

Effective 5/12/2015

13-49-303 Notice to be displayed -- Disclosure to be provided in writing.

- (1) An immigration consultant shall conspicuously display in the immigration consultant's office a notice that shall be at least 12 by 20 inches with boldface type or print with each character at least one inch in height and width in English and in the native language of the immigration consultant's clientele, that contains the following information:
 - (a) the full name, address, and evidence of compliance with any applicable bonding requirement including the bond number;
 - (b) a statement that the immigration consultant is not an attorney; and
 - (c) the name of each immigration consultant employed at each location.
- (2)
 - (a) Before providing any services, an immigration consultant shall provide a client with a written disclosure in the native language of the client that includes the following:
 - (i) the immigration consultant's name, address, and telephone number;
 - (ii) the immigration consultant's agent for service of process;
 - (iii) evidence of compliance with any applicable bonding requirement, including the bond number; and
 - (iv) a list of the services that the immigration consultant provides and the current and total fee for each service.
 - (b) An immigration consultant shall obtain the signature of the client verifying that the client received the written disclosures described in Subsection (2)(a) before a service is provided.
- (3)
 - (a) Except as provided in Subsections (3)(b) and (3)(c), an immigration consultant who prints, displays, publishes, distributes, or broadcasts, or who causes to be printed, displayed, published, distributed, or broadcasted, any advertisement for services as an immigration consultant, shall include in that advertisement a clear and conspicuous statement that the immigration consultant is not an attorney.
 - (b) Subsection (3)(a) does not apply to an immigration consultant who is not licensed as an attorney in any state or territory of the United States, but is authorized by federal law to represent persons before the Board of Immigration Appeals or the United States Citizenship and Immigration Services. A person described in this Subsection (3)(b) shall include in an advertisement for services as an immigration consultant a clear and conspicuous statement that the immigration consultant is not an attorney, but is authorized by federal law to represent persons before the Board of Immigration Appeals or the United States Citizenship and Immigration Services.
 - (c) Subsection (3)(a) does not apply to a person who is not an active member of the Utah State Bar, but is an attorney licensed in another state or territory of the United States and is admitted to practice before the Board of Immigration Appeals or the United States Citizenship and Immigration Services. A person described in this Subsection (3)(c) shall include in any advertisement for immigration services a clear and conspicuous statement that the person is not an attorney licensed to practice law in this state, but is an attorney licensed in another state or territory of the United States, and is authorized by federal law to represent persons before the Board of Immigration Appeals or the United States Citizenship and Immigration Services.
- (4) If an advertisement subject to this section is in a language other than English, the statement required by Subsection (3) shall be in the same language as the advertisement.

Amended by Chapter 236, 2015 General Session

