

IMMIGRATION APPLICATION INSTRUCTIONS

Before engaging in the capacity of an immigration consultant, **a person must register** with the Utah Division of Consumer Protection. Utah Code § 13-49-101 *et seq.*

This is a **registration for an individual acting** as an immigration consultant. All documents and information **submitted must be in the name of the individual** registering as an immigration consultant and **not in the name of a corporation, limited liability company, or other entity.**

DOCUMENTS TO SUBMIT WITH THE REGISTRATION FORM:

1. A surety in the amount of \$50,000, and accompanying power of attorney, or a \$50,000 certificate of deposit. **All surety must be submitted on Division approved forms.**
 - [Surety Bond Form](#)
 - [Certificate of Deposit Form](#)
 - Surety compliance is required for the entire duration of the registration effective dates, failure to maintain surety throughout the registration period may result in a \$300.00 reinstatement fee.
2. A [completed FD-258 fingerprint card](#) for the immigration consultant.
 - Do **NOT** email the fingerprint card.
 - Fingerprint Cards should be mailed to the following address(es):

Standard Mail:

Division of Consumer Protection
State of Utah Department of Commerce
PO Box 146704
Salt Lake City, UT 84114-6704

Fedex:

Heber M. Wells Building
2nd Floor
160 East 300 South
Salt Lake City, Utah 84114-6704

3. EXHIBIT A: Disclosure Statement: A copy of the disclosure statement provided to the immigration consultant's clients.
 - A copy in English; and
 - A copy of the disclosure statement in *each* of the native languages of your clients.
4. EXHIBIT B: Contract
A copy of the contract that the immigration consultant will use with clients.
 - A copy in English; and
 - A copy of the contract in *each* of the native languages of your clients.

**INFORMATION REQUIRED TO BE INCLUDED WITH THE
FOLLOWING DOCUMENTS**

Submitting documents without the required information identified below may result in delayed processing or denial of the application.

EXHIBIT A

The Written Disclosure Provided to the Immigration Consultant's Clients Must Include the Following:

- The immigration consultant's name, address, and telephone number.
- The immigration consultant's agent for service of process.
- The name of the company issuing the surety and the surety policy number.
- A list of the services the immigration consultant provides, and the current and total fee for each service.
 - Note: these fees should not include USCIS filing fees unless the immigration consultant will be paying on behalf of the client. These fees should only include money the client will be paying directly to the immigration consultant. A disclaimer stating USCIS filing fees are not included may be added in place of USCIS filing fees.

Example:

Form #	Description	Price/Fee	Additional costs	Total Fee
	Student Visa	\$	\$	\$

- A statement that the immigration consultant obtained the client's signature verifying that the client receives the written disclosure in their native language before a service is provided and an area for the client to sign.

Example: " I _____(client) verify that I have received the written disclosures in my native language of _____before receiving services from _____, my immigration consultant." Dated [day[of [month], [year], _____ (signature of client).

- A statement that the immigration consultant may not charge a client a fee for the referral of the client to another person for a service that the immigration cannot or will not provide the client.

EXHIBIT B

The Contract Must Include the Following:

- A provision in **boldface font** on the **first** page of the contract, that states:
 - **"A client may cancel a written contract on or before midnight on the third**

business day after the day on which the immigration consultant and client execute the written contract, excluding weekends and state and federal holidays.”

- A statement provision in no less than 12 point font, in boldface font that states:
 - **“The immigration consultant is not an attorney and may not perform the legal services that an attorney performs.”**
- State the purpose for which the immigration consultant has been hired
 - Example: To assist with document preparation and filing of a student visa.
- State one of more services to be performed and price for each service.

Example:

Select	Service To Perform	Price
<input type="checkbox"/>	Student Visa	\$
<input type="checkbox"/>	[Service #2]	\$
<input type="checkbox"/>	[Service #3]	\$

- List the type of document(s) to be prepared by the immigration consultant and include and explanation of:
 - The documents’ purpose;
 - The process to be followed in preparing the document;
 - The action that will be taken by the immigration consultant;
 - State the agency or office where each document will be filed;
 - State the approximate processing times according to current published agency guidelines.

Example:

Select	Document & Purpose	Process & Action by Consultant	Agency Where Document Is Filed	Processing Time
<input type="checkbox"/>	Student Visa	[Description]	[Name of agency]	[# of Days]
<input type="checkbox"/>	[Document #2]	[Description]	[Name of agency]	[# of Days]
<input type="checkbox"/>	[Document #3]	[Description]	[Name of agency]	[# of Days]

- A provision in 12-pt font stating:

“Complaints related to an immigration consultant may be reported to the Division of Consumer Protection and the Office of Immigration Assistance of the United States Department of Justice.

The Division can be contacted by calling (801) 530-6601, or filing online at <https://commerce.utah.gov/dcp/>.

The Office of Immigration Assistance of the United States Department of Justice can be contacted by calling 703-305-0289 or filing online at <https://www.justice.gov/eoir/submit-complaint>.”

- A provision in 12-pt font that states, “Any complaints concerning the unauthorized practice of law may be reported to the Utah State Bar, by calling (801) 531-9077 or online at www.utahbar.org.”
- A signature line for both the client and immigration consultant to sign and date the contract.