

CHAPTER 1

AN ACT concerning the unauthorized practice of immigration law and supplementing Title 2C of the New Jersey Statutes.

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

C.2C:21-31 Unauthorized practice of immigration law; penalties.

1. a. As used in this section:

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

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

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

b. Any immigration consultant not licensed as an attorney or counselor at law who:

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

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

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

c. Any person who knowingly retains possession of another person's immigration-related document for more than a reasonable time after the person who owns the document has submitted a written request for the document's return is guilty of a crime of the fourth degree.

d. Nothing in this section shall be construed to prohibit a person accredited as a representative by federal law pursuant to 8 CFR 292.2 from providing immigration services.

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

Approved January 24, 1997.