# Matter of Sarah J. M. JONES, Respondent

*Decided August 24, 2026*

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

(1) An individual who is eligible to practice law and is a member in good standing in one jurisdiction does not meet the regulatory definition of "attorney" if he or she is barred from or otherwise restricted in practicing law in another jurisdiction.

(2) Reinstatement is unwarranted because, during the respondent's indefinite suspension, she registered for and obtained an Executive Office for Immigration Review identification number and practiced before the Immigration Courts in several cases.

FOR THE RESPONDENT: Pro se

FOR THE EXECUTIVE OFFICE FOR IMMIGRATION REVIEW, OFFICE OF GENERAL COUNSEL: Nathan S. Henriksen, Acting Disciplinary Counsel

FOR THE DEPARTMENT OF HOMELAND SECURITY: Catherine M. O'Connell, Disciplinary Counsel

BEFORE: Board Panel: MALPHRUS, Chief Appellate Immigration Judge; MULLANE and CHABAN, Appellate Immigration Judges.

CHABAN, Appellate Immigration Judge:

The respondent was indefinitely suspended from the practice of law before the Board of Immigration Appeals ("Board"), the Immigration Courts, and the Department of Homeland Security ("DHS") on August 25, 2011. On May 12, 2026, the respondent filed a petition for reinstatement. The Disciplinary Counsels for the Executive Office for Immigration Review ("EOIR") and DHS oppose the petition. The respondent's petition for reinstatement will be denied.

## I. PROCEDURAL HISTORY

On June 8, 2011, the United States Court of Appeals for the Ninth Circuit, pursuant to its own disciplinary rules, issued an order accepting the respondent's resignation from the Ninth Circuit bar, with disciplinary proceedings pending, and deeming her no longer eligible to practice law before the Ninth Circuit. On June 30, 2011, Disciplinary Counsel for the Executive Office for Immigration Review petitioned for the respondent's immediate suspension from practice before the Board of Immigration

Appeals and the Immigration Courts, pending further disciplinary proceedings. On July 5, 2011, Disciplinary Counsel for DHS similarly requested that the respondent be suspended from practice before that agency. We granted Disciplinary Counsels' petitions on July 13, 2011. In a final order dated August 25, 2011, we suspended the respondent from practice before the Board, the Immigration Courts, and DHS for an indefinite period of time.

The respondent now petitions to be reinstated to practice before the Board, the Immigration Courts, and DHS. She asserts that she did not receive a copy of our August 25, 2011, suspension order, which had been mailed to her address of record in California, because she had moved from that address in 2010 and left no forwarding address. The respondent avers that she consented to disbarment before the Illinois Supreme Court on January 13, 2012, but has now been fully reinstated to practice law by that court. She further claims that she meets the definition of attorney contained in 8 C.F.R. § 1001.1(f) (2026). *See* 8 C.F.R. § 1003.107(a)(1) (2026) (discussing requirements for reinstatement).

The Disciplinary Counsels for EOIR and DHS oppose reinstatement, arguing that the respondent has not met the definition of attorney as set forth in 8 C.F.R. § 1001.1(f) and has not complied with her period of suspension. The Disciplinary Counsels also describe how, during her indefinite suspension, the respondent registered and obtained an EOIR identification (ID) number to practice before the Board and the Immigration Courts, filed a Notice of Entry of Appearance Before the Immigration Court (Form EOIR-28) on January 8, 2025, and appeared by video at a special master calendar hearing on a client's behalf. The Disciplinary Counsels also list a separate instance on January 20, 2025, in which the respondent filed four Form EOIR-28s and motions to accept late-filed documents in four related cases.

## II. ANALYSIS

The Board may grant a petition for reinstatement after suspension or disbarment in appropriate circumstances. 8 C.F.R. § 1003.107 (setting forth procedures for obtaining reinstatement). However, we must deny a petition for reinstatement without further consideration if an individual does not meet the definition of "attorney" under 8 C.F.R. § 1001.1(f). 8 C.F.R. § 1003.107(b)(3). Pursuant to 8 C.F.R. § 1001.1(f), an attorney is defined as:

> "any person who is eligible to practice law in and is a member in good standing of the bar of the highest court of any State, possession, territory, or Commonwealth of the United States, or of the District of Columbia, and is not under any order

> suspending, enjoining, restraining, disbarring, or otherwise restricting him [or her] in the practice of law."

Thus, an individual who is eligible to practice law and is a member in good standing in one jurisdiction does not meet the regulatory definition of "attorney" if he or she is barred from or otherwise restricted in practicing law in another jurisdiction. In addition, the Board "shall" deny the petition for reinstatement "[i]f the petition for reinstatement is found to be otherwise inappropriate or unwarranted." 8 C.F.R. § 1003.107(b)(3).

The respondent is not eligible for reinstatement because she has not shown that she meets the definition of "attorney." The Ninth Circuit's order barred the respondent from "practic[ing] law in this court in any fashion" and directed copies of its order to be served on EOIR Disciplinary Counsel and the Supreme Court of Illinois. The respondent does not claim that she has been reinstated to practice in the Ninth Circuit or otherwise claim that the basis for her resignation in lieu of suspension has been modified or vitiated by the Ninth Circuit since our 2011 final order of suspension. Thus, she has not shown that she "is not under any order suspending, enjoining, restraining, disbarring, or otherwise restricting" her practice of law before the Ninth Circuit. 8 C.F.R. § 1001.1(f).

The respondent argues that she meets the definition of an attorney because she claims, without evidence, that she is now in active status in good standing in Illinois after having been disbarred there in 2012. However, even assuming she is currently in active status and good standing in Illinois, she has not presented any evidence of a change in status in the Ninth Circuit. *See* 8 C.F.R. § 1001.1(f).

Moreover, reinstatement is "otherwise inappropriate or unwarranted" due to the respondent's noncompliance with the Board's August 25, 2011, suspension order. 8 C.F.R. § 1003.107(b)(3). During her indefinite suspension, the respondent registered for and obtained an EOIR ID number and practiced before the Immigration Courts in several cases, and she has not shown that she should be excused due to her assertion that she was unaware of the suspension.

The respondent's claim that she should be excused due to nonreceipt of our August 25, 2011, suspension order is unpersuasive. A copy of that order was not returned to the Board. The respondent also does not claim that she was unaware of our June 30, 2011, immediate suspension order. She has not explained when she received notice of the suspension before filing this petition. It is also undisputed that she was aware of the Ninth Circuit order accepting her resignation in lieu of disciplinary proceedings, and there is no evidence regarding any change in her status in the Ninth Circuit. Accordingly, the respondent's actions and inactions during our imposed period of indefinite suspension preclude reinstatement.

In sum, the respondent is ineligible for reinstatement because she does not meet the definition of "attorney" under 8 C.F.R. § 1001.1(f) and because reinstatement is not warranted in light of her conduct during the Board's indefinite suspension period. Accordingly, we will deny the petition for reinstatement.

**ORDER:** The respondent's petition for reinstatement is denied.