

Ask An Immigration Lawyer: Am I being exploited?

Last Thursday, the U.S. Citizenship and Immigration Services (USCIS) rolled out a nationwide campaign branded "The Wrong Help Can Hurt," as part of its "Unauthorized Practice of Immigration Law Initiative." The USCIS's campaign seeks to educate immigrants about the immigration process and warn them about potential scams. You can find more information at <http://www.uscis.gov/avoidscams>, including educational tools and form filing tips.

How do I know if I'm being taken advantage of?

There are many different types of scams, and unfortunately, more sophisticated ones are invented each day. Most scams involve either an unauthorized representative passing themselves off as an authorized representative (ex. a notary pretending that they're a lawyer), or someone overcharging for documents and forms that are otherwise available for free.

One type of name confusion scam takes advantage of the Spanish term "notario," which usually refers to an attorney in Spanish speaking countries, and the English term "notary public." A notary public is not an attorney. This type of scam is fairly rare in Alhambra. However, there have been instances where some notary publics have tried selling freely available immigration forms.

Amongst Alhambra's Asian population, one common scam is that a paralegal will attempt to pass themselves off as an attorney. Or, a paralegal may partner with an attorney who signs all of the proper paperwork, like the USCIS's G-28 form, while the paralegal does all the work. This type of scam is much harder to detect, but can be avoided by researching the background of the individual that is assisting you.

In the online space, some websites may claim to have expedited processing channels with the USCIS. This is inaccurate. In addition, beware of any sites that are selling immigration forms. All authorized forms are available for free at the USCIS's website at www.uscis.gov. These official forms are constantly being updated. In addition to overcharging, non-official websites may have out of date documents as well.

I have a complaint, but I'm afraid that I will be deported if I come forward.

This is a common concern. Many undocumented (and documented) immigrants are hesitant to report any crime, not just immigration scams, because they are afraid that they will have to give fingerprints and personal information, or be subjected to deportation proceedings. Local law officers are not responsible for enforcing national immigration policy. As U.S. Attorney, Ben Wagner stated, "We have an interest in defeating the bad guy and that is our biggest issue interest here, not deporting the people who are going to be our victims and our witnesses, in the course of the prosecution." In addition, there are many ways to file a complaint that do not require an in-person appearance.

How do I lodge a complaint?

Complaints should be filed with the Federal Trade Commission (FTC). To file a complaint in English or Spanish, visit the FTC online at <https://www.ftccomplaintassistant.gov/> or call (877) FTC-HELP or (877)-382-4357. For California residents, the USCIS also recommends that you report scams to The Office of Immigrant Assistance in the Civil Rights Section of the California Department of Justice. See <http://ag.ca.gov/immigrant/index.php> or call (888) 587-0557.

The article is not legal advice or opinion, and should not be construed as such. Franklin Tzeng, Esq. is a practicing attorney, specializing in business development and immigration law, in Alhambra, CA. For more information, please visit franklintzeng.com or [facebook.com/franklintzenesq](https://www.facebook.com/franklintzenesq). To ask Franklin a question, send him an email at franklintzeng@gmail.com.