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Congress considers bills targeting notarios

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Dallas —

Tatiana Jimenez left her native Guatemala seven years ago to escape an abusive relationship and begin a new life in America.

But she endured a different kind of abuse after she arrived in Washington, D.C., and sought legal help on her [immigration](#) status. With little knowledge of the system, she turned to an unscrupulous lawyer who had her sign a contract to pay \$2,800 and charged her hundreds of dollars for [immigration](#) documents the federal government provides for free.

Several months later — after a series of canceled appointments from her lawyer — Jimenez sought help from an immigrant advocacy group that reviewed the matter and confirmed her suspicions: She had been duped. She discovered a front-desk receptionist had been left in charge of her paperwork, and little, if any, progress had been made on her case.

“They assured me this wasn’t the way things are, that I wasn’t filling out the right documents and the amount of money (I paid) wasn’t right, either,” Jimenez said, breaking down in tears.

Such deception has long existed and often flies under the radar of authorities. Congress might address the issue as part of proposed [immigration](#) reforms that could expand protections against con-artists offering help to those seeking citizenship.

“This is a foreseeable problem,” said Rep. Bill Foster, D-Illinois, who introduced a bill that calls for a fine and up to 10 to 15 years in federal prison for fraudulently offering [immigration](#) legal services.

There is no federal statute that specifically addresses the unauthorized practice of [immigration](#) law, though the U.S. Department of Justice said federal authorities are able to prosecute using other statutes.

Experts say putting a specific federal law on the books would be an effective deterrent in places where local authorities don’t have the resources to handle the extra workload. They say nonlawyers who attempt to handle complex cases can ruin the singular opportunity an immigrant has for [immigration](#) benefits, and, in the worst cases, they can get their clients deported.

“Many of these people are nonlawyers — or notaries — who just kind of come out of the woodwork at a time when it seems convenient,” said Doug Stump, president of the American [Immigration](#) Lawyers Association.

Nonprofit groups that aid immigrants find legal help say the problem is made worse because the nonprofits don’t have the resources to help everyone. And those who are turned away because they don’t qualify for certain programs often find notaries willing to offer promises they can’t keep.

“Sometimes they don’t like what they hear from ([immigration](#) lawyers) so they turn to someone who tells them what they want to hear,” said Manuel Robles, a coordinator with Catholic Charities of Dallas, which has [immigration](#) attorneys. “I tell people who come here that they have to be honest because we can’t help them if they lie about their status.”

A federal database alerts state authorities about crooked attorneys or nonlawyers who advertise themselves as notarios — the Spanish word for notary public that in Latin America implies an authorization to practice law. Some states go after the such suspects using consumer laws.

The Federal Trade Commission started keeping track of such complaints in 2006. The FTC’s database has nearly 3,000 complaints — but experts and federal officials agree the scope of the problem is much bigger.

FTC lawyer Michael Waller said many cases go unreported because immigrants living illegally in the U.S. fear legal repercussions if they report the fraud to authorities.

“If I could have one thing, it would be for people to complain,” he said. “It’s one of the most important things they can do to help stop this kind of fraud.”

Since 2002, the Texas attorney general’s office has used state consumer laws to shut down more than 75 businesses that unlawfully provided [immigration](#) services. Other border states, such as California, Arizona and New Mexico, use similar laws to crack down.

One of their targets was Elias Bermudez, a tax preparer who has been ordered at least twice to stop offering [immigration](#) services to clients because he wasn’t certified to do so.

In 2009, a county judge in Arizona ordered him to halt the practice after clients alleged they paid thousands of dollars for services they never received. He moved to New Mexico last year but was soon shut down by the state attorney general there.

Bermudez defended the services he provided his clients and said the proposal to expand the federal government’s enforcement role would be a “disservice” to the immigrant community.

“There are a lot of people out there who can do good ([immigration](#)) work and are able to do it at a very reasonable price,” he said. “And do you think the community is against saving money?”

Besides criminalizing notario fraud, Foster's bill would allow immigrants who were deported because of unscrupulous lawyers to re-file their [immigration](#) cases. It also calls for U.S. Citizenship and [Immigration](#) Services to create grants for reputable organizations to provide legal services to immigrants.

<http://www.statesman.com/news/news/congress-considers-bills-targeting-notarios/nZqkj/>