



U.S. Department of Justice
Executive Office for Immigration Review
Office of the Director
5107 Leesburg Pike, Suite 2600
Falls Church, Virginia 22041

NEWS RELEASE

Contact: Office of Legislative and Public Affairs
(703) 305-0289 Fax: (703) 605-0365
Internet: www.usdoj.gov/eoir/

April 5, 2005

EOIR Announces Latest Disciplinary Actions Under Rules of Professional Conduct

Three Attorneys Immediately Suspended; Three Receive Final Orders

FALLS CHURCH, Va. – The Executive Office for Immigration Review (EOIR) has taken disciplinary action against six 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in writing, any clients with cases currently pending before the BIA, the immigration courts, or the DHS that they may no longer represent clients before these tribunals.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:

- **Richard P. Zipser:** He was suspended from the practice of law by the Michigan Attorney Discipline Board for 180 days for failing to comply with court orders, failing to prosecute a matter timely and diligently, and failing to file an answer to a request for investigation. He was immediately suspended by the BIA on March 16, 2005, pending final disposition of his case.

(more)

Attorney Discipline

Page 2

- **Ann Bitterman:** She was suspended from the practice of law by the Supreme Court of Florida for 91 days for multiple violations of the state bar rules of professional conduct — including submitting false evidence, making false statements, and engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation. She was immediately suspended by the BIA on March 18, 2005, pending final disposition of her case.
- **Manlin Maureen Chee:** She pleaded guilty in the U.S. District Court for the Middle District of North Carolina to conspiracy and fraud and misuse of visas/permits, in violation of federal law. She was immediately suspended by the BIA on March 18, 2005, pending final disposition of her case.

Final Orders of Discipline

The BIA issued Final Orders of Discipline against the following attorneys:

- **Barbara W. M. Tomaszewski:** She was disbarred from the practice of law in the state of Washington. The final order of March 14, 2005, expels her from practice before the immigration tribunals.
- **Cheryl Ann Handy:** She was suspended from the practice of law for 1 year by the Supreme Court of Illinois for multiple violations, including neglect, conversion of client funds, failure to communicate with clients, and misrepresentation in immigration cases. She was immediately suspended by the BIA on Jan. 24, 2005, pending final disposition of her case. The final order of March 16, 2005, suspends her from practice before the immigration tribunals for 1 year, effective Jan. 24, 2005.
- **Patrick P. Salley:** He was suspended from the practice of law initially for 60 days and, subsequently, for 3 years 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 Nov. 23, 2004, pending final disposition of his case. The final order of March 18, 2005, expels him from practice before the immigration tribunals.

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 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 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 any matter before an immigration tribunal. EOIR also posts a “List of Suspended and Expelled Practitioners” on its website at <http://www.usdoj.gov/eoir> (near the bottom of EOIR’s home page).

(more)

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.

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.

– EOIR –