

## Chapter 5

# Determining Possible Immigration Consequences Based on Your Client's Immigration Status

<b>5.1 Lawful Permanent Resident</b>	<b>5-2</b>
A. LPR Client's Immigration Priorities	
B. Impact on LPR of an Aggravated Felony Conviction	
C. Impact on LPR of Other Dispositions Triggering Deportability	
D. Impact on LPR of a Criminal Disposition Triggering Inadmissibility	
E. Forms of Relief Depending on Offense	
F. Impact on LPR of a Criminal Disposition Barring Naturalization	
<b>5.2 Refugee (who has not yet obtained LPR status)</b>	<b>5-6</b>
A. Refugee Client's Immigration Priorities	
B. Impact on Refugee of a Criminal Disposition Triggering Deportability	
C. Impact on Refugee of a Criminal Disposition Triggering Inadmissibility	
D. Forms of Relief Depending on Offense	
<b>5.3 Person Granted Asylum (who has not yet obtained LPR status)</b>	<b>5-9</b>
A. Asylee Client's Immigration Priorities	
B. Impact on Asylee of an Aggravated Felony Conviction	
C. Impact on Asylee of a Criminal Disposition Triggering Inadmissibility	
D. Forms of Relief Depending on Offense	
<b>5.4 Nonimmigrant Visa Holder</b>	<b>5-11</b>
A. Immigration Priorities for Nonimmigrant Visa Holder	
B. Impact on Nonimmigrant Visa Holder of a Criminal Disposition Triggering Deportability	
C. Impact on Nonimmigrant Visa Holder of a Criminal Disposition Triggering Inadmissibility	
D. Forms of Relief Depending on Offense	
<b>5.5 Noncitizens with Temporary Protected Status</b>	<b>5-14</b>

<b>5.6 Noncitizens without Immigration Status</b>	<b>5-14</b>
A. Immigration Priorities for Noncitizen Client without Immigration Status	
B. Impact on Noncitizen without Immigration Status of a Criminal Disposition Triggering Inadmissibility	
C. Impact on Noncitizen without Immigration Status of Controlled Substance and Certain Other Dispositions	
D. Impact on Noncitizen without Immigration Status of an Offense that Bars Persecution-Based Claims	
E. Impact on Noncitizen without Immigration Status of a Conviction that Bars Deferred Action of Childhood Arrivals (DACA)	
F. Impact on Noncitizen without Immigration Status of a Conviction that Bars Voluntary Departure	
G. Enhanced Liability for Illegal Reentry after Removal	
<b>5.7 Summary of Priorities in Representing Noncitizen Clients by Status</b>	<b>5-20</b>

---

The immigration consequences of a criminal conviction or other disposition vary largely with the noncitizen’s particular immigration status. This chapter discusses and prioritizes adverse immigration consequences of a criminal disposition based on the client’s particular immigration status. For the purposes of presenting the various immigration consequences, noncitizens are divided into five broad categories:

- Lawful permanent residents (LPRs) (*see* § 5.1)
- Refugees (who have not yet obtained LPR status) (*see* § 5.2)
- Persons granted asylum (who have not yet obtained LPR status) (*see* § 5.3)
- Nonimmigrant visa holders (*see* § 5.4)
- Noncitizens with Temporary Protected Status (*see* § 5.5)
- Noncitizens without immigration status (*see* § 5.6)

These are the immigration statuses you are most likely to encounter, but they are not exhaustive.