



OFFICE OF THE SECRETARY OF STATE

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<http://www.sos.georgia.gov/securities/immigration.htm>

Brian P. Kemp  
Secretary of State

**IMMIGRATION ASSISTANCE PROVIDER REGISTRATION INFORMATION PURSUANT  
TO THE REGISTRATION OF IMMIGRATION ASSISTANCE ACT**

The Registration of Immigration Assistance Act, O. C. G. A. Title 43, Chapter 20A, regulates immigration assistance in Georgia. Unless exempted by provisions of this Act, companies **and individuals that provide immigration assistance must obtain a license from the Secretary of State's Office in order to provide immigration assistance in Georgia.** The Act allows the Secretary of State to take action against those persons and firms who violate its provisions. The following information is a general overview of the Act. Additional information may be obtained by reviewing the Act at the following link:  
[www.sos.georgia.gov/securities/immigration.htm](http://www.sos.georgia.gov/securities/immigration.htm).

**IMMIGRATION ASSISTANCE** - means any service provided to clients for compensation related to immigration matters, but does not include legal advice, recommending a specific course of legal action, or providing any other assistance that requires legal analysis, legal judgment, or the interpretation of the law.

**IMMIGRATION ASSISTANCE PROVIDER** - means any person who is licensed to provide immigration assistance.

**REGISTRATION** - in order to register and immigration assistance provider, an applicant must submit a completed IP100 application form along with a performance bond in the amount of \$5,000.00 (IP200 form) to the Secretary of State's Office. The current registration fee is \$40.00

**AMENDMENTS** - Should material events or developments occur after an immigration assistance provider has been granted a license, the licensee must amend the license application by submitting a statement of facts that developed, or became known, after the effective date of such application and by deleting statements of fact that, because of such developments, may be misleading. Such amendment must be filed with the Secretary of State's Office within 30 days of such event(s). **An immigration assistance provider must report immediately to the Secretary of State's Office if:**

- 1) He or she has been made or is the subject of any disciplinary, administrative, civil, or criminal action; and
- 2) He or she has been served in any civil complaint or arbitration filed alleging fraud or any violation of any local, state, or federal law.

The immigration assistance provider must provide to the Secretary of State a copy of any notice, order, pleading, indictment, accusation, or similar legal document relating to an action subject to items 1 and 2 above that he or she has in his or her possession.

**EXEMPTIONS - The following are exempt from registration as an immigration assistance provider:**

- An attorney licensed to practice law in Georgia or an attorney licensed to practice law in any other state or territory of the United States or in any foreign country when acting with the approval of a judge having lawful jurisdiction over the matter;
- A legal intern, clerk, paralegal, or person in a similar position employed or independently contracted by and under the supervision of a licensed attorney meeting the requirements in paragraph (1) of this subsection and rendering immigration assistance in the course of employment;
- A not for profit organization recognized by the Board of Immigration Appeals under 8 C.F.R. 292.2(a) and employees of such organizations accredited under 8 C.F.R. 292.2(d); and

- Any person employing or desiring to employ an alien or nonimmigrant alien, where the organization, its employees, or its agents provide nonlegal advice in conjunction with potential employees without compensation from the individuals to whom such nonlegal advice in conjunction with immigration assistance is provided.

**PERMISSIBLE SERVICES** - An immigration assistance provider licensee may perform the following services as immigration assistance:

- (1) Completing a government agency form on behalf of the client and appropriate to the client's needs;
- (2) Transcribing responses to a government agency form which is related to an immigration matter; provided, however, that advice shall not be offered to a client as to his or her answers on such forms;
- (3) Translating information on forms to a client and translating the client's answers to questions posed on such forms;
- (4) Securing for the client supporting documents currently in existence, such as birth and marriage certificates, which may be needed to be submitted with government agency forms;
- (5) Notarizing signatures on government agency forms, provided that the person performing the service is a notary public commissioned in the State of Georgia and is lawfully present in the United States;
- (6) Preparing or arranging for the preparation of photographs and fingerprints;
- (7) Arranging for the performance of medical testing (including X-rays and AIDS tests) and the obtaining of reports of such test results; and
- (8) Performing such other services that the Secretary of state determines by rule may be appropriately performed by such licensees in light of the purposes of this chapter.

A contract to provide any service in conjunction with immigration assistance must clearly state the obligations of the immigration assistance provider and the client who is to receive such service.

**RECORDS** - All immigration assistance providers who are licensed or required to be licensed with the Secretary of State must preserve records documenting compliance with the Registration of Immigration Assistance Act for three years from the date such records were produced.

**SIGNAGE AND ADVERTISEMENTS** - Any person who offers immigration assistance and is not exempted from registration must post signs at his or her place of business setting forth information in English and in every other language in which the person provides or offers to provide immigration assistance. Each language shall be on a separate sign. Signs shall be posted in a location where the signs will be visible to clients. Each sign shall be at least 12 inches by 17 inches and shall contain the following statements:

"I AM NOT AN ATTORNEY LICENSED TO PRACTICE LAW AND MAY NOT GIVE LEGAL ADVICE OR ACCEPT FEES FOR LEGAL ADVICE."

Every person engaged in immigration assistance that is not an attorney and that advertises immigration assistance in a language other than English shall include conspicuously in such advertisement the following notice in English and the language in which the advertisement appears "I AM NOT AN ATTORNEY LICENSED TO PRACTICE LAW AND MAY NOT GIVE LEGAL ADVICE OR ACCEPT FEES FOR LEGAL ADVICE." If such advertisement is by radio or television, the statement may be modified but shall include substantially the same message.