

Attorney General Targets Immigration Scams



By Greg Abbott
Attorney General of Texas

We received a call this month from a Spanish-speaking immigrant in Dallas. He mentioned that he had paid a notary public just over \$5,000 to process immigration documents. He had saved long and hard but was willing to part with his money in order to obtain residency. Unfortunately it was a scam, and the notary never provided the promised services. The man and his wife lost their life savings, and their immigration papers were never filed.

The vast majority of bank tellers, secretaries and other persons who serve as notaries public are law abiding citizens. In Texas, notaries public are authorized to witness the signing of certain legal documents, such as contracts or wills. They do not necessarily have specialized legal training, however, and are not allowed to offer immigration services. The Texas Legislature enacted a law in September of 2001, which specifically forbids notaries public from preparing immigration documents and from providing immigration counseling or legal advice of any kind. The law

provides for stiff fines for those who violate it and possible criminal charges and jail time for repeat offenders. Notaries who are licensed attorneys authorized to practice law in Texas are exempt from this law.

Unfortunately a small percentage of unscrupulous individuals serving as notaries public use their title to defraud immigrants seeking immigration assistance. The term “notary public” can be somewhat misleading because in Spanish, the term “notario publico,” which sounds strikingly similar to “notary public,” refers to a person with substantial legal expertise. Often, such a person is an attorney with additional powers to draft certain complex legal documents. It is this verbal similarity and perception that has allowed scam artists who have sought the title of notary public to exploit immigrants.

The Office of the Attorney General is very serious about this issue and is committed to stopping this type of fraud. Just last month we filed a deceptive trade practices lawsuit in Travis County against a notary public who had offered to fill out and process immigration forms on behalf of consumers. We obtained a judgment prohibiting this individual from selling this type of service and

from using the Spanish term “notario” or “notario publico.”

There is strong evidence that these scams have harmed thousands of persons living in Texas. The scams tend to go unreported, which is why I am building a coalition between my office, local law enforcement, foreign consulates, and legitimate advocacy groups. Our goal is to encourage victims to speak up so we can take action.

While our office cannot assist individuals with immigration or residency status, we can help if someone has been defrauded – regardless of the person’s immigration status. If you have been scammed or know of someone who has been scammed by a notary public offering immigration services, we strongly encourage you to call our office. We have Spanish-speaking staff who can assist Spanish speakers.

Persons needing assistance with immigration issues can call the U.S. Bureau of Citizenship and Immigration Services (BCIS, formerly INS). Further assistance may be available through non-profit groups authorized by the BCIS. In many cases, places of worship also offer assistance.

POINTS TO REMEMBER

**“Notary Public”
is NOT the same as
“Notario Publico!”**

Notaries Public are NOT authorized to offer immigration services or legal advice.

To report fraud on the part of a notary public contact the Office of the Attorney General at:

**(800) 252-8011 or
www.oag.state.tx.us**

As of March 1, 2003, the Immigration and Naturalization Service (INS) is the Bureau of Citizenship and Immigration.

For assistance with immigration papers you can reach the BCIS at:

**(800) 375-5283 or
www.bcis.gov**

For additional assistance with your immigration documents you can call BCIS-authorized advocacy groups. Assistance may also be available through your religious affiliations.

More information on this and other topics is available on the Attorney General’s Web site at:

www.oag.state.tx.us



**ATTORNEY GENERAL OF TEXAS
GREG ABBOTT**