

Paralegal for Immigration Law Firms Charged With Sham-Marriage Fraud

Mary Pat Gallagher, New Jersey Law Journal
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A paralegal for three attorneys from New Jersey and Pennsylvania has been criminally charged for soliciting and recruiting undocumented aliens as clients and filing phony applications for U.S. permanent resident status.

Maria James, who worked out of an office in Brigantine, N.J., allegedly used sham marriages and false claims of spousal abuse backed by photographs in which ketchup or makeup was used to give the appearance of bloody wounds.

She appeared in federal court in Camden on Wednesday on charges of attempt and conspiracy to commit mail fraud. If convicted, she could face as much as 20 years in prison and a \$250,000 fine. U.S. Magistrate Judge Anne Marie Donio released her on an unsecured \$50,000 bond. Her lawyer, Westmont solo Edward Crisonino, says "she is innocent."

The complaint charges James with conspiring with three lawyers and a Cherry Hill psychologist, to "profit from the legal fees charged to illegal aliens" and "filing and litigating fraudulent immigration petitions" to help them stay in the U.S.

The complaint identifies the lawyers by the initials J.K., G.H. and P.M. However, N.J. Disciplinary Review Board findings in an opinion last Nov. 21 show two of the lawyers to be Jeffery Krain of Camden and Paul Melletz of Begelman Orlow & Melletz in Cherry Hill.

The complaint says G.H. is Krain's former law partner, who appears to be Gary Heslin, formerly of Krain Heslin & Lam Philadelphia.

James allegedly worked first for Melletz's firm from a satellite location in Brigantine, from roughly 2002 to July 2004. Melletz supervised James, appeared at various immigration court proceedings and signed petitions and supporting documents that were mailed to immigration authorities, the criminal complaint says.

Krain was allegedly her next employer, from about July 2004 to 2011. The DRB opinion says that Krain, after practicing personal injury law in Pennsylvania for 26 years, decided in 2004 to branch out into immigration law, even though he knew nothing about it.

He met James, who spoke Spanish and was experienced in immigration law, through mutual acquaintances and she offered to mentor him until he "got up to speed," according to the opinion.

Krain hired her even though she advised him she had been indicted in 2003 for wire fraud and unauthorized practice of law, says the DRB.

Federal court records show she pleaded guilty in 2004 to the wire fraud charge, drawing two years' probation and a \$3,000 fine.

James' defense lawyer in that case was Ross Begelman of Begelman & Orlow, which Melletz later joined. Melletz represented James' husband and codefendant, Rigoberto Martinez, against whom charges were dismissed.

Krain, based in Moorestown, had a law office in the same Brigantine building with James' tax preparation business. Under her arrangement with Krain, James used her tax business and connections in the community to solicit immigration clients, charged them a flat fee and split the money with him 50-50.

Krain told the DRB that in 2008, James generated 90 to 95 percent of his revenue and that between 2005 and 2010 she made more than he did every year except 2006.

James interviewed clients, completed forms and compiled exhibits. She was authorized to sign Krain's name on retainers, correspondence and pleadings so long as she contacted him first and read him the contents.

Krain admitted to the DRB that he failed to supervise James, never reviewed the documents she prepared and dealt with her almost entirely by phone.

In November 2008, Pennsylvania suspended Krain for four years because he kept practicing after being placed on the state's inactive list in 2000 for failing to comply with CLE requirements.

New Jersey imposed a reciprocal one-year suspension, leading Krain to hand off his immigration cases to Melletz and Heslin.

During the 1980s and 1990s Heslin and Krain were partners in the Philadelphia firm of Krain Heslin & Lam, and Heslin defended Krain in the Pennsylvania ethics case.

Federal investigators who interviewed 24 of James' former clients said 22 of them admitted their applications contained false statements and/or supporting documents and most said James told them they could obtain green cards by claiming spousal abuse that never occurred.

The complaint says some of those in sham marriages were instructed to take "happy marriage photos" and others were told to take photos of themselves with "wounds" created with ketchup or cosmetics to support claims they suffered physical abuse from a spouse.

Utility bills, leases and bank statements were allegedly altered to create the appearance of bona fide marriage.

Krain says he and the other attorneys do not speak Spanish and thus were unaware of what James was doing.

Melletz's office declined comment on his behalf.

Heslin did not return a call.

The DRB found that Krain failed to supervise a nonlawyer employee, shared legal fees with a nonlawyer, assisted unauthorized practice of law, and committed other ethics violations. Its recommendation for a six-month suspension was adopted by the Supreme Court on Feb. 12, with the suspension effective on March 11.

Melletz was admonished by the DRB on Nov. 16, 2012, for improper sharing of fees with James. The DRB said it took into account Melletz's explanation that he did not realize that the fee splitting was unethical until *In re Burger*, 201 N.J. 120 (2010), and then immediately severed the relationship.

Asked if charges would be brought against the lawyers, U.S. Attorney's Office spokesman Matthew Reilly replied "the investigation is continuing as far as whether there will be additional charges in the case."

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