



OFFICE OF LEGAL SERVICES INNOVATION  
An Office of the Utah Supreme Court

# Amended Sandbox Authorization Packet

## Immigration Office Solutions

August 15, 2022

### Contents

1. Utah Supreme Court Amended Order for Authorization to Practice Law
2. Innovation Office Recommendation to the Court

# Document 1

In the Supreme Court of the State of Utah

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In re: Application of Immigration Office Solutions

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AMENDED ORDER FOR AUTHORIZATION TO PRACTICE LAW

*Based upon the Utah Supreme Court's plenary and constitutionally granted authority to regulate the practice of law in Utah, and the tenets of Standing Order 15, the Utah Supreme Court orders that Immigration Office Solutions is authorized to practice law within the regulatory sandbox and subject to the restrictions outlined below.*

The Court has reviewed the recommendation of the Office of Legal Services Innovation ("Innovation Office") dated March 23, 2022, for Immigration Office Solutions to be authorized to practice law.

Immigration Office Solutions seeks to form an Alternative Business Structure to provide robust software guided legal services with lawyer involvement. Immigration Office Solution currently uses software technology to assist employers and employees in the completion of various immigration applications. If the result of an individual's intake questionnaire reveals issues that need to be addressed by a licensed professional, then they refer that individual to an immigration attorney.

The Innovation Office has assessed the risk of harm to Immigration Office Solutions targeted consumers relative to the risk of harm they currently face and has determined that the risk of harm presented by Immigration Office Solutions' service is Low.

In light of the Court's responsibility to the public to effectively regulate the practice of law in Utah and in keeping with the tenets of Standing Order 15, the Court now orders as follows:

1. Immigration Office Solutions is authorized to offer legal services through the following models:
  - a. Lawyers employed or managed by nonlawyers
  - b. Nonlawyer ownership
  - c. Lawyers sharing profits with non-lawyer

The Supreme Court of Utah does not have the jurisdiction to determine what constitutes the practice of law in immigration court and does not take a position on whether or not the software, as currently used by Immigration Office Solutions, constitutes the practice of law as defined in 8 CFR 1.2. Immigration Office Solutions is solely responsible to assure that they are in compliance with federal law.

2. Immigration Office Solutions is authorized to provide legal services across the following legal service areas, subject to the restrictions outlined below:
  - a. Immigration
3. Immigration Office Solutions shall conform to the Low Innovation reporting requirements imposed by the Innovation Office.
4. Immigration Office Solutions will prominently display the following disclosure requirements:
  - a. Innovation Office Badge
  - b. Nonlawyer ownership disclosure

If Immigration Office Solutions wishes to alter these conditions or requirements, it must submit any such change to the Innovation Office for further assessment. The Innovation Office will assess the proposed change and may permit the change if it deems the change does not materially increase the risks to consumers. If the Innovation Office finds a material increase in risk then it will present the issue to the Court for further consideration.

This authorization is granted for the duration of the existence of the Sandbox, or until exit and permanent licensure at the discretion of the Court. Authorization is subject to Immigration Office Solutions' compliance with the conditions and requirements set forth in the Innovation Office Manual and the Innovation Office Recommendation to

the Court and to a verification by the Innovation Office that the company's services are not causing material harm to consumers.

DATED this 16th day of August 2022.

A handwritten signature in black ink, appearing to read 'M. B. Durrant', written over a horizontal line.

Matthew B. Durrant  
Chief Justice

# Document 2



# Recommendation to the Court

App No.0063 - Immigration Office Solutions

April 27, 2022

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## Executive Summary

Recommendation: Authorize as ABS

Notice: the State of Utah cannot authorize software providers to “practice law” if prohibited by federal regulation. In the context of immigration, the regulation of nonlawyer practice (which may apply to software that “gives advice” in relation to specific “facts”) require: the entity be a non-profit, an Accredited Representative, or have recognized status through DOJ/EOIR; and may prevent the acceptance of fees for services provided.<sup>1</sup>

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Applicant: Immigration Office Solutions

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Proposed Model/Service: Immigration Office Solutions uses guided software technology to assist employers and employees in the completion of various immigration applications including: EB-3 Green Card, Work Permit Renewals, immigrant petitions for alien workers, and immigrant petitions for alien relatives.

