

The Supreme Court

State of Washington

BARBARA A. MADSEN
CHIEF JUSTICE
TEMPLE OF JUSTICE
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OLYMPIA, WASHINGTON
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November 28, 2011

Honorable Adam Kline, Chair
Senate Judiciary Committee
223 John A. Cherberg Building
Olympia, WA 98504-0466

Honorable Jamie Pedersen, Chair
House Judiciary Committee
330 John L. O'Brien Building
Olympia, WA 98504-0600

Honorable Margarita Prentice
Washington State Senate
312 Legislative Building
Olympia, WA 98504-0411

Honorable Roger Goodman
Washington State House of Representatives
328 John L. O'Brien Building
Olympia, WA 98504-0600

RE: Practice of Law Board Response to SSB 5023

Dear Senators Kline and Prentice, Representatives Pedersen and Goodman:

Under GR 25 Regulation 5.A., the Supreme Court invites requests for advisory opinions to the Practice of Law Board related to the authority of a nonlawyer to perform legal and law related services. We appreciate your request to the Practice of Law Board regarding unlawful practice in the area of immigration.

On behalf of the Washington Supreme Court and the Practice of Law Board, I am enclosing the board's response to SSB 5023.

Sincerely,

Barbara A. Madsen
Chief Justice

c: Justices
Practice of Law Board

**PRACTICE OF LAW BOARD
STATE OF WASHINGTON**

1325 Fourth Avenue, Suite 600, Seattle, WA 98101-2539
(206) 727-8252 • Fax (206) 727-8314

Members

Thomas Andrews
Seattle

Nicholas Berning
Bellingham

Marilyn Brenneman
Bainbridge Island

Margaret Bridewell
Richland

Kimberly Devlin
Puyallup

Gail Hammer
Spokane

Ann Vetter-Hansen
Bellingham

Crystal Lambert
Vancouver

Sophie Nomee
Nespelem

Priscilla A. Selden
Entiat

Scott Smith
Seattle

Michelle Ressa
Spokane

Administrator
Julie Shandland

Investigative Attorney
Sandra Schilling

October 31, 2011

The Honorable Barbara Madsen, Chief Justice
Washington State Supreme Court
Temple of Justice
P.O. Box 40929
Olympia, WA 98504-0929

Re: Response to State Legislature's request for a study on unlawful practice in immigration

Dear Chief Justice Madsen:

I am writing to you in response to your request for the Practice of Law Board's opinion on its ability to respond to the duties assigned to it by SSB 5023. SSB 5023 asks the Board to review those tasks which non-attorneys can legally provide to immigrants, the level of need for immigration-related assistance, and the level of access to these services. The POL Board has considered these issues, but will not be able to collect any meaningful information on the actual level of need for services or the degree to which this need has been met.

What the Board can do that may assist the legislature:

SSB 5023, signed into law on April 22, 2011, the legislature respectfully requested that the Supreme Court's practice of law board, within available resources, evaluate the following:

- (a) The specific services nonattorneys may provide to immigrants that do not rise to the level of the practice of law in immigration matters;
- (b) The level of access to and the quality of nonlegal and legal services immigrants have and the ways in which access and quality can be improved;
- (c) The level of need immigrants have for nonlegal services compared to the need for legal services in immigration matters.

A report of the board's findings and recommendations must be presented to the legislature no later than December 1, 2011.

The POL Board has discussed this request and come to the following conclusions:

Question (a):

Immigration is an incredibly complex field of law. Most immigration actions require filing multiple immigration petitions to the U.S. Departments of Labor, Homeland Security, and State. Most forms include instructions provided by the government agency which issues them. However these instructions are not adequate for a nonlawyer to navigate the immigration field. Each agency has its own procedures for administrative appeals. It should be noted that most Department of State decisions cannot be appealed at all. As a result, immigrants have reduced access to an appeal if they receive inadequate council. The consequences of inadequate representation include imprisonment, deportation, and a permanent bar from entering the United States. As a result, numerous Washington families have been divided, including the separation of minor U.S. citizen children from their foreign national parents.

The Federal Trade Commission's answer to this question is that anyone can access and print the immigration forms free of charge from the USCIS website. Although the sale of legal forms in any format is excluded from the definition of the practice of law (GR 24(b)(8)), the Federal Trade Commission (FTC) instructs people to "never pay for copies of blank government forms." The FTC further states that anyone can help a person put information into a form or translate that information, but cannot tell the person what to say.

