

[First Reprint]
ASSEMBLY, No. 340

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblymen PASCHELL, DiGAETANO and Dalton

1 AN ACT concerning the unauthorized practice of immigration law and
2 supplementing ¹[chapter 170 of Title 2A] Title 2C¹ of the New
3 Jersey Statutes.

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5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

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8 1. a. ¹[This act shall be known and may be cited as the
9 "Immigration and Nationality Law Practice Act."

10 b.]¹ As used in this ¹[act] section¹ :

11 (1) "Immigration consultant" means any person ¹[or corporation
12 in the business of]¹ rendering services for a fee, including the
13 completion of forms and applications, to another person in furtherance
14 of that person's desire to determine or modify his status in an
15 immigration or naturalization matter under federal law.

16 (2) "Immigration or naturalization matter" means any matter which
17 involves any law, action, filing or proceeding related to a person's
18 immigration or citizenship status in the United States.

19 (3) "Immigration-related document" means any birth certificate or
20 marriage certificate; any document issued by the government of the
21 United States, any foreign country, any state, or any other public
22 entity relating to a person's immigration or naturalization status.

23 ¹[c.] b.¹ Any immigration consultant not licensed as an attorney
24 or counselor at law who:

25 (1) Engages in this State in the practice of law; or

26 (2) Holds himself out to the public, either alone or together with,
27 by or through another person, whether such other person is licensed
28 as an attorney or counselor at law or not, as engaging in or entitled to
29 engage in the practice of law, or as rendering legal service or advice,
30 or as furnishing attorneys or counsel, in any immigration or
31 naturalization matter; or

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly AJU committee amendments adopted May 2, 1996.

1 (3) Assumes, uses or advertises the title of lawyer or attorney at
2 law, or equivalent terms, in the English language or any other
3 language, is guilty of a crime of the fourth degree.

4 ¹[d.] c.¹ Any person who knowingly retains possession of another
5 person's immigration-related document for more than a reasonable
6 time after the person who owns the document has submitted a written
7 request for the document's return is guilty of a crime of the fourth
8 degree.

9 ¹[e.] d.¹ Nothing in this section shall be construed to prohibit a
10 person accredited as a representative by federal law pursuant to 8
11 CFR292.2 from providing immigration services.

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13 2. This act shall take effect on the ninetieth day following
14 enactment.

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19 Prohibits the unauthorized practice of law by "immigration
20 consultants."