



AMERICAN
IMMIGRATION
LAWYERS
ASSOCIATION

AILA's Commitment to Consumer Protection and Anti-UPL Efforts: 2014 Report to Members

AILA has a long-standing commitment to protecting the interests of immigrant consumers.

Through national committees, chapter volunteers, and full-time staff, AILA works to combat immigration fraud and the unauthorized practice of law (UPL) by providing consumer education and working with state and federal legislative bodies and enforcement authorities, including USCIS and EOIR. As an association, we strive to protect immigrant clients and prevent immigration fraud caused by *notarios* and similar consultants and advisors who are not authorized by federal law to provide immigration legal services.

This commitment primarily serves the public interest, but it also is to the benefit of the AILA membership, who frequently share their frustrations about clients who have suffered harm and whose cases and dreams they cannot salvage. AILA has a responsibility to the immigrant community to educate consumers about the havoc and harm immigration fraudsters can bring into their lives. We also have a duty to our profession to continuously demonstrate why it is vitally important for immigrants seeking assistance with their legal cases to rely on competent practitioners who use their knowledge and expertise to do right by their clients.

Long before President Obama announced his plans to use his authority to reform immigration law, AILA members knew that any announcement would bring *notarios* and other scammers out of the woodwork.

Our expanded activities included media and community outreach work across traditional print, social media and multi-media platforms; collaborations with state, local and federal government agencies; and partnerships with like-minded NGOs.

Although these efforts have been a priority since AILA's inception, in 2014 we increased our consumer protection, education and anti-UPL activities in communities around the country. This report reflects some highlights of that work.

Created and provided to AILA members the tools and resources to share with their community about the dangers of UPL.

Individual AILA members come into contact with immigrants and the public each day. Many members aren't sure what they can do, but have the willingness and interest to help stand up against fraud in their communities. By giving them the right tools and resources-- educational videos, print PSAs, and other tools produced by AILA, their interactions with the public now reflect the overarching message of consumer protection and combatting the negative impact of *notarios*.

Latin Post, November 20, 2014

"There is great concern among advocate groups that the minute the relief reforms are announced, scam artists and fraudsters will swoop into immigrant communities and exploit vulnerable and susceptible immigrants."

- In July, AILA issued a radio PSA warning against UPL and encouraging people to seek good counsel available in [English](#) and [Spanish](#).
- Soon thereafter, AILA created [anti-notario print public service announcements](#) (PSAs) in English, Spanish, Portuguese, Chinese and Polish as well as in various formats (poster, flyer, and jpeg format). These have been downloaded more than 2,000 times and shared on social media (Facebook, Twitter and LinkedIn) more than 250 times.
- Published an [anti-notario consumer video](#) (Spanish), viewed more than 700 times.
- Published a similar [anti-notario video for attorneys and the public](#) (English), viewed more than 400 times.
- Created a [consumer alert on executive action](#) in English and Spanish (poster and jpeg image formats) that has been downloaded over 1,500 times and shared on social media (Facebook, Twitter and LinkedIn) more than 100 times.
- Continued to create and stock *Stop Notario Fraud* buttons, available in [English](#) and [Spanish](#) on Agora, for chapters to use at local community education and pro bono events.
- Presented *UPL 360: Paralegals & Your Law License/ Is Where You Sit Where You Practice?* at the AILA Annual Conference in Boston, which addressed legal and ethical issues related to immigration practice by non-lawyers – what’s allowed and what isn’t by law and professional ethics rules.

Stressed the dangers of UPL whenever possible in interactions with media.

