



Consumer Alert: Beware of DACA Immigration Scams

Recently, the U.S. Supreme Court concluded that the Trump Administration acted illegally when it attempted to end the Deferred Action for Childhood Arrivals (DACA) policy. As a result, the policy remains in effect for now.

Following the court's decision, California Attorney General Xavier Becerra issued a consumer alert warning current DACA recipients and potential DACA applicants to be wary of immigration scams, and notaries or immigration consultants who offer legal assistance with immigration matters.

Individuals who are interested in applying for DACA status are encouraged to seek trusted legal assistance for additional information and to learn about their legal options.

DACA recipients and their families are encouraged to know their rights, learn more about legitimate immigration resources and seek trusted legal assistance, if needed. Attorney General Becerra offers DACA recipients the following tips to help protect themselves.

Consumer Tips

- **Do not hire an immigration consultant or a notary.** Immigration consultants are not attorneys or experts in immigration law. Under California law, immigration consultants cannot provide advice or direction about your immigration matter, what forms you should fill out, or speak to the government on your behalf. The only services they can legally provide (e.g., helping you get copies of documents and filling out forms with answers you give them) are clerical tasks that can be done as part of getting legal advice from a lawyer or accredited organization. Notaries are not lawyers and can only verify the identity of a person signing documents. If you need additional information about immigration consultants and what they are permitted to do, please visit the California Secretary of State's website at sos.ca.gov/business-programs/immigration-consultants/.
- **Do not hire an immigration attorney until you confirm that the person is licensed to practice law.** Notaries and immigration consultants may unlawfully offer legal advice or even tell you that they are immigration attorneys. Immigration attorneys must be licensed as an attorney by California or by another US state. To check whether a lawyer is licensed by California check with the State Bar by going to members.calbar.ca.gov/fal/membersearch/quicksearch. If someone claims that they are licensed by another US state contact that state's supreme court or the state agency that licenses lawyers in that state to verify their license.
- **Do not pay for immigration forms.** Such forms can be accessed for free by visiting the U.S. Citizenship and Immigration Services (USCIS) website at uscis.gov/forms.
- **Get immigration information from dot-gov (.gov) websites that are affiliated with the government.** Information on dot-com (.com), dot-net (.net) or other websites may be wrong and should not be trusted.

- **Do not pay for immigration services until you have received, read and understand a paper copy of your contract.** If you are not fluent in English, you should request that the contract be translated. If an attorney is licensed in California and negotiates services in Spanish, Chinese, Tagalog, Vietnamese or Korean, the attorney is obligated to provide a translated copy of the contract to the client before the client signs the contract. The contract should set out the services that will be provided, as well as the amount that you will be charged for each of those services. You have a right to keep a copy of the contract. In addition, each time you pay an immigration attorney, you are entitled to a receipt that states what your payment covers and the remaining balance due.
- **Be careful about giving your original documents to anyone.** You should not provide your original documents. Only provide copies because the person you give them to may lose them or illegally refuse to return them unless you pay them money.
- **Do not sign an immigration form that includes incorrect information or blanks.** Before you sign any immigration forms, be sure that the forms are fully and accurately filled out.
- **Do not give money or any personal information to people who call on the telephone,** claiming that there is a problem with your immigration matter. No federal or state agency, including USCIS, will ever ask for your personal information or payment over the phone, by email, or text.
- **Keep copies of all documents associated with your immigration matter,** including copies of the immigration documents filed and correspondence from the government regarding your immigration status.

Helpful Resources

- **California Department of Social Services (CDSS)** – Funds qualified non-profits to provide free legal services for low-income individuals. You must contact the organization directly to inquire about service availability. A list of non-profits can be viewed at cdss.ca.gov/benefits-services/more-services/immigration-services/immigration-services-contractors.
- **The State Bar of California** – The Legal Services Trust Fund Program of the State Bar of California administers funds granted to non-profits that provide free civil legal services to low-income Californians. For a list of organizations visit calbar.ca.gov/Access-to-Justice/Legal-Aid-Grants/2020-Grant-Recipients.
- **Law Help CA** – Provides general information only—it does not provide direct legal advice. For information on legal aid organizations and referral services please visit lawhelpca.org.
- **U.S. Department of Justice Office of Recognition and Accreditation** – The U.S. DOJ maintains a list of recognized and accredited representatives and organizations by state and city. A list of California based accredited representatives and organizations can be viewed at justice.gov/eoir/page/file/942306/download#CALIFORNIA.

For additional helpful local resources, please visit oag.ca.gov/daca.

Immigration Scams

If you are the victim of an immigration scam, you may:

- Contact your local District Attorney or county department of consumer affairs.
- File a complaint with the Federal Trade Commission at ftccomplaintassistant.gov/GettingStarted?OrgCode=USCISCREO&NextQID=261#crnt.
- Learn about tools to help you avoid immigration scams at uscis.gov/avoid-scams.
- Report it to the Attorney General at oag.ca.gov/report. When you provide information regarding your experience with immigration scams, the Attorney General is better informed and positioned to investigate and prosecute immigration services fraud.

The Attorney General is California’s chief law officer and is charged with representing “the people” of our State, not specific individuals or groups; therefore, he cannot represent or provide legal advice to individuals or groups.