

**IMMIGRANT DEFENDANT QUESTIONNAIRE**

“USC” stands for U.S. Citizen and “LPR” stands for Lawful Permanent Resident (green card)

Attorney name, email	Defendant’s name	Defendant’s A# if any

Def’s Country of Birth	Def’s Date of Birth	In custody?	ICE detainer or interview?
		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't Know

**1. ENTRY:**

Date first entered US	Visa type (or none)	Departures from U.S. (approximate OK; append list)
		Date/s and length of departure/s:

**2. IMMIGRATION STATUS AND RELATIVES**

a. Lawful permanent resident (“green card”)	b. Other immigration status
<input type="checkbox"/> Yes <input type="checkbox"/> No Date Obtained? _____ On what basis (e.g. family visa, refugee): _____ Check one. To obtain LPR status, D: --Went to an interview in the home country <input type="checkbox"/> --Processed (“adjusted status”) here in U.S. <input type="checkbox"/> Possible U.S. citizenship (LPRs): Before D’s 18 <sup>th</sup> birthday, was D an LPR and at least one of D’ parents a USC? <input type="checkbox"/> Yes <input type="checkbox"/> No (Stepparents do not qualify.)	<input type="checkbox"/> Undocumented <input type="checkbox"/> Doesn’t know <input type="checkbox"/> Has “Employment Authorization” card but unsure of status <input type="checkbox"/> Refugee <input type="checkbox"/> Asylee <input type="checkbox"/> Temporary Protected Status <input type="checkbox"/> U visa <input type="checkbox"/> Deferred Action Childhood Arrival (DACA) Other: _____
c. Possible U.S. citizenship (all persons):	<b>d. Parent, Spouse, Child, Significant Other is LPR or USC?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No List each relationship (including stepparents) and say whether the person is an LPR or USC. Include the age of each child. (Possible family immigration/relief)
Grandparent or parent may have been USC at time of D’s birth. (Stepparents do not qualify.) <input type="checkbox"/> Yes <input type="checkbox"/> No Comments: _____	<b>BE SURE TO PHOTOCOPY ANY IMMIGRATION CARD OR DOCUMENT</b>

**3. PRIOR REMOVAL / DEPORTATION / VOLUNTARY DEPARTURE**

Was D ever deported or got voluntary departure?	Saw an immigration judge?	Describe what happened, to extent possible (Just signed form before leaving U.S.? Caught at the border?)	Where? When? For each deportation or voluntary departure
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don’t know	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____	_____

**Immigrant Defendant Questionnaire, p. 2**

Attorney name:

Client name or case number:

**NOTE: Checking the box means the client *might* be eligible for the relief. To see a two-page summary of each relief plus the crimes bars, see *N.17 Defenders Relief Toolkit* at [www.ilrc.org/chart](http://www.ilrc.org/chart).**

4. ***Has your LPR client lived in the U.S. for at least seven years?*** (LPR cancellation)  Yes  No
5. ***Has your undocumented client lived in the U.S. for at least ten years, and does he or she have a parent, spouse or unmarried child under age 21 who is a USC or LPR?*** (Non-LPR cancellation)  Yes  No
6. ***Has client or a family member been abused by a spouse, parent, or adult child?***  Yes  No
- a. Client, or client's parent or child, may have been abused (including emotional abuse) by a USC or LPR spouse, parent, or adult child. (VAWA)  Yes  No
- What is the relationship between abuser and abused: \_\_\_\_\_
- What is the abuser's immigration status: \_\_\_\_\_
- b. Client under age 21 lives with just one parent. (Special Immigrant Juvenile)  Yes  No
- c. Client is charged with a DV or stalking offense, or has a conviction, but in fact is the primary victim in the relationship. (Domestic Violence Waiver)  Yes  No
7. ***Has your client been a victim of a crime, or of human trafficking?***  Yes  No
- a. Victim of a crime including, but not limited to, DV, assault, false imprisonment, extortion, stalking, labor-related, sexual abuse, etc., and was or would be willing to cooperate in investigation or prosecution of the crime. (U visa)  Yes  No
- b. Victim of (a) sex trafficking of persons (if under age 18, victim could have consented), or (b) labor trafficking, e.g., forced to work by threat, fraud, coercion, etc. (T visa)  Yes  No
8. ***Is your client afraid to return to his or her home country for any reason?***  Yes  No  
(Asylum, refugee, withholding, Convention Against Torture, Temporary Protected Status)
9. ***Did your client, or their parent or spouse, live in the U.S. in the 1980's or 1990's?***  Yes  No  
(Amnesty, Family Unity, NACARA, HRIFA)
10. ***Is your client or their spouse, parent, or child a U.S. veteran or serviceperson?***  Yes  No  
(Possible naturalization or adjustment benefits)

**Immigrant Defendant Questionnaire, p. 3**

Attorney name:

Client name or case number:

**Information on Prior Conviction/s from Any Jurisdiction**

Include additional page if needed					
Code section	F/M	Offense Date	Conviction Date	Sentence	Post-Con relief (PC 17, etc)

**Information on Current Charges**

Include additional page if needed			
<u>Code sec.</u>	<u>F/M, strike, etc.</u>	<u>Date committed</u>	<u>Other info</u>

**Current Plea Offer/s if Any**

Include additional page if needed			
Code sec	F/M, strike, etc	Sentence	Other info: DA flexibility, priorities; Your comments