It is the POL Board's opinion that a nonlawyer can translate and transcribe answers into forms. The nonlawyer cannot select forms, explain the content of forms, or advise applicants on how to complete the forms. Although the Board can provide this information to the legislature, it appears that this information is commonly known.

Question (b):

The Practice of Law Board does not have a budget for studies of this kind. Even if it did, the Board believes that an accurate study of this issue would be difficult. Language barriers and undocumented immigrants' reluctance to contact government and quasi-government agencies would make this information difficult to collect. The POL Board does not have any experience in conducting these studies. The POL Board is not in a position to assist the legislature in this area.

Question (c):

This question essentially asks the level of need for interpreter and typing services. Anecdotally, the need for interpreter services is high. The POL Board cannot provide anything other than anecdotal information. However, the need for legal services to explain the options and the likely

outcomes of these options is also high. The POL Board is not in a position to assist the legislature in this area.

Summary of Practice of Law Board Activities on Immigration/Notario Issues

1. Immigration Subcommittee

In 2006, the Board appointed a subcommittee to study whether immigration is an appropriate area of substantive law for the proposed Legal Technician Rule. The committee consisted of three lawyers and three nonlawyers. After three meetings and lengthy discussions, the committee decided that immigration is not an appropriate area of substantive law for unsupervised nonlawyers. We have attached the subcommittee's report. In summary, the report found that immigration is a far too complex and rapidly changing field for nonlawyers to participate without creating woefully unacceptable risks including deportation and imprisonment.

2. Investigation of Unauthorized Practice of Law Complaints

The Board receives a small number of complaints each year of nonlawyers charging money to select and prepare immigration documents for immigrants. Language barriers make these immigration cases difficult to investigate. Additionally, immigrant victims of unlawful practice of law are often either deported, or are left without legal status in the United States. Immigrants without status are, perhaps justifiably, hesitant to report complaints to government authorities. Anecdotally, the Board is aware that some of these notarios move from state to state to avoid detection. USCIS and the state Attorney General have made a strong effort to educate the public about notarios and prevent notario fraud. We have attached a recent publication from the Federal Trade Commission. The Board often refers these complaints and calls received to the Washington State Attorney General or to USCIS.

3. October 4, 2011 Judiciary Committee Work Session

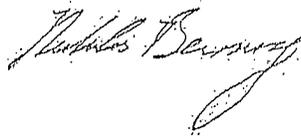
Mr. Andrews, Mr. Berning and Ms. Shankland attended a Judiciary Committee Work Session on October 4, 2011 to discuss the legislature's request to the Board. The Board presented a short PowerPoint presentation that explained the Board's mission, authority and summarized the definition of the practice of law in Washington. The Board members explained to the Committee that the separation of powers issue needed to be resolved prior to the Board undertaking any further action.

Conclusion

In conclusion, although the Board commends the legislature for attempting to deal with the unmet need for immigration related legal services, the POL Board does not believe it can assist this effort except to the extent that it already investigates the unlicensed practice of law and in an advisory capacity. The POL Board simply does not have the resources to adequately access

either the level of need for immigration representation or the level to which that representation is available.

Sincerely,

A handwritten signature in cursive script, appearing to read "Nicholas Berning". The signature is written in dark ink and is positioned above the typed name.

Nicholas Berning
Chair, Practice of Law Board

**IMMIGRATION SUB COMMITTEE FINAL
REPORT**

Final Report of the Immigration Subcommittee
September 5, 2007

The members of the immigration subcommittee have, after lengthy discussion, decided that the area of immigration law is not appropriate for the pilot project of non-lawyer practice.

The subcommittee has 5 members: Daniel Perez and Stephanie Delaney (co- chairs), attorneys Manuel Rios, Hilary Hahn and non-attorneys Raymundo Olivares and Candelaria Murillo.

The subcommittee met 3 times to discuss this area of non-lawyer practice. It's foundation was the awareness that there is a great need for additional legal services for people with immigration problems, as noted by the 2003 Civil Legal Needs study and the experience of the sub-committee members. Yet, this complex area of law is very difficult for the pro se litigant. The subcommittee noted that many people in Washington State are unable to afford a private immigration lawyer. The subcommittee further noted that the available free and low cost immigration services meet only a small amount of the demand for these services.

