





## About Public Counsel, Immigrants' Rights Team

Public Counsel's Immigrants' Rights team envisions a world where all (im)migrants live with dignity, power, and opportunity. For over 35 years, Public Counsel has collaborated with immigrant clients and communities to fight fearlessly for humanitarian protections and a more just immigration system. Our interdisciplinary team of attorneys, social workers, and administrative staff provides holistic, trauma-informed services to underserved immigrant communities, including asylum seekers, children, survivors of persecution, serious crime and human trafficking, and those incarcerated in the immigrant detention system. In addition to direct representation, the team engages in strategic litigation and policy advocacy to advance the rights of immigrants.

## Acknowledgements

This guide was created with the support of the Loyola Immigrant Justice Clinic and the University of California, Berkeley, Center for Consumer Law and Economic Justice. Special thanks for the contributions of the law students who worked on this report, including the Loyola Immigrant Justice Clinic's Valerie Quirarte (LMU Loyola Law '23) and Stephanie Sandoval (LMU Loyola Law '22), as well as the Center for Consumer Law and Economic Justice's John Kauffman (Berkeley Law '25), MacKenna Alvarez (Berkeley Law '25) and Alex Lloyd (University of Minnesota Law '25). Finally, this report would not have been possible without the valuable guidance and support of David Nahmias, former Legal Director of the Center for Consumer Law and Economic Justice, and Ted Mermin, the Executive Director of the Center for Consumer Law and Economic Justice.

# Table of Contents

<b>Introduction</b> .....	<b>1</b>
<b>Notario Fraud Exposes Immigrant Communities to Harm and Abuse</b> .....	<b>2</b>
• What is <i>Notario</i> Fraud? .....	2
• <i>Notario</i> Fraud Is a Longstanding and Pervasive Problem That Is Only Getting Worse in the Current Environment .....	3
• <i>Notario</i> Fraud Takes Many Forms—But the Deception Stays the Same.....	5
<b>How <i>Notario</i> Fraud Is Able to Thrive</b> .....	<b>7</b>
• Lack of Data Makes Preventing Fraud More Difficult.....	7
• Lack of Access to Legal Services Makes the Community Vulnerable to <i>Notario</i> Fraud .....	8
• Lack of Trust in Law Enforcement Agencies Creates a Barrier to Reporting Immigration Fraud .....	9
<b>California’s Laws Protecting Immigrants from <i>Notario</i> Fraud Are Underenforced and Underutilized</b> .....	<b>11</b>
<b>California Can and Must Do More to Protect Immigrants from <i>Notario</i> Fraud Today.</b> .....	<b>14</b>
• Rapidly Increase Investigations and Prosecution of Unlawful or Illegitimate Immigration Consultants. ....	14
• Establish Resource Programs That Raise Awareness of the Dangers of <i>Notario</i> Fraud.....	15
• Enact Policy Solutions to Update the Immigration Consultants Act to Meet Today’s Challenges. ....	16
1. Amend the ICA .....	16
2. Repeal the ICA. ....	18
<b>Conclusion</b> .....	<b>19</b>
<b>Appendix: Other States’ Regulatory Approaches to the Unauthorized Practice of Immigration Law</b> .....	<b>20</b>
<b>Endnotes</b> .....	<b>22</b>

## Introduction

*Notario* fraud, or the unauthorized practice of immigration law, causes grave harm to countless immigrants and is pervasive across California and the U.S. Too often, individuals who are not authorized to practice law pretend to be qualified to provide immigration assistance to people who desperately need it, only to take their money and leave their victims' immigration status worse than when they started. These fraudsters flourish in climates like today, when immigrant communities are enduring unrivaled levels of fear for their safety and security, there are rapid changes in immigration law, and an overwhelming need for legal representation.

Immigrant communities are particularly susceptible to deceptive practices, especially when, as is the case with most *notarios*<sup>i</sup>, the perpetrator is a member of their own community. Many immigrants, particularly newly arrived migrants, are unfamiliar with the U.S. legal system and are oftentimes unsure who is authorized and qualified to give them legal advice. Immigrants are also more likely to face social, economic, cultural, and linguistic barriers, which makes them particularly vulnerable to scam artists and fraudsters like *notarios*, who regularly and illegally exploit immigrants' understandable desperation for lawful status. The unauthorized practice of immigration law is a crime,<sup>1</sup> yet it often goes unreported. While state and local agencies have long attempted to combat *notario* fraud, their lack of dedicated resources to this issue, coupled with the underreporting, makes effective enforcement against *notarios* exceedingly rare.

While *notario* fraud has been a widespread issue in California and immigrant communities across the country for decades, addressing the problem is more important now than ever. Amidst the current nationwide assault on immigrant rights, the unprecedented mass deportation efforts and heightened levels of fear and confusion among immigrants seeking answers and legal protections, unlawful immigration services are thriving in the shadows.

In this environment, the demand for immigration legal services skyrockets, as more people are detained and placed in removal proceedings and others are looking to fix their immigration status before they encounter Immigration and Customs Enforcement (“ICE”), the agency within the Department of Homeland Security (“DHS”) responsible for immigration enforcement. *Notarios* take advantage of this opportunity, offering quick solutions to complicated issues, like reopening prior removal orders<sup>2</sup> or applying for asylum. And the consequences for victims of *notario* fraud can be devastating with a federal government that is using every lever at its disposal to arrest, detain and deport as many immigrants as possible.

---

i In this article, we will use the term *notario* to refer to any non-attorney engaged in the unauthorized practice of immigration law. This could be a notary public, an immigration consultant, a travel agent, a tax preparer, or any member of the community engaged in the unauthorized practice of law.

There are countless numbers of immigrants who are now facing detention or deportation because they fell victim to *notario* fraud. Take the recent case of Masuma Khan, a woman who has lived in the U.S. for almost 30 years, is the wife and mother of U.S. citizens, and who was arrested by ICE and detained for a month because of the actions of a *notario* who promised to get her a green card but instead submitted a fraudulent asylum application on her behalf.<sup>3</sup> Masuma’s story is unfortunately all too common, as she is just one of countless community members who are now facing deportation, denial of benefits, separation from their families or in some cases, physical harm, if they are forced to return to their home country, all because they fell victim to *notario* fraud.

Given the extent and impact that *notario* fraud has on immigrant communities, California can, and should, reaffirm its commitment to protecting immigrant communities by taking the problem of *notario* fraud seriously. Amidst all the chaos and fear emanating from the federal level, state and local agencies can step up to meet this moment by dedicating resources to addressing *notario* fraud, educating the community, enforcing the laws that are already in place, and exploring legislative fixes to address the issue. The time for California to act is now.

## [Notario Fraud Exposes Immigrant Communities to Harm and Abuse.](#)

### **WHAT IS NOTARIO FRAUD?**

Immigrants seeking legal assistance are vulnerable to non-attorneys who seek to take advantage of them by providing “legal services” that they are not authorized or qualified to provide. These bad actors often charge large sums of money only to perform substandard work, no work at all, or file meritless applications, placing immigrants at risk of deportation. When an individual who is not licensed to practice law provides services that only attorneys can perform, they are engaging in the unauthorized practice of law.<sup>4</sup> This practice is commonly referred to as “*notario* fraud.”

