

Minnesota Now (MPR) | Minnesota Now Minnesota Now - Southwestern Minnesota's only immigration attorney is overloaded with unaccompanied minor cases 01GFKMV6RXEXSJN41YXEMDFWAQ

CATHY WURZER: A lot of attention was paid to the undocumented migrants Florida Governor Ron DeSantis sent from Florida to Massachusetts last month. Here in Minnesota, much less attention has been paid to the roughly 130 unaccompanied migrant children that have been sent by immigration authorities from the US southern border to Nobles County in southwestern Minnesota this year alone.

Erin Schutte Wadzinski is currently the only immigration lawyer in southwestern Minnesota and has been very busy connecting minors with resources to become established legally in Minnesota. Schutte Wadzinski from the law firm Kivu Law serves Minnesota, South Dakota, and Iowa, and Erin's on the line right now. Welcome to the program.

ERIN SCHUTTE WADZINSKI: Thank you, Cathy. Good afternoon.

CATHY WURZER: Good afternoon. Thank you so much. Walk us through how children who have crossed over the US southern border alone get to Minnesota. What's the process?

ERIN SCHUTTE WADZINSKI: Oftentimes when children cross the border, they immediately come into contact with border officials. The children are then taken into custody and are placed into removal proceedings with the immigration court through the Department of Justice. But while the children await their day in court and are in the government's custody, they stay in a children's shelter overseen by the US Department of Health and Human Services, which is unique from what happens when adults come in contact with border patrol.

But because of court backlogs, sometimes it takes years for these kids to have their day in court. And if a child has a family member in the US who's willing to serve as their sponsor, then this adult in the United States can receive the child out of the children's shelter, and the child will be placed into the home of the sponsor in the United States. So Worthington, or Nobles County, receives a lot of these children simply because this is where their sponsors live.

CATHY WURZER: More than 130 unaccompanied minors is something I'm sure that Hennepin and Ramsey Counties might see. But, gosh, Nobles County is so much smaller. So how is the county handling this?

ERIN SCHUTTE WADZINSKI: And Nobles County is a county of 21,000 people. Worthington comprises the majority of residents in Nobles County. And our area feels the presence of these unaccompanied children more so than in metro areas simply because it's a large per capita gain. And our region works diligently and has to work with a number of entities in our region to try and provide the resources to ensure that these children are provided safety, security, and an opportunity to education.

CATHY WURZER: I was going to say, are they in the education system?

ERIN SCHUTTE WADZINSKI: The majority are, is my understanding. One of the responsibilities of a sponsor is to ensure that the child is enrolled in school and getting an education up until at least the age of 18

CATHY WURZER: I know there's attorney-client privilege, but just generally speaking, tell us about maybe a few of the young people that you work with. Who are they?

ERIN SCHUTTE I work with many Central American youth. There's a large group of Indigenous Guatemalans who I've had the pleasure to get to know. And something unique about Indigenous migrants is that Spanish is not their first language. And we work with interpreters who speak Indigenous languages to be able to communicate with these young people who oftentimes are not afforded an education in their home country.

They fled violence, fled danger, and are in the United States. And for many of them, this is their first opportunity to be able to go to school. I had one young lady tell me the other day that she is working really hard to learn English because then she'll be trilingual and can one day be an interpreter. And that just warmed my heart because that is just one example of such a big need in our region as our region becomes more and more diverse.

CATHY How well are the schools in the county meeting the needs of these migrant kids, especially with education? And I asked that question because I understand you've set up kids with English teachers at school?

ERIN SCHUTTE One of the questions I ask any young person who comes into my office is, are you enrolled in school? And if they are not, we will offer to get them enrolled. And that's just picking up the phone and making sure that they understand the process for figuring out how they can get to school and get enrolled.

Our schools in our counties are working extremely diligently to provide the services and resources that unaccompanied children need. There are certainly challenges. I mentioned language as one barrier. But we're a small town, and I think we really strive to create that welcoming atmosphere for all.

CATHY Because your area of the state is seeing more immigrants-- you sound like you've got a ton of work yourself in Worthington-- why aren't there more immigration lawyers who are helping out, who are taking on some of this work?

ERIN SCHUTTE You're right, I am staying very, very busy. Representing unaccompanied children is very complex, evaluating their situation to see what kind of application is the best fit for them and figuring out whether or not that application must be submitted to immigration court or it can be submitted to US Citizenship and Immigration Services. Special immigrant juvenile status is a common case type for these young folks. And special immigrant juvenile status is for kids who are under 21, unmarried, and have been neglected, abused, or abandoned by one or both parents.

But in order for the child to navigate that process towards special immigrant juvenile status, it requires an attorney who can practice state law and federal law. And that's where there's a nexus of family law in the state courts and immigration law in the federal courts. It's complex.

And not everyone is up to the challenge, especially in this region where there's already a shortage of attorneys. Attorneys who are familiar with one set of laws seem to be pretty busy in that one set of law. And I am actually looking for an attorney to join my firm just to try and meet the demand in this area.

CATHY As I listen to you, I'm wondering-- this is, as you say, it's very complex, complicated work, and these kids, I'm sure, it's a whole new environment for them, even though they have a sponsor here. In due time, are they reunited with family?

ERIN SCHUTTE Sometimes unaccompanied children are reunited with family who are already in the United States. Sponsors are frequently family members. Sponsors can be parents, adult siblings, aunts and uncles. And the government goes through a very rigorous verification process to ensure that the sponsor is who they say they are in terms of biological relationship. But one of the main goals in releasing children from a children's shelter is, in fact, to reunite them with their family.

CATHY WURZER: OK. So before you go, I'm curious, what's the one thing you tell young migrant kids what they need to know about living in Minnesota?

ERIN SCHUTTE Work hard, stay out of trouble, and follow your dreams. And those are pieces of advice that I give all children and **WADZINSKI:** would give children no matter where I'm located. But one thing about these kids is that they are so, so brave and courageous. Just one additional piece of practical advice that I would give to someone who has newly arrived in Minnesota is don't forget to get a winter coat.

CATHY WURZER: Always good advice to anyone who's new. Erin, I appreciate your time. Thank you so very much, and thanks for your work.

ERIN SCHUTTE Thank you.

WADZINSKI:

CATHY WURZER: Erin Schutte Wadzinski is an immigration attorney in southwestern Minnesota working out of Worthington. Her law firm is Kivu, Kivu Law serving Minnesota, South Dakota, and Iowa.