With this in mind, the sub-committee explored how non-lawyers could effectively assist people with immigration problems. The sub-committee was concerned with the complex ramifications of even the most basic immigration forms. The sub-committee was also concerned that non-lawyers would have a challenging time keeping up with this fast moving area of law, even with sound training and ongoing CLE's. There was also a concern that it would be difficult to establish the initial training programs that would be needed.

The sub-committee considered several options for non-lawyer practice, including having non-lawyers partner with lawyers who would do the initial issue screening and selection of forms. The sub-committee also discussed areas where it is known that non-lawyers currently practice, both legally and illegally. None of the considered options convinced the sub-committee members that the huge practice risks could be acceptably minimized.

Thus, at it's final meeting in July 2007, the immigration subcommittee unanimously decided that this area of law is not appropriate for the current pilot project.

**US DEPARTMENT OF JUSTICE FACT
SHEET**



U.S. Department of Justice
Executive Office for Immigration Review
Office of the Director
5107 Leesburg Pike, Suite 2600
Falls Church, Virginia 22041

FACT SHEET

Contact: Office of Legislative and Public Affairs
(703) 305-0289 Fax: (703) 605-0365
Internet: www.usdoj.gov/eoir/

October 2, 2009 (Revised)

Who Can Represent Aliens in Immigration Proceedings *Attorneys, Recognized Organizations, Accredited Representatives, Other Qualified Representatives, and Free Legal Services Providers*

This fact sheet provides basic information on who can represent aliens in immigration proceedings. It is intended for general informational purposes only and is not a substitute for legal advice, nor does it constitute any legal opinion by the Department of Justice. This fact sheet is not fully inclusive, does not address all applicable laws and case interpretation, and may be subject to change as new laws and regulations are enacted.

The Executive Office for Immigration Review (EOIR) conducts administrative hearings to determine whether aliens — who are charged by the Department of Homeland Security (DHS) with violating immigration law — should be ordered removed from the United States or should be granted relief from removal to remain in the country. Aliens in immigration proceedings — before EOIR's immigration courts or its appellate component, the Board of Immigration Appeals (BIA) — may seek legal representation at their own expense; the government cannot provide legal representation.

Federal regulations (8 C.F.R. § 1292.1) specify who can represent aliens in immigration proceedings. The sections that follow below explain, by category, who can represent aliens in immigration proceedings — attorneys, recognized organizations, accredited representatives, other qualified representatives, and free legal services providers. No one else can represent aliens in immigration proceedings.

“Notarios,” visa consultants, and immigration consultants cannot represent aliens in immigration proceedings.

To appear before an immigration court, all representatives must file a Form EOIR-28. To appear before the BIA, all representatives must file a Form EOIR-27. (EOIR forms can be downloaded from EOIR's website at (<http://www.usdoj.gov/eoir/formslist.htm>.)

(more)

Attorneys

Aliens may hire a licensed attorney to represent them in immigration proceedings. The attorney must be eligible to practice law and be a member in good standing of the bar of the highest court of any state, possession, territory, or commonwealth of the United States, or the District of Columbia. Attorneys may charge or accept a fee.

Recognized Organizations

Aliens may obtain representation from a non-profit, religious, charitable, social service, or similar organization that is established in the United States and is officially recognized by EOIR's BIA. Organizations that are officially recognized appear on the roster listing maintained by the BIA. Recognized organizations may charge or accept only nominal fees.

To be recognized, organizations must apply for recognition with the BIA. To apply, organizations must:

- Complete a Form EOIR-31 to establish that they have adequate knowledge and experience to provide immigration services;
- Send a copy of the completed Form EOIR-31 to two DHS officials:
 - The local (in the applicant's geographical area) District Director for U.S. Citizenship and Immigration Services, and
 - The local Chief Counsel for Immigration and Customs Enforcement;
- Mail the original form, all supplementary documents, and proof that a copy has been sent to the two local DHS officials, to EOIR's Recognition and Accreditation Program Coordinator.
 - To send by courier or overnight delivery service:
Recognition and Accreditation Program Coordinator
Executive Office for Immigration Review
Board of Immigration Appeals
Clerk's Office
5107 Leesburg Pike, Suite 2000
Falls Church, VA 22041
 - To mail by regular first class mail:
Recognition and Accreditation Program Coordinator
Executive Office for Immigration Review
Board of Immigration Appeals
Clerk's Office
P.O. Box 8530
Falls Church, VA 22041

The Recognition and Accreditation Coordinator's telephone number is (703) 305-9029.

