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NEWS RELEASE

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

FALLS CHURCH, Va. – The Executive Office for Immigration Review (EOIR) has recently taken disciplinary action against 12 attorneys for violations of the Rules of Professional Conduct for immigration practitioners. Two attorneys were reinstated.

EOIR announces these disciplinary actions to inform the public about practitioners who are no longer authorized to represent clients before an immigration tribunal. In most cases, EOIR has disciplined the practitioner based on a sanction imposed by another jurisdiction or a criminal conviction.

Disciplinary proceedings begin when the Office of the General Counsel of either EOIR or the U.S. Citizenship and Immigration Services, Department of Homeland Security (DHS), files a Notice of Intent to Discipline with EOIR's Board of Immigration Appeals (BIA). The disciplinary action can result in the suspension or expulsion of a practitioner before the immigration courts, the BIA, and DHS. Attorneys who are suspended or expelled must be reinstated by the BIA before they can resume the practice of law before the BIA, the immigration courts, and DHS.

EOIR has recently taken the following disciplinary actions:

Immediate Suspensions

The BIA ordered the immediate suspension of the following attorneys:

- **Monica Lisa Caballero:** She was suspended from the practice of law by the State Bar of Texas for six months for multiple violations of the state's Rules of Professional Conduct. She was immediately suspended by the BIA on Nov. 14, 2008, based on her 6-month suspension in Texas, pending final disposition of her case.

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- **Alan S. Glueck:** He was disbarred by the Supreme Court of Florida for multiple violations of the state's Rules of Professional Conduct. He was immediately suspended by the BIA on Oct. 9, 2008, based on his disbarment in Florida, pending final disposition of his case.
- **James J. Hoare:** He was suspended from the practice of law by the Michigan Attorney Discipline Board for 90 days for multiple violations of the state's Rules of Professional Conduct. He was immediately suspended by the BIA on Oct. 21, 2008, based on his 90-day suspension in Michigan, pending final disposition of his case.
- **Carolyn Sue Janzen:** She was suspended from the practice of law by the Supreme Court of California for 9 months for failing to comply with the conditions of her California State Bar Court Alternative Discipline Program Plan and failing to comply with the terms of her Lawyer Assistance Program Participation Plan. She was immediately suspended by the BIA on Oct. 21, 2008, based on her 9-month suspension in California, pending final disposition of her case.
- **James L. Rosenberg:** He was suspended from the practice of law by the U.S. Court of Appeals for the 9th Circuit for 1 year for engaging in conduct unbecoming a member of the bar and violations of the court rules. He was immediately suspended by the BIA on Oct. 9, 2008, based on his 1-year suspension in the 9th Circuit, pending final disposition of his case.
- **Guy D. Rutherford:** He was suspended by the Supreme Court of Ohio for 6 months after his stay of suspension from a previous disciplinary case was revoked. He was immediately suspended by the BIA on Oct. 21, 2008, based on his 6-month suspension in Ohio, pending final disposition of his case.
- **Paul A. Schelly:** He was placed on involuntary inactive enrollment status and recommended for disbarment by the California State Bar Court, Hearing Department, for practicing immigration law while under an order of suspension. He was immediately suspended by the BIA on Oct. 30, 2008, based on his involuntary inactive enrollment status, pending final disposition of his case.
- **Ihab Tartir:** He was convicted in the U.S. District Court for the Southern District of New York of a serious crime relating to his immigration law practice. He was immediately suspended by the BIA on Nov. 13, 2008, based on his conviction in New York, pending final disposition of his case.
- **Frank X. Weinert:** His name was voluntarily stricken from the roll of attorneys licensed to practice law in Illinois after being charged with multiple violations of the state's Rules of Professional Conduct. He was immediately suspended by the BIA on Oct. 9, 2008, based on his consent to have his name stricken from the roll of licensed attorneys, pending final disposition of his case.

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Final Orders of Discipline

- **Alexander O. Akpodiete:** A final order of Oct. 21, 2008, suspends him from practice before immigration tribunals for 6 months, effective Sept. 3, 2008, based on his 6-month suspension in Florida.
- **Troy A. Baker:** A final order of Oct. 17, 2008, expels him from practice before immigration tribunals, effective Sept. 3, 2008, based on his disbarment in Nevada.
- **Martin Resendez Guajardo:** A final order of Oct. 1, 2008, suspends him from practice before immigration tribunals for 1 year, effective March 5, 2008, based on a settlement agreement reached by the parties.

Reinstatements

- **James L. Lane:** He was reinstated to practice before immigration tribunals on Nov. 13, 2008, after he completed his 30-day suspension before EOIR. EOIR's suspension was based on his 30-day suspension in Oregon, effective Sept. 19, 2008, for engaging in conduct involving dishonesty or misrepresentation.
- **Peter D. Winthrop:** He was reinstated to practice before immigration tribunals on Oct. 23, 2008, after he completed his 2-year suspension before EOIR.

Background

The Rules of Professional Conduct appear in Title 8 of the Code of Federal Regulations (8 CFR Parts 1003 and 1292). They 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. The Rules of Professional Conduct are available at http://www.usdoj.gov/eoir/vll/fedreg/2000_2001/fr27jn00R.pdf.

A "List of Disciplined Practitioners" is available at <http://www.usdoj.gov/eoir/profcond/chart.htm>. In an effort to provide more detailed information about individual attorney discipline cases, every immediate suspension or final order issued can be accessed through this list by clicking on the highlighted "date" link.

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>.

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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.