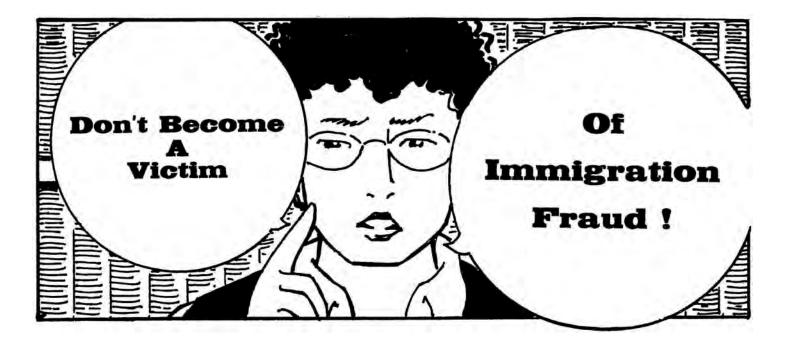
Watch Out When You Seek Help with Your Immigration Papers!



Need Immigration Help?

National Edition

Look Inside for More Information

Prepared by the Immigrant Legal Resource Center (English Version of **10 Year** and **Fake Amnesty** Scams)

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TEACHING, INTERPRETING AND CHANGING LAW SINCE 1979

The Immigrant Legal Resource Center is a California-based national training and resource center that offers low-cost, quality services in the form of consultations, trainings and publications. Established in 1979, the ILRC's commitment to high standards in the field of immigration is demonstrated by its numerous publications and trainings, its work on precedent-setting cases in the U.S. Supreme Court and Ninth Circuit Court of Appeals. The ILRC legal staff also advises nonprofit agencies and private attorneys, offering expert telephone consultation and other work on issues relating to immigration and crimes through a contract service. The ILRC continues its commitment to the immigrant community by offering its manuals and publications to attorneys, paralegals, legal service workers, criminal defense attorneys, social workers, and community-based advocates, and by sponsoring continuing legal education services for members of the California Bar Association. Over the years, the ILRC has evolved beyond the traditional definition of a resource center. Partnerships with grassroots organization have led to leadership training, social change organizing, and other community-based work focused on increasing the civic capacity of newcomers to address the laws and policies that affect their daily lives.

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THIS BOOKLET WAS CREATED TO TEACH PEOPLE HOW TO AVOID IMMIGRATION SCAMS

Each of the Stories told here is based on a real-life situation.

Help for Victims of Immigration Fraud:

Produced by the Immigrant Legal Resource Center,
With Generous Funding from the Zellerbach Family Foundation
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Translation to Spanish by Cynthia Alvarez
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DEFINITIONS

of some words used in this booklet

CIS or US Citizenship & Immigration Services: The federal government agency that approves or denies immigration and citizenship applications.

Immigration Court: The federal government court that decides whether or not people should be deported.

Immigration Consultant: A person or company who can help you file documents and applications with U.S. Citizenship & Immigration Services.

Lawyer/Attorney: A person with a law degree who is licensed by the state to give legal advice and represent people in immigration court and handle other legal matters.

Accredited Representative: A person who works for a non-profit organization or agency that is licensed by the federal government to provide immigration legal services and represent clients in immigration interviews and court hearings.

Lawful Permanent Residence: The legal status of being permitted to remain permanently in the United States, even though you're not a citizen of the United States. Also called a "green card" or "mica," or "LPR status."

Political Asylum: An immigration status given to people who have experienced or who have a fear of persecution in their home countries because of their political opinion, race, religion, ethnicity or membership in a social group.

Naturalization: The process of applying for U.S. Citizenship (you have to be a lawful permanent resident, usually for at least 5 years, before you can become a U.S. citizen).

Cancellation of Removal: A provision of the immigration law that allows a very small number of people to remain in the U.S. and become lawful permanent residents. To qualify, the applicant must be in removal/deportation proceedings in immigration court, and must have a parent, spouse or child under 21 who is a U.S. citizen or lawful permanent resident who would suffer "exceptional and extremely unusual hardship" if the applicant were deported. The ordinary hardship of returning to your home country doesn't count. The applicant's hardship also doesn't count. The applicant also has to have been in the U.S. for over 10 years and have good moral character.

Employment Authorization: A temporary "work permit" from CIS that may be granted to people with some kinds of applications pending before CIS or the immigration court.

Labor Certification: The first stage in a 3 stage process where an employer is applying for lawful permanent residence on behalf of an employee. The employer must prove that there is a shortage of U.S. workers in the employee's type of job.

