

# SAMPLE INTAKE FOR DEFENDER OFFICE

(from Washington Defender Association's Immigration Project)

## Non Citizen Defendant Worksheet [WDA: 5-10-10]

Defendant Identifier: (optional) \_\_\_\_\_

Attorney: \_\_\_\_\_

Date: \_\_\_\_\_

### Immigration Status:

- LPR - Lawful Permanent Resident (greencard)  
Since when: \_\_\_\_\_
- Refugee or granted asylum status  
Since When: \_\_\_\_\_
- Undocumented (entered illegally)  
Date of Entry : \_\_\_\_\_
- Previously Deported
  - By ICE  Saw Immigration Judge
- Other: \_\_\_\_\_

DOB: \_\_\_\_\_

POB: \_\_\_\_\_

ICE Detainer:  YES  NO

Defendant is:  IN CUSTODY  
 NOT IN CUSTODY

### Complete Criminal History:

(Include offense, date of conviction and sentence (including suspended time) for each conviction. Include arrests, deferred adjudications, deferred sentences, juvenile history, or other resolutions.

### Family Ties:

SPOUSE:  USC  LPR  Undocumented  
PARTNER:  USC  LPR  Undocumented  
CHILDREN: Number \_\_\_\_\_ Ages: \_\_\_\_\_  
                  \_\_\_\_\_ USC \_\_\_\_\_ LPR \_\_\_\_\_ Undocumented  
MOTHER:  USC  LPR  Undocumented  
FATHER :  USC  LPR  Undocumented  
USC Grandparents?  Yes  No

### Defendant's Goals Re: Immigration Consequences

- Avoid conviction that triggers deportation
- Preserve eligibility to obtain future immigration benefits (e.g. LPR status or citizenship)
- Preserve ability to ask immigration judge to get/keep lawful status & stay in U.S.
- Get out of jail ASAP
- Immigration consequences, including deportation are not a priority

Other goals re: immigration consequences:

Current Charge(s):

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Plea Offer(s):

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**Analysis of Immigration Consequences of Charges & Plea Alternatives/Offers:**

Likelihood that charged crime(s) and/or plea alternatives will trigger deportation—including impact of sentence (regardless of time suspended):

\_\_\_\_\_ (offense):  certain  likely  possible  unlikely  will not

\_\_\_\_\_ (offense):  certain  likely  possible  unlikely  will not

Impact of conviction on eligibility to apply for relief from deportation or future immigration benefits:

\_\_\_\_\_ (offense):  makes ineligible  does not make ineligible  unclear

\_\_\_\_\_ (offense):  makes ineligible  does not make ineligible  unclear

**Notes: Advice to Client, Defense Strategies Pursued:**

**Possible Strategies** (may not apply in all cases)

- Attempt to negotiate to crime that does not trigger deportation or ineligibility for benefits/relief
- Sanitize record of conviction (especially plea stmt)
- Obtain sentence of <365 days or <180 days (including suspended time)
- File RALJ appeal where 365 day sentence imposed
- File notice of appeal of conviction
- Get client out of jail before ICE apprehension

OTHER: \_\_\_\_\_

**Resources Consulted**