U.S. Department of Justice
Executive Office for Immigration Review

Falls Church, Virginia 22041

Decision of the Board of Immigration Appeals

File: D2007-259 Date: DEC 11 2007

In re: RUBINA ARORA WADHWA, ATTORNEY

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

FINAL ORDER OF DISCIPLINE

ON BEHALF OF GENERAL COUNSEL: Jennifer J. Barnes, Bar Counsel

ON BEHALF OF DHS: Eileen M. Connolly, Appellate Counsel

ORDER:

PER CURIAM. The respondent will be suspended from practice before the Board, Immigration Courts, and Department of Homeland Security (the "DHS"), for 9 months.

On August 30, 2007, the Supreme Court of Pennsylvania suspended the respondent from the practice of law for 9 months.[1] Consequently, on October 10, 2007, the Office of General Counsel for the Executive Office for Immigration Review (EOIR) petitioned for the respondent's immediate suspension from practice before the Board of Immigration Appeals and the Immigration Courts. On October 12, 2007, the DHS asked that the respondent be similarly suspended from practice before that agency. Therefore, on October 25, 2007, we suspended the respondent from practicing before the Board, the Immigration Courts, and the DHS pending final disposition of this proceeding.

The respondent filed a timely answer to the allegations contained in the Notice of Intent to Discipline on November 15, 2007. *See* 8 C.F.R. § 1003.105(c)(1).

The respondent does not contest the allegations in the Notice of Intent to Discipline. Rather, the answer states that the respondent seeks to have her suspension "run concurrently with the discipline imposed by [the] Pennsylvania Supreme Court." The respondent waived a hearing on the charges. 8 C.F.R. § 1003.105(c)(3). We therefore find it appropriate to issue a final order on the General Counsel's charges.

The Notice of Intent to Discipline recommends that the respondent be suspended from practicing before the Board and the Immigration Courts, for a period of 9 months. The DHS asks that we extend that discipline to practice before it as well. Since the recommendation is appropriate in light of the respondent's suspension from the practice of law in Pennsylvania, we will honor the government's recommendation. Accordingly, we hereby suspend the respondent from practice before the Board, the Immigration Courts, and the DHS for a period of 9 months. Further, after consideration of the respondent's submissions in her answer, we will deem the respondent's

[1]The respondent was previously the subject of disciplinary proceedings before EOIR. She was suspended on September 12, 1996, based on her submission of fraudulent medical records in connection with an immigration case (Notice of Intent to Discipline, at § 8).

suspension to have commenced on August 30, 2007, the date the Supreme Court of Pennsylvania suspended her from the practice of law. The respondent is instructed to maintain compliance with the directives set forth in our prior order. The respondent is also instructed to notify the Board of any further disciplinary action against her. We direct that the contents of this notice be made available to the public, including at Immigration Courts and appropriate offices of the DHS.

After the suspension period expires, the respondent may petition this Board for reinstatement to practice before the Board, Immigration Courts, and DHS. *See* 8 C.F.R.§ 1003.107(a). In order to be reinstated, the respondent must demonstrate that she meets the definition of an attorney or representative, as set forth in 8 C.F.R. § 1001.1(f) and (j). *Id.* Therefore, the respondent must show that she has been reinstated to practice law in Pennsylvania before she may be reinstated by the Board. *See* 8 C.F.R. § 1001.1(f) (stating that term "attorney" does not include any individual under order suspending him from the practice of law).

FOR THE BOARD