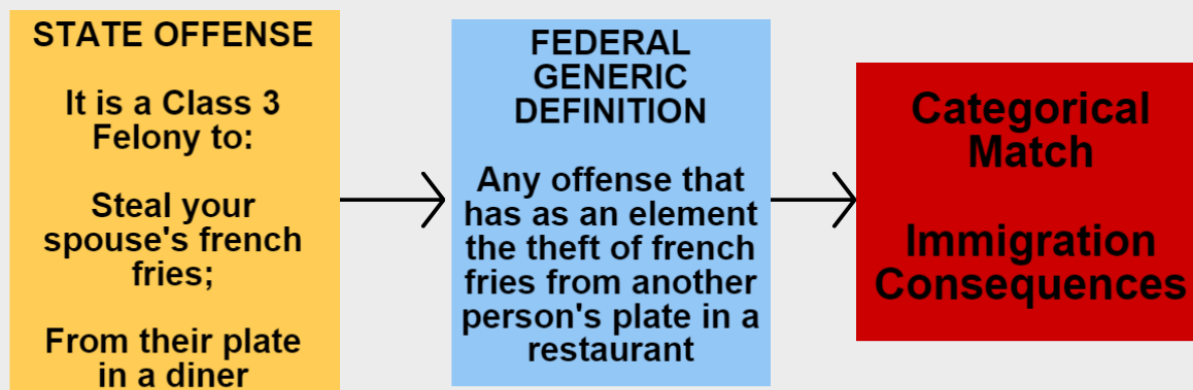



# The Categorical Approach in a Nutshell

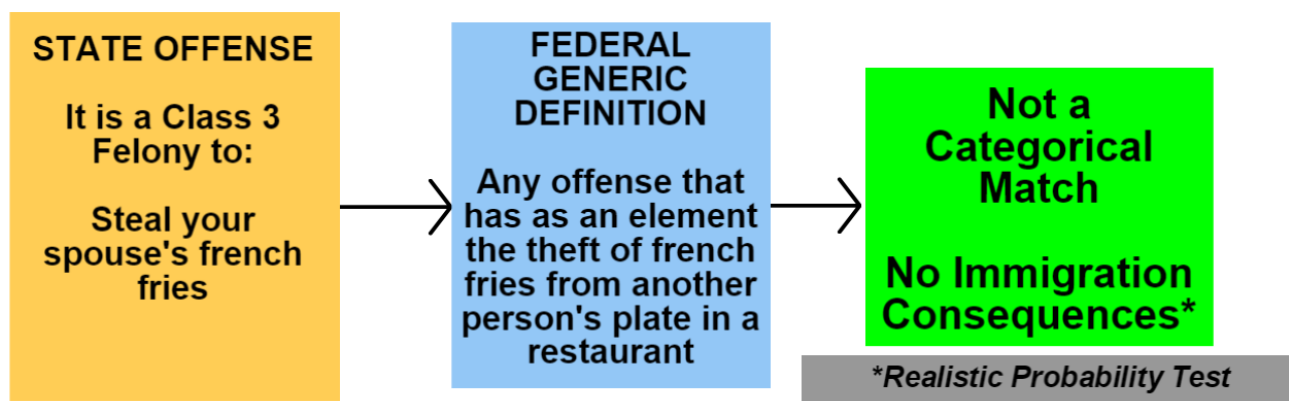
The categorical and modified categorical approaches are used in most cases to determine if a state criminal conviction triggers a particular federal criminal ground of removability. This reference guide demonstrates the approach's underpinnings and should be used in conjunction with training and other resource materials.

## Categorical Match



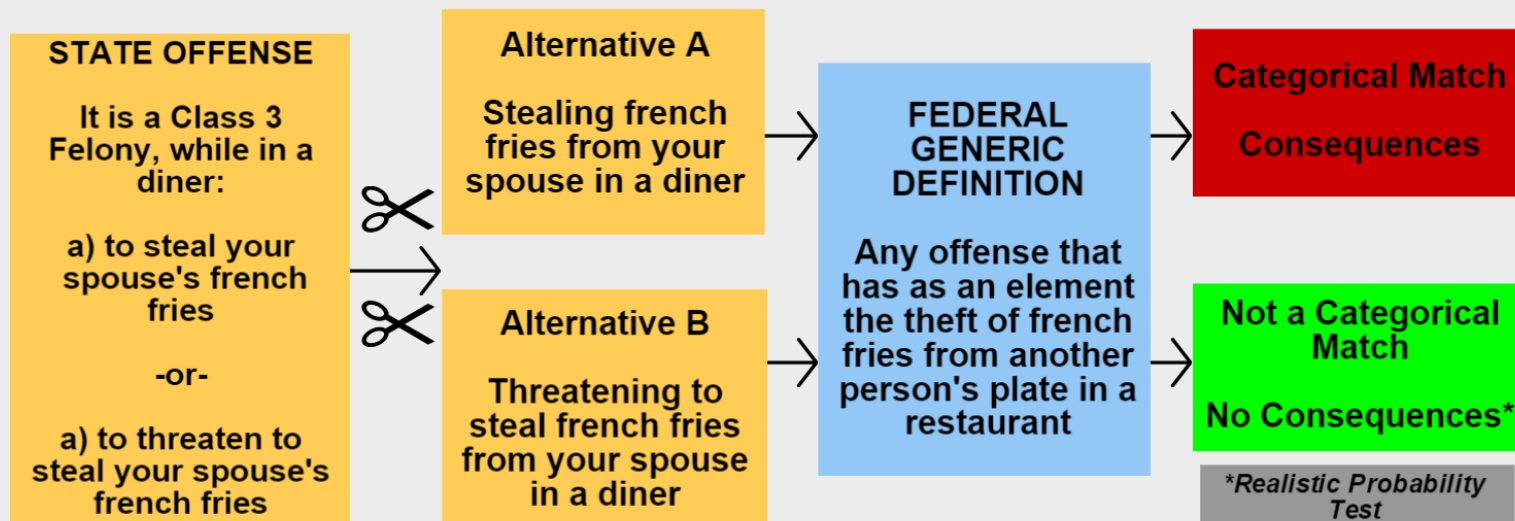
 Judge may not look at client's underlying criminal record in deciding

## Not A Match - Overbroad



 Judge may not look at client's underlying criminal record in deciding

## Divisible State Statute – Modified Categorical Approach



 Jury must be required to reach unanimity regarding whether client stole or threatened to steal to establish divisibility. Judge may look at client's underlying record in deciding under which alternative the client was convicted.