**Working with a Lawyer or Immigration Legal Service Organization:**

**Your Rights and Responsibilities**

Only lawyers and Board of Immigration Appeals (BIA) accredited representatives can give you legal advice about your immigration case. They are trained to

* Know what the law says about your case
* What your options are
* How to help you decide what is best for your case
* How to best present your case.

The US immigration system is complicated and mistakes can get you into big trouble. There are [trusted organizations](http://www.ilisready.org/legal) working in Illinois to ensure that immigrant communities have access to reliable information and resources.

**BEFORE YOU HIRE ANYONE**

* Check if the lawyer is licensed and in [good standing](http://www.llrx.com/features/lawyerlicenses.htm). Make sure the lawyer has malpractice insurance.
* Check to see if the lawyer is a member of the [American Immigration Lawyers Association](http://www.aila.org/).
* Check out the lawyer’s website. Run an internet search for the lawyer to see if there any reviews about him or her posted.
* Ask for client references
* If you do not speak English, try to find a lawyer who speaks your language. If the lawyer does not speak your language, find out if she has an interpreter available.
* There are different ways you can pay for a lawyer’s services. The most common in immigration cases are:
	+ Fixed Fee – a flat fee is charged for your whole case
	+ Hourly fee – the lawyer is paid a certain amount of money for each hour they work on your case.

You and the lawyer should agree to how much you will pay before your lawyer starts working on your case.

* Immigrant legal services organizations must either provide their services for free, or must only charge a small fee for their services. Ask to see a copy of the decision from the BIA granting official recognition to the organization.

**HIRING YOUR LAWYER**

* Once you decide to hire a lawyer, you will be asked to sign a contract, also known as an engagement letter or retainer agreement. Do not feel pressured to sign this letter if you are not sure or unhappy with the lawyer.
* If there is money left over on the retainer agreement from the case, the lawyer must return the money to you.
* Your lawyer will expect you to
	+ Tell the truth about your case
	+ Respond to questions and requests for information as soon as you can
	+ Be patient with the progress of your case
	+ Pay a reasonable fee for the work they perform and other necessary costs (like getting copies of government documents)
* You may fire your lawyer at any time. It is a good idea to do this in writing. You must pay for any costs or work the lawyers has done on your case.
* Your lawyer can end the lawyer-client relationship with you. If you do not pay your lawyer, they can stop representing you.
* File a complaint if you feel like your lawyer acted improperly. Visit <http://www.llrx.com/features/lawyerlicenses.htm> to find out how to file a complaint against the lawyer in the state in which she is licensed.

**YOUR LAWYER OR IMMIGRATION LEGAL SERVICE PROVIDER SHOULD:**

* Be able to show you that they are licensed or a recognized agency by the Board of Immigration Appeals
* Listen to you carefully
* Treat you with friendliness and respect
* Use an interpreter if he or she does not speak your best language
* Explain all of your options to you before, during, and after filing any documents on your behalf
* Explain what questions the immigration officials or judge might ask you
* Keep you informed about your case
* Answer all of your questions
* Return your phone calls promptly
* Regularly check on the progress of your case with immigration officials and the immigration court
* Make regular appointments with you and keep them
* Explain any documents to you before you sign them
* Explain to you how much money he or she will charge you before you sign anything, and explain how you can make payments
* Give you an accounting of your case, spelling out total costs as well as receipts for any payments you made; you should get a copy of the written contract
* Give you a complete copy of any forms or documents submitted in your case
* If you cannot afford your attorney, he or she should refer you to legal aid agencies or organizations recognized by the government (list available at [www.ilisready.org/legal](http://www.ilisready.org/legal))

**REMEMBER**

* **YOU ARE IN CHARGE.**
* **YOU ARE THE CLIENT AND HAVE THE FINAL SAY ABOUT YOUR CASE.**
* **YOU DESERVE TO BE TREATED WITH RESPECT.**
* **WORK WITH SOMEONE YOU TRUST.**

**NOTARIO FRAUD**

**WATCH OUT** for people or organizations who say they can help you but are not qualified to do so. Notarios, travel agents or unlicensed immigration consultants are not lawyers or authorized to give legal advice in the US. They can do more harm than good.

**CAUTION** – while there is a lot of excitement around the President’s announcement, but not everyone will be eligible to apply.

**DON’T** believe notarios and other unauthorized consultants who promise immediate action in order to steal your money.

**TALK** to a qualified immigration attorney and ASK questions. The wrong help can harm your chances of becoming a lawful resident or citizen.

**REPORT** notarios who are trying to take advantage of you or your family.

**REPORT NOTARIO FRAUD IN ILLINOIS TO:**

Illinois Attorney General

1-800-386-5438 or

1-866-310-8398 (en Espanol)

Illinois Attorney Registration and Disciplinary Commission

1-800-826-8625

**For other resources on notario fraud, visit:**

[www.ilisready.org](http://www.ilisready.org)

[www.stopnotariofraud.org](http://www.stopnotariofraud.org)

<http://www.consumer.ftc.gov/articles/0142-immigration-help#reportimmigrationscam>

<http://www.uscis.gov/avoid-scams>

<http://www.americanbar.org/groups/public_services/immigration/projects_initiatives/fightnotariofraud.html>