

Falls Church, Virginia 20530

File: D2013-319

Date: JUN 25 2015

In re: BARBARA SEHNAL SOUKUP, ATTORNEY

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

FINAL ORDER OF DISCIPLINE

ON BEHALF OF EOIR: Jennifer J. Barnes, Disciplinary Counsel

ON BEHALF OF DHS: Jeannette V. Dever
Associate Legal Advisor

The respondent will be suspended from practice before the Board of Immigration Appeals (the "Board"), the Immigration Courts, and the Department of Homeland Security (the "DHS") for 2 years.

On September 26, 2013, the respondent was suspended from the practice of law by the State Bar Court of California Review Department In Bank, effective October 18, 2013, pending final disposition of the disciplinary proceedings. In the order, the court noted that the respondent had been convicted of crimes, including the felony of battery on a police officer with injury. Consequently, on February 20, 2014, the Disciplinary Counsel for the Executive Office for Immigration Review petitioned for the respondent's immediate suspension from practice before the Board and the Immigration Courts. The DHS then asked that the respondent be similarly suspended from practice before that agency. We granted the petition on March 19, 2014.

Subsequently, on March 3, 2015, the Supreme Court of California issued a final order suspending the respondent from the practice of law in that state for a minimum of 2 years. The order further stated that the respondent would remain suspended until she provided proof to the State Bar Court of her rehabilitation, fitness to practice, and learning and ability in the general law. On May 12, 2015, EOIR's Disciplinary Counsel filed a Notice of Intent to Discipline, and the DHS then moved for reciprocal discipline.

The respondent was required to file a timely answer to the allegations contained in the Notice of Intent to Discipline but has failed to do so. *See* 8 C.F.R. § 1003.105 (2013). The respondent's failure to file a response within the time period prescribed in the Notice constitutes an admission of the allegations therein, and the respondent is now precluded from requesting a hearing on the matter. 8 C.F.R. § 1003.105 (2013).

The Notice proposes that the respondent be suspended from practicing before the Board and the Immigration Courts for 2 years. Because the respondent has failed to file an answer, the regulations direct the Board to adopt the proposed sanction contained in the Notice, unless there are considerations that compel us to digress from that proposal. 8 C.F.R. § 1003.105 (2013).

The proposed sanction is appropriate in light of the respondent's suspension from the practice of law by the Supreme Court of California. Accordingly, the Board will honor that

proposal. As the respondent is currently under our March 19, 2014, order of suspension, we will deem the respondent's suspension to have commenced on that date.

ORDER: The Board hereby suspends the respondent from practice before the Board, the Immigration Courts, and the DHS for 2 years.

FURTHER ORDER: The respondent is instructed to maintain compliance with the directives set forth in our prior order. The respondent is also instructed to notify the Board of any further disciplinary action against her.

FURTHER ORDER: The respondent may petition this Board for reinstatement to practice before the Board, Immigration Courts, and DHS under 8 C.F.R. § 1003.107 (2013).

FURTHER ORDER: As the Board earlier imposed an immediate suspension order in this case, today's order of the Board becomes effective immediately. 8 C.F.R. § 1003.105(d)(2) (2013).



FOR THE BOARD