The "10 Year Benefit" Scam







LOOK, WE'VE GOT TO TRY THIS. I DON'T WANT TO SPEND THE REST OF MY DAYS NORRYING ABOUT IMMIGRATION, AND LOOKING BEHIND MY BACK, AND I'M TIRED OF WORKING FOR A FEW DOLLARS HERE AND THERE. I SAW HIS WORK PERMIT!









I CAN HELP YOU. YOU QUALIFY FOR A GREEN CARD.



I LL NEED A SIOOD DEPOSIT.

GO WITH JULIO AND HE WILL

HELP YOU. GIVE HIM YOUR

OOCUMENTS AND SIGN ALL

THE FORMS HE TELLS

YOU TO SIGN.

WAIT.
WHAT ARE WE
APPLYING FOR?
HOW DOES







WE TAKE CARE OF THE REST, I DON'T KNOW HOW MUCH IT WILL COST, IT ALL DEPENDS ON WHAT MR. NOTARIO SAYS IS NECESSARY.



BUT DON'T WORRY. HE'S GOTTEN GREEN CARDS FOR LOTS OF PEOPLE THIS WAY.





OH, IT'S ONLY A
NOTICE FROM THE
IMMIGRATION SERVICE
THAT YOUR APPLICATION
WAS RECEIVED. DON'T
WORRY ABOUT IT. YOU
OON'T HAVE TO DO
ANYTHING, YOU'LL
GET SOMETHING ELSE
IN THE MAIL SOON.









ALRIGHT, YOUR NEXT HEARING WILL BE IN A YEAR, AND AT THAT TIME, MR. ABOGADO, YOU HAD BETTER BE PREPARED TO PRESENT THE CASE AND REPRESENT YOUR CLIENTS.



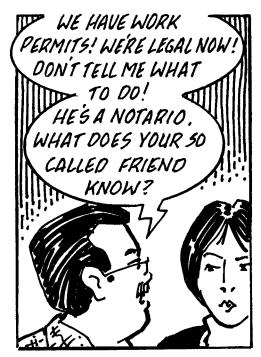


SEE MAMA, WE HAVE WORK PERMITS, THAT MEANS THAT WE ARE ON OUR WAY TO BECOMING LEGAL HERE, YOU SHOULD NOT HAVE DOUBTED THE LAWYER.





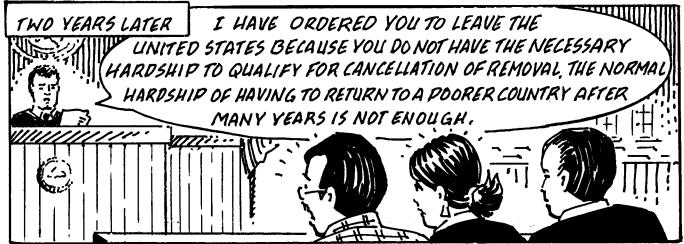
The "10 Year Benefit" Scam







I DONT WANT TO HEAR IT! I HAVE A WORK PERMIT, I CAN GET A BEITER JOB NOW, I CAN FEED MY KIOS. WHAT DO YOU KNOW?



EVEN THOUGH YOUR KIDS
HAVE GROWN UP HERE,
THEY WON'T SUFFER ANY
WORSE THAN ANYONE
ELSE IN 1415 SITUATION.





I THOUGHT ALL WE NEEDED WAS 10 YEARS AND KIDS BORN IN THE U.S.! WHY DIDN'T HE GRANT OUR CASE? WE HAD NO IDEA WHAT THE JUDGE WAS GOING TO ASK.



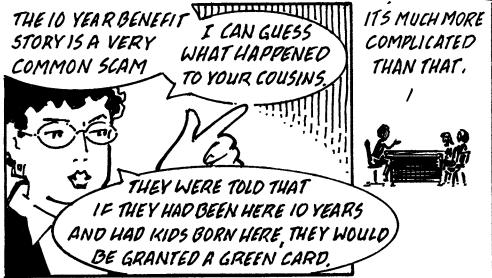












THAT'S TRUE THAT THAT'S WHAT THEY WERE TOLD AND THAT'S WHAT MR. NOTARIO TOLD ME TOO.



I HAVE 3 CHILDREN ALL BORN, HERE, ANO I VE BEEN HERE 15 YEARS







THERE IS SOMETHING CALLED CANCELLATION OF REMOVAL AND ONE OF THE REQUIREMENTS IS THAT YOU HAVE 10 YEARS IN THE U.S. BEFORE YOU GET INTO THE IMMIGRATION COURT SYSTEM.



