

INTAKE FORM:

Intake Worker Name: _____ **Today's date:** _____

LEGAL NAME: _____
(As appears on Passport) Last Name, First Name, Middle Name

NAME on DL / ID: _____
Last Name, First Name, Middle Name

NAME: _____
(Maiden/Married) Last Name, First Name, Middle Name

A#: _____ **LPR status on** _____ **Category:** _____ **Soc. Sec. #:** _____

Country of Birth: _____ **Nationality:** _____ **Main language:** _____

BIOGRAPHIC INFORMATION AND CITIZENSHIP

DOB: _____ **Age:** _____ **Phone #:** _____ **Email:** _____

Other contact's name: _____ **Phone #:** _____

Address: _____

Lives w: _____ **From:** _____ **To:** Present

Current marital status: single married divorced widowed separated legally annulment

BASIC ELIGIBILITY

Applicant eligible under: 5 year rule 3 year rule (NO if marriage lasted < than 3 years)

Language eligibility: 55/15 50/20 65/20 English

Accommodations / Disabilities: N-648 Blind Deaf Wheelchair Other: _____

Fee waiver: means-tested benefit *Type:* _____ *Since:* ____/____/____
 below 150% FPG Financial Hardship

Selective Service: Registered Failed to Registered Did not have to register/Female

Registration #: _____ Copy of registration in file

Other: Weight(Lbs): _____ Height: _____
 Applicant is 75 or over
 Applicant was in military and qualified under sec. 328 or sec. 329

Parent's nationality: Mom _____ Dad _____ **Married before 18?** _____

Are Mom or Dad U.S. Citizens? If yes, please write the parent's name and DOB and Date of Naturalization:

SUBSTANTIVE EVALUATION

CONSULT WITH CLINIC if applicant answers YES to any question below:	Yes	No
Has applicant ever claimed to be a U.S. citizen? If so, When? _____ Where? _____		
Has applicant ever registered to vote or voted? If so, When? _____ Where? _____		
Has applicant ever failed to file income tax returns?		
Does applicant owe income tax (and has no IRS arrangement to pay)? (must make payment plan)		
Does the applicant owe child support (and no arrangement to pay)?		
Has applicant taken a trip outside the U.S. that lasted longer than 6 months? (use pg. 6)		
Has applicant spent more than 900 days outside the U.S. in the last 5 years? (use pg. 6)		
Was the applicant ever married to more than one person at the same time?		
Has the applicant ever been stopped, questioned or had any other issues with immigration?		
Has applicant ever lied to immigration officials for any reason?		
Not all immigration issues disclosed at LPR interview?		
Has applicant ever been in deportation/exclusion/removal before IJ? (use pg. 4)		
Traffic citations? (use pg. 3 & Request DMV record)		
Arrested by police? (ex. handcuffed, fingerprinted, taken to police station, sat in police car) (use pg. 3)		
Charged with committing a crime? (use pg. 3)		
Committed a crime? OR Committed a crime, but not arrested? (use pg. 3)		
Been in jail or prison? (use pg. 3)		
Has applicant ever applied to become a U.S. citizen? If so, When? _____ Where? _____		
Notes:		

ENTRIES/ABSENCES (List even absences of less than 1 day)

1. **Initial entry:** _____ manner: EWA lawful (explain): _____ Tourist Visa

Has never left First left on approx. _____ Went to: _____

2. Any departures of more than 1 year? 6 months? 3 months? None that long **(Trips on pg. 6)**

Applicant received permanent residence through: _____

- If through marriage, check for marriage fraud (IF1, IR1, IR6, etc.)
- If through amnesty, verify that applicant was in U.S. since 01/01/1982
- If through saw, verify that applicant performed agricultural work as required
- If through parent, verify that applicant was not married at time LPR granted (IR2, IR7, IF2, FX2)

CRIMINAL HISTORY

(ARRESTS, "TICKETS," ALSO STATUTE NUMBERS IF AVAILABLE)

