

Consumer Facts for Immigrants

BEWARE OF DISHONEST IMMIGRATION CONSULTANTS

Who Are Immigration Consultants?

Immigration consultants are individuals who specialize in assisting consumers with immigration law matters. They are not attorneys and are usually not supervised by attorneys.

Are Immigration Consultants “Accredited Representatives”?

No. Accredited Representatives are qualified by, and work for, agencies that are approved by the Board of Immigration Appeals (BIA). These representatives are allowed to speak for you at events like interviews with immigration officers and in deportation and exclusion hearings. They cannot represent you in criminal or civil court cases.

What Can Immigration Consultants Legally Do?

In most states, immigration consultants can:

1. Give you materials, law books and forms—so that you can prepare legal documents yourself.
2. Give you a list of forms and legal documents.
3. Type or fill out forms for you if you tell the consultant what to write.
4. File forms in court for you if you tell the consultant what to file.
5. Serve legal papers on other parties.

Immigration Consultants Usually Cannot:

1. Tell you what forms to pick or fill out.
2. Fill out forms for you if you do not tell the consultant what to write.
3. Tell you what kind of immigration category you should apply for, such as asylum or labor certification.

When Should I Consult an Attorney?

If a form or legal document is too complicated for you to understand or to fill out yourself, then the consultant should not do it for you. You should try to find an attorney to help you. Don't assume you cannot afford an attorney. Many legitimate attorneys charge less than immigration consultants. You may not have to pay at all if you qualify for free legal services. To find out more, contact your local legal aid office.

If you decide to hire an immigration consultant, follow these steps:

1. Ask about the consultant's education background and work experience.
2. Discuss price. If the consultant is not significantly cheaper than a lawyer, find another one or look for an attorney to help you.
3. Sign a contract. In many states, there is specific information that this contract must include.
4. Whenever you make a payment, get a signed receipt.
5. If the consultant has typed a legal form or document for you, read it carefully before signing it. If you cannot read English, bring someone who can translate the document for you. In some states, the consultant must provide you with a translated copy.
6. Don't let the consultant keep your original documents or photos.

REMEMBER: AN IMMIGRATION CONSULTANT IS NOT A LAWYER AND MAY NOT KNOW ALL OF THE RELEVANT LAW IN YOUR CASE.