

Advocates Warn of Immigration Scams

by Rosa Ramirez

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Denver resident Javier Hernandez bristles at a recent law firm's flier, advertising discounted rates to start the process that would allow qualified undocumented immigrants to remain in the U.S. under the Obama administration's recently announced plan.

"There's no process yet," said Hernandez, who as an undocumented immigrant brought to the U.S. as child, is now 23 and likely to qualify for the program.

The government is scheduled to announce guidelines on Aug. 1 that will spell out how to apply, and what documents will be necessary.

Historically, when major changes are made to immigration law, immigration specialists offer to help foreign-born residents adjust their status for a price. This time around is no different.

Signs posted on storefronts in Latino neighborhoods and classified advertisements in Spanish-language newspapers are popping up, urging youths who qualify under President Obama's Deferred Action immigration policy to apply now. One flier even offers a [half-off sale](#).

But advocates caution anyone against using immigration specialists and *notarios*, or public notaries, who are neither licensed to practice law nor provide legal advice; such services often ask for money upfront to help with an application process to obtain a work permit. These specialists can sometimes charge hundreds or even thousands of dollars to fill out immigration forms.

"No one should be taking money to help you apply at this point, because no process exists yet," warns United We Dream, a network of immigrant youth organization that advocates for illegal immigrants, on its website.

Laura Lichter, president of the American Immigration Lawyers Association, explained that the first wave of fraud began in the 1980s when *notarios* targeted immigrants seeking amnesty; more recently, amendments a few years ago to the [Legal Immigration Family Equity](#) act sparked some residents to seek help in obtaining a green card.

"*Notario* fraud is something that's been consistent," Lichter warned. "If it sounds too good to be true, it probably isn't true."

Immigration law is only slightly less complicated than tax law, Lichter said, and young people and their families should get more than one opinion from lawyers who have handled immigration cases to ensure that they qualify for the deferment and to be fully informed of the risks involved.

It's estimated that nearly [800,000 young people](#) who were brought to the U.S. as children and meet certain requirements could benefit from the deferred action. The requirements seem simple: Applicants must have lived in the U.S. for at least five years; be under the age of 30; and either be honorably discharged from the military or have a high school diploma. An applicant cannot have a criminal background or pose a threat to national security or public safety – meaning that violent criminals, felons, and repeat immigration offenders will not qualify.

The kind of person who can apply may seem straightforward, but scam artists, among others, are expected to crowd the market.

Last year, the Justice and Homeland Security departments and the Federal Trade Commission began an aggressive campaign to crack down on the unauthorized practice of immigration law. “This coordinated initiative targets those who prey on immigrant communities by making promises they do not keep and charging for services they are not qualified to provide,” said Tony West, assistant attorney general for the Justice Department's Civil Division, in a statement.

Some youngsters -- many who are savvy in social media, are bilingual, and extremely comfortable with the Internet -- are also fighting back against fraudulent action.

Rosario Castro, 27, who lives in San Francisco's Mission District, said she reposts false ads on Facebook and tells her friends to call these individuals nonstop for hours on end. The goal is to jam the suspected scammer's phone lines and diminish chances that a paying client will get through.

“If so many of us call, they have no option but to take down the number,” Castro said during a phone interview. “You're ripping off the community.”

Hernandez, who was born in Mexico, said he tells his friends to take pictures of the ads and spread the word on Facebook or Twitter. The law firm he called, he said, has taken down its ad and offered an apology.

The Mexican Embassy has partnered with United We Dream Network to educate Mexican nationals on how to obtain their Mexican passport, birth certificate, or other documents they may need to apply in August, said Juan Carlos Lara-Armienta, who heads the embassy's regional and Latino affairs. It will also hold seminars on how to avoid being victims of fraud, he said.

“No one should be claiming that they are taking claims right now,” Lichter said. “A good immigration attorney should be able to evaluate and identify the risks of going forward.”

<http://www.nationaljournal.com/thenextamerica/immigration/advocates-warn-of-immigration-scams-20120723>