

**Dear New Yorkers,**

Our immigrant communities are an important component of the rich cultural fabric of New York State. Their many daily contributions allow our state to be recognized as the world's capital of diversity, achievement, and opportunity.

Unfortunately, many immigrants who lawfully seek to adjust their immigration status are victimized by fraudulent immigration service providers. The consequences can be devastating.

This brochure is designed to inform you about your rights and options under the law and we hope you will use this information to protect yourself as you build your future in New York.

Sincerely,



Attorney General  
of New York  
**Letitia James**

## Resources

### **New York State Office of the Attorney General Civil Rights Bureau**

*We will not inquire about your immigration status or share that information with anyone.*

(866) 390-2992

[ag.ny.gov](http://ag.ny.gov)

### **New York State New Americans Hotline**

*Operated by the New York State Office for New Americans, they can supply referrals to not-for-profit organizations*

(800) 566-7636

[newamericans.ny.gov](http://newamericans.ny.gov)

### **U.S. Citizenship and Immigration Services (USCIS)**

(800) 375-5283

[uscis.gov/immigrationpractice](http://uscis.gov/immigrationpractice)

### **Office of Legal Access Programs of the U.S. Department of Justice (OLAP)**

*To obtain a list of free legal services, accredited representatives, and other self help resources*

[justice.gov/eoir/office-of-legalaccess-programs](http://justice.gov/eoir/office-of-legalaccess-programs)

### **New York State Bar Association**

[nysba.org](http://nysba.org)

### **The American Immigration Lawyers Association**

[aila.org](http://aila.org)

# Immigration Services Fraud

## Know Your Rights



Office of the New York State  
Attorney General

**Letitia James**



## Immigration Services Fraud

Immigration Law is complex and many people look for help when dealing with immigration authorities. Unfortunately, there are individuals and organizations who may promise you more than is legal, and charge for services they cannot provide. Before you hire someone to help you with immigration issues, it's important to understand exactly who can help you and what they can legally do.

### Who can represent you during the various stages of immigration related proceedings?

Only you, an attorney, or a recognized organization may communicate on your behalf about your application with USCIS or before the Executive Office for Immigration Review's immigration courts (EOIR) and the Board of Immigration Appeals (BIA). If you need advice about what application or petition to file with the USCIS, EOIR, or BIA or need someone to represent you in proceedings before any of these adjudicative bodies, seek the assistance of:

- A licensed attorney: You can check [iapps.courts.state.ny.us/attorney](https://iapps.courts.state.ny.us/attorney) to see if an attorney is currently registered with New York State.
- Representatives accredited by the OLAP can represent you before the USCIS, EOIR, and BIA and are listed at [justice.gov/eoir/can-someone-represent-you-eoir](https://justice.gov/eoir/can-someone-represent-you-eoir)

## What Is An Immigration Service Provider?

Other people, sometimes called immigration service providers, may only assist you by providing clerical services such as filling out immigration forms or translating documents. To protect you from becoming a victim of immigration fraud, New York State regulates immigration service providers and prohibits them from offering certain services.

### An immigration service provider **MUST**:

- Give you a contract in English and in a language you understand describing in detail the services they will provide for you and the fees they will charge you. The contract may be canceled at any time;
- Post signs clearly indicating that they are not attorneys and cannot give you legal advice;
- Give you a copy of any documents filed with the government;
- Return any original documents belonging to you; and
- Give you a copy of your file on demand and without a fee.

### Under NYS law, an immigration service provider **MAY NOT**:

- Give you legal advice;
- Represent you in a case pending before the USCIS, EOIR, BIA, or the Department of Labor;
- Threaten to report you to immigration authorities;
- Promise that they will obtain special favors; from immigration authorities;
- Instruct you to provide false information to immigration authorities; or
- Charge you for a referral to someone qualified to assist you with immigration matters.

### Be careful about what you agree to and sign.

There are many immigration service providers who claim to be able to get you a work permit, a visa or other results quickly. Beware of promises like these, and be careful of what they ask you to do. You should not:

- Agree to pay high fees for help filling out forms;
- Make a payment without obtaining a detailed receipt;
- Sign blank applications or petitions; or
- Sign documents that contain false or inaccurate information.



## Beware of Notario Público Fraud

In many Spanish speaking countries a **Notario Público** is an attorney.

In the United States, they are not (although many attorneys may offer the same services).

Notaries Public may certify your identity and signatures (and charge a small fee), but they may not represent you before the USCIS, EOIR, or BIA or give you legal advice.