(more)

Who Can Represent Aliens in Immigration Proceedings

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Both local DHS officials will submit recommendations and reasons for approval or disapproval to EOIR within 30 days. DHS will send a copy of the recommendations to the organization applying for recognition. If DHS recommends against approval, the organization may file a response with the BIA within 30 days.

The BIA will consider the DHS recommendations and the organization's responses, if any. The BIA will decide whether to grant recognition, deny the application, or seek more information from either the organization or DHS.

Following approval by the BIA, the organization must notify the Recognition and Accreditation Program Coordinator of any changes in the organization's name or address.

While an organization's recognition does not have to be renewed, the BIA may withdraw recognition at any time if the organization fails to meet the requirements for recognition.

Accredited Representatives

Aliens may be represented by an accredited representative. Accredited representatives are granted accreditation by the BIA. To be granted BIA accreditation, accredited representatives must be affiliated with an organization that has been recognized by the BIA. Accredited representatives may charge or accept a nominal fee set by their recognized organization.

The BIA maintains alphabetical rosters of all recognized organizations and their accredited representatives.

To apply for accreditation for its representatives, a recognized organization must submit a letter for each representative to the BIA. The letter must:

- State the nature and extent of the proposed representative's experience and knowledge of immigration and naturalization law and procedure;
- Address the good moral character requirement regarding the representative;
- Explain the type of work the representative will be doing;
- Indicate whether "full" or "partial" accreditation is requested ("Full" accreditation allows the representative to represent the alien before DHS; the immigration courts, and the BIA. "Partial" accreditation allows the representative to represent the alien only before DHS.); and
- Specify each recognized branch of the organization where the representative will provide services.

(more)

Who Can Represent Aliens in Immigration Proceedings

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Accreditation does not transfer to another organization. Once the BIA grants accreditation, the recognized organization is responsible for notifying EOIR's Recognition and Accreditation Program Coordinator of any changes regarding the representative's affiliation with the organization.

The BIA's accreditation of a representative expires:

- Every 3 years, but can be renewed through an application submitted by the representative's recognized organization. (If an application for renewal is filed at least 60 days before the end of the third year, accreditation will remain valid pending the BIA's consideration of the application.)
- When the BIA's recognition of the affiliated organization ceases, or when the representative's employment or the connection with the organization ends.

Other Qualified Representatives

In addition to attorneys and accredited representatives, "other qualified representatives" may represent aliens in immigration court. However, they must apply and receive permission from the immigration judge to represent aliens in immigration court. Also, they must work without pay; they cannot charge or accept a fee.

"Other qualified representatives" may be any of the following persons who meet the conditions specified in the regulations:

- Law students and law graduates of accredited U.S. law schools not yet admitted to the bar but working under the supervision of an attorney;
- Reputable individuals of good moral character who have a personal or professional relationship with the represented alien (e.g., relative, neighbor, clergy, co-worker, or friend) and who are appearing without direct or indirect payment; or
- An accredited official of the government to which the represented alien owes allegiance (e.g., a consular officer).

To apply to serve as an "other qualified representative," persons should file a written statement with the respective immigration court attesting that they meet the criteria specified in the regulations (§ C.F.R. § 1292.1). They also must file the form required of all representatives, a "Notice of Entry of Appearance as Attorney or Representative Before the Immigration Court" (Form EOIR-28).

(more)

Free Legal Services Providers

EOIR's Office of the Chief Immigration Judge (OCIJ) maintains a current list of free legal services providers who meet the qualifications specified in the regulations. This list is updated quarterly and is provided to aliens in immigration proceedings. It is also available on EOIR's website.

Providers seeking to be included on the list of free legal services providers must meet the qualifications specified in the regulations (8 C.F.R. § 1003.62). The application process (8 C.F.R. § 1003.63) is also described online on EOIR's website (www.usdoj.gov/eoir/probono/GetonList.htm).

