

COMPLIMENTARY COUNSEL

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Paying a Notario for an Employment Card

Problem: Notarios are not lawyers or valid accredited representatives approved by the U.S. government. While many legitimate community and religious organizations provide immigration-related services, non-lawyers who advertise as legal “consultants” or “notarios publicos” are not authorized or qualified to help with immigration related matters. These notarios often take advantage of people from their own ethnic community.

One way in which notarios have taken advantage of a plethora of clients is by “selling” employment cards. Clients consult us after they have paid a notario a large amount of money in exchange for an Employment Card. After receiving the Card, the notario disappears and the client is now in removal proceedings. This usually happens because the notario applied for an immigration benefit, such as Asylum or Adjustment of Status, on behalf of the client without the client’s knowledge even though the client may not be eligible for such benefit. The reason the notario does this is because these applications provide for an Employment Card to the applicant while the applications are pending. The client gets the Employment Card but has no clue that the underlying Asylum or Adjustment application was filed on their behalf.

This situation can be very dangerous. For example, the Asylum application can be referred by USCIS to the Immigration Court and can result in the Client being placed in removal proceedings or, even worse, being subject to deportation for not attending hearings. The client would not have attended the hearings because he/she wasn’t even aware that the application was filed. We have represented several clients in this exact situation.

Counsel: The bottom line is to ensure that the individual from whom you are seeking immigration assistance has a valid law license or is an accredited representative who is authorized and qualified to assist you with your immigration case. Ask to see the lawyer’s license to save yourself from scammers and notarios. Also, keep in mind that **there is no way you can simply buy an Employment Card from USCIS or any other agency.** An Employment Authorization Document is an immigration benefit that is afforded in specific situations and it is best to consult an experienced, licensed attorney to see how you can obtain one.

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