

What Is Immigration Consultant Fraud?

Immigration consultant fraud occurs when an individual promises to help procure an immigration benefit for an individual, family or business and then fails to provide the promised service. These individuals may call themselves “notarios,” “notario publicos,” “visa consultants,” “immigration consultants,” “licenciados,” and other terms in other languages. They take advantage of undocumented aliens, U.S. business owners, legal permanent residents, and U.S. citizens. They usually require money for their services but are not authorized to give legal advice about immigration law.

What Can I Do to Protect Myself?

Hire only a licensed attorney or a BIA-accredited representative to give you immigration advice or represent you before any immigration agency.

An accredited representative is a non-lawyer authorized by the Board of Immigration Appeals (BIA) to provide immigration services on behalf of a non-profit, religious, charitable or social service organization. You can confirm a BIA-accredited representative’s credentials www.usdoj.gov/eoir/statspub/raroster.htm or ask to see the accreditation certificate.

A licensed attorney is authorized by a state bar association to practice law but must

follow the state bar association’s rules. A licensed attorney should display his bar license.

Ask in your community for references to an accredited representative or licensed attorney who has a good reputation for helping people with immigration. Also, take the following precautions:

- Ask how much it will cost for a consultation.
- Verify an attorney’s or accredited representative’s eligibility to represent you.
- Ask what the process is, how long it will take, and what the risks are.
- Ask how you pay. Is it a one-time flat fee? Can you set up a payment plan? Does the attorney or accredited representative charge by the hour?
- Require a written contract of representation and review it carefully. The type of representation and payment terms should be clearly spelled out in a written contract. Take time to read and understand the terms of the contract. You should not feel rushed into the representation.
- Get a receipt when you make a payment.
- Receive copies of all documents prepared or submitted for you.



- Report any representative’s unlawful activity to the Virginia State Bar at the contact information contained below.
- Do not sign papers that are blank or that have not been filled out.
- Do not sign documents that you do not understand.
- Do not sign documents that contain false statements or inaccurate information.

How Do I Report Immigration Consultant Fraud?

To report unlawful activity that may be the unauthorized practice of law, contact the Virginia State Bar’s Unauthorized Practice of Law Committee:

Ethics Department
Virginia State Bar
1111 East Main Street, Suite 700
Richmond, Virginia 23219
(804) 775-0557

DISCLAIMER: The above information is not legal advice or legal representation. It is provided as a public service by the Virginia State Bar to inform consumers. If you need legal advice, you should consult a licensed immigration attorney or a Board of Immigration Appeals (BIA) accredited representative.



Am I a Victim of Immigration Consultant Fraud?

You may be the victim of immigration consultant fraud if:

- You were told you could get an immigration benefit for which you were not eligible.
- You paid money to get an immigration benefit but never received the benefit.
- The person kept your original documents, court notices, or immigration documents and made you pay to get them back.
- You were given blank forms to sign.
- You were given forms to sign that contained false information.
- The person charged a monthly “maintenance fee.”
- The person identified themselves as able to provide immigration services as a “notario” “notario publico” “visa consultant” “immigration consultant,” or “licenciado.” In the U.S., a notary public is not an attorney.



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Protecting Yourself from Immigration Consultant Fraud

