

# IMMIGRANT POST CONVICTION RELIEF SCREENING WORKSHEET

INTAKE DATE/TIME: \_\_\_\_\_

VOLUNTEER: \_\_\_\_\_

INTERPRETER: \_\_\_\_\_

PRE-REGISTRATION NOTES:  
\_\_\_\_\_

## I. Introduction

Client Name: \_\_\_\_\_

How did you hear about this workshop?  
\_\_\_\_\_

What brings you here today? What are your goals in participating in this workshop?  
\_\_\_\_\_

*Here, volunteer should review confidentiality, type of questions to be asked, and purpose for asking questions. Please assure client that all information discussed during this screening is confidential, to be shared only with you and with the attorneys who will assess the client's case. Some questions may be sensitive, but each is specifically designed to identify immigration options.*

## II. Immigration Information

### a. Entry

1. Date and location first entered the U.S.: \_\_\_\_\_

2. Visa type at entry (or "none"): \_\_\_\_\_

3. Did you have any contact with immigration officials at first entry? If yes, please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Have you entered the country without inspection (without documents) at any other time? Were any of these entries after a deportation? If yes, please provide dates and explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### Departures from the US (approx. ok)

Date of last entry:

Visa type (or none):

Dates, length, and purpose of significant prior departures:

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## b. Immigration Status

Lawful permanent resident (green card) ("LPR")	Other Current Immigration Status
<input type="checkbox"/> Yes <input type="checkbox"/> No    Date Obtained? _____ On what basis (e.g., family visa, refugee): _____ To obtain LPR status, went to: <input type="checkbox"/> Interview in home country <input type="checkbox"/> Processed ("adjusted status") here in U.S.	<input type="checkbox"/> Undocumented <input type="checkbox"/> Doesn't know <input type="checkbox"/> Refugee <input type="checkbox"/> Asylee <input type="checkbox"/> Temporary Protected Status <input type="checkbox"/> Deferred Action for Childhood Arrivals (DACA) <input type="checkbox"/> Has work permit but unsure of status <input type="checkbox"/> Other: _____

1. Country of birth \_\_\_\_\_
2. Have you, or someone else, ever filed an immigration application or petition for you?  Yes  No  
*If yes, explain:* \_\_\_\_\_
3. Have you ever had to appear in court before an immigration judge?  Yes  No  
*If yes, explain:* \_\_\_\_\_
4. Have you ever been deported or given "voluntary departure"?  Yes  No  Don't Know  
*If yes, when and what happened?* \_\_\_\_\_
5. Are you in immigration proceedings? Have you been issued a Notice to Appear?  Yes  No  
*Reason:* \_\_\_\_\_ *Court date:* \_\_\_\_\_
6. Have you had any other interaction with immigration officials?  Yes  No  Don't Know  
*If yes, describe when and what happened:* \_\_\_\_\_  
 \_\_\_\_\_
7. Please describe any other contact with immigration officials not yet covered: \_\_\_\_\_  
 \_\_\_\_\_

## III. Family Information

Current Marital Status	Is your child, spouse, or parent part of the US military, or were they in the past?
<input type="checkbox"/> Married    Date Married: _____ <input type="checkbox"/> Divorced    Date Divorced: _____ <input type="checkbox"/> Separated <input type="checkbox"/> Single	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please specify: _____

Answer and explain (if necessary) for each person, additional space on back:

Relationship	In U.S. without status	Have/had legal status (USC, LPR, Other)	Additional Questions
<b>Spouse (if married)</b>		<input type="checkbox"/> Yes <input type="checkbox"/> No  Status: _____	<i>Please note prior spouse if divorced or separated.</i>  Status: _____