These *notarios* may be notary publics, licensed immigration consultants, tax preparers, travel agents, and in some cases their pastors, friends or other community members. Although some *notarios* may have noble intentions and try to use their position to support immigrant communities, they are not authorized to provide legal advice. They generally do not have the skills or knowledge to navigate a complex legal system, and their actions can lead to devastating results for immigrants and their families. A mistake in an immigration case—particularly under the Trump Administration, which is rapidly enacting new policies that make it harder to



access relief and harder to undue a mistake in an application—can lead to the denial of an immigration benefit, detention and deportation, and/or a permanent bar from entering the U.S. As a result, no matter the intentions of *notarios*, non-lawyers unlawfully practicing immigration law are harmful to immigrant communities and have no place in our immigration system.

The term *notario público* itself provides a unique opportunity for deception. In many Latin American countries, *notarios públicos* are highly educated legal experts who have similar training and professional duties as lawyers.<sup>5</sup> In contrast, a “notary public” in the U.S. is only authorized to witness the signature of forms and may not provide legal advice or services.<sup>6</sup> The false notary/*notario* cognate leads many Spanish and Portuguese speakers to believe notaries public in the U.S. are qualified and authorized to provide legal services, as “*notarios públicos*” are often authorized to do in their home countries. *Notarios* in the U.S. exploit this cultural misunderstanding and market themselves to immigrant populations who ascribe a very different meaning to the term. *Notarios* may advertise as a more affordable and reliable option to expensive licensed attorneys, falsely claiming that an attorney is not necessary in an immigration case. The overwhelming demand for legal services in areas with a large immigrant population, and the limited supply of qualified immigration lawyers, thus creates an environment ripe for exploitation.

The fraudulent behavior of *notarios* may have devastating effects on their victims. Many victims report significant financial loss because *notarios* commonly charge exorbitant fees even while producing substandard work or failing to perform services altogether. *Notarios* also use their victims’ fear of law enforcement to extort individuals for more money by threatening to report their immigration status to law enforcement. Furthermore, *notario* fraud can jeopardize a victim’s immigration case. For example, a *notario* may apply for an immigration benefit for which the client is not eligible, which can lead to the client being placed in removal proceedings or being barred from obtaining immigration relief in the future.

### **NOTARIO FRAUD IS A LONGSTANDING AND PERVASIVE PROBLEM THAT IS ONLY GETTING WORSE IN THE CURRENT ENVIRONMENT.**

*Notario* fraud has been constant and pervasive for decades. Nearly thirty years ago, a study reported that 71 percent of undocumented immigrants who received legal advice in Los Angeles County turned to a *notario*, while 41.2 percent of sampled immigrants used a *notario* to complete their legalization application.<sup>7</sup> More updated data is difficult to come by, largely due to the often clandestine ways that *notarios* operate and the fear of retaliation or worse faced by immigrant populations. However, anecdotal evidence, including media reports and the experience of Public Counsel advocates, show that since President Trump’s inauguration in January 2025, the problem

has surged. Changes in immigration policy have caused widespread fear in the community and an overwhelming demand for legal services, and as a consequence, widespread use of social media to perpetuate scams.<sup>8</sup>

The whiplash in immigration policy and legal protections available to immigrants over the past decade has occasioned spikes the demand for the services of *notarios*. Drastic negative changes in immigration policy, like those enacted under the first and second Trump Administrations, lead to an increase in fear, anxiety, and confusion in immigrant communities. Even positive changes, like the opening of new pathways to immigration relief, can increase fraud, since they create hope among immigrants, leading them to seek legal help to secure their futures in the U.S.

This longstanding problem has only been exacerbated in the age of artificial intelligence and social media, where immigrant communities experiencing fear turn to apps like TikTok and WhatsApp for answers, and fraudsters target people looking for news and information on the immigration system.<sup>9</sup> Bad actors pose as lawyers and entice vulnerable people to pay them money for legal services by providing false promises. The American Bar Association (“ABA”) issued an alert in August 2025, warning of the sharp increase in the number of individuals fraudulently posing as immigration attorneys, using the names and logos of reputable organizations such as the ABA in sophisticated online scams while defrauding immigrants out of thousands of dollars.<sup>10</sup> The easy use of these online tools to perpetuate scams, combined with the Trump Administration’s unprecedented mass deportation efforts, creates a dangerous environment where *notario* fraud thrives.

Unfortunately, many low-income immigrants cannot afford private legal representation at a time right now when they need it the most. Moreover, organizations that offer free legal services, like Public Counsel, cannot keep up with the overwhelming need in the community. The high demand and limited supply lead the community to seek assistance from *notarios*, whom they perceive to be a more affordable alternative than private attorneys. In fact, *notarios* often locate their offices in predominately low-income immigrant communities, immersing themselves socially with undocumented immigrants, becoming a familiar figure, and then targeting the community as clientele.<sup>11</sup> This “affinity fraud” tactic leads to the utilization of *notarios’* services by immigrants and —because victims may not become aware of the consequences of *notarios’* actions until years later—by their social and familial networks, whom they may, tragically, refer to the *notario* as well.<sup>12</sup>

Given the difficulty of finding qualified and affordable legal help, immigrants are unfortunately driven to unqualified providers of legal help when the demand spikes. The need for immigration legal services has never been higher in this moment of unparalleled terror waged against immigrant communities. As President Trump’s plans for mass deportations are being enacted in wide sweeping raids in cities across the country, starting in Los Angeles in June 2025, an unprecedented

number of immigrants are being detained and placed in deportation proceedings where legal representation is required to successfully navigate the system. As of February 7, 2026, there were 68,289 people being held in ICE detention and 179,991 people being monitored through ICE’s Alternative to Detention (“ATD”) program.<sup>13</sup> Between October and December 2025, there were 130,642 new court cases recorded in the Executive Office of Immigration Review, the department that runs removal proceedings, creating a backlog of 3,377,998 pending cases.<sup>14</sup> In December 2025 alone, 38,215 people were ordered deported by the immigration court and only 26.7% of those people were represented by an attorney.<sup>15</sup> It is no wonder, then, that desperate immigrants turn to notarios for advice and help—often at their own peril.

### **NOTARIO FRAUD TAKES MANY FORMS—BUT THE DECEPTION STAYS THE SAME.**

*Notarios* use a number of different schemes to induce immigrants into paying for their services. But many of the inaccurate assertions and abusive practices remain the same. Time and again, we hear from clients who have been fed lies by *notarios* and who have had their lives turned upside down as a result. The most common lies are the ones immigrants with precarious status most want to hear:

- **The Fast Work Permit:** That they can obtain a work permit within weeks, when in reality it usually takes months and sometimes years to get a work permit. To get a work permit, *notarios* often submit unmeritorious asylum applications that will almost certainly be rejected later, often putting the applicant into removal proceedings and at risk of deportation.

### **FRAUD FROM ABROAD: MS. O’S STORY**

Ms. O paid over \$6,500 for the false promise that a travel agency could help with her immigration case to petition her son, who lived abroad, for a visa to travel to the U.S. The travel agent told Ms. O that the agent and her husband worked for ICE, and Ms. O learned from others in her community that hiring the agent would guarantee her a visa while simultaneously keeping her safe from deportation. The travel agent required that Ms. O pay \$5,000 in cash to begin work and gave Ms. O a long list of additional expenses necessary for the visa process. Believing that her son could get a visa within 3-4 months, Ms. O cooperated with the agent’s requests for additional funds. But it was all a lie. Instead, her son received a fraudulent document in his home country that he was told was a work visa. The agent told Ms. O that this “work visa” would allow her son to enter the country. When he tried to travel to the U.S., he was denied entry. For several years, the agent continued to lie to the family and demanded more money to allegedly “fix” the problems with the visa and help Ms. O’s son enter the country. In the end, Ms. O lost over \$6,500 and never had the opportunity to reunite with her son.

