

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.

An immigration consultant must notify the Division in writing within 30 days of any change in the information required by law, rule, or the application, including any change of name, address, telephone number, email address, registered agent for service of process, or change or renewal of the surety bond.

DOCUMENTS TO SUBMIT WITH THE REGISTRATION FORM:

- ☐ A surety bond for \$50,000, and accompanying power of attorney, or a \$50,000 cash bond.
 - [Surety Bond Form](#)
 - Surety bond compliance is required for the entire duration of the registration effective dates.
- ☐ A completed fingerprint card for the background check (**Initial registration only**).
 - To complete the fingerprint card for the criminal background check, please go to your local police department or the Bureau of Criminal Investigation (BCI) located at 4315 South 2700 West Suite 1300, Taylorsville, UT 84129, and request to be fingerprinted. You are responsible for paying any fees associated with obtaining the fingerprint card. **Mail the completed fingerprint card to the Utah Division of Consumer Protection, 160 E. 300 S., PO Box 146704, Salt Lake City, UT 84114-6704.**
 - [Fingerprint Card Instructions](#)
- ☐ A signed Utah Consent to Background Check waiver form (**Initial registration only**).
 - [Background Check Consent Form](#)
 - Applicant is required to pay \$20.00 at the time of application for the cost of the background check to be processed by the Division.
- ☐ A copy of the notice to be displayed in the immigration consultant's office.
 - A copy in English; and
 - A copy of the notice in *each* of the native languages of your clients.
- ☐ 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.
- ☐ 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 Notice to be Displayed in Immigration Consultant's Office Must be conspicuously displayed in the consultant's office and include the following:

- ☐ Shall be at least 12 by 20 inches;
- ☐ Boldface type or print;
- ☐ Each character at least one inch in height and width; and include:
 - The immigration consultant's full name and address.
 - The name of the company issuing the surety bond and bond number.
 - A statement that the immigration consultant is not an attorney.
 - The name of each immigration consultant employed at each location.

EXHIBIT B

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 bond and bond number.
- ☐ A list of the services the immigration consultant provides, and the current and total fee for each service.

Example:

Form Name/Description	Price
Student Visa	\$
[Service #2]	\$
[Service #3]	\$

- ☐ A statement that the immigration consultant shall obtain the client's signature verifying that the client received the written disclosure in their native language before a service is provided.

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).

EXHIBIT C

The Contract Must Include the Following:

- ☐ A provision in **boldface type** on the **first** page of the contract, that states:
 - **"You may cancel this contract on or before midnight of the third business day after execution of the written contract. This excludes weekends, state holidays, and federal holidays."**

- ☐ A statement provision in no less than 10 point font, in **boldface type** 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 the one or 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:

Document & Purpose	Process & Action by Consultant	Agency Where Document Is Filed	Processing Time
Student Visa	[Description]	[Name of agency]	[# of Days]
[Document #2]	[Description]	[Name of agency]	[# of Days]
[Document #3]	[Description]	[Name of agency]	[# of Days]

- ☐ A provision stating, “You may report complaints related to an immigration consultant to the Division of Consumer Protection, by calling toll-free at 1(800) 721-7233 or online at <https://dcp.utah.gov>.”
- ☐ A provision 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.