



CATHOLIC LEGAL  
IMMIGRATION  
NETWORK, INC.

**Parole-in-Place Program for Spouses and Children of U.S. Citizens:  
BEWARE OF NOTARIO FRAUD AND ANYONE ENGAGING IN THE UNAUTHORIZED PRACTICE OF  
IMMIGRATION LAW!**

**August 2024**

Beginning Aug. 19, 2024, eligible noncitizen spouses and children of U.S. citizens will be able to apply for parole-in-place as part of DHS's [Keeping Families Together](#) program. If approved, they will be able to apply for lawful permanent residence without having to leave the United States. Unfortunately, unscrupulous individuals will use changes in immigration law and policy to make false promises to members of the community, including, for example, offering to help community members when they are not authorized to do so and leading community members to believe they are eligible for a program when they are not. That is why it is important to warn the members of your community to **beware of notario fraud and anyone engaging in the unauthorized practice of immigration law (U PIL)**! This advisory includes information to share with community members about *notario* fraud and U PIL.

**What is Unauthorized Practice of Immigration Law (U PIL)?**

U PIL is when an individual engages in the practice of immigration law without authorization. Only attorneys, individuals accredited by the Department of Justice (DOJ), and law students acting under attorney supervision can practice immigration law. "Practice" of immigration law includes "the act or acts of any person appearing in any case, either in person *or through the preparation or filing of any brief or other document, paper, application, or petition on behalf of another person* or client before or with DHS." 8 CFR §1.2 (emphasis added).

**What is a notary public?**

A notary public is an official appointed by the state to serve the public as an objective witness in preventing fraud related to document execution. Notaries have responsibilities that vary by state law, but generally, they include screening signers of important documents and verifying their identity, willingness to sign, and awareness of the contents. While some attorneys and DOJ-accredited representatives are notaries, not all notaries are attorneys or DOJ-accredited representatives. A notary public who is not an attorney or accredited representative cannot practice law; they cannot lawfully fill out forms, draft legal documents, or provide legal advice.

## **What is a *notario público* or *notario*?**

In many Latin American countries, a *notario público* or *notario* is akin to an attorney. It refers to legal professionals who have attained what may be considered the equivalent of a law license. When individuals familiar with this interpretation see *notario* in marketing materials, they may assume the individual advertising is a qualified, legitimate legal service provider. Unfortunately, in the United States, some *notarios* exploit the trust of immigrants who are unfamiliar with the legal system and incorrectly assume the *notarios* are lawyers. The similarity between the English and Spanish terms creates a unique opportunity for deception that confuses and misleads people to trust *notarios* even though they are not authorized to provide legal assistance.

## **What is *notario* fraud?**

*Notario* fraud arises when individuals obtain a notary public license in the United States and use that license to substantiate false representations that they are qualified to offer legal advice, fill out forms, draft documents and/or represent immigrants in legal matters. They often charge money and never provide help as promised. This, of course, has severe implications for immigrants, including missed deadlines, filing incorrect forms, lost opportunities for immigration relief, and even deportation. To learn more, visit [www.stopnotariofraud.org](http://www.stopnotariofraud.org).

## **How do individuals verify that someone is an attorney or DOJ-accredited representative?**

Attorneys: Immigration law is federal law. As such, generally, attorneys licensed in any U.S. state may represent individuals in their immigration proceedings. State bar associations regulate the attorneys practicing law in each state. The American Bar Association provides a link for all [State Websites For Attorney Registration](#) where individuals can search to discover whether the individual with whom they are interacting is an attorney. The DOJ also provides a [List of Attorneys](#) who provide free or low-cost immigration legal services. Additionally, the DOJ publishes a [List of Currently Disciplined Practitioners](#). After an individual's research reveals they are an attorney, they should still feel free to verify and ask to see the person's license to practice law.

DOJ-Accredited Representatives: The DOJ's Office of Legal Access Program (OLAP) maintains a roster of [Recognized Organizations and Accredited Representatives Roster by State and City](#). At the top of the roster, the list includes the last date of update. Individuals should feel free to ask the DOJ-accredited representative for proof of their accreditation approval.

## **What should one do if they encounter an individual engaging in UPIL or *notario* fraud?**

Please report UPIL and *notario* fraud. U.S. Citizenship and Immigration Services collects information from all 50 U.S. states regarding where to [Report Immigration Scams](#), including, UPIL and *notario* fraud. Additionally, the following is a general list of where one can report UPIL and *notario* fraud.

State Bar Association: If an individual is holding themselves out to be an attorney and they are not listed on the state bar association's website, anyone may file a complaint with the state bar association. To learn about the process, one can contact their [local bar association](#).

Executive Office for Immigration Review (EOIR): EOIR has a [Fraud and Abuse Prevention Program](#) where one can report UPIL and instructions on [How to File A Complaint](#).

The Federal Trade Commission (FTC): The FTC is the national consumer protection agency and protects consumers of services from immigration fraud. Individuals can file complaints online [FTC Complaint website](#) or via the FTC's Consumer Response Center at (877) 382-4357.

State Attorney General's Office: The Attorney General can protect against UPIL and *notario* fraud by filing a civil lawsuit under state consumer protection statutes. Filing a complaint with the Attorney General may lead to an investigation of a business that scams its customers. The National Association of Attorneys General publishes the [Current Attorneys General](#) list.

State Consumer Protection Agency: State consumer protection agencies regulate professional service providers, investigate complaints, and can take legal action against scammers. The government publishes a website where one can find their [State Consumer Protection Office](#).

Local Police Department/Sheriff's Office: In some states, UPIL and *notario* fraud are crimes. Individuals may report UPIL and *notario* fraud to the local police department or sheriff's office.