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NEWS RELEASE

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EOIR Announces Latest Disciplinary Actions Under Rules of Professional Conduct

Three Attorneys Immediately Suspended; One Receives Final Order; One Is Reinstated

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attorneys are directed to notify promptly, in writing, their clients with pending immigration cases that they may no longer represent them before the BIA, the immigration courts, or the DHS.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

- **Roy L. Bischoff:** He was disbarred from the practice of law in Utah. He was immediately suspended by the BIA on June 27, 2005, based on his disbarment in Utah, pending final disposition of his case.

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- **Baird Cuber:** He has been suspended from the practice of law by the New York Supreme Court, Appellate Division, First Judicial Department, until pending disciplinary matters against him have concluded. He was immediately suspended by the BIA on June 27, 2005, based on his interim suspension in New York, pending final disposition of his case.
- **Oleg Ordinartsev:** He was suspended from the practice of law for 2 years by the Supreme Court of Washington. He was immediately suspended by the BIA on June 27, 2005, based on his suspension in Washington State, pending final disposition of his case.

Final Order of Discipline

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

- **Douglas D. Osterloh:** He was suspended from the practice of law by the Supreme Court of Washington. He was immediately suspended by the BIA on Nov. 24, 2004, pending final disposition of his case. The final order of June 27, 2005, suspends him from practice before immigration tribunals for 5 years, effective Nov. 24, 2004.

Reinstatement

The BIA reinstated the following attorney to practice before the immigration tribunals after he had completed his period of suspension:

- **Michael Louis Leavitt:** He was reinstated on June 27, 2005, after he had completed his 18-month suspension, effective March 21, 2002, which was imposed on May 28, 2003.

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.

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 Suspended and Expelled Practitioners” on its website at <http://www.usdoj.gov/eoir> (near the bottom of EOIR’s home page).

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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.

Information about EOIR immigration proceedings is available on EOIR's website at <http://www.usdoj.gov/eoir/press/subject.htm>.

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