

**DECLARATION OF FEDERALLY APPOINTED CHILD ADVOCATE ON BEHALF OF
UNACCOMPANIED CHILD HANIA MICHELLE ORTIZ CEREN**

I, Elizabeth Garcia, LMSW, declare under penalty of perjury the following:

1. My name is Elizabeth Garcia. On January 16, 2025, the Office of Refugee Resettlement (ORR) appointed me in my role as a Child Advocate at the Young Center for Immigrant Children's Rights to serve as the independent Child Advocate for seven-year-old H■■■■ M■■■■ O■■■■ C■■■■ pursuant to the William Wilberforce Trafficking Victims Protection Reauthorization Act (TVPRA)¹.
2. Pursuant to the TVPRA and federal regulations, the role of the independent Child Advocate is to assess the best interests of particularly vulnerable unaccompanied children, like H■■■■, and then develop determinations regarding their custody, placement, release, legal representation, relief from removal, and safe repatriation. H■■■■ was referred for the appointment of a Child Advocate because of her young age, because her sponsor is undergoing a home study, and because her inability to make an independent decision.
3. Due to H■■■■'s age, it is difficult for her to provide a formal declaration. I am providing this declaration in support of H■■■■'s best interests in my role as her Child Advocate.
4. H■■■■ is currently in care at the ■■■■■ Shelter in ■■■■■, ■■■■■. To the best of my knowledge, she does not have a birth certificate.
5. H■■■■ is currently in removal proceedings before the ■■■■■ immigration court. Her next Master Calendar hearing is ■■■■■, 2025.
6. In light of recent news stories² indicating that the U.S. government has made plans to return Guatemalan children to their country of origin without the due process protections of immigration court, I am concerned that H■■■■ may be unsafely and unlawfully returned to Guatemala.
7. H■■■■ does not have a caregiver in Guatemala who is capable or willing to provide her with a safe a permanent home at this time. She previously lived with an adult

¹ 8 U.S.C. §1232(c)(6)(A) (2018). *See attached* Child Advocate Recommendation & Appointment Form.

² Alvarez, Priscilla, "Exclusive: Trump Administration plans to send hundreds of Guatemalan children in government custody back to home country," CNN, Aug. 29, 2025, available at: <https://www.cnn.com/2025/08/29/politics/migrant-kids-guatemala-immigration>.

caregiver who mistreated her and has no known family members willing or able to care for her.

8. If repatriated to Guatemala, H■■■■'s safety would be immediately compromised. She could be rendered homeless; she could be returned to an abusive, prior caregiver; or she could be placed in the custody of a government that may lack the capacity to meet her needs..
9. H■■■■'s expressed wish is to live with the people she considers to be her parents, the people she calls "Mami ■■■■" and "Papi ■■■■." Both have stepped forward to sponsor her release from federal custody, but due to ORR's recent and rapid changes in reunification requirements, H■■■■'s reunification with them has been significantly delayed.
10. We believe it is in H■■■■'s best interests to remain in the United States to continue in her immigration court proceedings with the due process protections of the law.
11. It is our determination that it is in H■■■■'s best interests for this Court to ensure H■■■■ remains in the United States while her immigration case is pending and to protect her from being removed before she is able to have her case fully adjudicated by immigration officials within U.S. Citizenship and Immigration Services (which adjudicates certain forms of immigration benefits such as asylum and Special Immigrant Juvenile Status) and/or the Executive Office of Immigration Review (home to the immigration courts). If H■■■■ is ever ordered to leave the United States by an immigration judge, she should do so only after provisions are made under the TVPRA for her safe repatriation, including confirmation by her Child Advocate and attorney that she will have a safe, appropriate and permanent place to which she can return.

Respectfully,



Elizabeth Garcia, LMSW
TVPRA Child Advocate

Executed on August 30, 2025, in Texas.