- **The 10 Year Law (La Ley de Diez Años):** That they are eligible for lawful permanent residency (a green card) because they have lived in the U.S. for more than 10 years or have a child with special needs.
- **Notarios with Connections:** That they can benefit from their *notario*'s special connections within the government that will help them in their immigration case.
- **No Lawyer Needed:** That they do not need a lawyer for their immigration case, and that the *notario*'s services will be sufficient and cheaper.
- **Fixing Old Deportation Orders:** That they can “undo,” “cancel,” or reopen an old deportation order.
- **The Waitlist:** That they can pay to get on a “waiting list” for a new law providing a pathway to status for undocumented individuals, when in reality no new laws of that type have been enacted.

### THE FRAUDULENT FAMILY FRIEND: MARIA'S STORY

Immigration fraud nearly destroyed Maria Gutierrez Aragon's life. Originally from Oaxaca, Mexico, Maria crossed the border decades ago and settled in Los Angeles, searching for a better life. After Maria reported an episode of domestic violence to law enforcement in the early 2000's, a so-called family friend, Fidel Marquez Cortes, approached her and offered to assist her in her immigration matter by connecting her with an immigration law firm and serving as her personal representative. Marquez then launched a campaign of extortion, harassment, and intimidation against Maria that lasted more than 10 years and defrauded Maria out of over \$80,000 of her hard-earned money. Maria complied with Marquez's demands out of fear for her safety, and that of her children until, one day, she arrived at Public Counsel, desperate to know the status of her immigration case. Public Counsel's Directing Attorney, Gina Amato Lough, and her team exposed the fraud that Marquez committed against Maria and helped her acquire a U visa, and then lawful permanent residency, based on the original incident of domestic violence she experienced. As for Marquez, the court ordered him to pay back the money he swindled from Maria, but he vanished, leaving Maria without any financial restitution.



*Public Counsel, Immigrants' Rights Project, Directing Attorney, Gina Amato Lough and Maria Gutierrez Aragon, a victim of notario fraud in Los Angeles County.*

## How *Notario* Fraud Is Able to Thrive

Several unique factors have allowed *notario* fraud to thrive in California. The obstacles faced by immigrant communities in California in relation to the general population, compounded by the lack of legal safeguards—actual and perceived—and barriers to ensuring their stable presence in the U.S., give rise to the particular vulnerabilities upon which *notarios* prey. *Notarios* take advantage of economic fragility, as well as fear and mistrust of authority in immigrant communities. They believe that their victims have little power and few resources to protect themselves—and they are relying on the fact that immigrants are often reluctant to approach law enforcement agencies, which may not prioritize tackling issues facing immigrants. The fear of reporting to law enforcement has only exponentially increased in today’s environment where immigrants worry that reporting crime will lead to their deportation. These vulnerabilities, coupled with a lack of data to document the current problem, have created a climate ripe for *notario* fraud.

### **LACK OF DATA MAKES PREVENTING FRAUD MORE DIFFICULT.**

Current and accurate data on the prevalence of *notario* fraud does not exist because the problem largely goes unreported. Victims of *notario* fraud fear reporting to law enforcement, and no single coordinated system exists to aid victims and track the issue. Without accurate reports, advocates and regulators cannot be certain of the full extent of the problem. Although there are reporting mechanisms in place, they are confusing and inaccessible, and there is deep shame about having been scammed, resulting in a vast underreporting of complaints. Consequently, studies that have sought to determine the scope of this pervasive problem by looking at the number of complaints filed have ended up seriously underestimating it.

As if the stress of being the victim of *notario* fraud were not enough, victims must navigate the confusing nature of California’s enforcement system to seek redress. Those victims who choose to report are presented with a plethora of different agencies and organizations to report to, each with its own bureaucratic hurdles. Each agency maintains its own distinct reporting system, each with their own flaws. These agencies include, but are not limited to:

- The American Bar Association
- The Executive Office for Immigration Review (EOIR)
- U.S. Citizenship and Immigration Services (USCIS)
- California Department of Justice, Office of Immigration Assistance
- Better Business Bureau

- County consumer protection agencies like the Los Angeles County Department of Consumer Affairs Protection Division
- The California Secretary of State
- The California State Bar
- The California Attorney General.<sup>16</sup>

### **WAITING ON A DREAM: VERONICA'S STORY**

Over twenty years ago, Veronica and her husband heard an advertisement on a local radio station about “Jerry,” an LA-based immigration consultant, and they hired him to assist with her husband’s immigration case under the impression that he was an immigration attorney with a “law office.” Contrary to Jerry’s deceptive business name, however, Jerry was not a licensed attorney. Jerry used a common notario scheme in which he filed an asylum application for Veronica’s husband, even though he was ineligible for this form of relief. When USCIS denied Veronica’s husband’s application, they placed him in deportation proceedings. Jerry then filed Veronica’s husband’s request for “cancellation of removal,” an immigration remedy for which he was not eligible. After the court denied this request, Jerry appealed the decision to the Board of Immigration Appeals and then to the Ninth Circuit Court of Appeals. As the appeal process dragged on for years, Jerry charged the couple for legal research, time spent drafting legal briefs, filing fees, document costs, and other extra charges. Only after spending more than \$100,000 on the case did Veronica and her husband discover that Jerry was not a licensed attorney and had defrauded them into pursuing a claim that had no legal basis. Veronica’s husband still has never received lawful immigration status. Because of the fraudulent practices of this immigration consultant, he now faces devastating consequences—impending deportation after living in California for more than two decades.

### **LACK OF ACCESS TO LEGAL SERVICES MAKES THE COMMUNITY VULNERABLE TO NOTARIO FRAUD.**

The twin obstacles of poverty and restrictions on federal funding for immigration legal services mean that immigrants in California often have difficulty finding an attorney to help them pursue lawful status. First, immigrant communities in California are disproportionately low-income and struggle to meet basic needs, so rarely have the means to afford a private lawyer. A 2024 study conducted by University of Southern California, found that 67% of undocumented residents in Los Angeles County were rent burdened.<sup>17</sup> The lack of resources makes it very difficult to find the means to pay a private attorney, whose fees can be \$10,000 or more for an average case.

Second, immigrants may have difficulty accessing the free or affordable legal services provided by nonprofit and community organizations.<sup>18</sup> As a result of underfunding, these programs are unable to assist all potential clients, including victims of *notario* fraud. Further, the Trump Administration has cut or severely limited the already meager federal funding that used to be available to fund legal services for vulnerable populations, like unaccompanied minors and immigrant victims of crime and human trafficking.<sup>19</sup> The result of these cuts has been layoffs or even closure of nonprofit organizations altogether, making legal services harder to access.<sup>20</sup>

The unavailability of adequate legal services leaves people vulnerable to *notarios*. Recent immigrants are understandably drawn by the siren song of immigration consultants who promise to be able to obtain work authorization quickly while charging less than an attorney would, and who provide (false) hope of gaining immigration status. It may be only after several years, and many thousands of dollars in fees later, that immigrants learn that the services they purportedly received were a sham. Because of the byzantine U.S. immigration process, many victims may not learn of the scam until they appear before a judge in immigration proceedings. By then, obtaining affordable legal counsel is highly unlikely, and the damage can rarely be undone.

