

# HOW TO AVOID FRAUD WHEN SEEKING IMMIGRATION LEGAL SERVICES



As you explore potential immigration options for you or your family, finding trusted support from a reputable immigration attorney or other legal service provider can be difficult. Just as payday lenders often prey on under-resourced communities, certain businesses can mislead the public by offering immigration legal services despite being unqualified and illegal to do so. This guide is designed to help you identify some key red flags that may indicate a business is not acting in your best interest or is otherwise not providing reliable legal advice or services.

## WHAT CAN I DO NOW?

While Congress considers various immigration bills, it is important to remember that **there is no new comprehensive immigration reform or green card program currently available**. Congress must first agree on and pass a bill and then the President must sign it for it to become law. Until then, legal service providers must not take your money to file an application for any of these proposed programs.

In the meantime, you can take steps to protect yourself, seek trusted legal advice, and prepare for any changes in the law. Also, there are programs like [DACA](#) and Temporary Protected Status ([TPS](#)) that are still available.

To best position yourself and your family, we recommend reviewing the ILRC's *Immigration Preparedness Toolkit* by visiting: <https://bit.ly/immpreptoolkit>

You can also find a legal representative that works best for you by visiting: <https://bit.ly/ianimmhelp>

## HOW DO I FIND A TRUSTED LEGAL REPRESENTATIVE?

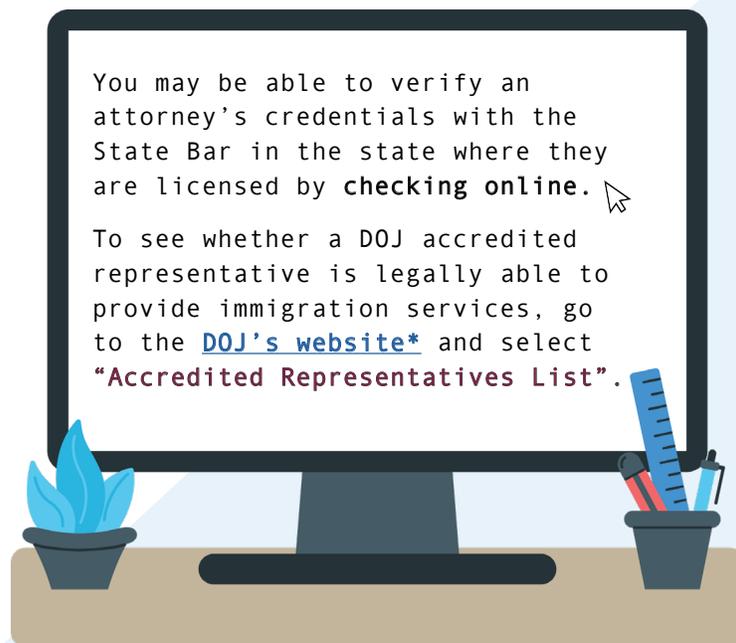
Generally, there are **two** types of individuals who can legally give advice about an immigration case:

① a licensed immigration attorney, **or** ② a non-attorney legal representative approved by the U.S. Department of Justice (DOJ) – also known as a “DOJ accredited representative.”

All practicing attorneys are required to be licensed members of a state government attorney association known as the state bar or bar association.

Make sure to avoid legal help from individuals or businesses that are not legally qualified. **Scammers may often advertise immigration services alongside other services, such as tax preparation.** Expertise in one does not relate to the other. Some businesses may even offer deals or advertise themselves as a “one stop shop,” which can lure individuals with various needs.

\* <https://www.justice.gov/eoir/recognition-accreditation-roster-reports>



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Unfortunately, scam artists are sometimes members of the immigrant's own community. Because of this, make sure not to be lulled into a false sense of security just because the person you are confiding in speaks your language and can relate to your story and goals.

Too often, scam artists will promise immigrants an easy path to legal status only to cheat them out of their hard-earned money and, even worse, put them at risk of deportation. These scammers pose **huge risks** for immigrants. It can be easy to trust anyone who says they are an expert when you may not be familiar with U.S. immigration law and are eager to gain legal status.

Immigration consultants, which can include what are known as *notarios*, are not attorneys. Fraudulent immigration consultants illegally provide advice, and may also charge large amounts of money for work that is never performed. Even worse, some consultants file incorrect paperwork with the U.S. Citizenship and Immigration Services (or USCIS, the federal agency that processes immigration applications).

**Filing incorrect paperwork can cause government investigations and trigger deportation proceedings.**

Immigration legal service provider fraud affects not only the person who has been directly victimized, but it also endangers their family. U.S. citizens, permanent residents, and undocumented immigrants all risk family separation and upheaval when loved ones are placed in deportation proceedings.

Immigrant communities must make sure to shop smart when hiring a qualified immigration legal service provider. No matter your immigration status or financial situation, it is critical to be aware of and assert your consumer rights. There are state laws that protect community members from such fraud, and it is important to be aware how to avoid being preyed upon.

## HOW DO I GET LEGAL HELP?

- 1 Find a trusted legal service provider near you:  
<https://bit.ly/ianimmhelp>  
**Important:** Avoid immigration consultants, tax advisors, or *notarios*. They cannot provide legal advice or services.
- 2 If you are uncertain about an attorney's qualifications, ask them to show you their state bar documents.
- 3 You can meet with several legal service providers and decide later which one you feel most comfortable with and confident in. You do not have to sign up with or commit to the first person you meet.
- 4 Do not sign anything you do not understand. It's ok to ask questions!
- 5 Ask for a written agreement about what exactly your legal service provider will do and how much it will cost.
- 6 Keep copies of everything you give the legal service provider and make sure you ask for any originals back once they have produced their copies.



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## WHAT YOU SHOULD EXPECT FROM A LEGAL SERVICE PROVIDER:

**Sign a contract:** You should be provided with a written contract that clearly explains the service to be provided and what fee will be charged, if applicable. The contract is signed by you and the legal service provider. They should also give you a copy.

**Be informed about your case:** A legal service provider should explain the immigration benefit you qualify for, the application process, and answer any questions you have. Once your case has been filed, they should keep you informed about the progress and status of your case. Note that immigration cases can often move very slowly.

**Get copies of all documents:** A legal service provider should give you a copy of all documents submitted on your behalf as well as copies of any receipts sent by the government. They should never refuse to give you a copy of these documents or your file. In most cases, an attorney or DOJ accredited representative should not charge you to get a copy of your file unless it was agreed that you will pay for the photocopies in your original agreement. Once a case is filed with the government, you or your legal service provider can expect to receive notices from the government.

## HOW DO I PROTECT MYSELF?

Do **NOT** hire anyone who:

- ✗ Promises or guarantees a good result or a work permit.
- ✗ Does not provide you a written contract that clearly explains what they will do.
- ✗ Tries to charge for blank immigration forms, which are available for free here: <https://www.uscis.gov/forms/all-forms>.
- ✗ Tries to charge you to “get on a waiting list” for a new immigration law.  
There is no waiting list.
- ✗ Claims they have special contacts in the government.
- ✗ Pretends to be a qualified attorney but will not show you documentation.
- ✗ Takes your money without giving you the services promised.
- ✗ Asks you to lie on any forms or sign a blank document. If you do this, you may never get your immigration application approved and may face criminal consequences.
- ✗ Keeps your original documents or charges you to get them back.
- ✗ Refuses to reply to your calls, answer your questions, or explain the process.
- ✗ Discourages you from exercising your rights.