NO CONVICTIONS OR ARRESTS

#1:General nature of offense: _____

alleged offense date: _____

Result: charges dropped case dismissed by judge acquitted after trial

pled guilty convicted after trial

Date of conviction _____

Wording and/or statute of conviction (if known): _____

Original sentence, including probation, fine, classes: _____

Time served: _____ **If was given parole, how long?** _____

Did applicant allegedly violate terms of probation or parole? Yes No

Additional Sentence: _____

Has applicant completed probation or parole? Yes No

Facts/circumstances of offense (if relevant): _____

#2:General nature of offense: _____

alleged offense date: _____

Result: charges dropped case dismissed by judge acquitted after trial

pled guilty convicted after trial

Date of conviction _____

Wording and/or statute of conviction (if known): _____

Original sentence, including probation, fine, classes: _____

Time served: _____ **If was given parole, how long?** _____

Did applicant allegedly violate terms of probation or parole? Yes No

Additional Sentence: _____

Has applicant completed probation or parole? Yes No

Facts/circumstances of offense (if relevant): _____

OTHER IMMIGRATION HISTORY

PRIOR IMMIGRATION COURT PROCEEDINGS: Yes No **Court location:** _____

Date proceedings began: _____ **Date proceedings ended:** _____

Type of proceedings:

deportation (started pre 4/1/97) exclusion (same) removal (started after 3/31/97)

Describe result (note whether client found excludable or deportable, whether order was *in absentia*, whether and what kind of relief granted [e.g., asylum, voluntary departure], and, if ordered to depart, whether complied with order):

PRIOR APPLICATIONS WITH INS OR CONTACT WITH BORDER PATROL Yes No

Administrative voluntary departure: Date _____ Location _____

Other: _____

Other application (e.g., asylum, amnesty)

Type of application: _____ **Date applied** _____

Result: _____ **Date of decision** _____

Notes: _____

DOCUMENTS RECOMMENDED FOR NATURALIZATION INTERVIEW:

- All original certified statements of court dispositions, with seal.
- Passport(s)
- CT/Federal tax returns
- Child support payments & Child's Guardian's Affidavit
- Proof that husband and wife reside together (joint financial records)
- Selective service registration Registration #: _____
- Statement or affidavit explaining failure to register for selective service

Other Notes:

INTAKE FORM

Addendum – Complex Issues

REHABILITATION

Positive:

- no prison write-ups clean probation record work in prison anger management classes
 religious program GED Vocational Edu. Drug rehab (AA/NA, Other: _____)

Negative:

- Recidivist drug/alcohol relapse prison violation parole/probation violation no rehab
 denies culpability

Work History:

- Solid history (summarize) special skills recent job union member unemployed

Community Ties/Prop:

- Supportive family Friends church Donates to charity Owns property/tools/license
 US military service Pays child support Volunteer (explain)

Education (anywhere):

- None Primary (1-8) highest grade ___ Secondary (9-12) highest grade ___ higher education _____
 GED started/completed vocational other: _____

Special Circumstance (respondent and/or family):

- Incompetent illiterate language barrier tortured homeless mental health physical health
 Mental or Physical Abuse

Taxes: has consistently filed has not consistently filed (explain)

Public benefits: has never used has used (explain) spouse/children have used (explain)

GROUND(S) OF DEPORTABILITY ALLEGED – INA §237(a) (Admitted but deportable)

- Status, documents, smuggling, marriage fraud: (1)**
- Inadmissible @ time of adjustment/entry
 - present in violation of law
 - violation of status
 - Conditional resident whose status has been terminated
 - marriage fraud

