

IMMIGRATION NEWSLETTER

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Notarios: A Pathway to Deportation

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When seeking legal advice about immigration matters, people often turn to notarios or “immigration consultants” as a low-cost alternative to a qualified immigration attorney. Unlike in Mexico, notarios in the U.S. are not required to have any legal training. Often notarios pose as legal experts when in reality, they are not qualified or legally permitted to give legal advice on any matter. Thus, it is important to recognize the risk of accepting the legal services of someone other than an attorney. Notarios are widely known to file immigration applications seeking benefits for which the applicant is not eligible. This places the individual at risk of being picked up by immigration officers.

For example, many people file asylum applications because notarios have told them that they will receive a work permit after filing. While this is sometimes true, it is also true that all denied asylum cases are automatically referred to immigration court. For example, one asylum office is currently referring approximately 82% of cases to immigration court. This means that the government is actively trying to deport the vast majority of asylum seekers. Thus, filing an asylum application will likely mean that the applicant will face an immigration judge.

There are basic rules that everyone should follow to avoid being taken advantage of.

1. Only accept legal advice from an attorney.
2. If seeking the help of a notario or legal consultant, make sure that they are bonded. This will help ensure that you will receive a refund if necessary.
3. Never sign anything that you haven’t read, or which hasn’t been read to you in your native language.
4. Never sign a blank form.
5. Never sign a form if the preparer is not also willing to sign with you.

Notably, only attorneys are legally required to keep all client information strictly confidential. Protect yourself by making sure that you only accept advice from an experienced and reputable attorney.