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For years, practice standards have recognized that defense counsel’s role includes advising noncitizen defendants about the immigration consequences of a criminal conviction. The standards have recognized the serious impact a conviction can have on a person’s immigration status. Now such advice is constitutionally required by the U.S. Supreme Court’s landmark decision in *Padilla v. Kentucky*, 559 U.S. 356 (2010). A failure to competently advise noncitizen clients about the immigration consequences of a criminal conviction may constitute ineffective assistance of counsel. It is therefore essential for defense counsel either to learn enough about this area of law to advise their noncitizen clients about the impact of the criminal case or know when and how to consult with experts who can assist in them in providing that advice. The purpose of this manual is to help criminal defense counsel navigate this highly technical area of law and live up to their constitutional obligation.

This manual presents both the law on immigration consequences of a criminal conviction and options to assist clients in reducing or eliminating those consequences. The manual does not purport to provide specific legal advice in individual cases. Defense counsel and their clients should seek advice from an immigration expert as necessary.