

Falls Church, Virginia 22041

File: D2019-0044

Date: JUN 24 2019

In re: Spencer LUCAS, ATTORNEY

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

MOTION

ON BEHALF OF EOIR: Paul A. Rodrigues
Disciplinary Counsel

ON BEHALF OF RESPONDENT: Ellen Pansky, Esquire

The “Joint Motion To Approve Settlement Agreement and Enter Final Order of Discipline,” filed by the respondent and the Disciplinary Counsel for the Executive Office of Immigration Review will be granted. The respondent will be publicly censured.

The respondent’s public censure is based on actions he took on February 5, 2019 (Notice of Intent to Discipline; Settlement Agreement). The respondent admittedly removed a framed photograph of the President of the United States from the lobby of the Los Angeles Immigration Court, and upon exiting the building, put the picture in a garbage can. *Id.*

The respondent admits that engaging in such conduct warrants disciplinary sanctions under 8 U.S.C. § 1003.102 (disciplinary sanctions may be imposed in the public interest), and acknowledges that removing federal property without permission may constitute a criminal offense. 18 U.S.C. § 641. *See* Settlement Agreement at 1.

The respondent contends that his “aberrational conduct” was motivated by an emotional reaction that occurred while he was serving as a pro bono advocate for immigrant children in removal proceedings. *Id.* He expresses regret concerning his inappropriate conduct. *Id.*

We will approve the settlement agreement under 8 C.F.R. § 1003.106(a)(2)(ii) (settlement agreements reached after the issuance of a Notice of Intent to Discipline are subject to final approval by the Board, if the practitioner has not filed an answer).

ORDER: The “Joint Motion To Approve Settlement Agreement” is approved.

FURTHER ORDER: The respondent is publicly censured, based on actions taken on February 5, 2019, as discussed above.

FURTHER ORDER: The respondent is instructed to notify the Board of any further disciplinary action against him.



FOR THE BOARD