YOUHAVE TO HAVE A

PERMANENT RESIDENT

OR U.S. CITIZEN PARENT,

SPOUSE, OR CHILD WHO

WILL SUFFER WHAT THEY

CALL EXCEPTIONAL AND

EXTREMELY UNUSUAL

HARDSHIP IF YOUARE

ORDERED TO LEAVE

THE U.S.

WEIL, I HAVE 3

U.S. CITIZEN CHILDREN

THAT WOULD HAVE A

HARD TIME IF I WENT

BACK, TO MEXICO.

CANT I APPLY?



FIRST, YOU CANT APPLY FOR CANCELLATION OF REMOVAL UNLESS YOU'RE ALREADY IN DEPORTATION PROCEEDINGS BEFORE AN IMMIGRATION JUDGE, AND THAT MEANS THAT IF YOU DON'T WIN YOUR CASE THE JUDGE WILL ORDER YOU TO LEAVE THE U.S.







SECOND, THE HARDSHIP YOUR CHILDREN WOULD SUFFER HAS TO BE ABOVE AND BEYOND THE KIND OF HARDSHIP THAT NORMALLY WOULD OCCUR IF YOU HAD TO RELOCATE BACK TO YOUR COUNTRY. IT WOULD HAVE TO BE SOMETHING THAT'S BOTH SERIOUS AND VERY UNUSUAL.





FOR ONE THING, IF SOMEONE TELLS YOU HE'S A NOTARIO OR LICENCIADO AND THEREFORE A LAWYER, HE'S LYING. IF YOU'RE NOT SURE, ASK FOR PROOF THAT HE'S AN ATTORNEY.



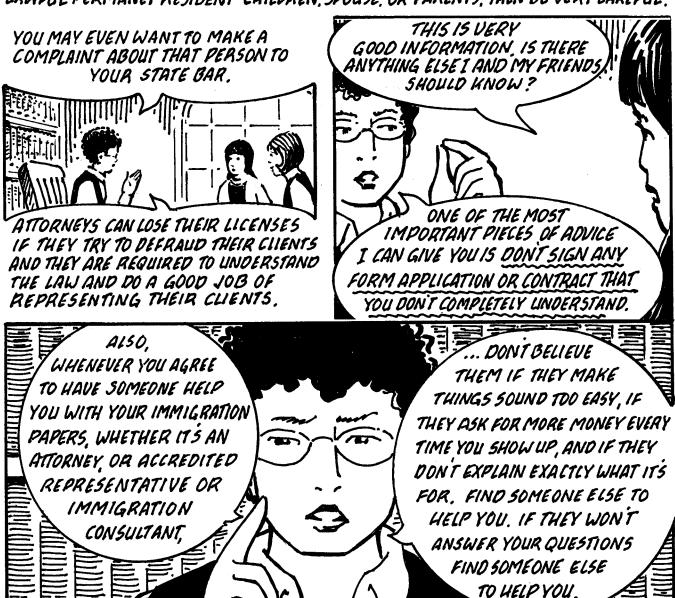
YOU REALLY SHOULD GO TO AN ATTORNEY OR SOMEONE WHO WORKS FOR A NONPROFIT AND IS CALLED AN ACCREDITED REPRESENTATIVE FOR IMMIGRATION ADVICE. PEOPLE WHO HELP WITH IMMIGRATION PAPERS AND ARE NOT ATTORNEYS OR ACCREDITED REPRESENTATIVES ARE CALLED IMMIGRATION CONSULTANTS."



IF THERE'S AN ATTORNEY TELLING PEOPLE THEY CAN GET GREEN CARDS JUST FOR BEING HERE 10 YEARS AND MAYBE HAVING A CLEAN RECORD AND CHILDREN BORN HERE....



... WITHOUT ALSO TALKING ABOUT THE IMPORTANCE OF PROVING THAT DEPORTING YOU WOULD CAUSE VERY SEVERE HARDSHIP OR PROBLEMS FOR YOUR U.S. CITIZEN OR LAWFUL PERMANET RESIDENT CHILDREN, SPOUSE, OR PARENTS, THEN BE VERY CAREFUL.



