

What Should You Expect from Your Legal Representative?

Only two groups of people may provide legal advice and services in your immigration case:

- attorneys and
- accredited representatives who work for non-profit religious, charitable, or social service organizations established in the U.S. and recognized by the Board of Immigration Appeals (BIA).

ATTORNEYS

- **In the U.S., an attorney is someone who:**
 - attended law school and received a Juris Doctor (J.D.) degree;
 - is a licensed member of a state bar association in “good standing,” and
 - passed an exam given by the state bar association.

An attorney also is called a “lawyer.”
- **Attorneys can give legal advice and provide legal services.** They can file papers and applications and represent you before:
 - The Department of Homeland Security (DHS)
 - The U.S. Citizenship and Immigration Service (USCIS)
 - Any immigration court
 - The Board of Immigration Appeals (BIA)
 - The state court where he/she is a member of the bar
- **You can ask to see your attorney’s licensing documents.** You should make a note of the admission number if any.
 - There are two places you can learn whether an attorney is licensed and in “good standing”:
 - State Bar Associations keep track of attorneys. A list of the State Bar Associations in the U.S. can be found at <http://www.abanet.org/barserv/stlobar.html>.
 - The American Immigration Lawyers Association (AILA) can help you find an immigration lawyer. Call 1-800-954-0254 to speak with a representative or send an e-mail to ilrs@aila.org.

ACCREDITED REPRESENTATIVES

- **An accredited representative** has been given permission by the BIA to provide immigration legal services.
 - Generally, a fully accredited representative may represent you before:
 - The Department of Homeland Security (DHS)
 - The U.S. Citizenship and Immigration Service (USCIS)
 - Any immigration court
 - The Board of Immigration Appeals (BIA)
 - A partially accredited representative can only represent you before USCIS.
 - An accredited representative *cannot* represent you in state court on non-immigration matters.
- **The best way to know that an individual is a legitimate accredited representative is** to ask to see a copy of the BIA decision accrediting representative status to the accredited representative and to the BIA recognized organization. Keep in mind that an accredited representative’s status expires every 3 years unless the BIA renews it.
 - You can also view a list of the non-profit organizations and accredited representatives recognized by the BIA on its website, www.usdoj.eoir/statspub/raroster.htm.

What You Should Expect from Your Legal Representative

- **Your attorney or accredited representative cannot share what you tell him with anyone else, unless you give him permission to do so.** Your legal representative works for you, he does not work for the government.

- **Your legal representative should:**
 - Help you find an interpreter
 - Be patient and listen carefully to you
 - Not harass you about payment
 - Explain your options and what is going to happen in court
 - Check on the progress of your case
 - Keep you informed about your case and answer your questions
 - Return your phone calls promptly
 - Keep appointments with you

What You Can Do if You Have a Problem with Your Attorney or Accredited Representative

- **You have the right to hire or fire your attorney or accredited representative,** and you should not accept any legal representation that you do not understand or that makes you feel uncomfortable.

- **Get help if you think your legal representative has cheated you or works for traffickers.**
 - Contact a non-profit law office, immigrant rights group, or other trusted community organization for advice. They might be able to tell you how to fire or file a complaint against your legal representative.
 - Contact the State Bar Association for the state where your lawyer is licensed. A list of the State Bar Associations in the U.S. can be found at <http://www.abanet.org/barserv/stlobar.html>.
 - If your legal representative represented you before the immigration court or the BIA, you can file an Immigration Practitioner Complaint Form (Form EOIR-44) with the Executive Office for Immigration Review. The form can be found at <http://www.usdoj.gov/eoir/eoirforms/eoir44.pdf>.