

DEFENSE COUNSEL'S TASKS

1. Ask all clients "Where were you born?"
2. Arrange for interpreter for proceedings and for attorney conferences.
3. Investigate whether client may be a U.S. citizen.
4. If not a U.S. citizen, determine and verify client's current immigration status.
5. Collect client's previous criminal record in the United States.
6. Use above information, your training in the basics, and collaboration with immigration attorneys to analyze the immigration consequences of the present charges.
7. Strategize how to mitigate or eliminate immigration consequences of current charges. Remember, immigration consequences may be used as a mitigating factor at sentencing too. *State of Maine v. Touch Rin Svay*, 2003 ME 93, 826 A.2d 790.

MCILS OFFERS CONSULTATION SERVICES FOR COURT-APPOINTED ATTORNEYS ON ALL IMMIGRATION - RELATED CLIENT ISSUES. THESE SERVICES REQUIRE NO ADDITIONAL PAPERWORK OR PERMISSION AND ARE CURRENTLY FOUND AT :

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(207) 766-4486

TOP SEVEN MISTAKEN ASSUMPTIONS:

1. That clients can self-report their immigration status and citizenship;
2. That clients can self- report their prior criminal history;
3. That there is a “safe plea” for all clients or, that a plea that is safe for one client is safe for another client;
4. That a deferred disposition (and even a pardon, in some cases) will help;
5. That Immigration does not deport people to certain countries;
6. That a client who is deportable for past convictions needn't mitigate the consequences of new charges;
7. That clients will have an immigration lawyer in deportation proceedings

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