Things to Remember about the 10 Year Scam

REMEMBER:

- You can't get a green card just because you have lived in the US for over 10 years and you have children born here.
- Anyone who tells you it's easy to get a green card simply because you've been here 10 years is lying to you.
- Immigration law is complicated so make sure you go to someone who is honest and knowledgeable (see the list of good organizations in this book).
- You have a right to ask questions about your immigration case! Don't trust people who refuse to answer your questions.
- Don't sign forms or documents that you don't understand.
- Review the attached Know Your Rights handout.

The "New Amnesty" Scam



IMMIGRATION HAS BEEN ALL OVER THE NEWS, BUTTHIS IS THE BEST I'VE HEARD YET!





LOOK, IT SAYS THAT A NEW AMNESTY IS COMING, AND WE SHOULD SIGN UP RIGHT AWAY TO BE THE FIRST ONES IN LINE! TO SIGN UP?

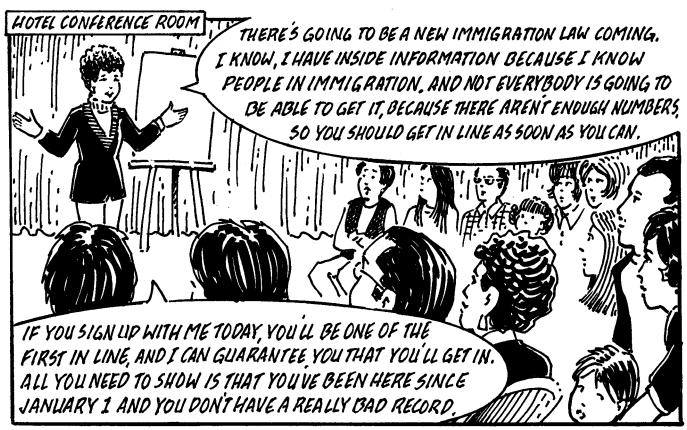


HERE, THE LADY'S NAME IS VILMA GARCIA.





WE'RE READY.



BUT I THOUGHT THEY GAVE UP ON AN IMMIGRATION BILL?



EXPERT, NOTARIO, AND LIKE I SAID, I HAVE
INSIDE INFORMATION FROM THE IMMIGRATION
DEPARTMENT ITSELF, WHAT YOU'VE BEEN
HERE SINCE JANUARY 1 2007.

THAT MEANS THAT YOU HAVE TO SHOW RENT

RECEIPTS, PAY STUBS AND ANY OTHER INFORMATION

THAT SHOWS HOW LONG YOU'VE LIVED HERE.

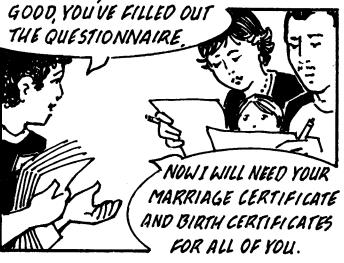
YOU ALSO HAVE TO DO FINGERPRINTS
AND YOU HAVE TO FILL OUT THESE FORMS,
INCLUDING AN APPLICATION FOR A WORK PERMIT
AND A BIOGRAPHIC FORM, YOU ALSO HAVE TO
SUBMIT YOUR BIRTH, MARRIAGE, AND
OIVORCE CERTIFICATES FOR EVERYONE

WHO IS APPLYING.

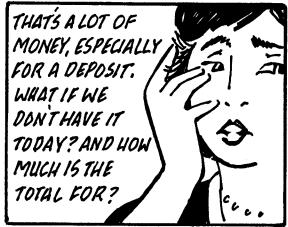














The "New Amnesty" Scam

THE 101AL FEE OEPENDS ON HOW MUCHWORKIS INVOLVED.







WE CAN'T PASS UP THIS CHANCE! THINK OF IT. WE WON'T HAVE TO STRUGGLE SO MUCH, WE'LL GET BETTER JOBS, WE WON'T HAVE TO WORRY ABOUT IMMIGRATION BUSTING DOWN THE DOOR OR RAIDING US AT WORK!











WAIT, CAN'T WE GIVE YOU COPIES OF OUR DOCUMENTS WHEN WE SEND THE MONEY?