Attorneys seeking to be listed must:

- Declare that they provide free legal services to indigent aliens and are willing to represent indigent aliens pro bono, as required in the regulations;
- Indicate whether they will represent aliens in immigration proceedings;
- Specify locations where they will provide pro bono legal services; and
- Declare that they are not under any court order suspending, disbaring, or otherwise restricting them in the practice of law.

Organizations and attorneys on the list must notify OCIJ in writing within 10 business days of any change of address, telephone number, or change in professional or qualifying status.

When organizations and attorneys voluntarily seek to have their name removed from the list, they must contact the Deputy Chief Counsel to the Chief Immigration Judge at the address listed in the application process.

The Chief Immigration Judge has the authority to remove any organization which, or attorney who, no longer meets the regulatory requirements. The procedure for removing an organization or attorney is described in the regulations (8 C.F.R. § 1003.65(a)).

— EOIR —

The Executive Office for Immigration Review (EOIR) is an agency within the Department of Justice. Under delegated authority from the Attorney General, immigration judges and the Board of Immigration Appeals interpret and adjudicate immigration cases according to United States immigration laws. EOIR's immigration judges conduct administrative court proceedings in immigration courts located throughout the nation. They determine whether foreign-born individuals — who are charged by the Department of Homeland Security (DHS) with violating immigration law — should be ordered removed from the United States or should be granted relief from removal and be permitted to remain in this country. The Board of Immigration Appeals primarily reviews appeals of decisions by immigration judges. EOIR's Office of the Chief Administrative Hearing Officer adjudicates immigration-related employment cases. EOIR is committed to ensuring fairness in all of the cases it adjudicates.

**LIST OF ACCREDITED REPRESENTATIVES
IN WASHINGTON.**

Recognized Organization	Accredited Representative	Accredited Expiration
Granger		
Northwest Immigrant Rights Project 121 Sunnyside Avenue Granger, WA 98932	Gutierrez, Norma (DHS only)	03/25/14
	Ruiz, Adela	03/25/14
Mount Vernon		
CCS Family Immigration Services 320 Pacific Place Mount Vernon, WA 98273	Ashe, VALENTINA (DHS only)	07/01/13
	Jama, Abdi (DHS only)	12/17/12
	KAPtsiuh, Tatsiana (DHS only)	12/17/12
	RIEPEP, Donna E. (DHS only)	10/26/13
Renton		
Ukrainian Community Center of Washington 221 Hardie Ave. NW Renton, WA 98057	Kritovich, Andrew (DHS only)	10/05/14
Richland		
World Relief Tri-Cities 2600 N. Columbia Center Blvd. Ste. 206 Richland, WA 99352	Hopper, Karolyn (DHS only)	09/08/14
	Michael, Scott A. (DHS only)	07/07/14
SeaTac		
International Rescue Committee 16256 Military Road S. Suite 206 SeaTac, WA 98188	Paponjak, Borka (DHS only)	08/25/14
	Perov, Chuck (DHS only)	01/30/14
Seattle		
Asian Counseling & Referral Service 3639 Martin Luther King Way South Seattle, WA 98144	Chen, Xiangping (DHS only)	06/01/12
	Horn, Louis (DHS only)	05/02/11
	Nguyen, Thu-Van (DHS only)	12/21/13
Catholic Refugee & Immigration Services 100 23rd Avenue South Seattle, WA 98144	Ashe, Valentina (DHS only)	07/01/13
	JAMA, Abdi (DHS only)	12/17/12
	Rieper, Donna E. (DHS only)	11/01/13
	Willson, Natasha (DHS only)	12/15/11
Diocese of Olympia, Inc. Refugee Resettlement Office aka RefugeeOne 1610 South King Street Seattle, WA 98144	Hope, Greg (DHS only)	10/14/13
	Puttavon, Sumonnat (DHS only)	03/29/14
International Rescue Committee, Inc. 100 S. King Street, Suite 570 Seattle, WA 98104	Johnson, Robert (DHS only)	06/05/14
	PEROV, Chuck (DHS only)	01/30/14
Lutheran Community Services Northwest (Formerly: Lutheran Family Services) 115 NE 100th St Suite 200 Seattle, WA 98125	Schuyler, Kinza (DHS only)	03/29/14
	Stephens, Jan (DHS only)	05/12/14
Neighborhood House 905 Spruce Street Suite 200 Seattle, WA 98104	Hoang, Long Luu (DHS only)	10/26/13
	Seyoum, Efrem (DHS only)	10/26/13
Northwest Immigrant Rights Project (Western Washington Office) 615 Second Avenue	Dokey, Stella Essi	07/07/14
	Haggag, Omar (DHS only)	08/30/14
	Irwin, Amanda	04/12/14