### **LACK OF TRUST IN LAW ENFORCEMENT AGENCIES CREATES A BARRIER TO REPORTING IMMIGRATION FRAUD.**

Immigrant communities often harbor a mistrust of law enforcement agencies and a belief that the justice system will not help them. As a result, victims of *notario* fraud rarely report it, particularly if they fear drawing law enforcement's attention to their immigration status. When community members do not feel safe reporting *notario* fraud, bad actors will continue operating. *Notarios* have been known to further exploit this fear by threatening to report their victims to immigration authorities to keep them silent. By instilling fear of deportation within immigrant communities, *notarios* force victims to accept the loss of their hard-earned money rather than report the fraud to law enforcement.

The experience of immigrant advocacy organizations like Public Counsel is that immigrants will not report *notario* fraud unless there is an express policy by government agencies responsible for taking reports of *notario* fraud that the personal information of the victim, including immigration status, will not be shared with DHS. In one nationwide survey of immigration practitioners, more than 40 percent of the respondents said that their clients did not report incidents of fraud because they feared reporting would jeopardize their immigration status or were unaware that they could even do so.<sup>21</sup>

Given the unprecedented level of information sharing between federal agencies and DHS,<sup>22</sup> the risk of reporting to a federal agency, such as the Federal Trade Commission, who in the past published consumer alerts related to immigration fraud and encouraged community members to report to their agency,<sup>23</sup> has exponentially increased. And the ever-expanding cooperation between local law enforcement and ICE creates the perception for immigrant communities that they are placing themselves at risk when coming forward to report crime.<sup>24</sup> While California is a “sanctuary state,” meaning that local law enforcement is prohibited from assisting in civil immigration enforcement and are under limitations on when they can share information with federal immigration authorities, recent examples have shown the limitations of these protections.<sup>25</sup> In times of heightened immigration enforcement, studies have shown that fear of deportation deters immigrants from reporting crimes. An extensive survey conducted during the first Trump Administration found that immigrants were less likely to make police reports in 2017 (as compared to 2016), less likely to help in investigations and less likely to work with prosecutors, out of fear of immigration consequences.<sup>26</sup> Without an express and legally enforceable reassurance from law enforcement that any information taken in a report will not be shared with federal immigration authorities, immigrant victims have justifiable concerns in reporting crime to law enforcement.

### **A NIGHTMARE BEFORE CHRISTMAS: SALVADOR OLIVA’S STORY**

Just before Christmas 2020, Salvador Oliva and his family received a third bill for over \$10,000 from an Los Angeles-based immigration consultant. Salvador is a naturalized citizen from El Salvador who at the time had been out of work for several years due to a disability, was under financial stress from the pandemic, and was dealing with a family stricken by COVID-19. He had hired the immigration consultant believing that he was a lawyer who could help Salvador’s wife with her immigration case. The consultant, who is not an attorney, performed no work for the couple beyond filing a Freedom of Information Act (FOIA) request—a simple form that any member of the public can submit online. The consultant then started demanding payment from Salvador and his family and threatened to bring a civil lawsuit to collect payment in addition to scaring the family into believing that ICE could deport them at any time. “I felt like death was upon me,” said Salvador of the experience. Salvador ultimately reported this fraud to the authorities and cooperated in their investigation but to date no public enforcement action has been taken.

## California's Laws Protecting Immigrants from *Notario* Fraud Are Underenforced and Underutilized.

Given that a lack of access to affordable and free legal services is a key driving force for *notario* fraud, California and other states have attempted to solve this issue by licensing and regulating non-attorneys who provide immigration assistance through the creation of “licensed immigration consultants.”<sup>27</sup> However, these attempts to close the justice gap have not been successful and have instead exacerbated the problem of *notario* fraud. In fact, many of those engaging in *notario* fraud are licensed immigration consultants.

The problem is not the lack of statutory authority to regulate immigration consultants who are breaking the law. The difficulty, instead, is with effective enforcement of current laws. Amid all the turmoil and panic facing the immigrant community today, California's law enforcement agencies can take steps to expand investigations and prosecutions of illegal or unsanctioned immigration consultants and *notarios* and protect the community from fraud.

The California Immigration Consultants Act (“ICA”), codified at California Business and Professions Code sections 22440 to 22449, was enacted in 1986 as a pioneering consumer protection law intended to regulate immigration service providers. The California legislature sought to respond to changes in immigration law on the federal level—the 1986 Immigration and Control Reform Act (“ICRA”)—that allowed for millions of immigrants to apply for status for the first time.<sup>28</sup> ICRA increased demand for immigration services, and the California legislature—concerned with the unscrupulous practices of immigration consultants—sought to curb immigration fraud through the ICA.<sup>29</sup> The ICA defines an “immigration consultant” as an individual providing non-legal assistance on immigration matters, which includes completing forms, translating documents, securing supporting materials, and making submissions on behalf of clients.<sup>30</sup>

Although the ICA was intended to regulate robustly those nonlawyers who provide limited assistance in immigration matters, it has created a breeding ground for the unauthorized practice of law. Further, the ICA has not stopped *notario* fraud from pervading California's immigrant communities because it has not resulted in adequate enforcement and education. Immigration consultants' actions often cross over from their limited role into the unauthorized practice of law; in fact, victims of fraud often report that they believed the immigration consultant they were working with was a licensed attorney.

That result may be surprising, given that California's ICA is among the most comprehensive in the nation. While all fifty states and the District of Columbia have enacted general Unauthorized Practice of Law statutes that penalize nonlawyers who offer unauthorized legal services, only

thirty-four states have laws explicitly prohibiting the unauthorized practice of immigration law.<sup>31</sup> Even then, some states address the issue simply by limiting the activities of licensed notaries.<sup>32</sup>

California's ICA does more. The law has numerous requirements intended to protect the public, including:

- **Background Checks.** Immigration consultants must pass a background check conducted by the Secretary of State, which includes submitting fingerprints to the Department of Justice for a criminal record review.<sup>33</sup>
- **Bond Requirement.** Consultants must file a \$50,000 bond with the Secretary of State to cover potential damages arising from violations of the Act.<sup>34</sup>
- **Written Contract.** A written contract detailing the services to be performed and costs involved must be provided to clients, along with a clear statement affirming that the consultant is not an attorney. This contract must be in both English and the client's native language.<sup>35</sup>
- **Prohibitions on Misleading Practices.** Immigration consultants may not use terms like "*notario público*" or "*notario*," though a violation occurs only if the consultant advertised their practices in this manner with an intent to mislead. The Act also prohibits making false guarantees or charging fees for referrals.<sup>36</sup>
- **Civil Penalties.** Violations of the Act may incur civil penalties up to \$100,000 per violation, with additional penalties for misleading use of the term "*notario*" of up to \$1,000 per day.<sup>37</sup>
- **Criminal Penalties.** Unlawful acts may be charged as misdemeanors or (for certain repeat violations) felonies, with fines ranging from \$2,000 to \$10,000 per client, and potential imprisonment.<sup>38</sup>
- **Private Right of Action.** Victims can seek injunctive relief and damages, including actual, treble, or statutory damages of at least \$1,000 per violation, with recovery possible from the consultant's bond, along with reasonable attorneys' fees.<sup>39</sup>

On paper, the ICA thus appears to provide a robust and comprehensive legal regime to expand access to immigration assistance while protecting people from unscrupulous practices. Yet, in reality, the law has largely failed to serve its purpose. Despite the ICA's standards for immigration consultants and penalties for failing to meet those standards, the remedies provided under the Act have failed in practice to ensure compliance. There is no regulatory agency responsible for gathering all complaints and enforcing the ICA to ensure that consultants are acting within their permissible functions.

