



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

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## NEWS RELEASE

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

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

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attorneys are directed to notify promptly, in writing, their clients with pending immigration cases that they may no longer represent them before the BIA, the immigration courts, or the DHS.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

- **Luis Alberto Flores:** He was suspended indefinitely from the practice of law in New York by the Appellate Division, Supreme Court, First Department, effective Jan. 20, 2005, based on his criminal conviction in New Jersey for conspiracy to commit money laundering, money laundering, and conspiracy to structure transactions. He was immediately suspended by the BIA on June 12, 2006, based on his conviction in New Jersey and his suspension in New York, pending final disposition of his case.

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- **Karen Jaffe:** She was suspended from the practice of law for 30 days by the U.S. Court of Appeals for the Second Circuit for making false statements to the court. She was immediately suspended by the BIA on June 12, 2006, based on her 30-day suspension, pending final disposition of her case.
- **John E. Price:** He was disbarred from the practice of law by the Supreme Court of Missouri based on numerous violations of the state rules of professional conduct, including incompetence, failure to communicate, and engaging in conduct that involves dishonesty, fraud, deceit, or misrepresentation. He was immediately suspended by the BIA on June 1, 2006, based on his disbarment in Missouri, pending final disposition of his case.
- **Michael Walker:** He was suspended from the practice of law for 6 months by the Supreme Court of Colorado for numerous violations of the state rules of professional conduct, including incompetence, failure to communicate, and engaging in conduct that is prejudicial to the administration of justice. He was immediately suspended by the BIA on May 22, 2006, based on his suspension in Colorado, pending final disposition of his case.

### **Final Orders of Discipline**

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

- **Ronald Fanta:** A final order of May 4, 2006, expels him from practice before immigration tribunals based on his disbarment in New York in 1998 for a criminal conviction for making false statements to the former Immigration and Naturalization Service.
- **Alan Jay Harris:** A final order of June 13, 2006, suspends him indefinitely from practice before immigration tribunals based on his resignation from the practice of law with charges pending and an admission of misconduct in New York for engaging in dishonest conduct and conduct prejudicial to the administration of justice.

An Adjudicating Official from the Office of the Chief Immigration Judge issued a Final Order of Discipline against the following attorney:

- **Marshall L. Cohen:** A final order of May 2, 2006, suspends him from practice before immigration tribunals until April 25, 2010, based on his disbarment in Georgia for incompetence, abandonment, failure to communicate, and engaging in the unauthorized practice of law, among other things.

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## **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 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](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 issued beginning June 27, 2005, can be accessed through this list by clicking on the highlighted “date” link. Links to older orders, issued since July 2000, will be included gradually.

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>.*