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**A Booming But Tainted Specialty**

By Michael S. Serrill

Immigrants seeking the legal right to live in the U.S. are often desperate and helpless, and for that reason immigration law is a booming specialty. Membership in the American Immigration Lawyers Association has tripled in the past decade, to 1,800, and there are thousands of other lawyers who do immigration work part time. Yet despite the efforts of the A.I.L.A. and others to upgrade the field, immigration law has a less than sterling reputation.

"It's a wide-open ball game for exploitation," says Attorney Peter Larrabee, a former officer for the Immigration and Naturalization Service who is head of the A.I.L.A.'s San Diego chapter. "There is an enormous amount to be made if you're crooked." Five lawyers have been convicted or sentenced this year on charges stemming from immigration-law violations. Two have been disbarred. The best known of the high-profile immigration lawyers, Gerald Kaiser of New York City, was indicted in April by a federal grand jury in Florida for allegedly defrauding other lawyers, who paid as much as \$60,000 to join his national chain of immigration-law firms.

The flood of immigrants, which includes thousands seeking professional and business careers, provides plenty of work for honest lawyers, who can earn \$70,000 a year or more and who often contribute free legal services to the neediest. Some are respected human rights attorneys, like Miami's Ira Kurzban, who besides conducting his regular private practice has given much time free to defend Haitian boat people. Complains A.I.L.A. Executive Director Warren Leiden: "There's a bad rap against immigration attorneys."

But a rap there is. INS officials are among the critics: they estimate that 30% of permanent-residence petitions are fraudulent, with corrupt or incompetent lawyers often to blame. To have much hope of gaining a coveted green card, an immigrant must be related to a U.S. citizen or permanent resident, qualified to fill a job for which there is a shortage of applicants in the U.S. or be a refugee facing persecution at home. Each category has bred its scheme and near scams. The easiest and most popular is the sham marriage. "Some are so phony they don't pass the laugh test," says Washington Lawyer Michael Maggio. In some cases prostitutes have been hired to say "I do" to aliens they have never met.

Labor certification is sometimes fraudulent but more often merely inventive. Says Beverly Hills Lawyer Richard Fraade, who regularly obtains working papers for foreign VIPs: "My job is creative packaging." Some lawyers are called upon to design a job description so specific that no one except their clients -- who may already hold the jobs illegally -- are likely to qualify. On occasion, wholesale lying is involved; attorneys have been involved in setting up bogus companies that do nothing but substantiate the credentials of visa seekers.

Qualifying for refugee status or asylum is extremely difficult, but the appeals process can take years. "Jamming the system buys time," notes Peter Nunez, U.S. Attorney in San Diego. "Delays work to the benefit of the aliens." Manhattan Lawyer Richard Silverblatt pleaded guilty this year to criminal charges after he filed a series of phony asylum applications. His ; clients, who did not know how he was keeping them in the country, happily paid his fees.

Few clients pay lawyers more happily than illegal immigrants, who live in fear that tomorrow will bring a deportation order. Many aliens look on their own lawyers as part of a threatening system, says Boston Attorney Sharryn Ross. "They don't believe that they can't just pay me more to get them what they want." Immigrants desperately turn to non-lawyers too. Some Latins, including Mexicans, are used to retaining lawyers known as notarios to handle many legal matters at home. Notary publics in the U.S. sometimes take advantage of that confusion and charge fees for useless or misleading advice.

Immigrants must also be wary of incompetent lawyers, warn A.I.L.A. officials. With a nearly impenetrable INS bureaucracy supervising complex and muddled laws, a lawyer who does not specialize in immigration work may not have enough expertise. The A.I.L.A. has a screening process and a three-year waiting period to make sure new members meet both ethical and competency standards. Beyond that, it is urging other states to follow the example of Texas and establish board certification for immigration lawyers, which would create a list of trustworthy, reliable attorneys. But, admits Denver's Robert Heiserman, A.I.L.A.'s ethics committee chief, immigration law is so baffling that even "a good lawyer will be wrong in a substantial number of cases."

With reporting by Anne Constable/Washington and Richard Woodbury/Los Angeles

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