



## IMMIGRATION CRIMINAL LAW RESOURCES FOR CALIFORNIA CRIMINAL DEFENDERS

*Assistance to effectively and efficiently help defenders represent noncitizen clients*

The Immigrant Legal Resource Center (ILRC) is a non-profit organization based in San Francisco, California that is recognized as a national leader in the field of the immigration consequences of crime. Since 2002, ILRC has coordinated the *California Defending Immigrants Partnership* (Cal-DIP) a program designed to facilitate the necessary collaboration between public defense counsel and immigration law experts to ensure that indigent noncitizen defendants in California are provided effective counsel to avoid or minimize the immigration consequences of their criminal dispositions and to defend against immigration enforcement in the criminal justice system.

Cal-DIP and the ILRC offer defender offices and individual defense counsel critical resources and training about the immigration consequences of crimes. Our goal is to actively encourage and support development of in-house immigration specialists in defender programs, forge connections between local criminal defenders and immigration advocates, provide defenders with technical assistance in criminal cases, and develop and implement models and best practices that defender offices, which vary in their needs and resources, can adopt to truly institutionalize immigration consequences. The ILRC also has taken the lead in critical litigation, and works on policy and public education initiatives.

Resources that are available to criminal defenders in California include:

- **Free Online Resources.** The ILRC is the author of the *Quick Reference Chart and Notes for Determining Immigration Consequences of Selected California Offenses*, an abbreviated immigration consequences guide written specifically for criminal defense counsel, which was reprinted in the *California Defender Magazine's* 2008 Winter Edition. The most current version of the Chart and Notes can be downloaded at [www.ilrc.org/criminal.php](http://www.ilrc.org/criminal.php).

The ILRC coordinates a national and comprehensive online resource library on the immigration consequences of crime for criminal defenders at [www.defendingimmigrants.org](http://www.defendingimmigrants.org) (registration is required, but it is free). The library contains numerous practitioner quick-reference guides, as well as in-depth practice

advisories, with resources available for both beginning and advanced criminal defenders including: quick reference/cheat sheets on immigration consequences of crimes, lists of key strategies to effectively defend noncitizen clients, materials on immigration enforcement in the criminal justice system, know your rights materials for defendants, and defense of noncitizen juveniles.

- **Print Resources.** The ILRC is the author of the definitive print resource on immigration and criminal law in the Ninth Circuit and California entitled *Defending Immigrants in the Ninth Circuit: Impact of Crimes Under California and Other State Laws*, written by Katherine Brady with Norton Tooby, Michael K. Mehr and Angie Junck. This is an excellent resource to have in defender libraries as it provides accessible and in-depth analysis on immigration consequences of crimes, including defense strategies in criminal court and techniques on creating immigration-safe factual bases and pleas based on California criminal law and procedure. It is updated as of May 2009. To order a copy go to: <https://www.ilrc.org/publications/>
- **Mentorship of in-house experts in public defender offices.** The ILRC works closely with in-house defender experts to provide them training, technical assistance, materials, and other assistance as needed to help them support their office in the effective representation of noncitizen defendants. The ILRC, for example, works regularly with in-house experts at the Los Angeles Public Defender and the San Francisco Public Defender. If you are interested in becoming an in-house expert or obtaining internal support for your office contact Angie Junck at [ajunck@ilrc.org](mailto:ajunck@ilrc.org).
- **A statewide interactive listserv** of beginning and advanced in-house defender experts and immigration experts to forge connections between them, and to share developments in the law and in the field, effective strategies in court to mitigate immigration consequences, questions regarding individual cases, and other news, issues, and concerns. This listserv is a small listserv with limited activity; generally only a few postings per month. If you are interested in joining the listserv contact Angie Junck at [ajunck@ilrc.org](mailto:ajunck@ilrc.org).
- **Technical Assistance in Individual Noncitizen Cases.** For a fee, the ILRC offers consultations to public defenders in individual criminal cases through the Attorney of the Day Program. This service saves defenders time from researching complex immigration issues on their own and ensures that they are providing effective assistance to noncitizens on what, in some cases, is the most crucial aspect of the case. Through this service, ILRC attorneys are available for consultation four days a week to answer defender questions via email or phone. Many defender and alternate defender offices in California contract with the ILRC so that the defenders in their office can obtain assistance in their noncitizen cases. To learn more about this service, visit: [www.ilrc.org/AOD](http://www.ilrc.org/AOD). For any questions or to sign up, contact Sai Suzuki at 415-255-9499 Ext. 789 or [ssuzuki@ilrc.org](mailto:ssuzuki@ilrc.org).
- **Trainings and Webinars.** The ILRC provides webinars, short trainings, and full day trainings on various immigration criminal topics during the year. A schedule can be downloaded at [www.ilrc.org/seminars](http://www.ilrc.org/seminars). The ILRC may also provide some free training to

individual offices at request or arrange for our partners to conduct them. To inquire about this contact Angie Junck at [ajunck@ilrc.org](mailto:ajunck@ilrc.org). In the future, we will also be co-hosting CLEs on the immigration consequences of crimes with the California Public Defender Association.

- **Partner Resources.** Two of our close partner organizations also provide expert immigration assistance in California. The Immigrant Rights Clinic at the University of California at Davis Law School provides limited, but free consultation to public defender offices that have limited immigration related resources. Contact Raha Jorjani at [rjorjani@ucdavis.edu](mailto:rjorjani@ucdavis.edu).

In Los Angeles, the office of the Los Angeles Public Defender offers free consultation through Deputy Public Defender Graciela Martinez. She also regularly presents trainings on this issue to indigent defenders and works with in-house defender experts in the Southern California region. She can be reached at [gmartinez@lacopubdef.org](mailto:gmartinez@lacopubdef.org).

The ILRC has enjoyed a long partnership with California Public Defender Association (CPDA). Our materials have been published in CPDA publications. On the CPDA website, links to our various resources are posted. We respond to immigration questions posted on the Claranet listserv. In the future, we will provide joint CLEs on the immigration consequences of crimes.