

**CLIENT QUESTIONNAIRE
(domestic battery)**

Please complete this questionnaire as soon as possible. By completing all of the items, we will have much of the information necessary to evaluate your case. It is important that you answer each question completely and truthfully. All information contained in this questionnaire will be held in strict confidence.

Basic Information

1. Personal Information

First Name	
Middle Name	
Last Name	
Date of Birth	
Place of Birth	
SS#	

If you are not a US citizen, a criminal conviction could lead to your removal from the United States. **This office does not have expertise in immigration law. You should seek advice from an immigration attorney before accepting any resolution of your criminal case.**

- 2. Are you a U.S. citizen? _____

- 3. If you are not a U.S. citizen:
 - a. What is your immigration status? _____
 - b. How long have you been in the United States? _____
 - c. Have you ever been removed from the US or been refused admission at the border? _____
 - d. If yes, where and fro what crimes: _____

4. Your present residence

Street address	
City, State, Zip	
Telephone #s	
How long at this address?	
How long have you lived in KS?	
SS#	

If you are currently living in low-income "Section 88" housing, you should know that "during the term of [your] lease, any criminal activity that threatens the health, safety, or right to peaceful enjoyment of the premises by other tenants, any criminal activity that threatens the health, safety, or right to peaceful enjoyment of their residences by persons residing in the immediate vicinity of the premises . . . shall be cause for termination of tenancy."
 42 U.S.C.A. § 1437f.

5. Employment Status: Check is not employed

Employer's name	
Address	
City, State, Zip	
Telephone	
Monthly gross pay	
# of exemptions claimed	
Federal Income Tax	
OASDHI	
KS withholding	
Job Title	

6. Do you hold any professional or occupational licenses? _____

7. If so, what licenses? _____

8. How many people do you support with your income? _____ Any children? _____ How many? _____

9. 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, etc.)
- private security/security guard
- airlines
- transportation
- childcare
- government employment
- military
- tribal government or Native American casinos

Criminal History

10. Have you ever been convicted of a crime, in this or any other jurisdiction? _____

11. If so, what were the crimes, and when and where were they allegedly committed:

12. Besides those crimes identified above, have you ever been arrested or charged with a crime, in this or any other jurisdiction? _____

13. If so, what were the crimes, and when and where were they allegedly committed?

14. Are you currently on probation or parole? _____

15. Are you currently on diversion for another offense? _____

16. Are there any other criminal charges now pending against you in any other court? _____

17. If so, what are the charges, and where are they pending?

Investigation of the case

18. Did you speak with the police about this case? _____

19. If so, when? _____ What did you say?

20. Were you given a Miranda warning prior to being questioned? _____

21. If so, did you waive your Miranda rights? _____

22. Did the police speak to all the important witnesses in this case? _____

23. If not, who did they fail to speak to? _____

24. Did the police examine all the important physical evidence in this case?

25. If not, what did they fail to examine? _____

26. Did the police take photographs? _____

27. Besides anything listed above, are there any important matters which the police failed to investigate? _____

28. Is so, what?

29. Were you search prior to arrest? _____

30. Was your home or car searched? _____

31. if the answer to question 41 or 42 is yes, did you consent to the search?

32. Did the police take any of your property? _____ What? _____

Details of the offense

33. You have been charged with domestic battery. Domestic battery is defined by Kansas law as:

"(1) Knowingly or recklessly causing bodily harm by a family or household member against a family or household member; or (2) knowingly causing physical contact with a family or household member by a family or household member when done in a rude, insulting or angry manner."

Kan. Stat. Ann. § 21-5414.

Domestic battery is a class B person misdemeanor. The maximum penalty you could face if you were convicted of domestic battery is a \$5000.00 fine and 6 months' imprisonment in the county jail. The minimum sentence for this offense is 48 hours in jail and a fine of \$200.00.

If you have been convicted of domestic battery before, you may face an even harsher penalty if you are convicted.

34. Do you understand this charge? _____

35. Please state, as best as you can, the facts which caused the charges to be filed (in other words, tell me your side of the story).

36. Who are you accused of battering? _____. What is the relationship of that person to you? (friend? family member?)

37. Were there any witnesses to this battery besides yourself and the person who you are accused of battering? _____

38. If so, who are the witnesses (including name, address, and phone number, if known)?

39. Were you in a public place when this battery allegedly took place? _____

40. If so, where? _____

41. Do you believe that you were wrongfully accused of this crime? _____

42. If so, why?

43. There are several common defenses to battery. Please check if you would like me to specifically consider one of the following defenses:

- Mistaken identity;
- Parental discipline;
- Self-defense;
- Defense of another;
- Defense of property;
- Lack of intent to batter (i.e. accident); or
- Other (please specify) _____

44. Is there anything else that I should know in evaluating your case? _____

45. If so, what?

THANK YOU FOR COMPLETING THIS QUESTIONNAIRE. PLEASE RETURN IT TO THE FOLLOWING ADDRESS AT YOUR EARLIEST CONVENIENCE:

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