The multi-step, software driven, data information intake process and post intake analyses solutions help consumers apply for appropriate immigration services. If the result of an individual’s intake questionnaire reveals issues that need to be addressed by a licensed professional, then they refer that individual to an immigration attorney.

The Supreme Court of Utah does not have the jurisdiction to determine what constitutes the practice of law in immigration court and does not take a position on whether or not the software, as currently used by Immigration Office Solutions, constitutes the practice of law” as defined in 8 CFR 1.2. Immigration Office Solution is solely responsible to assure that they are in compliance with federal law.

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<sup>1</sup> <https://www.federalregister.gov/documents/2016/12/19/2016-29726/recognition-of-organizations-and-accreditation-of-non-attorney-representatives> 8 C.F.R 1.2 states, “Practice means the act or acts of any person appearing in any case, either in person or through the preparation or filing of any brief or other document, paper, application, or petition on behalf of another person or client before or with DHS. Preparation, constituting practice, means the study of the facts of a case and the applicable laws, coupled with the giving of advice and auxiliary activities, including the incidental preparation of papers, but does not include the lawful functions of a notary public or service consisting solely of assistance in the completion of blank spaces on printed DHS forms, by one whose remuneration, if any, is nominal and who does not hold himself or herself out as qualified in legal matters or in immigration and naturalization procedure. Representation before DHS includes practice and preparation as defined in this section.”



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Target Consumer Market Utah business owners struggling to fill unskilled and low skilled positions; and foreign nationals who need access to affordable, responsive, and easy to use immigration solutions.

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Sandbox Qualifiers: This business model/service qualifies for the Sandbox because it would feature the following characteristics:

- Lawyers employed or managed by nonlawyers
- Nonlawyer ownership
- Lawyers sharing profits with non-lawyer
- Software provider with lawyer involvement

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Regulatory Objective Qualifier:<sup>2</sup> The proposal meets the Regulatory Objective in that it seeks to provide Utah consumers with accessible legal representation in employment sponsored immigration services.

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Utah Qualifier: Adapted for Utah requirements as Immigration Office Solutions seeks to assist Utah businesses hire foreign labor.

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Implementation Qualifier: Ready for immediate implementation through existing websites: myvisafiling.com, mycase.vip, eb3.work, and immigrationofficesolutions.com

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## Innovation Level Assessment

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General Assessment: Low (as recommended)

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Specific Risks: As with any ABS there are common risks around:

1. Confidentiality
2. Non-lawyer oversight of services
3. Corporate interest in protecting profit

Immigration Office Solution has appropriately addressed these concerns through proprietary software based solutions as well as human-based analyses and review procedures to identify, track,

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<sup>2</sup> Regulatory Objective: To ensure consumers have access to a well-developed, high-quality, innovative, affordable, and competitive market for legal services. (Standing Order No. 15)

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and mitigate the risks to consumers as well as a direct referral to an attorney for needs not addressed by the software.

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## Sandbox Recommendation

We recommend the Court authorize Immigration Office Solutions to offer legal services in the state of Utah, subject to such requirements as the Innovation Office may impose.

### Scope of Recommended Authorization

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Term of authorization	The Innovation Office recommends that the authority be granted for an initial period of 24 months from the date of service launch with the possibility of extension or permanent authorization. Any such extension or permanent authorization would be subject to the applicant complying with the conditions and requirements set forth below and also to a verification by the Innovation Office that Immigration Office Solutions has a record of compliance with all requirements and the company's services are not causing harm to consumers.
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Recommended legal service models	This section presents a numbered list of the recommended service models. <ol style="list-style-type: none"><li>1. Lawyers employed or managed by nonlawyers</li><li>2. Nonlawyer ownership</li><li>3. Lawyers sharing profits with non-lawyer</li><li>4. Software with lawyer involvement -legal document completion (as defined in footnote 2 on page 5 of the Innovation Office Manual.)</li></ol>
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Legal service models not recommended	None
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Recommended consumer service areas	1. Immigration
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Recommended waivers	None
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Recommended qualitative compliance requirements	Standardized disclosure statements on website and in mobile applications (see Manual): <ol style="list-style-type: none"><li>1. Badge</li></ol>
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2. Nonlawyer ownership disclosure

Note: All lawyers employed by Immigration Office Solutions remain subject to the rules of professional conduct and the disclosure requirements imposed by Rule 5.4 as well as Federal Regulation concerning immigration representation.

