

Cal PC 1203.43

New Help for Immigrants with Past Minor Drug Offenses

Cal PC 1203.43 is a new California law that took effect on January 1, 2016



Immigrants who have been arrested or convicted of any crime should check with an immigration attorney before leaving the U.S. or filing any application with immigration authorities

Why is PC 1203.43 necessary?

- Even a minor drug conviction like possession can be very damaging to immigration status.
- It can cause a lawful permanent resident (green card-holder) to lose their status and be deported.
- It can block an undocumented person from ever getting lawful status.
- Sometimes, even if you think your drug conviction was "erased" in criminal court, it might not be erased in immigration court. This means that it can still hurt your immigration case.

What does PC 1203.43 do?

- It is an easy way for some people who completed a drug diversion program to clean up their record for immigration purposes.
- To qualify, you must have completed the California "Deferred Entry of Judgment" program. Once you complete that, you have no conviction under California law, but you still might have a conviction under immigration law. To get rid of the immigration problem, you just need to apply for PC 1203.43.
- The PC 1203.43 application is simple and you will not have to go to court. For help filing the application, go to the public defender office that represented you, or to a non-profit "clean slate" agency that helps people clear up their records. Or, contact an immigration non-profit agency or immigration lawyer.

More Help

To find a clean slate agency or public defender, use this map and search near the court where you pled guilty: www.ebcl.org/reentry-legal-services/

To find a local immigration non-profit: <http://www.immigrationadvocates.org/nonprofit/legaldirectory/>

If your legal providers want more information: www.ilrc.org/resources/New_California_Drug_Law_1203.43

