

Initial Interview – Padilla Supplement

NON-DISCOVERABLE ATTORNEY WORK PRODUCT

Defense attorneys must understand the immigration status of every client.
This supplement is meant to assist you in having a meaningful discussion about the
potential immigration consequences of a criminal case with your client.

INITIAL INTERVIEW:

Interviewer's Name		Telephone	
Email Address		Date of Interview	
Is Interviewer Client's Attorney?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Attorney Name/ Contact Information	

CLIENT INFO:

Client Name		ID #	
Place of Birth	Date of Birth	Interpreter?	<input type="checkbox"/> Yes <input type="checkbox"/> No
		Language	
Custody Status	<input type="checkbox"/> In <input type="checkbox"/> Out	Address	Telephone

CRIMINAL MATTERS:

Current Charge Type	<input type="checkbox"/> Misdemeanor	<input type="checkbox"/> Felony	<input type="checkbox"/> Violation	<input type="checkbox"/> Other
Charges (list R.C. codes)				
Judge/Court		Case Number		
Next Court Date				

Defendant's Criminal History:

(Include name of offense/statute, date of conviction, sentence, jurisdiction)

DEFENSE GOALS:

Client's Goals Re: Immigration Consequences
<input type="checkbox"/> Avoid conviction that triggers deportation <input type="checkbox"/> Preserve eligibility to apply for immigration status or relief from removal <input type="checkbox"/> Get out of jail ASAP <input type="checkbox"/> Avoid immigration detainer <input type="checkbox"/> Minimize prison time/sentence <input type="checkbox"/> Immigration consequences/deportation not a priority <input type="checkbox"/> Other goals regarding immigration consequences:

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IMMIGRATION MATTERS:

Do you have an immigration attorney? <input type="checkbox"/> Yes <input type="checkbox"/> No	May I contact? <input type="checkbox"/> Yes <input type="checkbox"/> No	Current Immigration Status
Attorney name & contact info:		<input type="checkbox"/> Naturalized <input type="checkbox"/> Lawful Permanent Resident/ “Green Card” <input type="checkbox"/> Temporary Protected Status <input type="checkbox"/> Student/Work Visa _____ <input type="checkbox"/> Asylum <input type="checkbox"/> Refugee <input type="checkbox"/> DACA <input type="checkbox"/> Victim-related status <input type="checkbox"/> Entered without inspection (undocumented) <input type="checkbox"/> Other:
Immigration hold/detainer? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unsure		Date status obtained Expiration? Status Notes:
Immigration applications pending? <input type="checkbox"/> Naturalization <input type="checkbox"/> Lawful Permanent Resident Renewal <input type="checkbox"/> Other		
Entry/Departures		
Date of first entry into U.S.	Location & method of entry	
Significant departures (dates/length)		
Prior deportation (reason/date)		
Date of last entry into US	Location & method of entry	

Current Marital Status	Family Ties																												
<input type="checkbox"/> Single (never married) <input type="checkbox"/> Married <input type="checkbox"/> Engaged <input type="checkbox"/> Divorced <input type="checkbox"/> Separated <input type="checkbox"/> Widowed Date & place of marriage:	<table style="width: 100%; border: none;"> <tr> <td style="width: 30%;">Spouse:</td> <td><input type="checkbox"/> U.S. Citizen</td> <td><input type="checkbox"/> Lawful Perm. Resident</td> <td><input type="checkbox"/> Undocumented</td> </tr> <tr> <td>Partner:</td> <td><input type="checkbox"/> U.S. Citizen</td> <td><input type="checkbox"/> Lawful Perm. Resident</td> <td><input type="checkbox"/> Undocumented</td> </tr> <tr> <td>Children:</td> <td><input type="checkbox"/> U.S. Citizen</td> <td><input type="checkbox"/> Lawful Perm. Resident</td> <td><input type="checkbox"/> Undocumented</td> </tr> <tr> <td></td> <td colspan="3">(Number ____ Age(s) _____)</td> </tr> <tr> <td>Mother:</td> <td><input type="checkbox"/> U.S. Citizen</td> <td><input type="checkbox"/> Lawful Perm. Resident</td> <td><input type="checkbox"/> Undocumented</td> </tr> <tr> <td>Father:</td> <td><input type="checkbox"/> U.S. Citizen</td> <td><input type="checkbox"/> Lawful Perm. Resident</td> <td><input type="checkbox"/> Undocumented</td> </tr> <tr> <td>Grandparent:</td> <td><input type="checkbox"/> U.S. Citizen</td> <td><input type="checkbox"/> Lawful Perm. Resident</td> <td><input type="checkbox"/> Undocumented</td> </tr> </table>	Spouse:	<input type="checkbox"/> U.S. Citizen	<input type="checkbox"/> Lawful Perm. Resident	<input type="checkbox"/> Undocumented	Partner:	<input type="checkbox"/> U.S. Citizen	<input type="checkbox"/> Lawful Perm. Resident	<input type="checkbox"/> Undocumented	Children:	<input type="checkbox"/> U.S. Citizen	<input type="checkbox"/> Lawful Perm. Resident	<input type="checkbox"/> Undocumented		(Number ____ Age(s) _____)			Mother:	<input type="checkbox"/> U.S. Citizen	<input type="checkbox"/> Lawful Perm. Resident	<input type="checkbox"/> Undocumented	Father:	<input type="checkbox"/> U.S. Citizen	<input type="checkbox"/> Lawful Perm. Resident	<input type="checkbox"/> Undocumented	Grandparent:	<input type="checkbox"/> U.S. Citizen	<input type="checkbox"/> Lawful Perm. Resident	<input type="checkbox"/> Undocumented
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Grandparent:	<input type="checkbox"/> U.S. Citizen	<input type="checkbox"/> Lawful Perm. Resident	<input type="checkbox"/> Undocumented																										

PHOTOCOPY ALL IMMIGRATION DOCUMENTS!

Potential relief to consider:

- If long-time lawful permanent resident, consider cancellation of removal.
- If undocumented person here for 10 years with US Citizen/LPR Family, might be eligible for non-LPR cancellation.
- If US Citizen parent, spouse, child, or sibling, consider family immigration.
- If abused by spouse or parent, consider VAWA application.
- If in fear of returning to native country, consider asylum or temporary protected status.
- If child is under delinquency court jurisdiction and cannot be reunified with parents, consider special immigrant juvenile status.
- If victim of a serious crime or trafficking and helpful in investigation, consider S, T, or U-visa.

Advice notes & resources consulted:

Append as needed (discuss international travel, caution, contact with ICE, referrals to immigration attorney, next steps, etc.)

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