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NEWS RELEASE

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

FALLS CHURCH, Va. – The Executive Office for Immigration Review (EOIR) has taken disciplinary action against nine 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attorneys are directed to notify promptly, in writing, their clients with pending immigration cases that they may no longer represent them before the BIA, the immigration courts, or the DHS.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:

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- **John W. Kearns:** He was immediately suspended from the practice of law by the Supreme Court of Illinois until further order of the court for violating the state rules of professional conduct. He was immediately suspended by the BIA on April 6, 2007, based on his suspension in Illinois, pending final disposition of his case.
- **Benson Lee:** He was suspended from the practice of law for 3 months, effective Dec. 27, 2006, by the Supreme Court of Nevada for repeated multiple acts of wrongdoing, including incompetence, lack of diligence, and engaging in conduct that is prejudicial to the administration of justice. He was immediately suspended by the BIA on March 21, 2007, based on his suspension in Nevada, pending final disposition of his case.
- **Jon E. Purizhansky:** He was suspended from the practice of law by the Supreme Court of New York, Appellate Division, Fourth Judicial Department, until further order of the court for his federal conviction in New York for conspiracy to defraud the United States. He was immediately suspended by the BIA on April 6, 2007, based on his federal conviction and subsequent suspension in New York, pending final disposition of his case.
- **Kenneth R. Sheehan:** He was disbarred from the practice of law by the Supreme Court of Nevada for multiple acts of wrongdoing, including incompetence, lack of diligence, and engaging in conduct that involves dishonesty, fraud, deceit, or misrepresentation. He was immediately suspended by the BIA on March 16, 2007, based on his disbarment in Nevada, pending final disposition of his case.

Final Orders of Discipline

- **Juan Chacon:** A final order of March 30, 2007, suspends him from practice before immigration tribunals for 1 year, effective Nov. 20, 2006, based on his 1-year suspension in California for violating a condition of his probation ordered by the Supreme Court of California in a previous disciplinary matter.
- **Maria Ines Gonzalez:** A final order of April 6, 2007, suspends her from practice before immigration tribunals for 3 months, retroactive to Feb. 24, 2007, based on her 3-month suspension in New Jersey for failing to properly supervise non-lawyer assistants, sharing legal fees with a non-lawyer, and assisting a non-lawyer in the unauthorized practice of law.

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- □ **Richard G. Lehr:** A final order of March 30, 2007, suspends him from practice before immigration tribunals for 180 days, effective July 22, 2006, based on his 180-day suspension in Michigan for a misdemeanor conviction for conspiracy to use controlled substance.

- □ **Harley Rosenthal:** A final order of March 30, 2007, suspends him from practice before immigration tribunals for 5 years, effective Oct. 30, 2006, based on his disbarment in Florida for numerous violations of the rules of professional conduct, including failure to communicate, violation of trust account rules, and engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation.

An adjudicating official from the Office of the Chief Immigration Judge issued a Final Order of Discipline against the following attorney:

- **Michael A. Walker:** A final order of April 11, 2007, suspends him from practice before immigration tribunals for 6 months based on his 6-month suspension in Colorado for failing to pursue a legal matter diligently, failing to provide competent representation to his client, failing to communicate with his client, and engaging in conduct prejudicial to the administration of justice.

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.

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.

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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>.