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NEWS RELEASE

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EOIR Announces Latest Disciplinary Actions Under Rules of Professional Conduct

One Attorney Reinstated; Two Receive Final Orders; Two Others, Immediate Suspensions

The Executive Office for Immigration Review (EOIR) has reinstated one attorney and taken disciplinary action against four others after charging them with violations of the Rules of Professional Conduct for Immigration Practitioners provided in Title 8 of the Code of Federal Regulations (8 CFR Parts 3 and 292). The attorneys' rule violations arose out of sanctions imposed by other jurisdictions.

Disciplinary proceedings began in each case with a Petition for Immediate Suspension and Notice of Intent to Discipline filed with the Board of Immigration Appeals (the Board) by EOIR's Office of the General Counsel. The Board then ordered each attorney's immediate suspension from practice before the Immigration Courts, the Board, and the Immigration and Naturalization Service (INS) and required the attorney to respond to the alleged violations.

Reinstatement

On August 7, 2001, EOIR reinstated attorney **Rosaura Gonzalez Rucci** to practice before the immigration tribunals after the Supreme Court of Puerto Rico reinstated her to practice in that jurisdiction.

Disciplinary Actions

David Smith Nunes was suspended for 3 years by order of Chief Immigration Judge Michael Creppy on July 23, 2001, based on a settlement agreement between him and EOIR concluding disciplinary proceedings against him. Under the agreement, the period of his suspension began on April 29, 1999, the same date when the Supreme Court of Florida suspended him for 3 years from the practice of law in that State. The agreement also stipulates that he is not eligible for reinstatement unless he is first readmitted to practice law in Florida.

William R. Gardner, suspended for 6 months by the U.S. Court of Appeals for the Ninth Circuit, and for 45 days by the Supreme Court of California, consented to suspension from practice of law before the immigration tribunals for 6 months beginning October 19, 2000, the effective date of his suspension by the Ninth Circuit. This consent order concluded EOIR disciplinary proceedings against him and stipulated that he is not eligible for reinstatement unless he is first readmitted to practice law in California.

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The Board ordered immediate suspensions of the following attorneys for the reasons stated:

Chris H. Asher, disbarred by the Court of Appeals of Maryland and by the District of Columbia Court of Appeals; and

Jose Luis Ramos, suspended by the Supreme Court of California for 5 years, stayed, with an actual suspension of 42 months.

In each of the disciplinary matters cited above, the suspended attorney was directed "to promptly notify, in writing, any clients with cases currently pending before the Board, the Immigration Courts, or the Service" that he or she may no longer represent clients before these tribunals.

The rules of professional conduct, in Title 8, Code of Federal Regulations (8 CFR), include provisions specifying grounds for disciplinary action, requirements for receiving and investigating complaints, and procedures for conducting hearings. The rules also authorize the Board 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, pending a summary proceeding and final sanction.

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 www.usdoj.gov/eoir.