WE DON'T HAVE ANY OTHER COPIES BUTTHESE



I DON'T KNOW; IT DOESN'T FEEL RIGHT TO ME TO GIVE YOU THESE IMPORTANT PAPERS

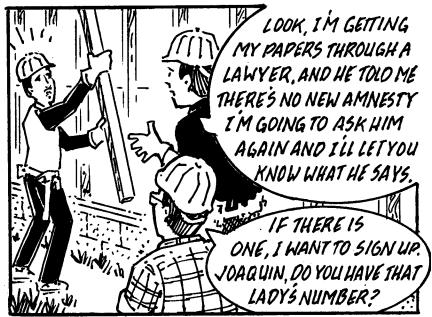












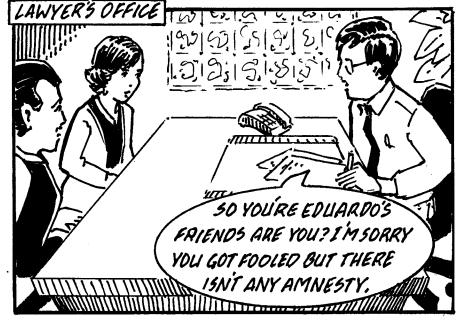


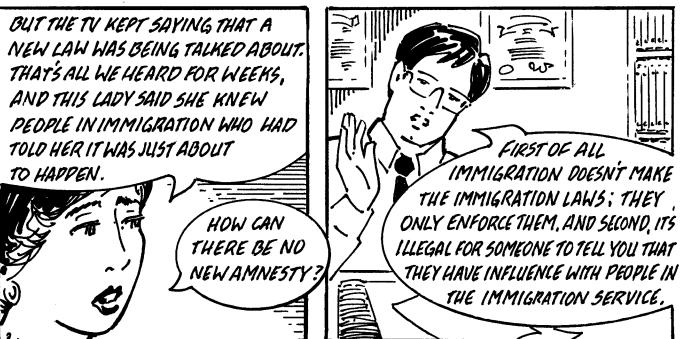
I AM 100. I WASN'T GOING TO TELL YOU THIS, AT LEAST NOT YET, BUT EDUARDO SAID HIS LAWYER TOLD HIM THERE IS NO NEW AMNESTY. HE'S GOING TO CHECK TO MAKE SURE.

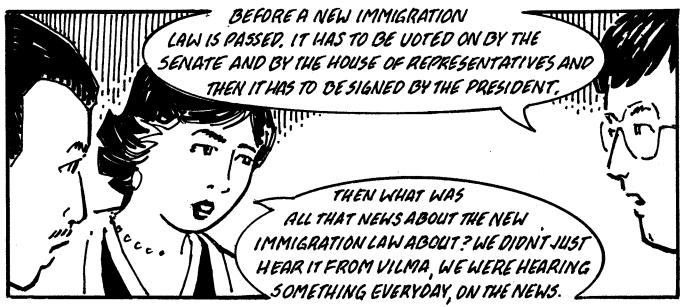






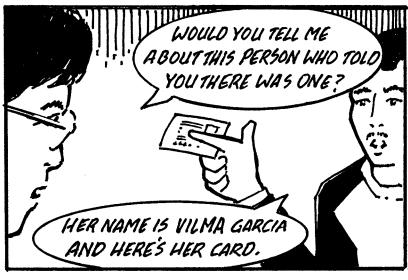








RIGHT NOW THERE IS NO NEW IMMIGRATION LAW, AND NO NEW AMNESTY.





SHE TOLO US THERE WAS A NEW AMINESTY AND WHAT WE HAD TO DO TO APPLY, SHE SEEMED TO KNOW WHAT SHE WAS TALKING ABOUT AND SHE CAME TO A HOTEL IN OUR TOWN. SHE IS NATIONAL; SHE LIVES IN FLORIDA.





IF SHE'S NOT LICENSED HERE IN OUR STATE, SHE MAY BE ABLE TO PRACTICE IMMIGRATION LAW ANYWAY, BUT SHE WOULD HAVE TO TELL YOU WHAT STATE SHE IS LICENSED IN. YOU CAN CHECK WITH THE SAME BAR OF THAT STATE TO SEE IF SHE HAS A LICENSE,







BE SUSPICIOUS OF SOMEONE WHO SAYS THEY'RE A "NOTARIO" BECAUSE THAT DOES NOT MEAN THEY ARE LAWYERS IN THE USA.







I'D ALSO LIKE YOU
TO TELL YOUR FRIENDS
WHAT TO WATCH OUT
FOR SO THEY WON'T
BECOME VICTIMS TOO.

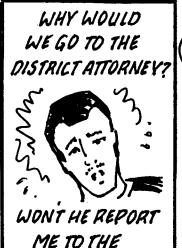






THE DISTRICT ATTORNEY IS THE OFFICE THAT
PROSECUTES CRIMES IN A COUNTY, AND ALSO
PROTECTS VICTIMS OF FRAUD, SOME OF THEM
WILL DO THIS TYPE OF CASE. SOME WON'T





IMMIGRATION

SERVICE?





