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## NEWS RELEASE

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

FALLS CHURCH, VA – The Executive Office for Immigration Review (EOIR) has taken disciplinary action against five attorneys after charging them with violations of the Rules of Professional Conduct for immigration practitioners. The Rules 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 the 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in writing, any clients with cases currently pending before the BIA, the Immigration Courts, or the DHS that they may no longer represent clients before these tribunals. 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:

- **Jordan N. Baker:** His license to practice law was revoked on October 23, 2003, in Virginia after pleading guilty to immigration-related fraud. He was immediately suspended by the BIA on November 16, 2004, pending final disposition of his case.

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- **Steven Y. Lee:** His license to practice law was revoked on October 23, 2003, in Virginia, and he was disbarred by the District of Columbia Court of Appeals, after pleading guilty to immigration-related fraud. He was immediately suspended by the BIA on November 22, 2004, pending final disposition of his case.
- **Patrick P. Salley:** He was suspended from the practice of law for 60 days by the Michigan Attorney Discipline Board for neglect and failure to communicate with clients, including immigration clients. He was immediately suspended by the BIA on November 23, 2004, pending final disposition of his case.

### Final Orders of Discipline

An Adjudicating Official issued a Final Order of Discipline against the following attorney:

- **Carroll A. Clark:** He was suspended from the practice of law for 6 months and 1 day by the Supreme Court of Arizona for failing to appear in immigration matters, failing to communicate with clients, and engaging in conduct prejudicial to the administration of justice. The final order of November 5, 2004, issued by Assistant Chief Immigration Judge Michael F. Rahill, suspends him from practice before the immigration tribunals for 6 months and 1 day, effective November 5, 2004.

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

- **Antonio Cortez:** He was suspended from the practice of law for 1 year by the Evidentiary Panel for the State Bar District 17A, the State Bar of Texas, for misappropriation of funds. He was immediately suspended by the BIA on November 4, 2004, pending final disposition of his case. The final order of November 22, 2004, suspends him from practice before the immigration tribunals for 1 year, effective November 4, 2004.

### 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 immediately suspend a practitioner who has been subject to disbarment, suspension, or resignation with an admission of misconduct as imposed by a state or Federal court, or who has been convicted of a serious crime, pending a summary proceeding and final sanction. They are available on the EOIR Web site at [http://www.usdoj.gov/eoir/vll/fedreg/2000\\_2001/fr27jn00R.pdf](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 any matter before an immigration tribunal. EOIR also posts a “List of Suspended and Expelled Practitioners” on its Web site at <http://www.usdoj.gov/eoir> (near the bottom of EOIR’s home page).

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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 Web site.

EOIR is a component of the Department of Justice which, on behalf of the Attorney General, adjudicates cases involving charges of immigration violations. EOIR has more than 200 Immigration Judges located in 53 Immigration Courts nationwide to conduct proceedings and decide cases, the BIA to hear appeals of Immigration Judge decisions, and the Office of the Chief Administrative Hearing Officer to handle employment-related immigration matters.