

WHO WE ARE

We are dedicated to improving the legal representation of indigent noncitizens by equipping those attorneys assigned to representing these clients with expert advice and defense strategies.

Our goal is to support the attorney in assisting his/her noncitizen clients in making informed choices regarding any adverse immigration consequences which may arise from a family law and/or criminal court proceeding.



WHY WE EXIST

Changes to immigration laws have dramatically raised the stakes for noncitizens to be subjected to deportation and removal from the United States for a wide array of crimes, including many minor offenses and violations. Consequently, criminal defense attorneys are now required to advise noncitizen clients as to the potential immigration consequences of a criminal conviction pursuant to the Supreme Court ruling in *Padilla v. Kentucky*, 559 U.S. 356 (2010). **This advice must be affirmative, individualized, and accurate.**

In addition, noncitizen clients whose immigration status may directly impact such life-altering decisions as child custody, visitation, adoption and termination of parental rights should be properly advised in family court proceedings.

The Regional Immigration Assistance Center—Region 3 is one of six Regional Immigration Assistance Centers funded by an innovative grant from the New York State Office of Indigent Legal Services.



ALBANY COUNTY REGIONAL IMMIGRATION ASSISTANCE CENTER - REGION 3

OUR MISSION

To assist, train, advise and support all attorneys assigned to provide mandated representation to noncitizen clients in family court and criminal court proceedings throughout the Capital District and Northern New York.

OUR SERVICES

We provide assistance, support, training, written resources, and expert legal advice to court-appointed defense attorneys throughout the Capital District and Northern New York.

We will advise assigned counsel on potential immigration consequences as they relate to the following:

- ◇ Criminal charges, convictions, and/or plea agreements and sentencing dispositions,
- ◇ Appellate and post-conviction relief options,
- ◇ Family Court dispositions which include matters involving child support and family law offenses.

We will also assist attorneys in addressing any language access issues in order to facilitate meaningful communication between attorneys and their clients.

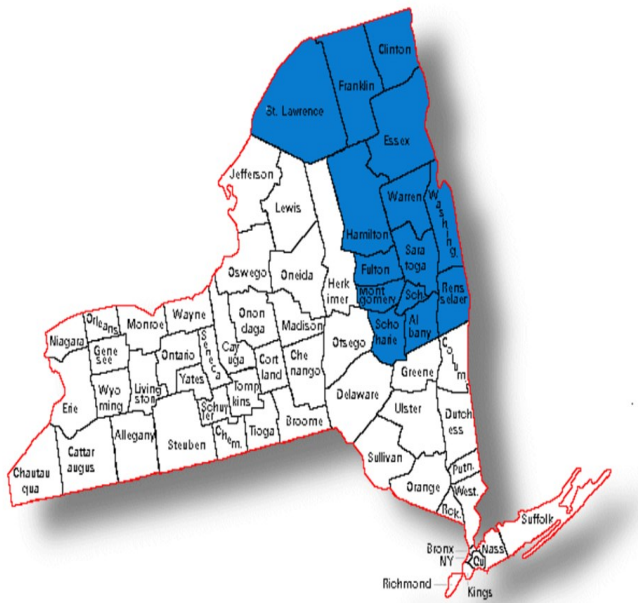
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Counties We Serve

Albany, Clinton, Essex, Franklin, Fulton, Hamilton, Montgomery, Rensselaer, Saint Lawrence, Saratoga, Schoharie, Warren and Washington.

TO BEST SERVE YOU

In order to best serve you, gather information from your client and contact us as early in the case as possible. Use these questions as your guide, as you will be asked to provide this information at the time of your initial contact with our office.

- ◇ Client's name, date of birth and country of birth.
- ◇ Client's immigration status, if known.
- ◇ Date of client's initial and last entry into the United States, if known.
- ◇ Current immigration status and the issuance/expiration dates of any immigration-related ID documents, (e.g. for a green card or visa holder, refugee/asylee, TPS, DACA, etc.), if known.
- ◇ Information concerning current criminal and/or family court matter.
- ◇ Information concerning any prior criminal and/or family court history.
- ◇ Information concerning any past contact with immigration authorities.
- ◇ Information concerning any past or pending immigration applications or proceedings.
- ◇ Immigration status of immediate relatives residing in the United States (grandparents, parents, spouse and/or children), if known.



Helpful Documents

The following documents, if made available, would further assist the Center in providing you with accurate advice and assistance:

For criminal court proceedings: any accusatory instrument, information relating to prior criminal history, and status of current case (i.e. arraignment, next court date, plea offer and/or recommended sentencing disposition).

For family court cases: any petitions, orders of protection, other documents reflecting status of current case and concerning any concurrent criminal matters.

For immigration status: copies of green card, passport pages, employment authorization documents, travel documents or other immigration-related information.