The power of the press to reach the public has only grown in today’s 24-7 news cycle. AILA has harnessed that power whenever possible to get information about what UPL is and the impact it has out to the public. The benefits to having the press share our message are enormous – from ethnic media, to local outlets, to national stations and publications, AILA National has

Minneapolis ABC 5, November 21, 2014: “Experts warn: look before you leap. Mai Neng Moua is an immigration lawyer for the Minnesota/Dakotas Chapter of the American Immigration Lawyers Association. She strongly recommends that immigrants turn to someone like her or a nonprofit for help. ‘We want to make sure that they’re getting the right information and that they’re speaking to someone who does know about the immigration law,’ she explained.”

worked with its spokespeople to convey the anti-UPL message broadly, including in these media stories:

- *Associated Press*, November 19, 2014: [Immigrants wait, hope, plan for Obama order](#)
- *Latin Post*, November 20, 2014: [Immigration News Update: Immigration Coalition Prepped for Obama Announcement, Warn About Fraud](#)
- *Denver Post*, November 21, 2014: [Obama’s immigration moves are bittersweet for many immigrants in Colorado](#)
- *ABC 5*, November 21, 2014: [Mpls. City Council President Warns People to be Cautious of Immigration Scams](#)
- *NPR*, November 23, 2014: [Immigrants Scramble To Figure Their Status Under Obama’s Plan](#)
- *International Business Times*, November 24, 2014: [Following Executive Action on Immigration, Advocates Fear Onslaught of Scams](#)
- *El Informativo NTN 24*, November 24, 2014: [Entrevista con abogada experta en asuntos migratorios](#)
- *NBC News*: [Legal Experts Warn Immigrant Families: Beware of ‘Notario’ Scams](#)
- *Local News 8* (Idaho), December 2, 2014: [Attorneys: Obama immigration plan could lead to scams](#)

- *Boston Globe*, December 4, 2014: [Immigrants seek details on eligibility after executive order](#)
- *The Enumclaw Courier Herald*, December 7, 2014: [Attorney General Bob Ferguson warn of possible notario scams](#)
- *Philadelphia Inquirer*, December 12, 2014: [Council cracks down on those who prey on immigrant newcomers](#)
- *The New York Times*, December 12, 2014: [Preparing for Immigration Reform, and Warning of Potential Fraud](#)
- *Yuma Sun*, December 13, 2014: [Attorney: Deportation order details still coming](#)
- *NBC News*, December 14, 2014: [Demand Intensifies for Nonprofit Immigration Lawyers](#)
- *Las Vegas Sun*, December 16, 2014: [Advocates warn scams will intensify in wake of Obama's immigration reforms](#)
- *Oregonian*, December 18, 2014: [Oregon immigrants warned of 'notario fraud' in applying for Obama's protection from deportation](#)
- *WTHR* (Indiana), December 22, 2014: [Meeting to help Central Indiana immigrants prepare for immigration reform](#)
- *El Pregonero*, December 23, 2014: [DACA y DAPA ¡Hora de inscribirse!](#)
- Successfully placed the national UPL Action Committee's Article, [How to Avoid Being Defrauded in the Immigration Process](#), translated into 5 languages (Bulgarian, Chinese, Portuguese, Spanish & Tagalog) in ethnic media across the country (translated versions available upon request.) The article has been very well-received, and the committee continues to seek out opportunities to disseminate it. Additionally, StopNotarioFraud.org promotional materials are available from AILA National to support consumer outreach at local town halls, pro bono clinics and community educational events (contact ppc@aila.org.)

Encouraged AILA chapters to use consumer warning language in local outreach.

Chapters are the front lines of defense against *notarios* because they are on the ground and members are trusted advocates for consumers within their communities. By offering resources specifically for chapter use, AILA ensures that the message is conveyed by those ideally placed to answer questions from the public and the press at the local level.

- Published sample [template press statement for chapters](#) on November 20.
- Presented information about AILA consumer protection efforts to chapter chairs in December so they in turn could share that information with the chapter membership.
- National committee members, AILA staff, and chapter liaisons meet on regularly scheduled calls to share activities, gain local insight, and maintain a high level of messaging to the immigrant community.

