## Finding help with immigration law: Do you know who your allies are?

Trying to understand immigration law by yourself can be overwhelming. Figuring out who to trust is just as hard. Beware of *notarios* and other immigration scammers trying to cheat you out of your money and waste your time.

In the United States, only attorneys and Department of Justice accredited representatives can provide legal advice and services about immigration. Use this guide to understand the types of organizations and individuals who are allowed to help you and to learn exactly what they can do.

Need to understand why *notarios* should be avoided in the United States? Find more information at cliniclegal.org/notario.



### What is an attorney?

An attorney, also known as a lawyer, earned a degree from a law graduate school. He/she passed an exam to join a state's bar association.

### Where can attorneys help you?

Attorneys can represent you in front of the Department of Homeland Security, United States Citizenship and Immigration Service, any immigration court, the Board of Immigration Appeals and in the state court where he/ she is a member of the bar association. Because some immigration cases require following special state laws, it is a good idea to ask your representative if they need to be licensed in your state to handle your case.

### Where can you find an immigration attorney?

The American Immigration Lawyers Association can help you find an immigration attorney. Visit their website at www.ailalawyer.org. Many immigration attorneys also work at a CLINIC affiliate. Search the directory on our website at cliniclegal.org/affiliates/directory.

## What is a DOJ recognized organization or accredited individual?

A Department of Justice recognized organization is a nonprofit agency that provides low-cost immigration services. The DOJ recognizes organizations and accredits their staff members and volunteers individually because they have gained a certain level of experience and training working with immigration law.

### Where can a DOJ accredited representative help you?

First, you need to find out what type of accreditation he/ she has to make sure they are allowed to help with your specific case. If the representative is fully accredited, he/she can represent you in front of the Department of Homeland Security, United States Citizenship and Immigration Service, any immigration court and the DOJ. A partially accredited representative can only represent you before the United States Citizenship and Immigration Service. No type of DOJ accredited representative can represent you in front of a state court.

# Where can you find a DOJ recognized organization or DOJ accredited individual?

CLINIC works with hundreds of organizations and individuals who want to help. Search the directory on our website at cliniclegal.org/affiliates/directory. The U. S. Department of Justice also provides a list of approved representatives at justice.gov/eoir/recognitionaccreditation-roster-reports.

### Does something seem wrong?

If anyone offering help does not allow you to see their professional papers or if you cannot verify their ability to help you legally, they are not allies. Do not give them any money or information about your case. Many people may offer their help—some would like to cheat you, others will offer out of kindness. Either reason could put your future immigration status at risk. Visit justice.gov/eoir/ list-of-currently-disciplined-practitioners for a list of people who are no longer allowed to help with immigration cases. Remember, just because someone offers to help does not mean they can. Seek legal help only from qualified professionals.

### How can you check to make sure someone is an attorney?

Ask to see their attorney licensing documents. In order to practice before the immigration court, attorneys must have an Executive Office for Immigration Review identification number. Most states give attorneys bar numbers. They may have this number on a license card or it may just be a number the attorney gives you. Next, visit americanbar.org to look for their specific state bar association. Once you locate the association's website or phone number, search or call to see if he/she is in "good standing." Good standing means the attorney is currently registered with the state bar association and is allowed to work with clients.

| Virginia State Bar<br>707 E. Main Street, Suite 1500<br>Richmond, VA 23219   | STATE BAR OF MICHIGAN 2015—2016   | Supreme Court of Tennessee<br>Attorney Reg. No.<br>[Number] |
|--|---|---|
| John Doe Smith<br>Status: Active<br>ID Number: 12345<br>Issued: December 1, 2010   | 306 Townsend, Lansing, MI 48933-2012         [Attorney's Name]         Member Number         [Number] | [Attorney's Name]   |
| This card is evidence of good standing with the Vinginia State Bar<br>as of the date of issuance. To verify a member's good standing, please visit www.vbb.org<br>or contact the Membership Dept. at (804) 775-0530; membership@vab.org. | [teames]  | Effective June 1, 2016 - June 1, 2017 Attorney's Signature  |

Many state bar associations distribute cards. The will look different state to state and not every state will have one. Here are some examples. Check that your attorney is in good standing. An attorney may also have a certificate from the circuit court in which they have been admitted and a degree from the law school from which they graduated.

