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NEWS RELEASE

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EOIR Implements Regulation To Enhance Attorney Discipline Program

New Regulation Will Enhance the Fairness and Integrity of Immigration Proceedings

FALLS CHURCH, Va. – The Executive Office for Immigration Review (EOIR) has announced changes to the rules and procedures concerning professional conduct for attorneys and other representatives (practitioners) who practice before the Board of Immigration Appeals (BIA) and the immigration courts. The new rules and procedures published on December 18, 2008, in the Federal Register, take effect on January 20, 2009.

The improvements to the Attorney Discipline Program will enhance the fairness and integrity of immigration proceedings by providing additional categories of behavior that constitute misconduct by practitioners and clarifying who is authorized to represent individuals in proceedings before the BIA and immigration judges. These changes will also increase the level of protection given to aliens in immigration proceedings.

The key change to the EOIR Attorney Discipline Program is the additional types of behavior that constitute misconduct by practitioners that may subject them to sanctions, such as:

- Conduct prejudicial to the administration of justice;
- Failure to abide by a client's instructions;
- Failure to act with reasonable diligence, competence, and promptness;
- Not staying in contact with the client;
- Lack of candor toward EOIR tribunals;
- Not properly submitting forms, including Notice of Entry of Appearance as Attorney or Representative.

As a result of these additions, the EOIR professional conduct requirements will be more consistent with the ethical standards applicable in most states and the American Bar Association's Model Rules of Professional Conduct.

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EOIR Implements Regulation To Enhance Attorney Discipline Program
Page 2

The new rule will enhance EOIR's current Attorney Discipline Program, which has disciplined 449 attorneys since July 2000. The regulation can be found in the [Federal Register](#).

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The Executive Office for Immigration Review (EOIR) is an agency within the Department of Justice. Under delegated authority from the Attorney General, immigration judges and the Board of Immigration Appeals interpret and adjudicate immigration cases according to United States immigration laws. EOIR's immigration judges conduct administrative court proceedings in immigration courts located throughout the nation. They determine whether foreign-born individuals—who are charged by the Department of Homeland Security with violating immigration law—should be ordered removed from the United States or should be granted relief from removal and be permitted to remain in this country. The Board of Immigration Appeals primarily reviews appeals of decisions by immigration judges. EOIR's Office of the Chief Administrative Hearing Officer adjudicates immigration-related employment cases. EOIR is committed to ensuring fairness in all of the cases it adjudicates.