

Falls Church, Virginia 22041

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File: D2018-0002

Date: MAR 01 2018

In re: Judith SPORN, Attorney

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

FINAL ORDER OF DISCIPLINE

ON BEHALF OF DHS: Catherine M. O'Connell  
Disciplinary Counsel

ON BEHALF OF EOIR: Jennifer J. Barnes  
Disciplinary Counsel

The respondent will be disbarred from practice before the Board of Immigration Appeals (Board), the Immigration Courts, and the Department of Homeland Security (DHS).

On September 18, 2015, the Superior Court for the Judicial District of Stamford/Norwalk at Stamford (Superior Court) suspended the respondent from the practice of law in Connecticut for 2 years. The Superior Court granted the respondent's requests for stays of her suspension, pending a ruling on her appeal, until October 25, 2016. The Superior Court denied the respondent's additional stay requests in orders dated November 17, 2016, and December 14, 2016. Consequently, on January 19, 2017, the Disciplinary Counsel for the Department of Homeland Security (Disciplinary Counsel for the DHS) petitioned for the respondent's immediate suspension from practice before that agency. The Disciplinary Counsel for the Executive Office for Immigration Review (Disciplinary Counsel for EOIR) then asked that the respondent be similarly suspended from practice before the Board and the Immigration Courts. We granted the petition on February 3, 2017.

On February 28, 2017, we denied the respondent's Emergency Motion to Set Aside the Immediate Suspension. On March 7, 2017, the Appellate Court of Connecticut affirmed the Superior Court's decision in the respondent's state disciplinary proceedings. The Disciplinary Counsel for the DHS then filed a motion for summary adjudication arguing that the respondent had failed to file an answer to the Notice of Intent to Discipline and that a final order of discipline was warranted. On April 10, 2017, we issued a final order of discipline suspending the respondent from practice before the Board, the Immigration Courts, and the DHS for 2 years, effective February 3, 2017. The respondent has not been reinstated since that time, and the respondent's suspension before the Board, the Immigration Courts and the DHS remains in effect.

On August 26, 2017, the respondent resigned from the practice of law in Connecticut while additional disciplinary proceedings were pending against her. The Superior Court accepted the respondent's resignation on December 13, 2017. The Disciplinary Counsel for the DHS then filed a Notice of Intent to Discipline on January 9, 2018. The Notice of Intent to Discipline states that the respondent is subject to reciprocal discipline because she resigned from the practice of law while a disciplinary investigation was pending. *See* 8 C.F.R. § 1003.102(e); *see also* 8 C.F.R.

§§ 292.3(c)(3) and 1003.103(b)(2). The Disciplinary Counsel for EOIR filed a motion to join for reciprocal discipline.

The respondent was required to file a timely answer to the allegations contained in the Notice of Intent to Discipline but has failed to do so. 8 C.F.R. § 1003.105. The respondent's failure to file a response within the time period prescribed in the Notice of Intent to Discipline constitutes an admission of the allegations therein, and the respondent is now precluded from requesting a hearing on the matter. 8 C.F.R. § 1003.105(d)(1).

The Notice of Intent to Discipline proposes that the respondent be disbarred from practicing before the DHS. The Disciplinary Counsel for EOIR asks the Board to extend that discipline to practice before the Board and the Immigration Courts as well. Because the respondent has failed to file an answer, the regulations direct the Board to adopt the proposed sanction contained in the Notice of Intent to Discipline, unless there are considerations that compel us to digress from that proposal. 8 C.F.R. § 1003.105(d)(2).

The proposed sanction is appropriate in light of the respondent's resignation in Connecticut. We therefore will honor the proposed discipline and will order the respondent disbarred from practice before the Board, the Immigration Courts, and the DHS. Further, as the respondent is currently under our February 3, 2017, order of suspension, her disbarment will commence immediately upon the issuance of this order.

ORDER: The Board hereby disbars the respondent from practice before the Board, the Immigration Courts, and the DHS. The disbarment will commence immediately upon issuance of this order.

FURTHER ORDER: The respondent must maintain compliance with the directives set forth in our prior order. The respondent must notify the Board of any further disciplinary action against her.

FURTHER ORDER: The contents of the order shall be made available to the public, including at the Immigration Courts and appropriate offices of the DHS.

FURTHER ORDER: The respondent may petition this Board for reinstatement to practice before the Board, the Immigration Courts, and the DHS under 8 C.F.R. § 1003.107.

  
FOR THE BOARD