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Intake Information Sheet

Thank you for your interest in our services.

- This form should be completed by a legal service provider or community organization working with a client
- Completion of this form does not create a lawyer/client relationship
- This form may be reviewed by volunteer attorneys, but will not be shared with any other individuals, entities, or organizations without advance permission
- Please consult the RAP sheet and/or criminal court documents to complete the form
- If more space is needed to answer a question completely, please use a separate page
- Please submit a California DOJ RAP sheet along with the intake form

For EACH criminal case, please gather copies of the following documents, if available:

1. The charging paper (i.e., complaint, information, etc.)
2. The police report
3. The state and/or FBI rap sheet or criminal history report
4. The docket or clerk's minutes from the plea and sentence
5. The reporter's transcript of the plea and sentence
6. Any waiver of rights form signed by the defendant, and
7. The probation report.

Once you have completed the Intake Form, email it to pcr@ilrc.org.

Immigrant Post-Conviction Relief Intake Form

I. Contact Information of individual/organization

Name of person needing PCR	Email	Phone Number
Country of Birth	Date of Birth	In removal proceedings?
		<input type="checkbox"/> Yes <input type="checkbox"/> No
Custody status	Immigration attorney	Criminal defense attorney?
<input type="checkbox"/> Not in custody <input type="checkbox"/> In criminal custody <input type="checkbox"/> In immigration custody? If in custody, where: _____ Release date: _____	<input type="checkbox"/> No <input type="checkbox"/> Yes If yes, name: _____ Phone number: _____	<input type="checkbox"/> No <input type="checkbox"/> Yes If yes, name: _____ Phone number: _____

Name of referring Atty/Staff	Referring Organization
Email	Phone Number

II. Immigration information

Date first entered U.S.	Visa Type (or "none")	Departures from US (approx. OK)
		Date/s: Length of departure/s

Lawful permanent resident ("green card") <input type="checkbox"/> Yes <input type="checkbox"/> No Date Obtained? _____ On what basis (e.g., family visa, refugee): _____ Check one: To obtain LPR status, went to: - Intvw in home country <input type="checkbox"/> - Processed ("adjusted status") here in U.S. <input type="checkbox"/>	Other Current Immigration Status <input type="checkbox"/> Undocumented <input type="checkbox"/> Doesn't know <input type="checkbox"/> Has work permit but unsure of status <input type="checkbox"/> Refugee <input type="checkbox"/> Asylee <input type="checkbox"/> Temporary Protected Status <input type="checkbox"/> Deferred Action for Childhood Arrivals (DACA) Other: _____
Screen for possible U.S. citizenship <input type="checkbox"/> Grandparent or parents were U.S. citizens at birth <input type="checkbox"/> Parent/s became USCs while applicant under 18; (Mark even if parents or grandparents now are deceased. Stepparents do not qualify here) <input type="checkbox"/> Neither of the above	USC or LPR Parent, Spouse, Child List each relative and whether the person is an LPR or a USC. Include age of each child: <input type="checkbox"/> Spouse & immigration status _____ <input type="checkbox"/> Child(ren). If yes, how many? _____ Age(s) _____ Immigration status: _____

III. Prior Removal/Deportation/Voluntary Departure:

Ever deported or got "voluntary departure"	Describe what happened, to extent possible
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't know	

IV. Biographic information:

Other immediate family in the U.S.?	Your Occupation	Your Employer
<input type="checkbox"/> Yes <input type="checkbox"/> No If yes, how many? _____ Immigration status _____		

V. Conviction history

Conviction(s) (list all counts)	Date offense committed	City, State, County of Arrest	Date of Plea/Verdict	Sentence
Charges:				
Convictions:				
Charges:				
Convictions:				
Charges:				
Convictions:				
Charges:				
Convictions:				

Were you aware of immigration consequences at the time of your conviction?	What advice, if any, did your defense counsel provide about the immigration consequences of a conviction?	Did you consider alternative dispositions to avoid immigration consequences?
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't know	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't know	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't know

VII. Immigration Relief

Eligible to Apply for Lawful Status or Relief from Deportation

If the answer to any question is “yes,” the individual might be eligible for the relief indicated. References are to the Relief Toolkit for Defenders, available free online at www.ilrc.org/chart.