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Recommended data reporting requirements

Low Innovation data reporting requirements (see Manual)

# Application: 00001-0000000101

[REDACTED]

Office of Legal Services Innovation

## Summary

**ID:** 00001-0000000101

**Last submitted:** Mar 13 2022 03:01 PM (MDT)

**Labels:** Lawyers employed or managed by a nonlawyer, More than 50% nonlawyer ownership, Lawyers sharing legal fees or paying referral fees to nonlawyers, Nonlawyer provider with lawyer involvement, Nonlawyer provider without lawyer involvement, Software provider with lawyer involvement, Software provider without lawyer involvement, Immigration

## Personal Information

**Completed** - Mar 6 2022

## Personal Information

### Entity Name

Immigration Office Solutions

### Business Email Address

[REDACTED]

### Business Phone Number

[REDACTED]

### Business Website

[REDACTED]

**Business Address**

Address Line 1	[REDACTED]
Address Line 2	(No response)
City	[REDACTED]
State	[REDACTED]

**Mailing Address**

Address Line 1	[REDACTED]
Address Line 2	(No response)
City	[REDACTED]
State	[REDACTED]

**Contact Name**

[REDACTED]

**Contact Title**

[REDACTED]

**Contact Phone Number**

[REDACTED]

**Contact Email**

[Redacted]

**Second Contact Name**

(No response)

**Second Contact Title**

(No response)

**Second Contact Phone Number**

(No response)

**Second Contact Email**

(No response)

**Bar License No. and State (if applicable)**

(No response)

**1. Proposed Services**

Completed - Mar 11 2022

**1. Proposed Services**

### 1.1. Describe your proposed legal services offering in detail.

Please include (i) who provides the legal services, (ii) how consumers will access/receive these services, and (iii) what your service will do for your customers.

Immigration Office Solutions is [REDACTED]

Our innovative business model helps solve one of the critical challenges facing our economy while providing value to both employers and employees.

### 1.2. Describe the entity business model you want authorized in the Sandbox, including the management structure which will oversee direct legal service providers.

We would

### 1.3. Why is your proposal eligible to enter the Sandbox?

Identify the specific model, service or product innovations that are not permitted under the traditional rules governing the practice of law.

Software provider with lawyer involvement - legal document completion only

Software provider without lawyer involvement

Lawyers employed or managed by nonlawyers

Nonlawyer ownership (50% or more)

Lawyers sharing fees with nonlawyers

Software provider without lawyer involvement

#### 1.4. Describe your target consumer(s).

For example: single parents making <\$50,000 in a custody dispute, first generation college students in a landlord-tenant dispute; renters 40+ years planning for retirement; college educated entrepreneurs seeking legal advice in starting a business.

Business owners struggling to fill unskilled and low skilled positions; foreign nationals who need access to affordable, responsive, and easy to use immigration solutions.

Please attach any supporting materials you'd like to include with your application.

#### 1.5. Which service models are you seeking to use?

Select all that apply.

##### Responses Selected:

Lawyers employed or managed by a nonlawyer

More than 50% nonlawyer ownership

Lawyers sharing legal fees or paying referral fees to nonlawyers

<p>Nonlawyer provider<sup>1</sup> with lawyer involvement<sup>2</sup></p>

Nonlawyer provider without lawyer involvement

Software provider with lawyer involvement

Software provider without lawyer involvement

#### 1.6. Which legal service categories are you seeking to offer?

Select all that apply.

##### Responses Selected:

Immigration



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<sup>1</sup> Provider means legal practitioner: a provider who or which is practicing law, including offering legal advice.

<sup>2</sup> Involvement denotes a range of activities, including guidance on initial development of forms, scripts, processes, software. It could mean a lawyer does sample reviews of product/service performance. It could mean a lawyer is available to advise the nonlawyer provider as needed - including via red flag trap doors in software.

## **2. Risk Assessment**

**Completed** - Mar 13 2022

## **2. Risk Assessment**

The Innovation Office must assess whether new legal service models cause consumers to get inappropriate or otherwise flawed legal results, fail to exercise legal rights through ignorance or bad advice, or purchase an unnecessary or inappropriate legal service.

