How to Protect Yourself from Immigration Fraud

Who Can Help You with Your Immigration Case?

- Only two groups of people may provide legal advice and services on your immigration case: (1) attorneys and (2) accredited representatives of non-profit religious, charitable, or social service organizations established in the U.S. and recognized by the Board of Immigration Appeals (BIA).

- A notary public, notario, or a notario público is NOT an attorney or an accredited representative and CANNOT provide legal advice or services on your immigration case unless he has been accredited by the BIA and works for an organization recognized by the BIA.
  - In the U.S., a notary public is a public officer who is authorized by law to certify documents, take affidavits, and administer oaths.

- Immigration consultants and immigration assistance providers are not attorneys and cannot give legal advice or provide legal services. This means that they:
  - CANNOT tell you what forms to use or what answers to put on the forms
  - CANNOT keep your original documents
  - CANNOT do special favors for you
  - CANNOT claim to know of secret laws or have special connections to government agencies

What Should You Do To Protect Yourself from Fraud?

- Before you pay any money, educate yourself about who may help you with your immigration case
  - Do not trust people who claim to have a special relationship with U.S. Citizenship and Immigration Services (USCIS) or who guarantee results.
  - Beware of anyone who advertises that he is a notary, notario or a notario público and can represent you in immigration proceedings.
  - Beware of consultants, travel agencies, and real estate offices that offer legal services in immigration matters.
  - Beware of anyone working in the United States who claims to be an attorney in a foreign country and who is not a licensed attorney in the United States.
  - Ask to see copies of attorney bar certificates issued by a state in the United States or BIA accreditation letters before accepting legal advice or services.

- Follow Some Precautions
  - If you decide to use professional services for help with your case, get and keep a written contract.
  - Do not pay cash for professional immigration services. If you can, use a check or credit card instead, and get and keep a receipt.
  - Never give your original documents (birth certificates, passports, or other documents) to anyone who is helping you with immigration matters.
  - Never sign a blank form, application, or petition.
  - Do not sign any forms, applications, or papers containing false statements or inaccurate information.
  - Beware of anyone who offers to file a legalization application for you as they may be putting you in danger of removal or deportation.

What Should You Do if You Have Been the Victim of Fraud?

- Contact a non-profit law office, immigrant rights group, or other trusted community organization for advice.

This information sheet was prepared by the EOIR Legal Orientation Program