



News Release

Attorney General Robert E. Cooper, Jr.

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ATTORNEY GENERAL HALTS UNLAWFUL "NOTARIO PUBLICO" ADVERTISEMENTS

Attorney General Bob Cooper, on behalf of Mary Clement, the Director of the Division of Consumer Affairs, filed three settlements and two lawsuits today involving companies allegedly using misleading advertisements promoting themselves as a "notario publico" in Tennessee.

The Spanish translation of "notary public" is "notario publico," or in the plural "notarios publicos." In many Spanish-speaking countries, a notario publico is a civil-law notary, or an attorney who has been specially appointed to grant public faith to certain common, everyday transactions. As a result, consumers often believe these individuals and the related transactions involve a higher level of trust and accuracy.

Unfortunately, some businesses are targeting Spanish-speaking Tennessee residents by advertising themselves as "notarios publicos", when they are merely offering notary public services. Under Tennessee law, a notary public who is not licensed to practice law in Tennessee and advertises their services as a notary public must include in all advertisements the following disclaimer in English and the language used in the ad: "I AM NOT AN ATTORNEY LICENSED TO PRACTICE LAW IN THE STATE OF TENNESSEE, AND I MAY NOT GIVE LEGAL ADVICE OR ACCEPT FEES FOR LEGAL ADVICE."

"My office is concerned about any businesses misleading consumers," Attorney General Cooper said. "We will continue to enforce the Notaries Public law to ensure that all consumers understand what they are purchasing."

The State has entered settlements with Conny Diaz, individually and doing business as Diaz Servicio de Taxes, based in Northern Mississippi; Selvyn Amaya, individually and doing business as Servicios Publicos, Casa Taxes and Casa y Taxes, based in Nashville; and Julio Barillas, individually and doing business as Reembolsos Rapidos and JB Services, based in Memphis.

These businesses, which advertised in Tennessee without the required disclaimer, have agreed to modify their advertisements to comply with state law and to pay civil penalties and attorneys' fees.

The State additionally filed lawsuits against the following individuals and companies: Juan Hernandez, individually and doing business as Centro Azteca, a Chattanooga company; and Edison Roman, individually and doing business as Oficina Internacional in Memphis.

The State's lawsuits allege violations of the Tennessee Consumer Protection Act for advertising as a "notario publico" without the required disclaimer. In addition, the complaint against Juan Hernandez, individually and doing business as Centro Azteca, alleges the company advertised as "abogados," the Spanish word for "attorneys," without any disclaimer. The State is seeking an injunction, restitution, civil penalties and attorneys' fees in both lawsuits.

Director Clement warned consumers to be careful when choosing individuals to perform legal services. "I encourage Tennesseans in need of an attorney to confirm the attorney is in good standing and licensed to practice law in the state of Tennessee by contacting the Board of Professional Responsibility at (615) 361-7500 or going to the website at <http://www.tbpr.org/>," she said.

To see a copy of the State's filings, go to www.attorneygeneral.state.tn.us and then click on Office Information and Cases of Interest at <http://www.tn.gov/attorneygeneral/cases/cases.htm>.

Consumers who have complaints about any of the companies sued by the State or other individuals or businesses advertising as a "notario publico" without the required disclaimer or otherwise engaged in unfair or deceptive trade practices should contact the Division of Consumer Affairs at 1-800-342-8385 (toll-free inside Tennessee) or (615) 741-4737.

If you know of an individual or company that may be practicing law without a license, please file a complaint with this Office by downloading a complaint form from <http://www.attorneygeneral.state.tn.us/cpro/upl.htm> and mailing it back to this Office at:

**Tennessee Attorney General's Office
Consumer Advocate and Protection Division
Attn: UPL Complaint
P.O. Box 20207
Nashville, TN 37202-0207**