Even when individuals overcome their fear of law enforcement to report fraud, enforcement actions are rarely taken. To establish a criminal fraud case, prosecutors generally need more than one victim to come forward and be willing to participate in the investigation. Prosecutors mostly only target the biggest offenders, as their resources allow, leaving many *notarios* to continue preying on underserved communities with impunity. In recognition of this problem, Los Angeles County established a Notario Fraud Unit in 2017 to handle criminal cases involving immigration fraud and the unauthorized practice of law.<sup>40</sup> Subsequently, the Los Angeles County District Attorney's office implemented a task force solely dedicated to ending the practice.<sup>41</sup> However, given the widespread nature of the problem, they do not have the resources to prosecute the majority of offenders. Even when there is an interest in prosecution, the case frequently may fall outside the statute of limitations. Given the long processing times for immigration applications, it often takes years for individuals to recognize that they have been the victim of fraud. By the time a report has been made, the case may fall outside the ICA's four-year statute of limitations.

Finally, while the ICA does include a private right of action with attorneys' fees—not to mention a “private attorney general” provision—those features are largely underutilized. To bring an action under the ICA on their own behalf, undocumented immigrants not only have to come forward and subject themselves to potential threats and retaliation of the *notario* who harmed them but also go public with their immigration status. That is a risky proposition. Even though people who have not been harmed themselves may bring a third-party “private attorney general” lawsuit for injunctive relief to restrain or shut down a fraudulent immigration consultant, to establish that fraud occurred, they would still likely need to rely on testimony from immigrant clients who have the same fears of retaliation and revealing their immigration status. Additionally, most victims do not have the funds to pay a private lawyer to represent them, and legal aid organizations are understaffed and underfunded to meet the need.

### **CONVICTED YET STILL OPERATING: THE STORY OF HERMANDAD MEXICANA TRANSNACIONAL**

In 2017, the Los Angeles District Attorney's Office obtained a conviction against Hermandad Mexicana Transnacional (HMT), a non-profit organization, and its prior director, Gloria Saucedo, for performing unauthorized paralegal services and the unauthorized practice of law, respectively. HMT had been operating for over 40 years and had marketed itself as a supporter of immigrant rights. After various consumer complaints, the District Attorney's office became aware of numerous violations of the ICA. Specifically, the Court found that HMT and Ms. Saucedo provided fraudulent legal services to two women, costing them thousands of dollars and their legal status. Ms. Saucedo was found guilty. Despite this prosecution, HMT remains in operation in the Los Angeles area today.

Because *notario* fraud occurs in the shadows, and because its victims have such powerful disincentives to come forward, the government enforcement agencies rarely prioritize the issue, and a potentially powerful law lies mostly unenforced. The result is the perpetuation of devastating harm to some of the most vulnerable members of our society.

## California Can and Must Do More to Protect Immigrants from *Notario* Fraud Today.

There is no question that the pervasiveness and persistence of *notario* fraud in California is cause for serious concern. Increased incidence—and renewed awareness—of this problem is a byproduct of the federal government’s continued use of every weapon in its arsenal to target immigrants and spread fear among California’s most vulnerable communities. Now California has an opportunity to take bold steps to tackle this problem. By building a strong coalition among immigrants’ rights organizations, grassroots groups, churches, and public agencies, we can use existing but underenforced laws and develop a broad education and outreach campaign to put a stop *notario* fraud in our state.

### **RAPIDLY INCREASE INVESTIGATIONS AND PROSECUTION OF UNLAWFUL OR ILLEGITIMATE IMMIGRATION CONSULTANTS.**

Immigration consultant fraud is illegal. Our public prosecutors have the tools to investigate and root it out. We urge the California Attorney General’s office, county counsel’s offices, and district attorneys to use their authority under California’s ICA and—where applicable—the Unfair Competition Law, Cal. Bus. & Profs. Code § 17200, to open investigations into illegal *notario* fraud. The San Francisco City Attorney’s office recently secured \$600,000 in penalties from a notorious fraudster, Leonard Lacayo, for engaging in the unauthorized practice of law and tricking hundreds of immigrants into using his services.<sup>42</sup> We encourage public prosecutors, such as the Los Angeles County District Attorney’s office, to follow suit and open enforcement actions against other well-known immigration consultants that engage in illegal activities, like Hermandad Mexicana Transnacional (discussed above). We also call on the Legislature and county governments to allocate more funds and staff resources to investigate and bring enforcement actions against illegal immigration consultants.

Further, we urge the Attorney General to convene an interagency roundtable immediately with participation from state and local law enforcement, the state Bar, local consumer protection units

and nonprofit organizations to address the current problem of *notario* fraud and identify areas for joint investigation and enforcement. Local police agencies across California should make clear that *notario* fraud is an issue that they take seriously, that their agency is prepared to receive reports of this fraud. Investigators must emphasize that any victims who come forward should feel confident that their information will not be shared with the Department of Homeland Security, as required under SB 54 (The California Values Act).<sup>43</sup>

Finally, we encourage immigration advocacy organizations and immigrants who have been victimized by *notarios* to use the ICA's novel private right of action to bring lawsuits against egregious violators—either on their own behalf, on behalf of a proposed class of victims, and/or as private attorneys general. The ICA provides strong remedies, including lasting injunctive relief and attorneys' fees to make bringing such cases economically viable. Given the well-founded fear that many immigrants may have in publicly challenging their *notarios* in court, or participating in lawsuits as witnesses, we encourage nonprofit organizations and immigrant associations that support and represent immigrants to serve as plaintiffs. California law allows organizations and associations to sue on behalf of their members, or in their own capacity, for harms they suffered.<sup>44</sup> Organizations that have helped provide legal assistance to immigrants defrauded by *notarios* could reasonably assert that they have been forced to spend their money or divert their resources to establish standing to have their case heard in court. Members and witnesses could likely provide anonymous testimony in support of the case.