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Relationship	In U.S. without status	Have/had legal status (USC, LPR, Other)	Additional Questions
<b>Mother</b>		<input type="checkbox"/> Yes <input type="checkbox"/> No  Status:	<i>If a citizen, did mother naturalize before <u>you</u> turned 18?</i>
<b>Father</b>		<input type="checkbox"/> Yes <input type="checkbox"/> No  Status:	<i>If a citizen, did father naturalize before <u>you</u> turned 18?</i>
<b>Children</b>	Age:  Age:  Age:	Age: Status:  Age: Status:  Age: Status:  Age: Status:	<i>Do you have children outside the U.S.?</i>
<b>Siblings</b>		<input type="checkbox"/> Yes <input type="checkbox"/> No  Status:  Status:  Status:	
<b>Grandparents</b>		<input type="checkbox"/> Yes <input type="checkbox"/> No  Status:  Status:  Status:  Status:	<i>If a grandparent is a citizen, did they naturalize before <u>you</u> turned 18?</i>

**IV. Conviction History**

- Do you have any out-of-state convictions or police interactions?  Yes  No  
 If yes, what state? \_\_\_\_\_
- Are you currently on probation?  Yes  No    If yes, probation end date: \_\_\_\_\_
- Do you owe any outstanding court fees, fines, or restitution?  Yes  No    Approx. \_\_\_\_\_
- Please list all charges/conviction to the extent you are able.  
*This section does not need to be completed in its entirety at the intake clinic. This chart will be supplemented by client's RAP sheet.*

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Conviction or Charge	City, State, County of Arrest	Date of Plea/Verdict	Sentence Length (jail or prison?)	Probation completed?
<b>Were you aware of the immigration consequences at the time of your conviction?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't Know	<b>What advice, if any, did your defense counsel provide about immigration consequences of the conviction?</b>	<b>Did you consider alternative pleas to avoid immigration consequences?</b> <input type="checkbox"/> No <input type="checkbox"/> Don't know <input type="checkbox"/> Yes _____		
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5. Do you have a criminal case currently pending?  Yes     No *If yes, please describe case status:*

**V. Representation**

1. Do you currently have an immigration attorney?  Yes  No

If yes, name and phone number: \_\_\_\_\_

2. Do you currently have a criminal defense attorney?  Yes  No

If yes, name and phone number: \_\_\_\_\_

**VI. Eligibility to Apply for Lawful Status or Relief from Deportation**

*This portion of the intake questionnaire screens for eligibility for various visa types. Not all questions will apply to all clients. Please skip questions you find are not relevant based on prior responses.*

**Questions for LPRs (green card holders) only**

1. Have you lived in the U.S. for at least seven years?  Yes  No

*To apply for LPR Cancellation, a waiver in deportation proceedings, an LPR must not have an aggravated felony conviction, must have been an LPR for 5 years, and must have lived in the U.S. for at least 7 years since admitted in any status.*

2. Have you been an LPR for 5 years?  Yes  No      **Alternatively, have you been an LPR for 3 years while married to a USC?**  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.*

**Questions for all non-citizens including LPRs and persons without status**

1. If you have a USC or LPR relative, have you ever experienced physical, psychological or emotional abuse by that person?  Yes  No      *If yes, please respond to the following questions:*

What relative and what immigration status? \_\_\_\_\_

If abused by a spouse, are you still married?  Yes  No

If no, when did the marriage end? \_\_\_\_\_

**If you have a child, have they ever experienced physical, psychological or emotional abuse by a parent?**  Yes  No      *If yes, please respond to the following questions:*

Immigration status of parent \_\_\_\_\_

*Certain types of abuse by USC or LPR relatives can make a person eligible for a VAWA visa. If abuser does not fit this profile, victim may still be eligible for a U-visa.*

2. If you have a domestic violence conviction, have you ever experienced domestic violence yourself?  Yes  No

*A person convicted of a deportable DV or stalking offense, who is, in fact the primary victim in the relationship, may be eligible for a waiver of the DV deportation ground or the DV bar to non-LPR cancellation.*

