

Falls Church, Virginia 22041

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File: D2019-0269

Date: SEP 25 2019

In re: Marie BERNAL, Attorney

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

PETITION FOR IMMEDIATE SUSPENSION

ON BEHALF OF EOIR: Paul A. Rodrigues, Disciplinary Counsel

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

The "Petition for Immediate Suspension" filed by the Disciplinary Counsel for the Executive Office for Immigration Review ("Disciplinary Counsel for EOIR") will be granted.

On August 7, 2019, the Presiding Disciplinary Judge of the Supreme Court of Colorado issued an "Order and Notice of Suspension." The judge suspended the respondent from the practice of law in Colorado for 3 months, effective immediately. The judge noted that, on July 3, 2019, he had issued an "Opinion and Decision Imposing Sanctions." This was based on the failure of the respondent to wind down her law practice, including by failing to withdraw from matters pending before the Denver, Colorado, Immigration Court, and her failure to cooperate with disciplinary authorities, after she was administratively suspended from the practice of law in Colorado for not complying with continuing legal education requirements.

On August 28, 2019, the Disciplinary Counsel for EOIR petitioned for the respondent's immediate suspension from practice before the Immigration Courts and the Board of Immigration Appeals ("Board"). The Disciplinary Counsel for the Department of Homeland Security ("DHS") then asked that the respondent be similarly suspended from practice before that agency. The petition will be granted.<sup>1</sup> See 8 C.F.R. §§1003.103(a)(1) and (4) (discussing grounds for immediate suspension).

ORDER: The petition is granted, and the respondent is hereby suspended from the practice of law before the Board, the Immigration Courts, and the DHS pending final disposition of this proceeding. 8 C.F.R. § 1003.103(a)(4).

FURTHER ORDER: The respondent shall promptly notify, in writing, any clients with cases currently pending before the Board, the Immigration Courts, or the DHS that the respondent has been suspended from practicing before these bodies.

FURTHER ORDER: The respondent shall maintain records to evidence compliance with this order.

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<sup>1</sup> Upon good cause shown, the Board may set aside the order of immediate suspension when it appears in the interest of justice to do so. 8 C.F.R. § 1003.103(a)(4).

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

Ellen Rebovitz

FOR THE BOARD