## **ESTABLISH RESOURCE PROGRAMS THAT RAISE AWARENESS OF THE DANGERS OF NOTARIO FRAUD.**

Next, we recommend that state and local governments provide additional resources, including designated professional positions within government agencies, to gather accurate data and create an effective reporting system for combating *notario* fraud. Within this newly created system, government officials should form one centralized reporting system dedicated to *notario* fraud to address the patchwork of reporting systems discussed above. Although a centralized system would still not sufficiently report the full extent of the fraud, it nonetheless would give victims greater access to justice. Additionally, by expanding the county-funded resources to address *notario* fraud, we can shift some of the burden to report crimes from the victims to government agencies. To help these educational efforts promote proactive enforcement, we recommend:

- Create initiatives to inform noncitizens of their rights after being victims of fraud and connect people with attorneys who could help in the aftermath, for example, through Know Your Rights materials created by Los Angeles County and others.<sup>45</sup>

- » This includes educating individuals on how and why to confirm that their representative is an attorney certified by the California Bar.
- Establish Self-Help centers within local agencies, such as the Department of Consumer and Business Affairs, that would assist individuals with reporting *notario* fraud.
- Allow people to provide anonymous and confidential tips of *notario* fraud to local or state law enforcement agencies.
- Provide referrals for immigration attorneys and nonprofit organizations that help victims of *notario* fraud.
- Fund nonprofits and attorneys to provide free or low-cost immigration services to victims of *notario* fraud.

## **ENACT POLICY SOLUTIONS TO UPDATE THE IMMIGRATION CONSULTANTS ACT TO MEET TODAY’S CHALLENGES.**

Finally, we invite stakeholders from law enforcement, local agencies and non-profit immigrant and consumer protection advocacy communities to join forces to identify and mobilize reforms to the ICA. The law was last updated over twenty years ago. Since then, while the problem of *notario* fraud has remained, the methods by which *notarios* prey on immigrant communities—and the overall political climate for immigrants—have shifted dramatically. We urge the Legislature to enact statutory reforms that update the law and mandate greater attention to the issue of *notario* fraud—or, perhaps, ban non-lawyer immigration consultants altogether.

The regulatory regime currently provided by California law has proved insufficient. Though other parts of the Code, like the Unfair Competition Law (“UCL”) and False Advertising Law,<sup>46</sup> can be used against fraudulent *notarios*, the centerpiece of the state’s regulatory effort—the ICA—has, in practice, failed to stem the tide of fraud. In large part, that is because enforcement of the Act is difficult and rare.

### **1. AMEND THE ICA**

One possible solution is to tighten the ICA so that its provisions become more readily enforceable. Consumer protection measures from other states provide models. See Appendix: Other State’s Regulatory Approaches to the Unauthorized Practice of Law. New York’s framework, for example, eliminates the burden of proving intent to mislead, which could simplify enforcement in California. Illinois’ requirement for written acknowledgments from clients could also complement California’s existing framework by ensuring informed consent. The strict penalties and clear prohibitions found

in Colorado's anti-*notario* fraud law provide lessons for strengthening consumer protections against deceptive immigration practices.

In addition to exploring existing models from other jurisdictions, the Legislature should:

- **Improve reporting procedures and requirements.** State and local officials could develop a complaint system that encourages and empowers immigrants to report *notario* fraud. Individuals will not report unless they feel safe and trust that the information they share will not damage their immigration case or expose them to federal immigration authorities. A single point of contact and confidentiality provisions could streamline the process for victims to report *notario* fraud and make it easier for authorities to track, address, and ultimately reduce the occurrence of these cases. Instead of having multiple options for reporting violations, which leads to confusion and complication, victims could be directed to submit their complaints to one specific agency, such as the California Attorney General's office, which already has an online reporting tool for *notario* fraud.<sup>47</sup> The Attorney General's office could then automatically distribute the report to the proper local enforcement agency to carry out investigations.
- **Prohibit the Use of the term “*Notario*” without Qualification.** The ICA should be amended to prohibit the use of “*notario*” or “*notario público*” completely by non-attorneys, eliminating the burdensome requirement for plaintiffs to prove intent to mislead. The UCL already prohibits deceptive statements regardless of intent. This amendment would align the ICA with the UCL and with clearer and more readily enforceable laws in states like New York and Texas.
- **Align ICA Requirements with Federal Accreditation Standards.** The Legislature could adopt standards for immigration consultants that are analogous to those used for Accredited Representatives under federal law. To improve access to justice by increasing the number of representatives serving low-income immigrants, U.S. law permits non-attorneys to provide immigration legal services if they demonstrate to the Department of Justice that they have sufficient education and experience in immigration law.<sup>48</sup> Accredited Representatives must work for a non-profit organization providing immigration legal services to low-income clients. California state law could be amended to require state-registered immigration consultants to meet standards similar to the federal requirements including mandatory training, background checks, and continuing education. Although they perform some of the same work as partially Accredited Representatives, potential immigration consultants in California face a lower barrier for entry. Currently immigration consultants, like Accredited Representatives, must pass a background check and not have any felony convictions or “disqualifying misdemeanor convictions.” Unlike Accredited Representatives, however, they are not required to demonstrate their experience and knowledge of immigration law and procedure.<sup>49</sup> Further,

California law contains no requirement that an immigration consultant be sponsored by an accredited organization that has been vetted by the government.

- **Create a Public Registry and Licensing Board.** Establish a publicly and easily accessible registry of immigration consultants on the Secretary of State’s website, similar to the registry for *notaries public*. While there is a tool to search for providers by name to determine whether their bond is active, there is no publicly accessible list of all immigration consultants in the state. Alternatively, consider transferring the responsibility for registering and licensing immigration consultants to a different state agency, such as the Department of Justice or the Department of Consumer Affairs, with the authority to investigate complaints or enforce the law itself.

## 2. REPEAL THE ICA.

Alternatively, a bold step to combat the continued fraud among immigration consultants would be to ban for-profit immigration consulting entirely and repeal the ICA. A complete revocation would have the advantage of simplicity: any assistance on an immigration matter provided by anyone other than an attorney, a paralegal or administrative staff working under the supervision of a licensed attorney, or accredited representative would constitute the unauthorized practice of law and would violate California law. This approach has the further advantage of removing the appearance of official approval for immigration consultants’ activities: since the ICA currently allows consultants to perform basic clerical immigration tasks, the Act creates a patina of legitimacy for businesses that often are operating illegally.<sup>50</sup>

There is precedent for this approach. Eliminating a professional regulatory regime for non-attorney immigration consultants would place California in line with many other states, including all other states along the U.S.-Mexico border. (See Appendix.) And it could be simpler to enforce a total ban than the current complicated regulatory regime: rather than having to prove that an immigration consultant helped to shape clients’ stories or advised them about which claim to pursue (both of which would constitute the unauthorized practice of law), public prosecutors would be able to use any advertisement of immigration services and any sign of activity as a consultant as evidence that a *notario* was breaking the law.

On the other hand, an outright ban could have significant drawbacks. It might drive immigrant consultants underground, where they would continue to operate—only now without any regulatory regime to protect immigrants. It would also eliminate the enforcement mechanisms, such as the private right of action. The question is whether the benefits of elimination from the market place a class of individuals that routinely engages in the unauthorized practice of law, outweigh the risks.

Advocates for immigrants must work together with law enforcement and policymakers to thoughtfully discuss those risks and benefits and collaborate on comprehensive legislation.

By clarifying standards, enhancing transparency, strengthening enforcement, and ensuring greater accountability, these changes could revamp the immigration consultant industry and build trust among consumers in the process. Earning that trust is crucial to safeguarding vulnerable populations who rely on these services, and to ensuring that they receive legitimate and ethical assistance in navigating the complex U.S. immigration system.