**2.1. Fully and candidly discuss the risks your customers might face if they use your proposed model, including each of the risks described above.**

Legal consumers in the immigration space face the risk of receiving poor immigration advice from inexperienced practitioners or flawed systems.

Our multi-step software driven data information intake process, and post intake analyses solutions are built specifically to minimize risks that could lead to inappropriate or otherwise flawed legal results.

As part of our proprietary software-based intake system, we can determine with a high degree of accuracy if an immigration petition will be approved or denied as well as prevent the purchase of an unnecessary or inappropriate legal service.

If the result of an individual's intake questionnaire reveals issues that need to be addressed by a licensed professional, then we refer that individual to a licensed immigration attorney who is well versed and experience in that specific domain and will be able to offer a high quality, cost effective legal solution in a timely manner.

## **2.2. Describe the specific ways you will identify, track, and mitigate the risks to consumers in your proposed model.**

These efforts could include quality control measures, training, provider testing.

We use proprietary software based solutions as well as human-based analyses and review procedures to identify, track, and mitigate the risks to our clients.

Our user interface is designed to provide as much immigration-related education content as we can for the types of immigration cases that we accept and prepare. Our websites provide clear information on who qualifies for certain visa types. Our software-enabled assessment tools allow consumers to determine if they are eligible for certain immigration benefits.

Our tech-enabled and multiple-step quality control system allows our team to prevent errors in the assessment and case preparation process. We are constantly updating both our internal systems as well as our proprietary immigration case management software to identify, track, and mitigate potential risks to consumers.

Our quality control system checks data against eligibility criteria at each step in the process. We have different team members checking for errors at each stage.

We are able to identify, track, and mitigate the risks to legal consumers through our proprietary software intake, analyses and reporting system.

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## **2.3. Please describe your consumer complaint process.**

Our proprietary immigration case management allows our consumers to seamlessly communicate with us. Consumers have multiple communication channels to choose from: Social media, email, text, phone, and mail.

Once a complaint is received our team immediately reaches out to the consumer to: a) find out what the issue is, b) what our team can do to solve the issue, and c) clearly communicate the path we will take to deliver the solution.

## **3. Benefits To Utah Consumers**

## 3. Benefits To Utah Consumers

The Innovation Office is assessing potential benefits of proposed offerings to the Utah legal market.

### 3.1. Describe how your model will provide higher quality, more cost effective, and more accessible legal services for your target consumers.

3.1. Describe how your model will provide higher quality, more cost effective, and more accessible legal services for your target consumers.

Our innovative model will provide higher quality, more cost effective, and more accessible legal services for 2 types of target consumers.

1) Providing Utah employers with high-quality, cost-effective access immigration programs that provide access to legal foreign labor.

Many Utah businesses are struggling to stay open due to the lack of workers. The inability to Utah business owners to fully staff their business has a stifling and negative rippling effect on the Utah economy.

The EB-3 Green Card program allows U.S. employers to sponsor and employ foreign national workers on a permanent basis.

It is often too confusing for employers to navigate on their own and the tradition law firm model often lacks the motivation to innovate, resulting in expensive and inaccessible offerings.

The proprietary software technology in our model provides Utah employers with access to a guided, easy to use, quick and cost-effective legal solution to participate in and easily navigate their way through the EB-3 Green Card program for unskilled and low skilled workers.

Our team works closely with immigration attorneys and IT specialists to design the workflow for employers to follow from checking if they qualify to the final green card approval.

The following recent articles speak to the severe economic impact the labor shortage is having on Utah employers.

As reported by KUTV (<https://kutv.com/news/utahs-growing-pains/utahs-growing-labor-shortage-isnt-caused-by-people-collecting-unemployment>),

“We’re unable to ramp up as much as we’d like,” says Jeremy Ford, Director of Operations at Garage Grill.

Utah's unemployment rate remains very low, just over 2 percent. That's the second-lowest in the U.S.

The Salt Lake Tribune (<https://www.sltrib.com/artsliving/food/2022/02/02/utah-food-beverage/>) reports “It has changed drastically daily,” Boutwell said. “My general managers are busing tables, I am busing tables. I’ve had an ad for employees for well over a year now, and none of my restaurants are even close to being 75% staffed.

