

Falls Church, Virginia 22041

File: D2006-084

Date: July 27, 2006

In re: KAREN JAFFE, ATTORNEY

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

MOTION

ON BEHALF OF GENERAL COUNSEL: Jennifer J. Barnes, Esquire

ON BEHALF OF DHS: Eileen M. Connolly, Appellate Counsel

ORDER:

PER CURIAM. On May 1, 2006, the Second Circuit Court of Appeals suspended the respondent from the practice of law in that court for 30 days. The Second Circuit order stated that the respondent on 2 occasions "falsely state[d] to this Court that illness prevented her required attendance at sessions of this Court on days when she appeared before an Immigration Judge at 26 Federal Plaza, within two blocks of the Thurgood Marshall Courthouse, where this Court sits."

Consequently, on May 26, 2006, the Office of General 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. On May 31, 2006, the Department of Homeland Security (the "DHS," formerly the Immigration and Naturalization Service) asked that the respondent be similarly suspended from practice before that agency. Therefore, on June 12, 2006, we suspended the respondent from practicing before the Board, the Immigration Courts, and the DHS pending final disposition of this proceeding. On July 6, 2006, we issued a final order, suspending the respondent from practice for 30 days, effective June 12, 2006. We noted that the respondent could seek reinstatement under appropriate circumstances.

The respondent moves that we reinstate her to practice before the Board, the Immigration Courts, and the DHS. The Office of General Counsel does not oppose the petition for reinstatement, observing that the "respondent submitted a copy of an order issued by the United States Court of Appeals for the Second Circuit which confirms that she is currently eligible to practice before that court under the terms set forth in that order."¹ The DHS also states that it is not opposed to the respondent's reinstatement to practice.

¹We note that under the Second Circuit's July 13, 2006, "remedial" order, the respondent is relieved as counsel in all cases in which she has entered an appearance but not filed a brief. The respondent is barred by the order from filing new cases until the number of cases in which she is counsel of record has fallen below 30 cases. The respondent is further barred in the future from having more than 30 cases pending before the court.

Given that the respondent's motion is unopposed, we find that the respondent should be and hereby is reinstated to practice before the Board, the Immigration Courts, and the DHS, as of the date of this order. Because the respondent has been reinstated, public notices regarding the respondent's suspension by the Board should be withdrawn. If the respondent wishes to represent a party before the DHS or Board, she must file a Notice of Appearance (Form G-28 or Form EOIR-27), including any case in which she was formerly counsel, prior to her suspension.



FOR THE BOARD