



FOR IMMEDIATE RELEASE:
Friday, March 3, 2017

Contact:
Patricia Zapor, CLINIC, 301-565-4830
Belle Woods, AILA, 202-507-7675

State-by-State Guide Sheds Light on Laws Governing Legitimate Immigration Law Practices

SILVER SPRING, Maryland -- As millions of immigrants worry about how they may be affected by changes in immigration policy, an extra danger is the risk of falling prey to unauthorized practitioners of law, commonly known as “notarios¹.” To help legal service providers, the Catholic Legal Immigration Network, Inc. (CLINIC), and the American Immigration Lawyers Association (AILA), created a freely available [state-by-state guide](#) to the laws governing the unauthorized practice of immigration law.

“In the absence of immigration reform and as hurdles to legal immigration status increase, unauthorized practitioners of law have preyed upon immigrants with impunity,” said Michelle Mendez, CLINIC staff attorney and manager of CLINIC’s Defending Vulnerable Populations Project. Many states actively pursue and prosecute “notarios,” recognizing the damage to immigrant families caused by unlicensed and untrained practitioners who file frivolous applications, give bad advice, and charge outrageous fees.

“Our members hear from vulnerable immigrants every day, people who have been take advantage of, whose bank accounts have been drained, and whose hope of any future legal status is in doubt because of notarios,” said Susan Marks, AILA Associate Director of Practice and Professionalism. She continued, “States have been stepping up to offer some protections for immigrants and penalties for notarios and this guide literally maps out those state initiatives.”

One such vulnerable asylum-seeker was recently assisted by a CLINIC affiliate. She had been waiting more than 15 years for her case to be filed but she had trusted the wrong people. The years passed, she became the mother of two, and watched while her sister became a U.S. citizen, yet she remained undocumented, without resources. Now, she has the help she needs and may be able to seek recompense from those who took advantage of her vulnerability and lack of knowledge about the immigration system.

The new resource from CLINIC and AILA, “[Unauthorized Practice of Immigration Law \(U PIL\): A State-by-State Overview of Legal Mechanisms to Combat these Deceptive Practices.](#)” will help legal service providers protect their clients and recover damages. Although states and municipalities cannot enforce federal immigration law, most states have laws against unauthorized practice of immigration law, or they have applied existing unauthorized practice of law statutes to immigration law practice, with associated criminal penalties, fines and civil penalties. In addition, some states have special enforcement provisions for unauthorized practice of law, including complaints made to the state bar association or an immigrant assistance section of the attorney general’s office or another governmental body.

The project is the first compilation of all state laws and regulatory agency contact information in one place. It is ideal for use by immigration attorneys, recognized and accredited representatives and community-based

organizations that assist immigrant victims of unauthorized practice of immigration law and help them determine next steps.

The 50-state guide will be complemented with an advocacy report in April from CLINIC and American University Washington College of Law's Immigrant Rights Clinic. The report will analyze the laws, identify which states could improve their policies and offer recommendations for making changes.

ⁱ In many Spanish-speaking countries, legitimate legal service providers are known by the name, "notarios." The nearest English equivalent term for that word used in the United States, notaries public, refers to professionals who are authorized to authenticate documents and signatures, as well as take affidavits or depositions. Certification as a notary public does not entitle someone to practice immigration law. The AILA/CLINIC resource also includes the requirements for becoming a notary public and the contact information for the licensing agency in each state