- Alien smuggling (family unity beneficiary smuggled spouse, parent, son, daughter)
- Controlled substance violation: (2)(B)**
 - Drug not specified in conviction document
 - Marijuana: 1 poss#30 grams/st under the influence/paraphernalia
 - Federal 1st offender exception or state equivalent
 - Solicitation / Facilitation
- 1 crime involving moral turpitude (CIMT): (2)(A)(i)** (maybe not CIMT?[e.g., DUI/battery]?)
 - committed w/in 5 yrs admission + possible sentence of more than 1 year
 - equal protection argument based on 212(a)(2)(A)(ii) petty offense exception
- 2 CIMT convictions: (2)(A)(ii)**
 - Both CIMTs?)
 - arose from single scheme of criminal conduct
- Firearm offense: (2)(C)**
 - not firearm
 - enhancement
 - not necessary element
 - firearm not specified in conviction document
- Aggravated Felony (AF) (2)(A)(iii)** (See 101(a)(43))
 - unusual AF
 - pre-11/88 conviction
 - crime of violence
 - state conviction not match federal definition
 - other AF issue: _____
- domestic violence (2)(E)**
 - pre 10/1/96 effective date
- Other: 237(a)**_____ – _____

GROUND(S) OF INADMISSIBILITY ALLEGED – INA §212(a) – Arriving or Present w/o Admission

- No valid docs: (7)(A)(B)**
- Present w/o admission or parole: (6)(A)(i)**
- Fraud or misrepresentation: (6)(C)(i)**
 - material waiver based on immediate relative
 - willful
- false claim to US citizenship: (6)(C)(ii)**
 - pre-9/30/ immediate asylum request
 - 96
- alien smuggling: (6)(E)(i)**
 - Family unity beneficiary smuggled spouse, parent, son, daughter
- Controlled substance: (2)(A)(i)(II)**
 - solicitation/ facilitation

- 1 CIMT (2)(A)(i)(I)**
 - not a CIMT
 - juvenile exception: under 18 and prison time ended more than 5 years before application for admission
 - petty offense exception: sentence#6 months and possible sentence #1 year
- Multiple convictions w/ aggregate sentence 5 years or more: (2)(B)**
- Suspected drug trafficker (2)(C)**
 - no conviction
 - conviction only for possession
- other: 212(a) _____ – _____**

Is there a potential defense to the charge(s)? Yes No

Explain any issue as to deportability/inadmissibility and or research needed on this issue:

- 3-year (VAWA) Cancellation (240A(b)(2))** Yes No **Maybe Potential problem or issue:**

Time cut off:

- by service of NTA
- by commission of 212(a)(2) offense
- by 90-day absence
- by absences totaling 180 days
- armed services exception

No requisite relationship:

- If abuse is to respondent, not married to abuser
- Abuser not USC or LPR

Offense:

- Inadmissible for 212(a)(2)
 - drug crime
 - CIMTs [but petty offense exception]
 - Prostitution
 - conviction of 2 or more crimes w/ aggregate sentence to confinement > 5 years
- "Deportable"
 - for marriage fraud
 - drug conviction
 - CIMT(s) conviction(s)
 - ag felony conviction (after 11/88)
 - domestic violence
 - willful failure to register with Attorney General
 - false claim to US citizenship after 9/30/96
 - conviction of high speed flight from checkpoint
 - drug abuse or addiction after admission
 - firearms offense
- civil order of document fraud