3. If you are under 21, do you live with only one parent or another caregiver?  Yes  No

If yes please provide more detail about your living situation:

\_\_\_\_\_

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*A person may be eligible for Special Immigrant Juvenile Status if they can't be returned to at least one parent, due to abuse, neglect or abandonment.*

**4. Have you been granted Deferred Action for Childhood Arrivals?**  Yes  No  
*May be eligible for DACA renewal.*

**5. Have you ever been the victim of a crime in the U.S.?**  Yes  No *If yes respond to the following:*  
What type of crime? \_\_\_\_\_  
Did you suffer physically or mentally because of the crime? \_\_\_\_\_  
Did you report the crime to the police or provide information in a police investigation?  
\_\_\_\_\_

*A person may be eligible for a U-visa if they have been a victim of a crime such as DV, assault, false imprisonment, extortion, stalking, or sexual abuse, and is or has been willing to cooperate in investigation or prosecution of the crime.*

**6. Have you, or someone else, been paid for you to engage in a sexual act?**  Yes  No  
*If yes please respond to the following questions:*  
Were you forced, fooled, or coerced to commit such an act? \_\_\_\_\_  
Were you under 18? \_\_\_\_\_

*A person may be eligible for a T-visa if they have been a victim of sex trafficking (if under 18, could have been consensual)*

**7. Have you ever been recruited to work in the U.S.?**  Yes  No *If yes, respond below:*

- a. Did you receive housing, supplies, food, or transportation in exchange for labor?  Yes  No
- b. Have you ever been purchased to provide labor in the U.S.?  Yes  No
- c. Were you forced, fooled, or coerced to work?  Yes  No
- d. Did you:  Work against your will?
  - Feel obligated to pay a large debt?
  - Not get paid for your work?
  - Get paid an unfairly low wage?
  - Find the job different than promised?
  - Feel exploited?
- e. Has your employer withheld or threatened to withhold your passport or documents? Yes/No

*A person may be eligible for a T-visa if they have been a victim labor trafficking, including trafficking by force or fraud.*

**8. Why did you leave your home country?**  
 Economic reasons  Fear of returning to home country  Fleeing domestic violence  
 Fleeing torture or other persecution  To join family  Other: \_\_\_\_\_

Please note further details about any reasons a client has for fearing return to their home country:  
\_\_\_\_\_  
\_\_\_\_\_

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Is person already an asylee or refugee?  Yes  No

*A person who fears returning to their home country due to persecution based on political opinion, nationality, religion, or membership in a particular social group may be eligible for asylum. (Also consider if client is from a country designated for TPS.)*

**9. Have you lived in the U.S. for at least ten years?**  Yes  No *If yes, respond below:*

Do you have a US Citizen or Legal Permanent Resident parent, spouse, or child who would suffer severe consequences if you were removed from the U.S.? Please provide details:

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*A person in removal proceedings who has lived in the U.S. for ten years may be eligible for Non-LPR Cancellation of Removal if they have a qualifying USC or LPR parent, spouse or child OR for Suspension of Deportation if all deportable convictions occurred before April 1, 1997.*

**10. If employed, would your employer help you immigrate?**  Possibly  No  Don't know

Please provide additional information: \_\_\_\_\_

**11. Are you or your parent from the former Soviet Bloc, El Salvador, Guatemala, or Haiti?**  Yes  No

*Persons from these countries who applied for asylum or similar relief in the 1990's or their dependents may be eligible for the NACARA or HRIFA programs.*

**12. Do you, your parent, or your spouse have an immigration case from the 1980's amnesty?**  Yes  No

*The application still might be pending and viable.*

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**Appointment Summary**

- Client received Live Scan       Client listed OneJustice as Designee
- Client brought copy of RAP sheet or court records
- Client met with OneJustice Staff Attorney

**Notes:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Thank you for completing this intake process. OneJustice will follow-up with your case after receiving and analyzing your California criminal record.*

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