

Immigration Consult Worksheet



Determine if you need to provide immigration consequences information to your client and gather information necessary to work with an immigration expert.

1.

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 step 2 below.

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

Outside the U.S.

Country: _____

Ask all clients born outside of the U.S. about their immigration status and important dates. Note that even some naturalized U.S. citizens can suffer negative immigration consequences from a plea depending on the date they naturalized.

Naturalized U.S. Citizen
Date of oath ceremony: _____

Lawful Permanent Resident (LPR)/ Green card holder
Date received status: _____

Undocumented/Visa Overstay

Other. Describe: _____
*note "work authorization" is not a status. Write down the "category" on the work authorization card if your client's status is unclear.

2.

WHAT IS YOUR IMMIGRATION STATUS?

Refugee/asylee
Date received status: _____

Visa holder. Type: _____
Expiration date: _____

Temporary Protected Status (TPS)
Expiration date: _____

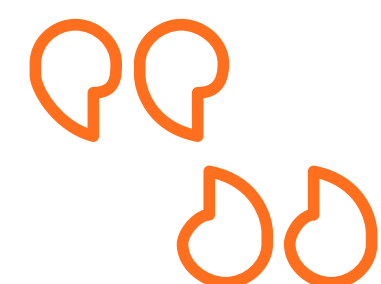
Deferred Action for Childhood Arrivals (DACA)
Expiration date: _____

Previously deported:
Date: _____

3. Advise clients about your Padilla duty.

Clients born outside the U.S. may suffer negative immigration consequences as the result of a plea. We recommend using an expert to advise about all people born outside of the U.S. **except individuals who naturalize prior to the alleged offense date.**

Provide your client with background about your duties and initial advice, then finish the worksheet and contact an expert as soon as possible.



As your defense attorney, I am required to advise you about the negative immigration consequences that could come from any plea or decision to go to trial. I will work with an expert to find out what the consequences for you may be and, if possible, negotiate for a plea that will not harm your immigration status.

To do this, I need to get some more information about your immigration history.

While we are waiting to resolve this case, you should not travel internationally or start a new immigration application. If you must travel or apply for an immigration benefit, you need to tell me as soon as possible.

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Background immigration history information and referral instructions.

4. WHAT STATUS DID YOU HAVE WHEN YOU ENTERED THE U.S.?

- Undocumented/Entered without inspection
- Visa
- Residency/Greed card
- Refugee/asylee
- Other: _____

5. WHEN DID YOU COME TO THE U.S.?

Date: _____



6. 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.

7. DO YOU HAVE:

- U.S. Citizen or lawful permanent resident family members?
Who? _____
- Pending immigration applications or renewals?
What type? _____
What are your upcoming deadlines or appointments? _____
- A prior immigration application that was denied?
What type? _____
When was it denied? _____
- A pending deportation case?
Which court? _____
When is your next court date? _____
- A prior deportation case?
What was the result? _____
When was it decided? _____
- An immigration attorney?
What is their name and contact information? _____



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Webform: www.immdefense.org/webform

Call: 212.725.6422

To get full and accurate advice, you must provide:

- the information on this worksheet
- the charging document (scanned copy)
- the client's rap sheet (scanned copy)

IMPORTANT POINT!

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

