



U.S. Department of Justice

Executive Office for Immigration Review

Office of the General Counsel

Disciplinary Counsel

5107 Leesburg Pike, Suite 2600
Falls Church, Virginia 22041

April 5, 2017

Mr. Matt Adams, Esq.
Northwest Immigrant Rights Project
2601 N. Pinal Pkwy
615 2nd Ave., Suite #400,
Seattle, Washington 98104

RE: **Northwest Immigrant Rights Project
D2017-0104**

Dear Mr. Adams:

It has recently come to the attention of this office that at least one staff member from the Northwest Immigrant Rights Project (NWIRP) has attempted to advocate on behalf of Felipe Garcia-Barrera, A090 636 612, and Carmela Ramirez-Santos A202 012 796 *et. al.*, before the Executive Office for Immigration Review (EOIR) Immigration Courts, without entering a Notice of Entry of Appearance Form EOIR-28.

On June 7, 2016, a Motion to Reopen Proceedings was filed at the Tacoma Immigration Court in Mr. Garcia-Barrera's case. The motion contained a notation that NWIRP assisted in the preparation of the *pro se* motion. On November 18, 2016, a Motion to Reopen Proceedings was filed at the Seattle Immigration Court in Ms. Ramirez-Santos's case. The motion stated that it was being filed with the assistance of NWIRP and included an asylum application prepared by NWIRP Staff Attorney Maggie Cheng. In each of these cases, no one from NWIRP entered a Notice of Appearance.

In order to represent¹ individuals in matters before an Immigration Judge, a person must

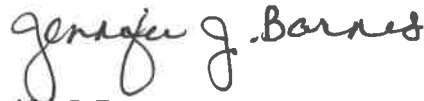
¹“Representation” as defined in 8 C.F.R. §1001.1(j) includes “preparation” and “practice.” “Preparation” as defined in 8 C.F.R. §1001.1(k) means the study of the facts of a case and the applicable laws coupled with the giving of advice and auxiliary activities, including the incidental preparation of papers, but does not include the lawful functions of a notary public or service consisting solely of assistance in the completion of blank spaces on printed Service forms by one whose remuneration, if any, is nominal and who does not hold himself out as qualified in legal matters or in immigration and naturalization procedures. “Practice” as defined in 8 C.F.R. § 1001.1(i) means the act or acts of any person appearing in any case, either in person or through the preparation or filing of any brief or other document,

file a Notice of Entry of Appearance Form EOIR-28. *See* 8 C.F.R. § 1003.17(a). EOIR may impose disciplinary sanctions against a practitioner who fails to file a Notice of Entry of Appearance, pursuant to the Rules and Procedures of Professional Conduct for Practitioners. *See* 8 C.F.R. § 1003.102(t). By holding attorneys accountable for their conduct, this rule makes it possible for EOIR to impose disciplinary sanctions on attorneys who do not provide adequate representation to their clients.

Here, at least one staff member from NWIRP clearly represented Mr. Garcia-Barrera and Ms. Ramirez-Santos by engaging in “preparation” and “practice” of their motions to reopen. In addition, Mr. Garcia-Barrera’s signature on his Motion to Reopen appears to be inconsistent with his signature on December 21, 2015, requesting a custody redetermination by an Immigration Judge. This difference could indicate that someone other than Mr. Garcia-Barrera drafted his motion to reopen.

We conclude that NWIRP’s practice of representing aliens before EOIR without filing the appropriate Notice of Entry of Appearance form is in violation of federal regulations. We ask that NWIRP cease and desist from representing aliens unless and until the appropriate Notice of Entry of Appearance form is filed with each client that NWIRP represents.

Sincerely,



Jennifer J. Barnes
Disciplinary Counsel

Enclosures: *Matter of Felipe Garcia-Barrera*
Motion to Reopen, dated May 16, 2016;
Notice of Custody Determination, dated December 21, 2015; and,

Matter of Carmela Ramirez-Santos
Motion to Reopen with Attachments, dated November 14, 2016.

paper, application, or petition on behalf of another person or client before or with the Service, or any officer of the Service, or the Board.