UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
OFFICE OF THE CHIEF IMMIGRATION JUDGE

File No. D2009-053

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In the Matter of	)	
	)	
RAVINDRA SINGH KANWAL	)	IN DISCIPLINARY PROCEEDINGS
aka Ravi Kanwal	)	
	)	
Respondent	)	
	)	
	)	

ON BEHALF OF RESPONDENT:
Pro Se

ON BEHALF OF DHS:
Rachel A. McCarthy
Bar Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403

ON BEHALF OF EOIR:
Jennifer Barnes
Bar Counsel
Office of the General Counsel
5107 Leesburg Pike, Suite 2600
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FINAL ORDER OF DISCIPLINE

These disciplinary proceedings were commenced against Ravindra Singh Kanwal, aka Ravi Kanwal, on March 19, 2009 by U.S. Citizenship and Immigration Services (USCIS), Department of Homeland Security filing a Notice of Intent to Discipline (NID) (Exhibit 1). The Executive Office for Immigration Review, by its Bar Counsel, joined these disciplinary proceedings on March 24, 2009.

On April 22, 2009, Respondent filed an answer in which he admitted the allegations in the NID and requested a hearing on the appropriate disciplinary sanction. The proceedings were transferred to the Office of the Chief Immigration Judge (OCIJ) and Administrative Law Judge Ellen K. Thomas was assigned to preside as the adjudicating official in these proceedings. A pre-hearing telephonic conference was conducted on June 23, 2009 and continued to July 7, 2009 in order to provide the parties an opportunity to explore the possibility of a resolution without a formal hearing.

The Court acknowledges receipt of the Consent to Entry of Final Order of Discipline ("Consent") executed by Bar Counsel for USCIS, DHS and Respondent. The terms of the Consent are incorporated as if fully set forth below and the Court accepts and approves of the terms of the Consent in its Final Order of Discipline in this matter.

The Court makes the following findings of fact:

1. Respondent is an attorney admitted to the practice of law in Colorado in 1992, currently in active status.
2. Respondent was also admitted to the practice of law in Illinois in 1994, Ohio in 1990 and Louisiana in 1988 and is currently in "inactive" status in all of these jurisdictions.
3. Between on or about 1999 and April 2009 Respondent filed in excess of four thousand, seven hundred (4,700) applications or petitions seeking immigration benefits for clients with USCIS and its predecessor agency, the Immigration and Naturalization Service (INS).
4. Respondent also engaged in acts constituting representation before the Immigration Courts.
5. Respondent was admitted to the United States on December 29, 1991 as a nonimmigrant worker for a specific employer with permission to remain until August 3, 1994.
6. Respondent applied for and was granted a change in status to that of a nonimmigrant visitor for business, effective January 23, 1995 for which he was granted an extension, with permission to remain in the United States until December 30, 1995.
7. Respondent, on or after January 23, 1995, failed to maintain his status or comply with the conditions of his change in status to nonimmigrant visitor for business, in that he engaged in local employment and/or labor for hire.
8. Respondent remained in the United States beyond December 30, 1995 without authorization from INS.
9. On January 26, 2009, Respondent was interviewed by an officer of Immigration and Customs Enforcement (ICE), DHS, regarding his immigration status in the United States and in a written statement, Respondent admitted that he last entered the United States in December 1991 or 1992 with a time-limited nonimmigrant employment based visa, that the visa had expired and that he had no lawful immigration status in the United States.

10. On January 26, 2009, Respondent was issued a Notice to Appear (NTA) that was amended on February 13, 2009, and that he is currently within the jurisdiction of the Immigration Court for removal proceedings.
11. Respondent has filed, or is the named beneficiary of, applications for immigration benefits with USCIS, DHS but that he does not have lawful immigration status at this time.

12. Between on or about December 30, 1995 to present, Respondent knowingly, or with reckless disregard, engaged in employment as an attorney at a "full service immigration law firm, which concentrates its practice assisting citizens in obtaining lawful status in the United States" at a time when he did not have lawful status in the United States, in violation of U.S. immigration law.
13. Between on or about December 30, 1995 to present, Respondent knowingly, or with reckless disregard, engaged in employment as an attorney as described in paragraph 11 above, at a time when he did not have authorization for employment from USCIS, or INS, in violation of U.S. immigration law.

WHEREFORE, having made the above-described findings of fact, the Court now makes the following conclusions of law:

The Court finds, by clear, unequivocal, and convincing evidence, that Respondent's conduct violated Rule 1292.3(b), as set forth in Rule 1003.102, and that it is in the public interest to discipline him, in that:

1. Respondent has engaged in unethical conduct;
2. Respondent has engaged in unprofessional conduct that is prejudicial to the administration of justice or undermines the integrity of the adjudicative process; and
3. He has engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation deemed to be a failure to maintain personal integrity.

The Court finds that Respondent has freely and voluntarily, withdrawn his request for a hearing on the issue of the appropriate disciplinary sanction to impose in this proceeding as a result of his violations of the Rules of Professional Conduct for Practitioners as set forth in the NID.

The Court, having considered the entire record in this proceeding, the Consent, and the American Bar Association's Standards for Imposing Lawyer Sanctions (ABA Standards), issues the following order regarding disciplinary sanctions:

ORDER: The Court hereby suspends the Respondent from practice before the Board, the Immigration Courts, and the DHS, for a period of two years, effective the date on which this order is signed by the Court.

CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of July, 2009, I have served copies of the foregoing Final Order of Discipline on the following persons at the addresses indicated:

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