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## NYC Targets Fake Immigration Lawyers With New Law

Andrew Denney, New York Law Journal

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With immigrant communities across the country on [high alert](#), Mayor Bill de Blasio has signed into law a set of stepped-up penalties for the unauthorized practice of immigration law in New York City.

The [new law](#) amends the city's regulations for service providers, such as by outlawing the advertisement of services such as guaranteeing to expedite immigration-related government benefits or other government action, as well as knowingly misleading someone about their benefit eligibility.

[Unauthorized immigration law practitioners](#) have been a longtime issue in the city, which teems with newly arrived immigrants with little to no ability to speak English and without the skills to navigate bureaucracy.

Lorelei Salas, commissioner of the city's Department of Consumer Affairs, the department charged with enforcing the new regulations, said in a release that the city is taking steps to ensure that "our immigrant communities are not being defrauded, cheated, or otherwise taken advantage of by providers claiming to offer services that should only be provided by an attorney."

City Councilman Daniel Dromm, a Queens Democrat, was the prime sponsor of the legislation, which was co-sponsored by 38 of the council's 51 members and Public Advocate Letitia James.

Service providers have held themselves out as "notarios" or "notario publicos," a title that is widely understood in many Latin American countries to mean someone with legal training, while in reality they may just be a licensed notary public.

The new regulations prohibit service providers from using "notario," "immigration specialist" or any other title that would lead one to believe that a provider can practice immigration law.

But in some other immigrant communities, providers who dub themselves as travel agents, real estate brokers and tax preparers are understood as immigration law practitioners.

The new laws also prohibit service providers from assisting customers with answering questions on a government form or to charge a fee to refer a customer to an immigration attorney.

Providers who violate the regulations can be hit with a criminal penalty that is equivalent to a class A misdemeanor or civil penalties that include fines ranging from \$500 to \$5,000 for the first violation and up to \$10,000 for each subsequent violation.

The law also allows persons who claim to be injured by a provider's violations of the regulations to seek compensatory and punitive damages against providers.

Kerry Bretz, a partner at immigration firm Bretz & Coven, said that increased regulations for unauthorized immigration law practitioners is a "welcome event."

He said that he and other immigration attorneys in the city spend a considerable amount of their time working with immigrants who went to the notarios first, only to find that their pockets are lighter and that their immigration issues remain.

"It's all of us trying to fix something that was filed for someone that put them in the worst possible position," Bretz said.

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