Suite 400 Seattle, WA 98104	Rubinstein, Rachel (DHS only)	10/05/14
St. James ESL Program 804 Ninth Avenue Seattle, WA 98104	Hodges, James (DHS only)	07/04/14
	Koehler, Christopher (DHS only)	07/04/14
	Serghini, Jenna (DHS only)	07/04/14
Washington Defender Association 110 Prefontaine Place South, Suite 610 Seattle, WA 98104	Moore, Jonathan	09/02/14
World Relief 316 Maynard Avenue S Suite 101 Seattle, WA 98168	Uomoto, Calvin (DHS only)	04/26/14
Spokane		
Catholic Charities of Spokane Refugee and Immigration Service P.O. Box 2253 Spokane, WA 99210	Acuna, Javier (DHS only)	03/29/14
	Cunningham, Gregory (DHS only)	03/29/14
	Hodgson, Ada (DHS only)	03/29/14
	Kovalenko, Nelli (DHS only)	03/29/14
World Relief-Spokane 1522 N. Washington, Suite 204 Spokane, WA 99201	Bondarenko, Anna (DHS only)	12/15/12
	Derevenchuk, Alla (DHS only)	12/15/12
Tacoma		
Korean Women's Association 123 East 96th Street Tacoma, WA 98445	Keo, Sopheap (DHS only)	10/10/14
Tacoma Community House 1314 S. L Street P.O. Box 5107 Tacoma, WA 98415	Stiffler, Marirogel (DHS only)	11/15/13
	Waer, Svetlana (DHS only)	04/12/14
	Zhukov, Marina (DHS only)	06/09/14
Vancouver		
Lutheran Community Services NW (Formerly: Lutheran Family Service) 3600 Main Street, 2nd Floor Vancouver, WA 98663	Cehajic, Jasenka (DHS only)	06/15/13
	Le, Minh Tam (DHS only)	06/15/13

FEDERAL TRADE COMMISSION
MATERIAL

I Need Immigration Help Who Can Help Me?



I need to know
which immigration
forms to use

Go to www.uscis.gov - that's the U.S. Citizenship and Immigration Services website. Look for "Find it Fast" on the left side of the screen. Click the drop-down menus to find out which forms you need.

If you're still not sure which forms you need, you might need help from an immigration lawyer or another person who's authorized to help you. See page 3 to find out where to get the right kind of help.

I need to get
immigration forms

You can do this yourself. All the forms you need are free. You can print them from www.uscis.gov/forms, order them by phone: 1-800-870-3676, or visit your local USCIS office. Never pay for copies of blank government forms. They are always free, though you probably will have to pay when you submit them to USCIS.

I need help
filling out my
immigration forms

Anyone can help you put your information into your immigration forms. What's important is that this person - a friend, your pastor, a teacher, a relative - should write or translate only what you tell him to. Your helper should not tell you what to say. That can cause problems for you later. If you need advice, be sure you get it from the people authorized by the U.S. government to help you.

A translator may charge a small fee for translating your information. Remember never to pay for the forms.

Who can help me
fill out my forms?

A lawyer or an accredited representative from the list kept by the Board of Immigration Appeals (BIA) can help you. See page 3 to find out how to get the right help.

I need to find out
if USCIS has my
forms

You will get a receipt from USCIS when you turn in your paperwork. Keep it! It proves that USCIS received your application or petition. You will need the receipt to check on the status of your application.

You can check on your application status at www.uscis.gov, or call the USCIS National Customer Service Center: 1-800-375-5283.

I need someone to talk to USCIS for me. USCIS calls this "representing" me.

You can talk on your own behalf. You may not need someone to represent you. It's not required. If you want someone to represent you, you need someone who's authorized by USCIS to represent you. The only people who can represent you to USCIS are lawyers who are members of the state bar association, accredited representatives on the list kept by the Board of Immigration Appeals, and a few other people. Only lawyers and accredited representatives may charge a fee to help you. See page 3 to find out where to get the right kind of help.