## Conclusion

Despite California's efforts to address the issue of *notario* fraud, we continue to see this fraud flourish in immigrant communities with devastating effects. In a time when the federal government is waging a full-scale assault on immigrant communities, California can set itself apart by taking additional significant steps to protect immigrant communities and uphold the rule of law. By dedicating more resources to addressing *notario* fraud, utilizing the laws that are already in place to go after bad actors, and by exploring strategic legislative fixes where gaps in our laws exist, California can significantly reduce the prevalence of *notario* fraud. California can send a clear message to our immigrant communities: we welcome and embrace our immigrant neighbors, and we do not tolerate those who prey on them.

## Appendix: Other States' Regulatory Approaches to the Unauthorized Practice of Immigration Law

California is not alone in addressing the immigration consultant/*notario* industry, though its regulatory regime stands in contrast with the prohibitory approach taken by most other states. There is a lack of research addressing whether regulation or prohibition is more effective at deterring fraud and ensuring the provision of useful services. But the variety of measures implemented by other states provides a valuable source of ideas for new approaches in California.

### NEW YORK

New York's approach to combating *notario* fraud is most comparable to California's ICA, offering a similarly comprehensive statutory regime specifically designed to regulate immigration consultants. New York's legal framework emphasizes consumer protection through strict regulations, proactive enforcement, and the elimination of deceptive practices, making it an especially relevant subject for comparison with California's ICA. The Immigration Assistance Service Enforcement Act (N.Y. Gen. Bus. Law §§ 460-a–k) provides a robust framework targeting fraudulent practices in immigration services:

- **Prohibition on Misleading Titles:** The Act explicitly bans all use of titles like “*notario*” that could mislead consumers into believing that the provider has legal expertise or special authority in immigration matters. N.Y. Gen. Bus. Law § 460-d.
- **Mandatory Transparency:** The Act requires service providers to maintain transparency with clients, including obligations to return original documents, provide copies of submissions to governmental entities, and avoid misleading representations about potential legal outcomes.
- **Severe Penalties:** Violations of the Act are met with significant penalties. Victims can pursue civil actions seeking injunctive relief, actual damages of at least \$2,500, or both, with the possibility of recovering costs and reasonable attorneys' fees. N.Y. Gen. Bus. Law § 460-g. The Attorney General may also bring civil suits, imposing penalties up to \$10,000 per violation and possibly directing restitution without the need to prove injury or damages. N.Y. Gen. Bus. Law § 460-h. Repeat offenders may face criminal penalties, including fines up to \$1,000 and imprisonment. N.Y. Gen. Bus. Law § 460-i.

Most other states focus on outright prohibitions and restrictive measures against *notarios* within their general legal frameworks:

- **Arizona (Ariz. Rev. Stat. § 41-329):** Arizona requires notaries who advertise in languages other than English to clearly state that they are not attorneys and cannot provide legal advice

on immigration. Violations can lead to felony charges and permanent revocation of the notary's commission. However, unauthorized immigration services are only subject to civil penalties, with a maximum fine of \$1,000.

- **Colorado (Colo. Rev. Stat. § 24-21-525):** Colorado explicitly prohibits notaries from acting as immigration consultants or representing individuals in immigration-related proceedings. The law bars the use of the title “*notario*” or “*notario público*” to prevent misrepresentation, requiring notaries to clearly disclose that they are not attorneys in all advertisements.
- **Illinois (5 Ill. Comp. Stat. 312/3-103):** Illinois mandates clear disclaimers in non-English advertisements, stating that the notary is not licensed to practice law and cannot provide legal advice. The law strictly prohibits the use of terms like “*notario*,” imposing penalties that include fines of \$1,500 per incident and permanent revocation of the notary's commission upon a second violation. The state also requires a written acknowledgment from clients, ensuring informed consent before services are provided. Misuse of immigration status information is treated as a serious offense, escalating to a felony for repeated violations.
- **New Mexico (N.M. Stat. Ann. § 14-14A-24):** New Mexico prohibits notaries from engaging in the unauthorized practice of law, including offering immigration advice. Violations are treated as criminal misdemeanors, with penalties including fines up to \$1,000 and imprisonment for up to six months. The state does not provide for a private right of action.
- **Texas (Tex. Gov. Code § 406.017):** Texas criminalizes the false representation of notaries as immigration consultants, specifically banning the use of “*notario*” or “*notario público*” in advertisements. Violations range from misdemeanors to third-degree felonies for repeat offenders, with the deceptive practices also actionable civilly under Texas's Business & Commerce Code, which provides victims with a private right of action.

## Endnotes

- 1 Cal. Bus. & Prof. Code § 6126 (2025).
- 2 Tania Luviano-Hurwitz, *Scammers Claiming to be Immigration Lawyers Target Undocumented Immigrants*, NBC San Diego (February 20, 2025), <https://nbcсандiego.com/nbc-7-responds-2/scammers-targeting-undocumented-immigrants/3759589>.
- 3 Ruben Vives, *This Immigrant Survived the Eaton Fire. Can she Also Escape Trump's Deportation Surge?*, L.A. Times (January 06, 2026), <https://www.latimes.com/california/story/2026-01-06/immigrant-who-survived-eaton-fire-now-faces-deportation>.
- 4 *Unauthorized Practice of Law*, State Bar Cal., (last visited March 06, 2026) <https://www.calbar.ca.gov/Public/Free-Legal-Information/Unauthorized-Practice-of-Law>. In some circumstances the unauthorized practice of immigration law can also violate federal law governing practice in immigration court. See 8 C.F.R. § 292.1, 8 C.F.R. § 1292.1 (EOIR)
- 5 Hilda L. Solis & Sheila Kuehl, *Creating a County Licensing Requirement for Immigration Consultants*, L.A. Cnty. Bd. Of Supervisors (Sept. 13, 2016), <https://file.lacounty.gov/SDSInter/bos/supdocs/107339.pdf>; <https://nationalnotary.org/knowledge-center/about-notaries/notaries-and-notarios>.
- 6 See Cal. Gov't Code § 8205; see also Cal. Gov't Code §8214.1
- 7 Robert L. Bach, *Becoming American, Seeking Justice: The Immigrants' Legal Needs Study*, 50, 53 (1996). "It must be noted that research on undocumented immigrants' use of *notarios* and other unlicensed individuals for immigration legal matters is scarce. Hence, the continued use of older studies is necessary until newer studies are conducted." See also Bianca Carvajal, *Combating California's Notario Fraud*, 35 UCLA Chicana/o Latina/o L. Rev. 135, n.25 (2017).
- 8 *Attorney General Bonta Issues Consumer Alert on Notario Fraud, Obtaining Immigration Legal Help, Locating Detained People*, California A.G. Office (June 27, 2025), <https://oag.ca.gov/news/press-releases/attorney-general-bonta-issues-consumer-alert-notario-fraud-obtaining-immigration>.

"Families across the country are experiencing fear and uncertainty as a result of President Trump's inhumane immigration agenda—and scammers are paying attention. Immigration scams, including notario fraud, prey on the hopes of safety and stability of our immigrant communities."
- 9 Tatum Hunter, *Fake Lawyers Target Undocumented Immigrants Through Social Media Scams*, The Washington Post (May 10, 2025), <https://washingtonpost.com/technology/2025/05/10/immigration-scams>.