2) Providing affordable access to immigration benefits for Utah consumers.

There are many immigration procedures that can be accomplished by trained immigration paralegals and do not need be performed by a licensed immigration attorney.

Popular immigration benefits such as Work Permit Renewals, immigrant petitions for alien workers, and immigrant petitions for alien relatives can be formed by well trained professionals who are part of a well-developed system. These types of simple petitions do not require oversight of a licensed attorney.

As part of our well-developed software-based intake system, we can determine with a high degree of accuracy if an immigration petition will be approved or denied. If the result of an individual’s intake questionnaire reveals issues that need to be addressed by a licensed professional, then we refer that individual to a licensed immigration attorney who is well versed and experience in that specific domain and will be able to offer a high quality, cost effective legal solution in a timely manner.

### 3.2. Does your proposal comply with applicable Utah legal requirements?

For example: staffed by UT licensed attorneys, built to complete state legal forms.

Our proposal complies with the following applicable Utah legal requirements:

50% or more nonlawyer ownership

An entity using nonlawyer practitioners (both human or software) to provide legal advice and other practice services.

### 3.3. Identify which of your service models are ready to immediately implement.

The Office of Innovation is only authorized to consider proposals which are ready to begin offering legal services not currently authorized in Utah at the time of authorization.

Our service models are ready to be immediately implemented. They consist of [REDACTED]

## 4. Confirmation Of Eligibility

Completed - Mar 13 2022

## 4. Confirmation Of Eligibility

4.1. List all persons and entities who wholly or partially direct the management or policies of your proposed entity and/or the direct provision of legal services to consumers, whether through ownership of securities, by contract, or otherwise ("controlling persons").

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**4.2. List all persons and entities who will wholly or partially (greater than 10%) finance the business of your proposed entity (“financing persons”).**

[Redacted]

**4.3. Please note that no financing person may be a disbarred or suspended lawyer. List all controlling persons who are disbarred or suspended lawyers.**

None

**4.4. List all controlling persons or financing persons of your proposed entity who have a felony criminal history**

None

**4.5. List all persons who will be in a managerial role over the direct provision of legal services to consumers who are disbarred lawyers.**

None

**4.6. List all persons who will be in a managerial role over the direct provision of legal services to consumers who have a felony criminal history.**

None

**4.7. Please select the most accurate description: My proposed entity has a material corporate relationship and/or business partnership with:**

Neither a disbarred / suspended lawyer nor an individual with a felony criminal history

**4.8. Disclose any history of state or federal criminal (misdemeanor or felony) conviction, state or federal consent decree, or state or federal enforcement action resulting in sanctions (disgorgement, civil penalties, and/or injunction) for the entity and, if applicable, its parent and other affiliated companies.**

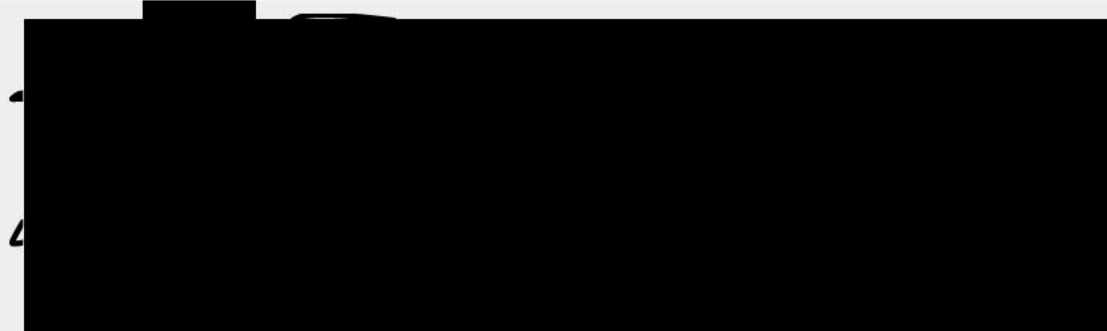
None

**4.9. Disclose whether the entity, parent, and other affiliated companies are, to their knowledge, currently subject to a state or federal criminal investigation or state or federal enforcement action.**

None

**I confirm that no financing persons listed in this application are disbarred or suspended lawyers.**

Signature

A large black rectangular redaction box covers the signature area.

