

CLIENT QUESTIONNAIRE CIVIL CONSEQUENCES OF CONVICTION

There are many consequences to having a criminal record other than the sentence imposed by the court. For example, you can be deported, lose your job, lose your housing, or have your parental rights terminated. Please fill out this questionnaire to help us try to avoid these consequences.

YOUR NAME: _____ **YOUR AGE:** _____

ISSUES TO CONSIDER IF YOU ARE CHARGED

If you are considering a plea agreement, make sure to consider these issues, as the type of conviction you have can make a big difference in whether you are deported, lose your job, lose your housing, lose public benefits, lose student loans, etc.

IMMIGRATION:

If you are not a U.S. citizen, a criminal conviction could lead to deportation. You should talk to an immigration attorney.

Are you a U.S. Citizen: yes ; no

If you are not a U.S. Citizen, what is your immigration status: _____

EMPLOYMENT:

Certain criminal convictions can prevent you from working in a particular job or from getting/keeping an occupational license.

What kind of work do you do: _____

If you are employed, is your job located within 1000 feet of a school: yes ; no

How many people do you support with your income: _____ No. of adults;
_____ No. of children.

List any professional or occupational licenses you have (e.g. cab license, plumbing license): _____

Have you had to pass a background check to get a job: yes ; no

If yes, explain: _____

Have you, or do you intend to, work in:

- schools or school services (e.g. teacher, school janitor, school cafeteria, etc.)
- healthcare
- a place that cares for the elderly or persons with disabilities (adult foster home, nursing home, home health agency, etc.)
- private security/security guard
- airlines
- transportation
- daycare
- government employment
- military

If you work in schools, long-term care, transportation, daycare, and certain other fields, you may be required to report your arrest/conviction to your employer.

Have you reported your arrest/conviction: yes ; no

HOUSING

Depending on your conviction, you can lose your subsidized rental housing or Section 8 voucher. The members of your household can also lose their housing. You should talk to a legal aid attorney.

Do you live in subsidized rental housing or have a Section 8 voucher: yes ; no

If yes, list every person who lives with you, including their name, age, and relationship to you:

<u>Name</u>	<u>Age</u>	<u>Relationship to You</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Whose name is on the lease and/or on the Section 8 voucher? _____

Has your landlord threatened to evict you? yes ; no

PUBLIC BENEFITS

In many states, if you are convicted of a drug-related felony, you will be unable to receive cash assistance (TANF) or food stamps for the rest of your life. As of August 2006, Michigan residents with drug-related felonies remain eligible for public assistance. For information about another state, contact the Department of Human Services in that state, or, for information current as of February 2005, go to <http://www.lac.org/lac/main.php?view=law&subaction=5#>

Do you receive public assistance (e.g. welfare, food stamps, SSI, etc.): yes ; no

If yes, what benefits do you receive: _____

Do you currently live, or plan to live, in a state other than Michigan: yes ; no

If yes, which state: _____

If you are apply for public assistance, you may be required to pass a national warrant check. If you have an open felony warrant, or if you are in violation of a condition of probation or parole, you will be denied certain kinds of benefits, including SSI, food stamps, welfare, and subsidized housing.

Do you have any open felony warrants: yes ; no

STUDENT LOANS

In most cases, if you get a drug conviction while you are receiving student loans, your ability to get student loans will be suspended for at least a year.

Are you currently attending college or trade school: yes ; no

If yes, what school are you/will you attend, and what are you studying:

Are you receiving student loans: yes ; no

Will you need student loans in the future: yes ; no

EXPUNGEMENT

If you are convicted in this case, but you do not have any other convictions (including misdemeanors), you may be eligible to have your conviction removed from your record after five years.

Is this your first offense: yes ; no

Are there any other charges against you in any other courts? yes ; no ; maybe

***ISSUES TO CONSIDER IF YOU ARE CONVICTED
AND ARE SENT TO JAIL OR PRISON***

These issues become important once you are facing jail or prison time.

CHILD CUSTODY

It is very important to make arrangements for your children if you are incarcerated, particularly if you will be locked up for two years or more. This reduces the risk that your parental rights will be terminated. Generally, if you will be incarcerated for six months or less, you should sign a power of attorney. For longer incarceration, you may need a more permanent placement for your kids, such as a guardianship, so that they do not end up in foster care. Because the best arrangement depends on your specific circumstances, you should consult a legal services attorney if you are unsure what to do.

Do you have children: yes ; no

If yes, for each child list the name, date-of-birth, and who has custody/guardianship of the child:

<u>Name</u>	<u>Date-of-Birth</u>	<u>Custody/Guardianship</u>

Have you made arrangements for where your children will live if you are sent to jail or prison in this case: yes ; no

If yes, with whom will your children live: _____

If you have custody, and if you are being sent to jail for six months or less, have you signed a power of attorney giving someone else authority over your kids if you are incarcerated: yes ; no

If you have custody, and if you are being sent to prison for a longer period of time, will you give custody or guardianship to someone else while you are incarcerated: yes ; no

CHILD SUPPORT

If you are incarcerated and cannot make payments while in prison, you MUST file a motion to suspend child support as soon as you get locked up. If you do not, your

child support will continue to add up while you are in prison and the court is not allowed to go back to reduce it later.

Are you required to pay child support: yes ; no

If yes, have you filed a motion to suspend your child support while you are incarcerated: yes ; no

If you owe child support, for each case, list the county where the case was filed, the case number, and the amount you need to pay: _____

IDENTIFICATION

It can be very difficult to get a state ID or driver's license once you are released from prison. It is easier to renew or replace an ID card if you have already had one.

- **If you do not have an ID, you should apply for one before you get locked up.**
- **You should also make sure that all of your important documents – like your ID and birth certificate – are in a safe place where you can get them back once you are released.**

Have you ever had a state ID or driver's license? yes ; no

If yes, until what date is your state ID or driver's license valid? _____

Where is your state ID or driver's license located now? _____

Do you have a copy of your birth certificate? yes ; no

If yes, where is your birth certificate located now? _____

MILITARY SERVICE

Men age 18-26 must register with the Selective Service. Failure to register can result in denial of certain types of government loans and benefits. If you are male over 18, if you have not registered, and if you are likely to be incarcerated until after your 26th birthday, you should try to register now.

If you are male, have you registered with the Selective Service: yes ; no