

January 14, 2011

**MISSION**

**Testimony on Behalf of OneAmerica in Support of SB5023 with Amendments  
Senate Judiciary Committee**

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by building  
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Distinguished Members of the Senate Judiciary Committee,

On behalf of OneAmerica and its members, we submit the following testimony in support of SB5023, with an important amendment outlined in the testimony below. We believe this piece of legislation is a good first step in a campaign to protect immigrants in our state from abuse at the hands of predatory businesses that provide non-legal immigration services for compensation.

A member-based organization and the largest immigrant advocacy organization in the state, OneAmerica's mission is to advance the fundamental principles of democracy and justice through building power in immigrant communities, in collaboration with key allies. Our members are active in community base groups across Washington State, including in Mt. Vernon, White Center/Burien, Tacoma, Vancouver, Kent, Walla Walla, Tri-Cities, Yakima, and many other cities, and have identified the issue of exploitation at the hands of non-legal immigration service providers as a serious concern within the community.

SB5023 recognizes an issue that is harming immigrant communities across Washington State—the exploitation of immigrants by so-called “notarios,” or businesses that provide non-legal immigration services for compensation. SB 5023 will make significant changes to current law, including the elimination of registration with the state of “notarios” as “immigration assistants.” The designation of “immigration assistants” by the state confers legitimacy on businesses that, while often working in good faith, are susceptible to abusive practices and who have no legal standing to provide legal services on immigration-related issues.

Another key provision of SB5023 protects against the misuse of terms such as “notario publico.” In many Spanish-speaking countries, “notario publicos” are lawyers. Because many businesses use this term in their name or in describing the work of their business, many immigrants assume they are receiving services from someone authorized to practice immigration law. The unsuspecting clients can suffer serious immigration consequences as a result of minor errors on applications and other filings and procedures, sometimes resulting in deportation.

One key amendment that we believe is necessary to the bill in its current form is

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in regards to a provision at RCW 19.154.030, which exempts paralegals working under the supervision of attorneys, as well as non-profits and law clinics. Under the current version of SB5023, this provision is repealed. OneAmerica does not feel the repeal of this provision is necessary and that the exemption language should remain in the bill to protect non-attorneys working under the supervision of attorneys and others providing critical immigration services in our state. As a result, we urge the committee to remove Section 7, Paragraph 1 from the bill.

While we believe SB5023 is a good first step in addressing this issue, we are very concerned about the lack of available alternatives to “notarios.” Even prior to the recent elimination of 90% of naturalization services funding in the state through the DSHS Naturalization Program (eliminated on 12/1/2010), there was a limited supply of services to meet the demand for low or no-cost immigration services in Washington. Now, with citizenship services infrastructure in shambles across the state and gaps in services widening, few alternatives to “notarios” exist for low-income immigrants who require immigration services. Until we provide these alternatives by investing in low-cost, legal immigration and naturalization services, we will continue to wrestle with this problem in immigrant communities.

We urge the committee to look favorably upon SB5023 and amend the bill by removing Section 7, Paragraph 1. Thank you for your consideration.

Respectfully submitted,

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