I REALLY DO WANT TO GET OUR MONEY BACK, BECAUSE WE HAD TO BORROW MOST OF IT, BUT HOW CAN WE GO AFTER HER WHEN SHE LIVES IN FLORIDA?





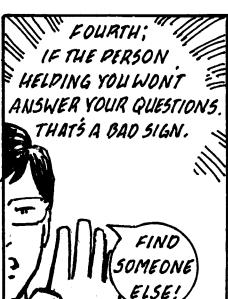


















IT MAKES ME SO ANGRY WHEN PEOPLE GET SCAMMED LIKE YOU DID.

I WILL TRY TO HELP YOU, THOUGH I AM NOT SURE IF

ANYTHING CAN BE DONE FOR YOU AT THIS POINT, BUT

I ALSO WOULD LIKE YOU TO LET YOUR FRIENDS AND

FAMILY AND ANY ONE ELSE YOU KNOW, HOW TO PROTECT

THEMSELVES FROM BECOMING VICTIMS LIKE YOU.





WE'LL TRY
BUT I DON'T THINK
WE CAN REMEMBER
EVERYTHING YOU TOLD
US JUST NOW





I HAVE A FLYER THAT
CONTAINS ALL THE
INFORMATION I TOLD
YOU PLUS MORE, HERE
TAKE SOME COPIES AND
PASS THEM OUT TO
YOUR FRIENDS





*See flyer on the last page of this booklet for more information on avoiding immigration fraud.

Summary Points for New Amnesty Scam

REMEMBER:

- Don't believe everything you hear.
- Just because people are talking about a new amnesty doesn't mean it is the law.
- Don't pay to sign up for a new amnesty without making sure that one exists.
- Always ask your immigration helper where he or she is licensed to practice law.
- If you can't afford a lawyer, find a non-profit organization that does immigration work (see the list of good organizations in this book).
- Some of these organizations are "accredited" and the people working for them are "accredited representatives." An accredited representative is authorized by the Board of Immigration Appeals to provide immigration services.
- If the person who wants to help you is neither a lawyer nor an accredited representative, be careful!
- You have a right to a second opinion, so don't be afraid to consult another lawyer or accredited representative before you pay any money or start any paperwork.
- Don't give your original documents like marriage certificates or birth certificates, to anyone. Give them copies ONLY.
- Review the attached Know Your Rights handout.

NEED IMMIGRATION HELP?

WATCH OUT FOR IMMIGRATION SCAMS!

Be careful when getting someone to help you with your immigration papers. Don't be fooled by false promises. You could lose your money and be removed or deported from the United States.

DON'T BELIEVE ANYONE WHO SAYS:

- We can get you work permits right away.
- We offer no risk immigration.
- We can get U.S. visas for you and your family in a few weeks.
- * We know people at CIS and can get your papers done quickly.

THESE ARE LIES!

THINGS YOU CAN DO TO PROTECT YOURSELF

- * Never sign any blank application papers.
- * Never sign any paper or immigration form that you do not fully understand. (Get someone you trust to translate it for you.)
- * Always demand a written contract for any immigration services when you are not working with a recognized agency.
- Do not sign a contract that you don't understand.
- Watch out for anyone who wants you to pay immediately.
 - Always get copies of the papers prepared for you.
 Never let anyone keep your original documents
 - (example: birth certificates, marriage certificates).
 - * Get a receipt for any money you pay. (Make sure it has the amount paid, the date paid, your name, and the name of the person or business that you paid.)
 - * Never work with someone who will not answer your questions.



KNOW YOUR RIGHTS!

Anyone offering immigration help must follow certain laws. These are some of the most important ones:

- ❖ A person who says he/she is a lawyer or attorney must have a license from the State Bar of any state. You can ask to see his/her license and write down the number, and you can call the State Bar where he/she is licensed to find out if the license is valid.
- ❖ A person who does immigration papers but is not a lawyer is called an immigration consultant.

An Immigration Consultant must obey the laws of the state where he or she does business.

In some states, immigration consultants are allowed to do <u>some</u> immigration work. In others they are not allowed to do any immigration work. Find out what your state law says about immigration consultants.

What to do if someone has cheated you:

- ❖ If the person cheating you is a lawyer, call the State Bar where he is licensed.
- If the person cheating you is not a lawyer, you can call your city's police department or District Attorney's Office.