



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

Office of the Director
5107 Leesburg Pike, Suite 2400
Falls Church, Virginia 22041

NEWS RELEASE

Contact: Office of Public Affairs
(703)305-0289, Fax: (703) 605-0365

Internet: www.usdoj.gov/eoir

August 18, 2000

EOIR Takes First Disciplinary Actions Against Immigration Practitioners

Five Attorneys Suspended under Amended Rules of Professional Conduct

The Executive Office for Immigration Review (EOIR) has formally suspended five attorneys from practicing before the Immigration Courts, the Board of Immigration Appeals (the Board), and the Immigration and Naturalization Service. Their suspensions, on grounds of EOIR disciplinary rule violations arising out of sanctions imposed by other jurisdictions, are the first disciplinary actions taken by EOIR under the recently amended Rules of Professional Conduct for Immigration Practitioners, provided in Title 8 of the Code of Federal Regulations (8 CFR Part 3 and 292).

The Board of Immigration Appeals ordered immediate suspensions of the attorneys named below after EOIR's Office of the General Counsel filed petitions for immediate suspension and Notices of Intent to Discipline with the Board for the reasons stated:

Milton Dan Kramer, suspended for 3 years by the Ninth Circuit Court of Appeals and by the Second Judicial Department of the New York Supreme Court;

Carolyn Elaine Miyashita, disbarred by the Ninth Circuit and suspended for 5 years by the North Carolina State Bar;

Kenneth R. Rastello, suspended for 180 days by the Michigan Attorney Discipline Board;

Alan E. Koczela, law license revoked by the Virginia State Bar; and

Antonio Reyes-Vidal, suspended 84 months (with 60 months probated) by the District Court of Bexar, Texas.

The amended rules, which were published in the *Federal Register* on June 27, 2000, and which became effective on July 27, include provisions specifying grounds for disciplinary action,

requirements for receiving and investigating complaints, and procedures for conducting hearings. The rule also authorizes the Board to immediately suspend a practitioner who has been subject to either disbarment, suspension, or resignation with an admission of misconduct as imposed by a State or Federal court, pending a summary proceeding and final sanction.

In the matters cited above, the Board's orders direct the suspended attorneys "to promptly notify, in writing, any clients with cases currently pending before the Board, the Immigration Courts, or the Service that the respondent has been suspended from practicing before these bodies."

Each suspended attorney also received a Notice of Intent to Discipline directing him or her to respond within 30 days to the charges. In the response, each may state his or her defenses against the imposition of the recommended final discipline and seek a hearing.

EOIR announces these actions to inform the public of its ongoing efforts to prevent or correct misconduct and misrepresentation by immigration practitioners. EOIR also will post a list of suspended and expelled practitioners on its Web site at www.usdoj.gov/eoir.

-EOIR-

(Note: This release was revised on August 22, 2000, to correct an error.)