**Printed Name**

A black rectangular redaction box covers the printed name.



**Title**



**Date**

Mar 13 2022

# Selling of Consumer Data Disclosure

**Please indicate whether your business model includes the sharing or selling of consumer data in any form to third parties.**

No

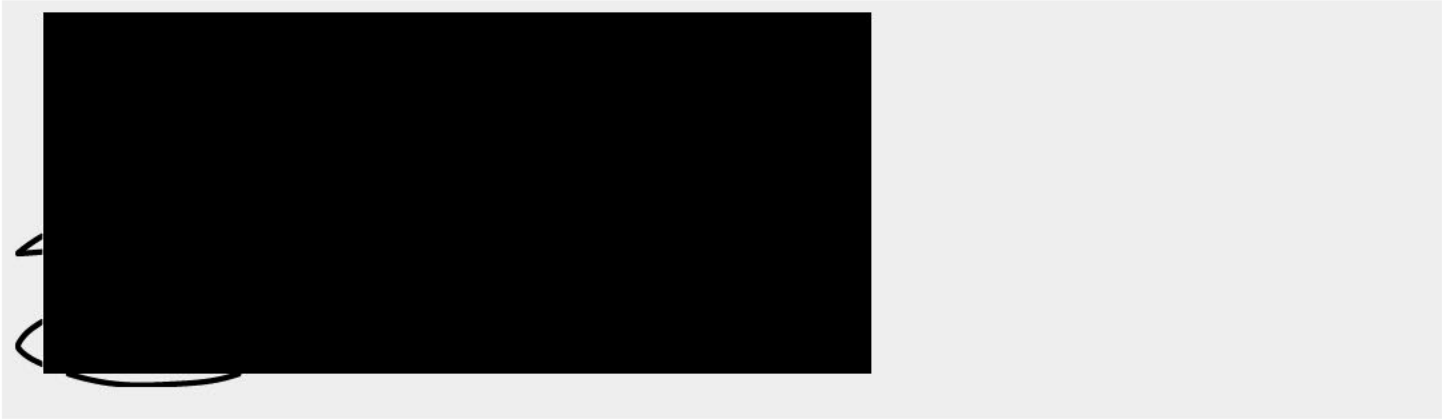
## Public Application

Your application will be made publicly available. You will have the opportunity to make a claim of business confidentiality for specific information that would qualify for protection under GRAMA Section 63G-2-305. Making false or materially misleading statements in this application is a basis for loss of authorization to practice within the Sandbox. Other criminal and civil sanctions may also apply.

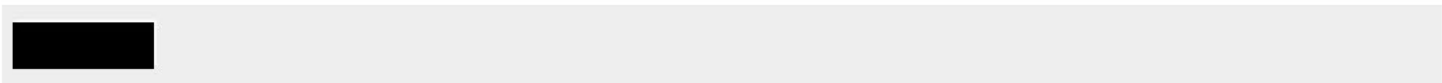
**Responses Selected:**

I understand.

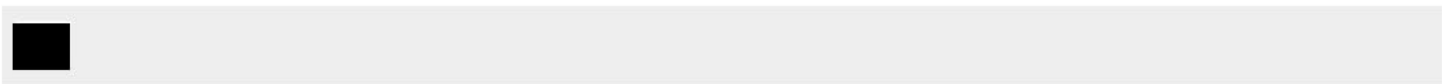
**Signature**



**Printed Name**



**Title**



**Date**

Mar 13 2022

**GRAMA**

**In Progress** - Last edited: Mar 13 2022

**GRAMA**

SANDBOX PARTICIPANT GRAMA CLAIM OF BUSINESS CONFIDENTIALITY

Pursuant to Utah Code Section 63G-2-305(1) and (2), and in accordance with Section 63G-2-309, Immigration Office Solutions (company name) asserts a claim of business confidentiality to protect the following information submitted as part of an Application for authorization to offer legal services in the Sandbox.

### No Responses Selected

This claim is asserted because this information requires protection as it includes:

### No Responses Selected

Following is a concise statement of reasons supporting the claim of business confidentiality:

(No response)

### Signed



On behalf of (company): Immigration Office Solutions

### Date

Mar 13 2022