Boston Globe, December 4, 2014:
“For this reason, the American Immigration Lawyers Association recommends that all immigrants have a lawyer review their cases because the stakes are so high. A lawyer might find that some are eligible to apply for something better than a temporary work permit, such as a green card through a family member. And a lawyer could prevent the kind of error that can wreck an application.”

Magnified our message through outreach to other stakeholder groups about AILA's efforts.

AILA with its 13,500-plus membership has a powerful voice, but combined with other voices, we can reach many more people via a wider array of channels. That's why bringing in other stakeholders, from state and local bars, to other non-profit, immigration-focused organizations makes such a difference. In 2014, outreach by AILA staff combined with AILA member volunteer efforts were key factors in getting the messaging out to a broader audience.

- AILA shared consumer alert, videos, etc., with communications and UPL listserves in order to maximize the message's reach.
- As a result, other stakeholder groups shared the tools via social media and listserves, further expanding the reach of the PSAs and anti-notario messaging.
- Shared the PSAs, videos, and other materials with the Communications Table convened by the Alliance for Citizenship.
- National staff worked together with several chapter UPL committees to support various stakeholder engagements, press conferences, town halls, workshops and other events throughout the year (Connecticut, Massachusetts, Oregon and Texas, among others). Promotion of local events were posted to [Stop Notario Fraud's Facebook](#) page to increase visibility and attendance, often in response to direct contact from stakeholders (for example, the Oregon State Bar & Office of the Attorney General and several congressional offices.)
- National staff coordinated efforts with the New York Immigration Coalition and other advocates working on a comprehensive NYS bill to combat the unauthorized practice of law and to assist victims (Immigrant Assistance Service Enforcement Act (A8974).) Provided support and resources throughout the drafting of the bill, and later, negotiation towards bill passage. The IASEA became law in August 2014. This legislation, the first of its kind in New York State and a model for the rest of the country, takes direct action against unscrupulous notaries and protects New York's immigrants from

fraud – while also laying the foundation for better immigration services across New York state. The Act ensures that only attorneys and Board of Immigration Appeals (BIA) accredited representatives can provide legal services and increases civil penalties and creates two new crimes for immigration fraud violations, among other changes.

NBC News, November 30, 2014: “Every time there is a rumor of immigration legislation or of a potential action, lawyers and others who assist immigrants start bracing for the cases of immigration shams’, said Michelle Mendez, senior managing attorney for Catholic Charities Archdiocese of Washington.

Mendez said she is already hearing that the secretaries for a ‘notario’ who was prosecuted and is serving a sentence are telling immigrants he’ll be back to help them.

‘We are concerned about the community being defrauded and I’ve had to salvage a lot of (immigration) cases after notario frauds ...’ ”

Congress has gotten nowhere on
IMMIGRATION REFORM.
To make our system better,
THE PRESIDENT NEEDS TO ACT.

Stop
targeting people who have only immigration violations.

Save
taxpayer money by using alternatives to detention.

Expand
Deferred Action beyond Childhood Arrivals (DACA) to include other individuals with close ties to the U.S.

Create
better pathways for entrepreneurs to do business here.

We need President Obama to do the right thing for our communities, our economy, and our nation.
Go to www.aila.org/adminreform2014 for more information.

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- The joint national UPL/Pro Bono subcommittee forged a relationship with the National Notary Association (NNA), which is now going to be publishing an AILA article on the risks and dangers of *notario* fraud. The NNA is planning to publish the article through its Online Bulletin, which reaches 400,000 notaries across the U.S.
- Researched ways to reach out to state and local bars about UPIL.
- PPC Associate Director, Susan Timmons Marks, attended the ReInvent Law conference in New York City in February. ReInvent Law is a free conference devoted to law, technology, innovation, and entrepreneurship in the legal services industry, and AILA monitors these activities to see how individuals may seek to provide legal services in new and innovative ways that still fall within existing UPL regulations.

Increased quantity of resources/messaging on StopNotarioFraud.org and other consumer-facing platforms.

