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NEWS RELEASE

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EOIR Announces Latest Disciplinary Actions Under Rules of Professional Conduct

FALLS CHURCH, Va. – The Executive Office for Immigration Review (EOIR) has recently taken certain disciplinary action against six attorneys after charging them with violations of the Rules of Professional Conduct for immigration practitioners. One attorney was reinstated. 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 (USCIS), 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attorneys are directed to notify promptly, in writing, their clients with pending immigration cases that they may no longer represent them before the BIA, the immigration courts, or the DHS.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:

- **Anthony Alvarez:** He was suspended from the practice of law for 90 days by the Supreme Court of Florida for incompetence, lack of diligence, and failure to communicate with his clients. He was immediately suspended by the BIA on Aug. 15, 2007, based on his suspension in Florida, pending final disposition of his case.

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- **Jacob Q. Owusu:** He was suspended from the practice of law for 60 days by the District of Columbia Court of Appeals for incompetence, lack of diligence, and failure to communicate with his clients. He was immediately suspended by the BIA on Aug. 3, 2007, based on his suspension in the District of Columbia, pending final disposition of his case.

Final Orders of Discipline

- **Carlos H. Caceres:** A final order of Aug. 16, 2007, suspends him indefinitely from practice before immigration tribunals, effective Dec. 13, 2006, based on his disbarment in Maryland for multiple acts of wrongdoing, including neglect, engaging in conduct that involves dishonesty, fraud, deceit, or misrepresentation, and engaging in conduct that is prejudicial to the administration of justice.
- **Carlo Jean-Joseph:** A final order of Aug. 2, 2007, suspends him from practice before immigration tribunals for 120 days, effective April 27, 2007, based on his suspension in Florida for misconduct involving competence, diligence, failing to adequately supervise other lawyers in his firm, and because he continued to appear before immigration tribunals while under the BIA's immediate suspension order.
- **Benson Lee:** A final order of consent dated July 18, 2007, suspends him from practice before immigration tribunals for 3 months, effective Feb. 1, 2007, based on his 3-month suspension in Nevada for incompetence, lack of diligence, and conduct that is prejudicial to the administration of justice.
- **Zolia Silva:** A final order of consent dated July 9, 2007, suspends him from practice before immigration tribunals for 2 years, effective Nov. 29, 2006, based on his 2-year suspension in New York for misuse of an escrow account.

Reinstatement

- **Benson Lee:** He was reinstated on Aug. 15, 2007, after an adjudicating official approved a consent order, entered into by the parties, suspending him for 3 months, effective Feb. 1, 2007, and after he was reinstated to practice law in Nevada.

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

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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 can be accessed through this list by clicking on the highlighted “date” link.

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>.