

What Volunteers Can and Can't Do in Legal Work

It is critical that volunteers be assigned appropriate work when trying to serve the needs of a huge influx of clients under Comprehensive Immigration Reform. There are many tasks that non-legal volunteer staff can do.

What constitutes legal work?

Providing a client with a form based on a person's interest in a particular immigration benefit.

Helping a client fill out an application form by providing your input or opinion on how to answer questions.

Providing clients with an update on their case using case file information.

Why should a volunteer avoid doing legal work?

Irreparable harm can be done to a client (e.g. deportation)

There is an increased likelihood of mistakes on an application or even in determining eligibility

The agency is liable for all legal work completed by staff, both paid and volunteer.

Most states could investigate an agency using unaccredited volunteers doing legal work for unauthorized practice of law.

Situation 1

An Immigrant walks into your agency and says "I've been a refugee for three years. Now I want to apply for a green card. Which forms do I need? Can you give them to me?" A volunteer hands her a packet of forms.

Situation 2

An immigrant brings a form to the office and asks a volunteer for help filling it out. The volunteer decides to help and gives his opinion on what is meant by the questions "date of last entry" and "current immigration status."