

The Long Island Regional Immigration Assistance Center

Center is one of six regional Immigration Assistance Centers funded by an innovative grant from the New York State Office of Indigent Legal Services. The Long Island Regional Immigration Assistance Center will provide individual case assistance, training, consultations, and support to appointed criminal defense counsel and Family Court attorneys in their representation of non-citizen clients. These services are free to all counsel appointed to represent indigent non-citizen clients in Criminal and Family Court proceedings.



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LONG ISLAND
REGIONAL IMMIGRATION ASSISTANCE CENTER

A partnership between The Legal Aid Society of Suffolk County, Inc., the Legal Aid Society of Nassau County, Inc., and The NYS Office of Indigent Legal Services which provides

FREE

immigration law support for attorneys who provide mandated representation to non-citizens on Long Island



Who we are:

We are dedicated to improving the legal representation of indigent non-citizens by providing training, consultations, and expert immigration advice to appointed counsel on Long Island.

In order to serve you

For non-citizen clients in Family or Criminal Court proceedings, we will need the following information as early in the case as possible:

- Client's name, DOB, and country of birth;
- Client's immigration status;
- Dates of client's initial and subsequent entries to and departures from the US;
- Copies of immigration documents, including visa, green card, work authorization, and/or approval notices;
- Information about client's family and their immigration status/history;
- Current criminal charges, or nature of matters pending in Family Court, including any complaint;
- Any prior criminal history in New York or elsewhere;
- Any plea offer or other disposition you have received or anticipate.

Our goal:

Our goal is to support appointed counsel in helping his/her non-citizen clients to make informed choices regarding any adverse immigration consequences which may arise from a Criminal or Family Court proceeding.

In 2010, the Supreme Court announced in *Padilla v. Kentucky*, 130 S. Ct. 1473 (2010), that non-citizens facing criminal charges are entitled under the Sixth Amendment's right to counsel provision to informed, accurate advice and assistance from counsel in avoiding the potential negative immigration consequences of any guilty plea. However this mandate can prove challenging because immigration laws are in constant flux, are complex and often subject to misinterpretation. Immigration consequences stemming from even minor criminal charges like disorderly conduct or petit larceny can be serious and certain, including mandatory detention and removal. Similarly, dispositions in Family Court can result in adverse immigration consequences affecting life-altering decisions such as custody, visitation, adoption and termination of parental rights. The LIRIAC can help assigned counsel to navigate these case complexities with expert analysis and legal advice.

FAQS

QUESTION 1: How can you help?

ANSWER: We provide timely and confidential consultations about the immigration consequences of any plea offer or Family Court disposition. We help you meet your obligations under *Padilla* to provide accurate and detailed information to your non-citizen clients about the impact of the criminal charges they face. We also provide legal support and assistance that may be necessary to navigate away from potential immigration consequences that a non-citizen may incur from a Family Court proceeding or disposition.

QUESTION 2: My client is taking a plea to a violation, Disorderly Conduct, or an ACOD. Do I still need your services?

ANSWER: YES! Even seemingly minor offenses or violations can have devastating immigration consequences. The Sixth Amendment guarantees that your non-citizen client has the right to be informed of the potential immigration consequences that may result from a criminal conviction and that defense counsel is responsible for providing that information, as well as, negotiating to minimize their risk of removal from the United States, when practicable.