I got a "Notice to Appear" as part of removal proceedings.

A lawyer or an accredited representative can help you. See page 3 to find out how to get the help you need. Your lawyer must be a member of the state bar association.

For an accredited representative, look at this "Organizations and Representatives, Listed by State" list; choose someone who does not have the words "DHS Only" beside their name: www.justice.gov/eoir/ra.html

"DHS Only" means that person can help you with a USCIS application, but cannot help you if your case goes to an immigration judge or to the Board of Immigration Appeals.

I might have been scammed. How can I find out about my immigration status?

Check with USCIS.

You can check your status online at www.uscis.gov. Put your receipt number into the "Case Status" box on the left-hand side of the webpage.

If you don't have your receipt number, make an appointment with your local USCIS office. You can do that two ways:

- Go to www.infopass.uscis.gov.
- Call the USCIS National Customer Service Center: 1-800-375-5283.

I want to report an immigration scam.

Immigration scams are illegal. If you or someone you know has seen an immigration scam or been the victim of one, it's important to report it to the Federal Trade Commission (FTC) or the attorney general of your state. Go to ftc.gov/complaint (or call 1-877-382-4357) or click on the map at naag.org to find out how to contact the attorney general in your state. The FTC does not resolve individual complaints. Instead, the FTC enters complaints in a secure online database used by law enforcement worldwide, including many federal, state and local officials, who spot trends and build cases.

The more information you can give, the more helpful your report is to the person who will investigate. Investigators are grateful for as much information as you feel comfortable giving.

How Do I Find Legal Help?

Getting help from someone who's not qualified to give you legal advice – like a notario – can be worse than not getting any help. Sometimes, even advice from a friend who means well can hurt your immigration status. If you need advice or help, get it from someone who is authorized by the U.S. government to help you:

Lawyers

Lawyers can give you advice and represent you. Lawyers, also called attorneys, must be a member of the “bar” – the professional association in their state. The state bar association can discipline, suspend, or even expel a lawyer for breaking the rules. Be sure the lawyer you choose is in good standing with the bar association. That means they're not in trouble for breaking the rules for lawyers. You can find a lawyer through government and non-government websites.

To find an immigration lawyer who doesn't charge or who charges low fees:

- Visit this state-by-state list from the U.S. Department of Justice: www.justice.gov/eoir/probono/states.htm
- Call USCIS at 1-800-375-5283 to ask about lawyers in your area.
- Visit this state-by-state list from the American Bar Association: www.americanbar.org/groups/public_services/immigration/resources/immigration_legal_service_providers_directory.html

To find a lawyer in your area who works in immigration:

- Visit this list from the American Immigration Lawyers Association. These lawyers may charge a fee to help you. www.allalawyer.com

To find out if someone is a lawyer, or to find out if a lawyer is in trouble for breaking the rules:

- Visit this site from the State Bar Associations. Click on your state to find the phone number you can call to ask about a specific lawyer. www.statebarassociations.org
- Visit the U.S. Department of Justice for this list of lawyers who are not allowed to practice law: www.justice.gov/eoir/discipline.htm

Accredited Representatives

Accredited representatives are not lawyers, but are authorized by the government to give legal immigration advice. They also may represent you. These representatives must work for an organization that's officially recognized by the US government. The names of both the accredited representatives and these recognized organizations are on a list kept by the Board of Immigration Appeals (BIA) at the Department of Justice.

To find an accredited representative:

- Visit this state-by-state list of accredited representatives and the recognized organizations where they work. Only a person, not an organization, is authorized to represent you. Look at this list for the name of someone near you. The people on this list are accredited representatives as long as they work at the organization on the list. They may charge a fee to help you. www.justice.gov/eoir/ra.html

Other Help

Some other people are authorized by the government to help you, but they can't charge you a fee. Law students can give you legal advice, if they are supervised by a lawyer or accredited representative. Someone you may know in your community, known to USCIS as a “reputable individual,” can represent you, but they cannot charge you – and they have to sign a legal document saying they won't take money from you.

Learn how to avoid scams against immigrants at:

ftc.gov/immigration

Aprenda cómo evitar las estafas contra inmigrantes en:

ftc.gov/inmigracion



Federal Trade Commission
ftc.gov