

Family Court Immigration Intake Worksheet



1.

Part A: Ask all clients: WHERE WERE YOU BORN?

People born in the U.S. are citizens who do not need immigration advice.

If your client was born outside the U.S., they may need an immigration consultation. Go to question 2 below.

United States, Puerto Rico, Guam, or U.S. Virgin Islands

Outside the U.S.

Country: _____



2.

For clients born outside the U.S. and its territories, ask:

- U.S. Citizen (Skip to Part B)
- Lawful Permanent Resident (Skip to Part C)

Other immigration status (Skip to Part D)

- Undocumented / Overstayed Visa
- Current visa holder (e.g. student, employment, tourist)
- Refugee or Asylee
- TPS (Temporary Protected Status)
- DACA (Deferred Action for Childhood Arrivals)
- VAWA (Violence Against Women Act)
- Other _____

WHAT IS YOUR CURRENT IMMIGRATION STATUS?

See IDP's Family Court Guide for more information about possible immigration statuses and forms of documentation.

**NOTE: A work permit is NOT a status. Ask to see the client's employment authorization card and write down the category code on the card.

Part B: NATURALIZED CITIZEN

Ask your client:

- Did you apply to become a US citizen?
- Did you take a test?
- When did you take the oath of citizenship?

If your client reports that they are a citizen but answers no to the questions above, contact IDP for assistance.

If the citizenship oath ceremony was **before** the date(s) of all the alleged conduct:

The outcome of the Family Court proceedings will not impact your client's immigration status because your client was a citizen at the time of the alleged conduct.

If the citizenship oath ceremony was **after** the date of all or some the alleged conduct:

Certain findings may put the client at risk for immigration consequences. You should talk to an immigration expert to best advocate for immigration-safe findings.

U.S. CITIZENS
SKIP TO
PART E

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Part C:
LAWFUL PERMANENT RESIDENT (LPR)

1. WHEN DID YOU BECOME A LAWFUL PERMANENT RESIDENT?

Date: _____

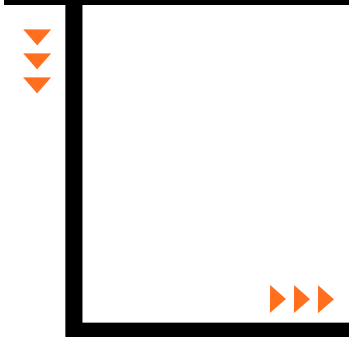


If A client does not know the date they became an LPR or their A-number, this information can be found on any one of the following documents:

- **Green card** (even if expired - LPR status does not terminate even if the person's green card has expired.)
- **Stamp** in passport or **I-94 Arrival/Departure Card**, stating "temporary evidence of lawful admission for permanent residence"
- **Approval notice** for the immigration application, aka **I-797, Notice of Action** (write down filing date & receipt # in addition to A-number)

2. WHAT IS YOUR A-NUMBER?

An "A number" is an 8- or 9-digit identification number used by immigration agencies and courts. It can be found on your client's green card, work authorization, or any documents from immigration.



3. HAVE YOU TRAVELED OUTSIDE OF THE U.S. SINCE YOU BECAME A LAWFUL PERMANENT RESIDENT?

YES If yes, what were the dates of your most recent trip?

NO _____

NOTE: This is to identify whether the client traveled during the period of time that the alleged harm occurred. This is not applicable if the client has not traveled since the first alleged incident.

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LPRS SKIP TO
PART E

Family Court Immigration Intake Worksheet



Part D: OTHER CLIENT: NOT U.S. CITIZEN OR LAWFUL PERMANENT RESIDENT

1. DO YOU HAVE AN A-NUMBER?

If yes, what is it? _____

An "A number" is an 8- or 9-digit identification number used by immigration agencies and courts, assigned to them when they have contact with immigration agencies. Some clients will not know their A-number, even though they have one. If a client does not know their A-number, they can look at any of the following documents:

- Category on **work permit**
- **I-94 Arrival/Departure Card**, or entry **stamp** in passport
- **Approval notice** for an immigration application, aka **I-797, Notice of Action**
- **Order of Immigration Judge** granting an immigration status or ordering the person deported
- **Any document from an immigration agency**

3. HOW DID YOU FIRST ENTER THE UNITED STATES?

- I entered with a temporary visa (e.g. student, tourist, skilled worker)
- I entered the U.S. without passing through an official port of entry, either on foot or in a vehicle
- I asked for asylum at an official land border crossing or airport and the officers allowed me to enter (with or without being detained)
- I entered without a visa but an officer "waived" me through an official entry point or airport without requiring me to show an immigration document (this is more common for people who came as children)
- I entered as a refugee
- I entered through the Visa Waiver Program (ESTA)

NOTE: A client may have entered the U.S. with one immigration status and received a different immigration status after they entered the U.S.

