

Appendix A: Structures

| State | Expert type | Identification procedures | Crim im specific training | Other notes |
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| Connecticut | Yale guide to CT statutes, plus an expert on retainer who advises staff in specific cases. | Line attorneys are trained to attempt to determine the citizenship of clients, beginning at intake. | All new attorneys receive training on addressing immigration collateral consequences, as well as regular division-wide training on emergent issues. | Line attorneys use a guide to immigration consequences of all CT statutes created by Yale students, which needs updating. |
| Hawaii | Two in-house attorneys WITHOUT reduced caseloads. Attorneys sometimes connect with external non-profit for extra advice in complex cases. | Line attorneys trained to ask where client was born in initial intake, and required to investigate it on their own. | Frequent, focused on issue-spotting. | |
| Iowa | Three in-house attorneys with slightly reduced caseloads (lead attorney | | Fairly regular non-mandatory trainings. | No formal policy requiring immigration analysis to be obtained. |

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| | had a non-immigration caseload of ~110 cases per year). | | | |
| Maine | External immigration attorney that Maine contracts with to consult with public defenders. | Attorneys are expected to ask where the client was born at the first meeting, and consult if the answer is outside the U.S. | | |
| Maryland | Two in-house experts with significantly reduced caseloads. | | Two to three trainings per month on average. | Use a streamlined intake form with 7 questions which has improved attorney use, and address specificity in their response. |
| Massachusetts | Four in-house experts and sometimes interns in an immigration unit. | Attorneys trained to ask for place of birth at intake. Attorneys can reach out any way they like at any point. | | Significant policy work on immigration and criminal law issues. |
| Minnesota | One in-house expert. | Case management | Regular training | |

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| | | software requires attorneys to ask if the client was born in the US in the initial meeting. | focused on goals of <i>Padilla</i> and getting attorneys to use experts. | |
| Missouri | None, with option for attorneys to seek out internal or external consultation if needed. | Guidelines advise line attorneys to ask birthplace at the initial meetings. | | |
| New Hampshire | External experts - contract with National Immigration Project for immigration consults, paid for set number per month. Attorneys can also apply for expert immigration funding through the court when the org is busy or a case is particularly complex. | No specific policy. | About once per year. | Previously had an in-house expert, but their advice “got stale” from lack of courtroom exposure. |
| New Mexico | External immigration attorney consults. | No specific policy - cases often identified by | Not a lot. | |

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| | | paralegals when there is no social security number, or “way too late.” | | |
| North Dakota | Two private immigration attorneys provide consultations for \$90 per hour. | No policy or practice. | None. | |
| Oregon | External experts at the Oregon Justice Resource Center. | | | |
| Rhode Island | External community contacts when the attorney does not know. | | Occasional | |
| Vermont | Internal expert with a full caseload, consulting on <i>Padilla</i> advisals often on weekends. | | Statewide crim-im trainings every couple of years. | Expert also handles interpreter issues. Collaboration with federal defenders to build capacity. |
| Virginia | Internal expert with no other caseload | Require PDs to ask where born at initial meetings, and then | About 10 substantive immigration | Meets regularly with regional counterparts. No policy advocacy. |

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| | | ask follow-up questions | trainings per year. | |
| Wisconsin | Two in-house practice coordinators with reduced caseloads ($\frac{2}{3}$ of a normal non-imm caseload) | | Two to three per year. | State does some policy advocacy. |
| West Virginia | No structure at the state level | No policy at the state level | | |

Appendix B: Comparing consults and noncitizen population

| State | Census % foreign born | Approx population (% foreign born times population) | Expert type | Number of <i>Padilla</i> consults to experts per year | <i>Padilla</i> consults per foreign born resident |
|-------------|-----------------------|-----------------------------------------------------|-------------------|-------------------------------------------------------|---------------------------------------------------|
| Connecticut | 15.4 | 565,960 | External | | |
| Hawaii | 18.1 | 261,752 | In-house, 0 FTE | | |
| Iowa | 5.7 | 184,764 | In-house, 1 FTE | 400 | .002 |
| Maine | 3.9 | 54,795 | External | ~450 | .008 |
| Maryland | 16.3 | 1,020,905 | In-house, 1.5 FTE | More than 900 in 2024, on track for | .0009 (note extra decimal place) |

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| | | | | 1200 in 2025 | |
| Massachusetts | 17.7 | 1,263,102 | In-house, 1.5 FTE | | |
| Minnesota | 8.6 | 498,211 | In-house, 1 FTE | 3735 total in FY 2024. 3800 between July 1, 2024 and March 27, 2025 (which annualizes to about 5400). | In 2024, .007. This year, .11. |
| Missouri | 4.4 | 278,800 | None | | |
| Montana | 2.3 | 26,156 | External | | |
| New Hampshire | 6.2 | 87,359 | External (nonprofit) | 180 | .002 |
| New Mexico | 9.2 | 195,983 | External (private) | | |
| North Dakota | 4.5 | 35,800 | External (private) | 67 | .002 |
| Oregon | 9.7 | 414,419 | External (nonprofit) | | |
| Rhode Island | 14.8 | 164,621 | External (private) | | |
| Vermont | 4.3 | 27,885 | In-house, 0 FTE | 250 | .009 |

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| Virginia | 12.9 | 1,136,644 | In-house, 1 FTE | ~1,380 (496 in 2025 as of May 6th) | .001 |
| West Virginia | 1.7 | 30,089 | No structure | | |
| Wisconsin | 5.1 | 304,009 | In-house, 1.3 FTE | 200 | .0007 (note extra decimal place) |