"Bad actors create TikTok accounts impersonating immigration lawyers, buy fraudulent Facebook ads, and even set up fake court hearings via WhatsApp."
- 10 *American Bar Association Issues Alert Regarding Fraudulent Immigration Law Practices*, American Bar Association (August 26, 2025), <https://americanbar.org/news/abanews/aba-news-archives/2025/08/aba-issues-alert-regarding-fraudulent-immigration-practices>.
- 11 *Combating California's Notario Fraud*, 35 UCLA Chicana/o Latina/o L. Rev. 135 at 5.
- 12 Libor Jany, *Immigration 'Notario' Scams Coming Back Under Trump's Crackdown, Authorities War*, L.A. Times (June 14, 2025), <https://latimes.com/california/story/2025-06-14/notario-immigration-fraud-trump-deportations>.
- 13 Transactional Records Access Clearinghouse (TRAC) Syracuse University, *Immigration Detention Quick Facts*, <https://tracreports.org/immigration/quickfacts/detention.html>.

14 TRAC Syracuse University, *Immigration Court Quick Facts*, <https://tracreports.org/immigration/quickfacts/eoir.html>.

15 *Id.*

16 *Combating California’s Notario Fraud*, 35 UCLA Chicana/o Latina/o L. Rev. 135 at 1,13.

17 USC Dornsife Equity Research Institute & California Community Foundation, *State of Immigrants in LA County 2024* (July 11th 2024), <https://dornsife.usc.edu/eri/publications/state-of-immigrants-in-los-angeles-2024>.

18 TRAC Syracuse University, *Despite Efforts to Provide Pro Bono Representation, Growth is Failing to Meet Exploding Demands* (May 12, 2023), <https://tracreports.org/reports/716>.

19 Sarah N. Lynch, *Exclusive: DOJ Blocks Use of Justice Grants for Legal Aid to Migrants in US Illegally*, Email Shows, Reuters (August 21, 2025), <https://reuters.com/legal/government/doj-blocks-use-justice-grants-legal-aid-migrants-us-illegally-email-shows-2025-08-21>.

20 Monika Graham, *The Impact of Government Funding Cuts on Unaccompanied Children and the Role of Nonprofits in Fighting Back*, Alliance for Justice (April 1, 2025), <https://afj.org/article/the-impact-of-government-funding-cuts-on-unaccompanied-children-and-the-role-of-nonprofits-in-fighting-back>.

“In recent weeks, a deeply troubling trend has emerged: multiple organizations working to support unaccompanied immigration children (UAC) have been forced to lay off hundreds of staff members due to drastic cuts in government funding.”

21 American Univ. & Catholic Legal Immigration Network, *Stopping Immigration Services Scams*, 6 (2017), <https://cliniclegal.org/sites/default/files/2019-11/Stopping-Immigration-Services-Scams-A-Tool-for-Advocates-and-Lawmakers.pdf>.

22 Danny Nguyen, *ICE Made Expansive Request for Taxpayer Data Amid IRS Pushback*, Politico (October 30, 2025), <https://politico.com/news/2025/10/30/ice-made-expansive-request-for-taxpayer-data-amid-irs-pushback-00630312>.

“Federal immigration enforcement officials sought a wide range of sensitive information about suspected undocumented immigrants from the IRS including the names of relatives, before narrowing the request amid pushback from agency officials, according to a new court filing.”

23 Gema de las Heras, *Detect Immigration Scams that Start on Social Media*, Federal Trade Commission (December 26, 2024), <https://consumer.ftc.gov/consumer-alerts/2024/12/detect-immigration-scams-start-social-media>.

24 Mohamed Al Elew, Wendy Fry, *Here’s Every Local Police Agency Enforcing for ICE*, The Markup (April 16, 2025), <https://themarkup.org/tools/2025/04/16/law-enforcement-ice-cooperation-tracker>.

25 Khari Johnson, Mohamed Al Elew, *California Police are Illegally Sharing License Plate Data with ICE and Border Patrol*, CalMatters (June 13, 2025), <https://calmatters.org/economy/technology/2025/06/california-police-sharing-license-plate-reader-data>.

“The Los Angeles Police Department and sheriff’s departments in San Diego and Orange counties searched license plate readings on behalf of Immigration and Customs Enforcement and Customs and Border Patrol, according to a database of queries obtained by anti-surveillance group Oakland Privacy and provided to CalMatters.”

26 ACLU, *Freezing Out Justice: How Immigration Arrests at Courthouses are Undermining the Justice System* (2018), <https://aclu.org/freezing-out-justice>.

27 Cal. Bus. & Prof Code § 2241

28 S.1200 - 99th Congress (1985-1986): Immigration Reform and Control Act of 1986, S.1200, 99th Cong. (1986), <https://congress.gov/bill/99th-congress/senate-bill/1200>.

29 Senate Judiciary Committee, Analysis of AB 1159, 2013-2014 Regular Sessions (Cal. 2013).

30 Cal. Bus. & Prof Code § 2241(a).

31 American Univ., *supra* note 31, at 9.

32 *Id.* at 10–11.

33 Cal. Bus. & Prof Code § 2241.1.

34 *Id.* § 22443.1.

35 *Id.* § 22442.

36 *Id.* § 22442.3, 22444.

37 *Id.* § 22442.3, 22445.

38 *Id.* § 22445.

39 *Id.* § 22446.5(a), 22447.

40 Los Angeles County District Attorney, *Remarks by Los Angeles County District Attorney Jackie Lacey*, Notario Fraud Unit News Conference (Feb. 12, 2019), [https://da.lacounty.gov/sites/default/files/pdf/021219\\_DA\\_Notario\\_Fraud\\_Unit\\_News\\_Conference\\_Remarks.pdf](https://da.lacounty.gov/sites/default/files/pdf/021219_DA_Notario_Fraud_Unit_News_Conference_Remarks.pdf).

41 *Id.*

42 City Attorney of San Francisco, *City Attorney Secures Over \$600,000 from Predatory Immigration Consulting Business*, (Sept. 23, 2025), <https://sfcityattorney.org/city-attorney-secures-over-600000-from-predatory-immigration-consulting-business>.

43 California Senate Bill 54, ch. 494, 2017 Cal. Stat. 3489.

44 *California Med. Assn. v. Aetna Health of California Inc.*, 14 Cal. 5th 1075, 532 P.3d 250 (2023)

45 *See, e.g. Know Your Rights Brochure*, Los Angeles County Office of Immigrant Affairs, <http://oia.lacounty.gov/wp-content/uploads/2017/08/Know-Your-Rights-Print-Ready-Pocket-Card-7-24-17.pdf>; *see also Immigration Fraud Awareness*, Saint Paul, Minnesota, <https://stpaul.gov/departments/financial-empowerment/immigration-fraud-awareness>.

46 Cal. Bus. & Profs. Code §§ 17200, 17500.

47 Consumer Complaint Against a Business/Company, Cal. Attorney General, <https://oag.ca.gov/contact/consumer-complaint-against-business-or-company>.

48 8 C.F.R. § 1292.1.

49 *Compare* Cal. Bus. & Prof. Code § 22441.1 with 8 C.F.R. § 1292.12(a).

50 Lorelei Laird, *Increase Enforcement of Immigration Law Raises Scam Risks*, ABA J. (2018), [https://abajournal.com/magazine/article/immigration\\_law\\_scams/P2](https://abajournal.com/magazine/article/immigration_law_scams/P2).