locate my children, contact the _____ County Social Services office at _____. Tell them the names of my children, your name and phone number, that you have a Delegation of Parental Authority by parent. Thank you.

Name and Signature of Parent

2. **SAMPLE LETTER TWO:** for a friend or relative to contact the person to whom you delegated parental authority in case you are detained or unavailable.

Dear _____,

Please keep this sheet with you or somewhere you can find it immediately. If you learn that I have been detained, please call _____, whose phone number is _____, as soon as possible to let her know. S/he is the designated caretaker for my child/children. If my children have been taken into custody, tell him/her to contact the _____ County Social Services office, and that she should tell them the names of my children, her name and phone number, that she has a Delegation of Powers by parent. Thank you.

Name and Signature of Parent



- 3. SAMPLE LETTER THREE:** for an emergency contact if you **have not** delegated a temporary custodian for your child, but you expect that your emergency contact person will be willing to care for your children or will find some other reliable person willing to care for your children.

Dear _____,

Please keep this sheet with you or somewhere you can find it immediately. If you learn that I have been detained and are willing take care of my children, please pick up my children as soon as you can.

There are envelopes with important information about my children located _____.

If my children have been taken into custody, please contact the _____ County Social Services office, and give them the names of my children, your name and phone number, and that you are willing to care for my children. If you are unable to care for my children, but you know of a trusted adult willing to care from my children, please give them this same information. Thank you.

Name and Signature of Parent

INFORMATION SHEET:

4.02G-Eng-Passport Information



What is a passport?

A passport is an official document issued by the government of a country that identifies someone as a citizen of that country. It is usually needed for travel, when entering or leaving a country.

Where can I get more information about how to apply for a U.S. passport?

The official U.S. government website with information about applying for a U.S. passport is here:

<https://travel.state.gov/content/travel/en/passports.html> . *There are many unofficial websites that offer to help with passport services and charge a fee. This fact sheet does not address these unofficial services.*

How do I get a passport?

If you are a U.S. citizen, you can apply for a passport at one of the passport acceptance facilities. Passport acceptance facilities include your local government center and U.S. post offices. A list of passport acceptance facilities can be found on the internet at <https://iafdb.travel.state.gov/>

You will need:

- To fill out a passport application form (DS-11)
- To have proof of your U.S. citizenship (your U.S. birth certificate or Certificate of Citizenship or Naturalization)
- An ID
- A passport photo
- The fee to pay for it.

If you are not a U.S. citizen, you need to contact the embassy or consulate of your home country to find out how to get a passport. Contact information for various consulates appears at the end of this handout.

What information do I generally need to fill out a passport application form?

Generally, to fill out a passport application form the applicant will need information such as: Legal name and other names used, date of birth, sex, place of birth, social security number (if for a USA passport), contact information, mailing address, parental information such as dates and places of birth, marital information, physical information, travel information, emergency contact, former passport numbers and dates, etc.

How do I get a passport for my minor child?

If your child was born in your home country, you need to contact the embassy or consulate of your home country to find out how to get a passport.

If your child was born in the United States, then a parent can apply for a U.S. passport for the child. Usually both parents must appear in person at a passport acceptance facility (U.S. Passport Office, U.S. Post Office, or certain other government centers), but there are exceptions. If only one parent is named on the birth certificate, then that parent can apply by herself for the minor child's passport.



What documents do I need to apply for my child's passport?

To apply for your child's passport, you will need:

- The passport application form (DS-11)
- An original or certified copy of the child's U.S. birth certificate (you can request a certified copy of your child's birth certificate from the Vital Records office of the county that is closest to you; a hospital birth record will not be sufficient) or adoption decree showing you are the legal parent (plus another copy of either of those documents)
- Your government-issued ID such as your own valid, unexpired passport or consulate ID ("matricula") (plus another copy)
- A passport photo of the child (many passport acceptance facilities provide photo services for an additional fee)

What if only one parent can apply in person but both parents are named on the birth certificate?

If the other parent has died or if you have a court order that grants you sole legal and physical custody of the child with no travel restrictions, then you can apply by yourself for the passport. You will need a copy of the death certificate or the court order granting sole legal and physical custody.

If you do not have such a court order and only one parent can appear in person to apply for a passport, you need to bring a special notarized letter called a "Statement of Consent" (DS-3053) that is signed by the other parent and gives permission for you to apply alone for the child's passport.

What if I cannot find the other parent or get them to sign the Statement of Consent?

If both parent's names appear on the child's birth certificate but it is not possible to get a Statement of Consent from the other parent, you can fill out a Form DS-5525 "Statement Of Exigent/Special Family Circumstances For Issuance Of A U.S. Passport To A Minor Under Age 16" to explain why you cannot get the other parent's statement of consent. Filling out this form does not guarantee that the passport will be issued. If the other parent has been deported and you have a copy of the deportation order, then you should include a copy when you file the form.

What if they do not give me a passport after filling out the Statement of Exigent/Special Family Circumstances?

Then you may need to consult a family law attorney for help in getting a court order. Examples of court orders include an order that terminates the parental rights of the other parent, an order that grants you sole legal and physical custody with no travel restrictions, a court order authorizing you to get a passport for the child regardless of the custodial arrangement or that specifically authorizes travel with you; or a "Declaratory Judgement" allowing you to get a passport for the child.

If you already have a custody or parenting time order, you can ask the court to change ("modify") the order.

Where may I get the official passport forms for free?

You may access the official U.S. Department of State free passport-related forms for free at <https://travel.state.gov/content/passports/en/passports/forms.html>

What is I need a passport quickly?

There is a process to speed up the process to get your passport. You may need to make an appointment. Visit <https://travel.state.gov/content/travel/en/passports.html> for more information.