### How can you check to make sure someone is accredited by the DOJ?

You can check both organizations' recognition and the individuals' accreditation by asking to see a copy of the letter where the DOJ gave its official approval. Also, the lists of recognized organizations and accredited rindividuals are available online at justice.gov/eoir/recognition-accreditation-roster-reports. Make sure to pay attention to the individual's type of accreditation. They can be either be fully accredited or partially accredited.

| U.S. Department of Justice Decision of the Board of Immigration Appeals Executive Office of Immigration Review Falls Church, Virginia 2039  | U.S. Department of Justice<br>Executive Office for Immigration Review<br>Office of Legal Access Programs   |
|---|--|
| [Organization Name] Date:<br>MAR 272015   | Recognition and Accreditation Program  |
| [(City, State)]   | February 2, 2017   |
| Request for recognition as a nonprofit religious, charitable,<br>or social service organization pursuant to Title 8, Section<br>1292.2(a), Code of Federal Regulations  | [Organization Name] USCIS District Director<br>[Organization Address] 101 W. Congress Pkwy<br>Chicago, IL 60605  |
| [Organization Name] has applied for recognition under 8 C.F.R. § 1292.2(a). The<br>appropriate offices of the Department of Homeland Security (DHS) were served with the<br>application, but the Board has not received a recommendation from the DHS. The application<br>for recognition will be approved.   | Approval of Accredited Representative Application  |
| A non-profit religious, charitable, social service, or similar organization established in the<br>United States may be recognized by this Board to provide low cost or free legal representation by<br>its staff attomest or accredited representatives. To be recognized, an oparization must establish<br>that it makes only nominal charges, assesses no eccessive membership dues for persons given<br>assistance, and that it has at its disposal adequate knowledge, information, and experience in<br>immigration law and procedure. See $\$ CF.R.\$ 1292.2(a)$ ; Matter of EAC, Inc. (Recognition), 24<br>L&N Dec. 556, 57-58 (DIA 2005). | Dear [Organization Name]<br>The Office of Legal Access Programs (OLAP) has received your application for<br>accreditation for [Representative] as its accredited representative under 8 C.F.R. § 1<br>Based upon our review of the application and the materials submitted, we are satisfied the<br>[Rep.] possesses the character and finans and troad knowledge and adequate experi<br>immigration law and procedure to practice before the Department of Homeland Security<br>Therefore, the application for partial accreditation is approved. |
| The applicant has submitted a completed Form EOIR-31; proof of non-profit status; a fee<br>schedule; a description of the organization's funding; a list of legal resources; the resume of a<br>proposed representative; documentation that the organization has an agreement to receive<br>technical legal support; letters of recommendation; and other supporting documentation. We are<br>satisfied that this organization meets the qualifications for recognition. Therefore, the<br>application for recognition will be approved.  | Please note that accreditation of the representative is only valid for a period of 3 years fi<br>date of this letter, 8 C.F.R. § 1220. 12(d). To maintain valid accreditation, your organ<br>would need to submit to OLAP an application for renewal of [Representative]accro<br>prior to the expiration date.<br>Sincerely,   |
| Any pending application for accreditation will be addressed by separate order, as the approval<br>of recognition of an organization does not automatically authorize an individual associated with<br>the organization to practice before the Board, the Immigration Courts, or the DHS. See 8 C.F.R.<br>§ 1292.2(d).<br>ORDER: The application for recognition is approved.  | Steven Lang<br>Program Director<br>Office of Logal Access Programs   |
| FOR THE BOARD   |  |
|   | Office al Legal Access Programs, 5107 Leaburg Pile, Suite 1900, Failt Church, VA 22041<br><u>RA-Infordansing gas</u>   |

An example of an organization's recognition letter.

An example of a representative's accreditation letter.