“USC” stands for U.S. Citizen and “LPR” stands for lawful permanent resident (green card-holder)

Questions for LPRs (green card-holders) Only:

1. Has LPR lived in the U.S. for at least seven years Yes No

To apply for this waiver in deportation proceedings, must be an LPR who (a) is not convicted of an aggravated felony; (b) has been an LPR for at least five years; and (c) has lived in the U.S. for at least seven years since being admitted in any status (e.g. as a tourist, LPR, etc.). See §17.5 LPR Cancellation.

2. Can LPR apply for U.S. Citizenship? Yes No

An LPR can apply for U.S. citizenship after five years LPR status, or three years of marriage to a USC while an LPR; must establish good moral character and should not be deportable. More beneficial rules apply to some current and former military personnel. See §17.4 Naturalization.

Questions for All Immigrants, Including Undocumented Persons and LPRs

3. Has person ever been abused by a USC or LPR relative? Yes No

Individual, or certain family member/s, have been abused (including emotional abuse) by a USC or LPR spouse, parent, or adult child. What relative and what immigration status? _____
See §17.8 VAWA. (If abuser does not fit this profile, consider U Visa, below.)

4. Is person a juvenile and a victim of abuse, neglect, or abandonment? Yes No

A person can't be returned to at least one parent, due to abuse, neglect or abandonment. See §17.9 Special Immigrant Juvenile.

5. Is person a victim of abuse who also was convicted of domestic violence? Yes No

If person was convicted of a deportable DV or stalking offense, but in fact is the primary victim in the relationship, a waiver of the DV deportation ground, or the DV bar to non-LPR cancellation, might be available. See §17.11 Domestic Violence Waiver.

6. Did person enter the U.S. before his or her 16th birthday? Yes No

Person entered U.S. before turning 16 and before 6/15/2007. See §17.12 DACA.

7. Has person lived in the U.S. for at least ten years? Yes No

To be eligible for this defense in removal proceedings, person must have lived in U.S. at least ten years and have a USC or LPR parent, spouse or child (see §17.14 Non-LPR Cancellation of Removal) or lived here at least ten years and all deportable convictions occurred before April 1, 1997 (see § 17.15 Suspension of Deportation, available in Ninth Circuit states).

8. Has person been a victim of a crime?

Yes No

Person must have been a victim of a crime such as DV, assault, false imprisonment, extortion, stalking, or sexual abuse, and be or have been willing to cooperate in investigation or prosecution of the crime. See §17.16 The “U” Visa.

9. Has person been a victim of human trafficking?

Yes No

Person must have been victim of (a) sex trafficking of persons (if under age 18, could have been consensual), or (b) labor trafficking, including being made to work by force/fraud. See §17.17 “T” Visa.

10. Is person afraid to return to his or her home country for any reason?

Yes No

Mark “yes” if (a) Person fears persecution or even torture if returned to the home country (see §§ 17.19 Asylum and Withholding and 17.20. Convention Against Torture); or (b) Person already is an asylee or refugee, (§17.21 Refugees and Asylee); or (c) Person is from a country that the U.S. designated for TPS status, based on natural disaster, civil war, or the like (see §17.22 Temporary Protected Status (TPS)).

11. Is your client from the former Soviet Bloc, El Salvador, Guatemala, or Haiti?

Yes No

Your client might be eligible for a program if he/she from these areas and applied for asylum or similar relief in the 1990’s -- or is a dependent of such a person. (See §17.23 NACARA for Central Americans, and see §17.24 HRIFA for Haitians and Dependents).

12. Does your client, or parent or spouse, have an imm case from 1980’s “amnesty”?

Yes No

The application still might be pending and viable. (See §17.25).