Question 3 asks whether the client had an immigration status when they entered, such as a visa or refugee status. If the client did not have a visa, it is important to confirm whether or not they entered through an official border crossing or airport.

2. WHEN DID YOU FIRST ENTER THE UNITED STATES?

If exact date is not known, give approximate date.

4. WHAT DATE DID YOU RECEIVE YOUR CURRENT IMMIGRATION STATUS, IF ANY?

Date: _____

Note: If a client does not know this, they can look at any of the documents that show their A-number (see Question 1 above).

This question asks for the date of the client's current status, if they have obtained any other status since they entered the U.S.

Skip to question 5 if the client entered without a visa or stayed in the U.S. after their visa expired and has not received a new immigration status since then.

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Part D CONTINUED:
OTHER CLIENT:
NOT U.S. CITIZEN OR
LAWFUL PERMANENT
RESIDENT



5. QUESTIONS ABOUT FAMILY MEMBERS AND U STATUS ELIGIBILITY

Do you have any U.S. Citizen or lawful permanent resident family members (parent, spouse, or child)?

YES NO

IF YES, write down the family member's relationship and age:

NOTE: A client and/or their child(ren) might become eligible for U status if certain crimes, including domestic violence, are reported to police, ACS, or the Family Court adjudicator. It is important to have a conversation with your client about whether your client or their children have experienced domestic violence and their questions or concerns about reporting this to law enforcement or the Family Court.

Have you or your child(ren) experienced violence in the home by another family member?

YES NO

IF YES:

Have you reported this to ACS or the police?

YES NO

Do you want to report your experience to the Family Court?

YES NO



ALL CLIENTS
CONTINUE TO
PART E

Family Court Immigration Intake Worksheet



Part E: QUESTIONS ABOUT IMMIGRATION HISTORY AND CRIMINAL HISTORY

1. HAVE YOU EVER:

- been arrested by an immigration officer?
- been in immigration detention?
- been deported from the U.S.?

If yes to any of these questions, approximately where and when?

2. DO YOU HAVE:

- | | |
|---|---|
| <ul style="list-style-type: none"> <input type="checkbox"/> Pending immigration applications?
What type?-----
What are your upcoming deadlines or appointments?----- <input type="checkbox"/> Plans to file an immigration application in the future?
What type?----- <input type="checkbox"/> A prior immigration application that was denied?
What type?-----
When was it denied?----- | <ul style="list-style-type: none"> <input type="checkbox"/> A pending deportation case in front of an immigration judge?
Which court?-----
When is your next court date?----- <input type="checkbox"/> A prior deportation case in front of an immigration judge?
What was the result?-----
When was it decided?----- <input type="checkbox"/> An immigration attorney?
What is their name and contact information?----- |
|---|---|

3. HAVE YOU EVER BEEN ARRESTED OR RECEIVED A TICKET?

- YES
- NO

For any arrests, please gather as much of the following information as possible:

- Date of arrest
- Date of conviction (if any)
- Place of conviction (county, state)
- Conviction name and/or statute
- Sentence (if any)

NOTE: If you cannot get all of the above information, an immigration attorney can help you identify out what additional information is necessary for the analysis.

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Part E CONTINUED: QUESTIONS ABOUT IMMIGRATION HISTORY AND CRIMINAL HISTORY

4a. DO YOU HAVE AN OPEN CRIMINAL CASE (RELATED OR UNRELATED TO YOUR FAMILY CASE)?

- YES
- NO

4b. IF YES:

What are the charges?

Is there a criminal order of protection? YES NO

- If YES: Is the order of protection subject to family court modification? YES NO

What is your criminal defense attorney's name and contact information?

Free consults for 18-b panel cases

Contact

Webform: www.immdefense.org/webform
Call: 212.725.6422

To get full and accurate advice, you must provide:

- the information on this worksheet
- the petition (scanned copy)
- any orders of protection (scanned copy)
- documents from any concurrent or prior criminal cases

IMPORTANT POINT!

Refer cases as early as possible to ensure we have time to provide a full advisal.

