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## NEWS RELEASE

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April 17, 2006

### **EOIR Announces Latest Disciplinary Actions Under Rules of Professional Conduct** *Four Attorneys Immediately Suspended; Four Receive Final Orders*

FALLS CHURCH, Va. – The Executive Office for Immigration Review (EOIR) has taken disciplinary action against eight attorneys after charging them with violations of the Rules of Professional Conduct for immigration practitioners. The Rules of Professional Conduct appear in Title 8 of the Code of Federal Regulations (8 CFR Parts 1003 and 1292). In most cases, the disciplinary action is initiated as a result of sanctions imposed by other jurisdictions or a criminal conviction.

Although the disciplinary process may vary according to the specific circumstances of each case, generally it includes the following steps:

Disciplinary proceedings begin with a Notice of Intent to Discipline filed with the Board of Immigration Appeals (BIA) by the Office of the General Counsel of either EOIR or U.S. Citizenship and Immigration Services, Department of Homeland Security (DHS). The BIA requires the attorney to respond to the alleged violations. In some cases, a Petition for Immediate Suspension also is filed and the BIA orders the attorney to be suspended immediately from practice before the immigration courts, the BIA, and the DHS. (DHS joins EOIR in taking the disciplinary action.) Disciplined attorneys are directed to notify promptly, in writing, their clients with pending immigration cases that they may no longer represent them before the BIA, the immigration courts, or the DHS. Disciplined attorneys must petition and be reinstated by the BIA before they can resume the practice of law before the BIA, the immigration courts, and the DHS.

#### **Immediate Suspension**

The BIA ordered the immediate suspension of the following attorneys:

- **Richard F. Garza:** He was suspended from the practice of law for 5 years by the State Bar of Texas for misappropriation of funds. He was immediately suspended by the BIA on March 7, 2006, based on his Texas suspension, pending final disposition of his case.

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- □ **Alan J. Harris:** He resigned from the practice of law with charges pending and an admission of misconduct pending in the New York Supreme Court, Appellate Division, First Judicial Department. He was immediately suspended by the BIA on Feb. 21, 2006, based on his resignation in New York, pending final disposition of his case.
- □ **Paul Ngoben:** He was suspended from the practice of law on an interim basis by the Superior Court, Judicial District of Hartford, Conn. He was immediately suspended by the BIA on Feb. 24, 2006, based on his suspension in Connecticut, pending final disposition of his case.
- □ **Dennis F. Olsen:** He was suspended from the practice of law on an interim basis, pending disciplinary proceedings, by the Supreme Court of Washington State. He was immediately suspended by the BIA on Feb. 21, 2006, based on his suspension in Washington, pending final disposition of his case.

### **Final Orders of Discipline**

The BIA issued a Final Order of Discipline against the following attorneys:

- **Irwin J. Fredman:** A final order of March 23, 2006, expels him from practice before immigration tribunals, based on his conviction in U.S. District Court for the District of Maryland for conspiracy to commit labor certification fraud.
- **Virginia Gago:** A final order of Feb. 21, 2006, expels her from practice as an accredited representative before immigration tribunals, based on her conviction in New York for petit larceny.
- **Jorge H. Galvez:** A final order of March 23, 2006, expels him from practice before immigration tribunals, based on his resignation with discipline pending in the Third Judicial District Court for Utah for failing to represent clients diligently and competently.
- **Claro L. Mamaril:** A final order of March 15, 2006, expels him from practice before immigration tribunals, based on his conviction for unlawfully supplementing the salary of a federal employee (bribery).

### **Background**

The Rules of Professional Conduct include provisions specifying grounds for disciplinary action, requirements for receiving and investigating complaints, and procedures for conducting hearings. The rules also authorize the BIA to suspend immediately a practitioner who has been subject to disbarment, suspension, or resignation with an admission of misconduct as imposed by a federal or state court, or who has been convicted of a serious crime, pending a summary proceeding and final sanction. They are available on the EOIR website at [http://www.usdoj.gov/eoir/vll/fedreg/2000\\_2001/fr27jn00R.pdf](http://www.usdoj.gov/eoir/vll/fedreg/2000_2001/fr27jn00R.pdf).

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EOIR announces these disciplinary actions to inform the public about practitioners who are not authorized to represent clients in any matter before an immigration tribunal. EOIR also posts a “List of Disciplined Practitioners” on its website at <http://www.usdoj.gov/eoir/profcond/chart.htm>. In an effort to provide more detailed information about individual attorney discipline cases, every new immediate suspension or final order issued beginning June 27, 2005, can be accessed through this list by clicking on the highlighted “date” link. Links to older orders, issued since July 2000, will be included gradually.

Additional information about the Attorney Discipline Program can be found at <http://www.usdoj.gov/eoir/press/00/profcond.htm> and <http://www.usdoj.gov/eoir/press/00/profcondfaks.htm> on the EOIR website.

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*EOIR is responsible for adjudicating immigration cases. Specifically, under delegated authority from the Attorney General, EOIR interprets and administers federal immigration laws by conducting immigration court proceedings, appellate reviews, and administrative hearings. EOIR consists of three components: the Office of the Chief Immigration Judge, which is responsible for managing the numerous immigration courts located throughout the United States where immigration judges adjudicate individual cases; the Board of Immigration Appeals, which primarily conducts appellate reviews of immigration judge decisions; and the Office of the Chief Administrative Hearing Officer, which adjudicates immigration-related employment cases. EOIR is committed to providing fair, expeditious, and uniform application of the nation's immigration laws in all cases.*

*Information about EOIR immigration proceedings is available on EOIR's website <http://www.usdoj.gov/eoir/press/subject.htm>.*