- Aggravated felony conviction (ever)
- No extreme hardship
- Good moral character bar w/in 3-year period (see GMC bars in 10-yr cancellation)
- Suspension/special rule cancellation (NACARA)** Yes No **Maybe Potential problem or issue:**
 - El Salvador/Guatemala:**
 - no entry by '90 and TPS/ABC status OR no asylum app pre- 4/1/90
 - arrest entering after 12/90
 - Former Soviet U. or E. Europe:**
 - entry by 12/31/90
 - asylum app by 12/31/91
 - Reqs:**
 - Lacks 7 yrs. continuous. presence (10 after commission of crime)
 - lacks 7/10yrs good character (#5 above)
 - lacks extreme hardship (7-yr cases) or "exceptional" (etc.) hardship (10-yr) to R, USC spouse, parent, child
 - Bar:**
 - inadmissible under 212(a)(2) (see #6 above)/ inadmissible security threat/persecutor
 - AF
- Adjustment of Status (245)(a)** Yes No **Maybe Potential problem or issue:**
 - I-130 relative petition:**
 - visa not now available (yes if spouse of USC/unmarried child under 21 of/parent of adult USC)
 - Not inspected and admitted or paroled and petition not filed pre-1/15/98 I?
 - Worked illegally, viol. Nonimmigrant. status, or entry nonimm w/o visa AND isn't "immediate relative"
 - inadmissible + no 212(i) waiver (fraud) or 212(h) waiver (1 CIMT, poss marij.<30 g, 2+crimes w/ 5 yr
 - sentence, prostitution/commercialized vice) b/c --
 - unwaivable ground ___ no extreme hardship to USC/LPR spouse, parent, son, daughter
 - no 15 yrs since activity plus rehabilitation (212(h) only) ___ LPR ag felon (212(h) only)
 - LPR w/ less than 7 yrs cont. residence immediately pre-proceedings (212(h) only)
 - Adjustment as asylee or refugee w/ 209(c) waiver:**
 - suspected drug trafficker or terrorist/security threat
 - no longer meets refugee definition
 - NACARA (Cuba/Nicaragua) or Haitian Adjustment** (includes Cub/Nic/H spouse, child, unmarried sons/daughters)
 -
 - no continuous physical presence in US pre-12/2/95 (unless qualifying as Cuba/Nicaragua/Haiti spouse/child)
 - inadmissible and no waiver (see waiver discussion under #9 above)

- Cuban Adjustment Act** (includes immediate relatives of any nationality)
 - not admitted or paroled + 1 year in US
 - inadmissible and no waiver (see discussion above)
 - Special immigrant juvenile visa:**
 - no abuse, abandonment, neglect
 - not enough time for dependency before turns 18
 - inadmissible for drug crime (marijuana poss. 30 g exception), CIMT (petty offense exception), trafficking
 - Registry (249)** Yes No Maybe Potential problem or issue:
 - no cont. residence since pre-1/1/72
 - no present GMC
 - inadm. for drugs, alien smug., other crimes
 - ineligible for citizenship
 - Termination/Administrative Closure** Yes No Maybe Potential problem or issue:
 - US citizenship
 - Possible suppression for egregious due process. violation
 - ABC + asylum application pending (NACARA suspended/canceled eligible)
 - eligible for naturalization (e.g., LPR w/ ag felony conviction pre 11/29/90)
 - individual "in proceedings" pre 4/1/97 based on prior events (if pre-IIRAIRA rules would help)
 - other: _____
 - 212(c) Waiver for LPRs** Yes No Maybe Potential problem or issue:
 - (Available for crimes in which guilty plea was pre-4/1/97)
 - no 7 years lawful domicile
 - no comparable ground of admissibility (e.g. firearms)
 - abandoned residency
 - served 5 years for aggravated felony (or AFs)
 - Voluntary Departure (240B)** Yes No Maybe Potential problem or issue:
 - deportable as ag felon or terrorist
 - prior VR after inadmissible for PWA
 - end of proceedings and no physical presence 1 yr pre-service of NTA/no 5 yrs GMC/no \$ to depart
 - Other:** Yes No Maybe Potential problem or issue:
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ADVICE GIVEN: (Continue on reverse if necessary) Summarized in attached advice letter.

Applicant advised to return with criminal court records/traffic abstract

Criminal Court Records / Traffic Abstract (check one):

- Applicant's certified court disposition(s); traffic abstract reviewed; **advised to proceed**
- Applicant's certified court disposition(s); traffic abstract reviewed; **referred out**

NOTES on Criminal Court Record / Traffic Abstract:

Immigration Judge proceedings (check one):

- Applicant's IJ proceedings reviewed; advised to proceed.
- Applicant's IJ proceedings reviewed; referred out.

NOTES on IJ proceedings:

Applicant referred out for other reasons.

Explain: _____

Case Worker Signature: _____

Supervising Attorney's Signature: _____

Date: _____

Services:

- Advice only
- Advice + brief service: _____
- Advice + substantial service: _____
- Applicant given outside referral due to questionable admission as Permanent Resident

Referred to:

- NON-PROFIT
- Private attorney: _____
- Other (specify): _____

Closing date: _____ **Name of person closing file:** _____