

Bill would protect undocumented immigrants from fraud, financial abuse

*Written by Tatiana Sanchez, The Desert Sun
Sep. 16, 2013*

Thousands of undocumented immigrants in the state are willing to pay for immigration services in the hope that it will lead to a path to citizenship, but many become targets of fraud as a result.

A bill awaiting Governor Jerry Brown's signature could help stop the scams.

Assemblyman Brian Nestande, R-Palm Desert, announced his support of AB 1159, a bill authored by Assemblywoman Lorena Gonzalez, D-San Diego, that would prevent attorneys and consultants offering immigration reform services from charging payment fees before immigration reform is passed.

(RELATED: Faces of Immigration)

The bill is aimed to protect undocumented immigrants seeking a path to citizenship from fraud and financial abuse, something lawmakers say is extremely common throughout the region. Often professionals require payment for immigration services, while promising clients that they could "cut to the front of the line," once federal reform is passed.

"As we work toward significant immigration reform, it is important that we ensure these individuals are not being taken advantage of. Language barriers and a lack of understanding of the rights under California law make these individuals extremely susceptible to unscrupulous people who seek to prey upon them," Nestande said in a statement. "It is a problem we see too often in California and we must take action to stop it."

The bill has seven Republican co-authors, including Nestande.

Karan Kler, executive director of Coachella Valley Immigration Service and Assistance Inc., a nonprofit immigration counseling agency in Palm Springs, estimates that 80 percent of the undocumented clients in the valley that pay for a path to citizenship become the victim of fraud at some point.

"We have tremendous fraud," he said. "Members of our community still go to immigration services to acquire benefits, without realizing that none of them have the legal education."

"I think any business that is providing any kind of an immigration law resource should have to be certified and legally allowed to practice law," Kler said.

The bill would also prohibit non-attorneys from identifying themselves as "notarios," a term known to mean "lawyer," in many Latin American countries.

"We're trying to make sure that people are clear that if you see the word "notario," that it's not a

legal professional,” Gonzalez said. “So far every representative who has seen (the bill) in the committee has also voted for it. I think it’s also the fact that it’s common sense—it’s about consumer protection.”

Kler said fraud committed by supposed “notarios,” is decreasing, but “none of the immigration notaries invest any time or resources to learn immigration law.”

Another bill authored by Gonzalez also awaits the governor’s signature. AB 1024 would allow the State Supreme Court to admit as an attorney any applicant that has fulfilled all requirements for a law license, despite their undocumented status.

Assemblyman V. Manuel Pérez, D-Coachella, vice president of the Latino Caucus—which co-authored the bill—said undocumented students or “dreamers,” who work hard to better themselves and meet all the standards of the State Bar should be given “legal clarity.”

“Immigrant children are brought here and educated here in our schools and universities. We as a state and nation have made an investment in these young people, and they deserve the opportunity to give back by living productive lives, working, and otherwise contributing to society,” Perez said in a statement.

“I believe they deserve that chance, and until federal comprehensive immigration reform is enacted, the Latino Caucus will continue to support measures at the state level that tackle areas of legal ambiguity such as this to support the greater assimilation of law-abiding immigrants.”

Both bills were approved by the state Legislature on Thursday.

<http://www.mydesert.com/article/20130916/NEWS01/309160007/>