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TESTING THE PLEA OF THE NONCITIZEN FOR IMMIGRATION CONSEQUENCES

Attorney's Name: _____ **Date:** _____
Client's Name: _____ **Citizenship** _____
Immigration Status _____ **Date of Entry to US:** _____
Alien Number ("A-number"), if any _____

In order to evaluate the immigration consequences of a criminal conviction for a noncitizen it is necessary to be aware of:

- 1) all past criminal conviction;
- 2) the current charges; and
- 3) the defendant's immigration status

This form is designed to elicit that information.

1. Past criminal convictions:

Date of Sentence	Charges	Court Sentence	Attorney (Docket #)
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2. Current Charges:

Date of Arrest	Charges	Court Offered Plea	Attorney (Docket #)
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3. Immigration Status/History:

A. Explain to client information is confidential, we are not the immigration service, and that accurate information is necessary in order to properly advise the client. Press for accurate information. Advise they need not tell authorities immigration status or nationality.

B. Please provide any immigration status or nationality.

C. Are you naturalized United States citizen? Yes No
If yes, when were you sworn in? _____

D. Were you or your spouse's parent or grandparent born in the United States or granted citizenship?
Yes No

E. Were you a permanent resident under the age of 18 when a parent naturalized to U.S. citizenship?
Yes No

F. If detained, Is there an immigration hold? Yes No

G. Do you have an immigration lawyer? Yes No Name: _____

H. When did you first **enter** the United States? _____
What type of visa, if any? _____
When was your most recent entry/what kind of visa? _____

I. Have you left the United States for any periods of 6 months or longer since **entering**?
Yes No

J. What is your immigration status? Do you have papers?

- Lawful permanent resident (green card)? When did you obtain it? _____
- Undocumented person?
- Non-immigrant visa holder? What type? _____
- Temporary protected status/TPS?
- Refugee or asylee (asylum)?
- DACA?

K. Did anyone ever file a visa or citizenship petition for you? Yes No
If so, name and number: _____ Date: _____

Type of visa petition: _____ Was it granted? Yes No

- L. Have you ever been deported/removed or gone before an immigration judge? Yes No
If so, date: _____ Reason: _____
- M. Do you have an immigration court date pending? Yes No
If yes, date: _____ Reason: _____
- N. Do you have a U.S. citizen Spouse? Parent? Child?
- O. Do you have a lawful permanent resident Spouse? Parent?
- P. Do you have fear about returning to your country?
Were you a torture victim?
- Q. Have you been battered by spouse or parent who is U.S. citizen or permanent legal resident?
- R. Have you been the victim of crime in the United States?
If so, did you cooperate with law enforcement?