Consumers are where the buck stops when it comes to anti-*notario* efforts – it is their lives that are destroyed and their dreams lost when fraud takes place. StopNotarioFraud.org is a beacon for consumers and stakeholders, a place to find good information, useful resources and helpful ideas for what their options are with regard to getting the right help in immigration matters. The more we educate the public, and the more we take away the stigma of being scammed by showing people they are not alone, the more power we take back from the *notarios* and return to the immigrants themselves. We took steps to include a younger, more tech-savvy demographic in 2014 by turning our attention to mobile, digital and social media platforms. These steps yielded tangible returns.

- Postings to Facebook dramatically increased as more news stories, press releases and news of community events became available (viewer reach increased from avg. of 20 up to more than 300).
- Responses to public emails through stopnotariofraud@aila.org increased due to the added visibility of www.stopnotariofraud.org as a resource.

- We continued to make updates to the “Where to Get Help” section of www.stopnotariofraud.org on a rolling basis with information provided by chapters in order to maintain the most up-to-date resource possible for consumers.



- There was a notable spike in user metrics (November had 50,360 user hits vs. 24,528 in October) – an increase which has been sustained since the November 20th Presidential announcement on executive action.
- Working with our web host, we mobile-optimized our StopNotarioFraud.org website. The new site enjoyed an increase in user activity (user hits went from 4,186 in October to 9,680 in November) – well up from just under 2,000 hits in the month of February 2014, which was the first month of the mobile site’s launch.
- Participated in a joint USCIS/FTC stakeholder engagements dealing with scams targeting the general immigrant population. Other agencies in attendance at these events were community advocacy groups and state/local lawmakers.
- AILA staff continue to connect and develop relationships with government agency partners whose focus is on consumer protection. We participate in a wide variety of events – in-person meetings, webinars and trainings for attorneys, non-lawyers and the public related to the unauthorized practice of law and consumer protection issues to continue to “evangelize” about this issue.

Worked with government agencies to maximize impact of anti-notario efforts.

AILA can’t be everywhere and it can’t sanction non-lawyers who scam vulnerable immigrants. But we can work with government agencies who also seek to help consumers and hinder scammers. Building those relationships is incredibly important since it allows AILA to offer real-world examples, insights and expertise as the government decides what actions to take and plans to implement. We aimed to sustain and further cement these relationships over the course of the year.

- Completed and sent a letter to Acting Director of USCIS Lori Scialabba outlining suggestions for new ways USCIS and AILA can work together to combat the unauthorized practice of law.

New York Times, Dec 12, 2014: “While immigration schemes and shoddy lawyering can sometimes cost victims their life savings, poorly handled cases can also destroy all chances of getting immigration benefits, and may lead to deportation. ‘The real problem is that immigration law is so complex and so punitive that if you get it wrong, your path to relief may be closed forever,’ said Reid Trautz, director of practice and professionalism at the American Immigration Lawyers Association.”

Looking Ahead

The unveiling of the President’s executive action package of programs has already stirred up activity among immigration fraudsters. AILA members and staff who work on these issues are well aware of the perils that may come to clients with the launch of the expanded DACA and new DAPA programs this year. For that reason, AILA is developing a more comprehensive and multi-faceted consumer protection and anti-UPL consumer outreach campaign, which contains 5 major prongs:

1. Stop Notario Fraud Paid Media Campaign
2. Social Media Campaign
3. Faith-Based Outreach
4. NGO Partner Outreach
5. State Bar Outreach

It is our goal to provide avenues to engage on this important issue at the national, state and local levels through our stakeholders, partners, organizational membership and the immigrant advocacy community as a whole.

Despite the unquestionable impact of our 2014 efforts, the experiences of our members who have dedicated their professional lives to this issue tell us that there can never be too much media attention, too much community outreach or too many partnerships to combat this insidious issue that threatens the welfare of immigrant communities.

We hope that AILA can count on your voice as we continue to educate and protect consumers about the risk of UPL.