

VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

**IN THE MATTER OF
ALISA LACHOW CORREA**

VSb DOCKET NO. 24-051-129914

**AGREED DISPOSITION MEMORANDUM ORDER
(SIX MONTH SUSPENSION WITH TERMS)**

A panel of the Virginia State Bar Disciplinary Board (“Board”) heard this matter telephonically on August 29, 2024, upon the joint request of the parties for the Board to accept the Agreed Disposition signed by the parties and offered to the Board as provided by Part 6, Section IV, Paragraph 13-6.H of the Rules of the Supreme Court of Virginia (the “Rules”). The panel consisted of Yvonne S. Gibney, Chair Designate, Stephanie G. Cox, Michael C. Moore, Reiss F. Wilks, and Elisabeth Martingayle, Lay Member. The Chair polled the members of the panel as to whether any of them were aware of any personal or financial interest that may affect or reasonably be perceived to affect their ability to be impartial in the matter to which each member responded in the negative.

Assistant Bar Counsel Richard W. Johnson, Jr. represented the Virginia State Bar (the “Bar”). Respondent Alisa Lachow Correa was present and was not represented by counsel. Court Reporter Beverley Horne, Chandler and Halasz, P.O. Box 9349, Richmond, Virginia 23227, telephone (804) 730-1222, after being duly sworn, reported the hearing and transcribed the proceedings.

WHEREFORE, upon consideration of the Agreed Disposition, the Certification, Respondent’s Answer, and Respondent’s Disciplinary Record, the arguments of the parties, and after due deliberation,

It is **ORDERED** that the Board accepts the Agreed Disposition, and the Respondent shall

receive a six-month suspension with terms, as set forth in the Agreed Disposition, which is attached to and incorporated in this Memorandum Order.

It is further **ORDERED** that the sanction is effective September 27, 2024.

It is further **ORDERED** that the Respondent must comply with the requirements of Part 6, Section IV, Paragraph 13-29 of the Rules. The Respondent shall forthwith give notice by certified mail of the Suspension of her license to practice law in the Commonwealth of Virginia, to all clients for whom she is currently handling matters and to all opposing Attorneys and presiding Judges in pending litigation. The Respondent shall also make appropriate arrangements for the disposition of matters then in her care in conformity with the wishes of her clients. The Respondent shall give such notice immediately and in no event later than 14 days of the effective date of the Suspension, and make such arrangements as are required herein as soon as is practicable and in no event later than 45 days of the effective date of the Suspension. The Respondent shall also furnish proof to the Clerk of the Disciplinary System of the Virginia State Bar within 60 days of the effective date of the Suspension that such notices have been timely given and such arrangements have been made for the disposition of matters.

It is further **ORDERED** that if the Respondent is not handling any client matters on the effective date of the Suspension, she shall submit an affidavit to that effect within 60 days of the effective date of the Suspension to the Clerk of the Disciplinary System of the Virginia State Bar. The Board shall decide all issues concerning the adequacy of the notice and arrangements required herein. The burden of proof shall be on the Respondent to show compliance. If the Respondent fails to show compliance, the Board may impose a sanction of Revocation or additional Suspension for failure to comply with the requirements of subparagraph 13-29.

The Clerk of the Disciplinary System shall assess costs pursuant to Part 6, Section IV,


Paragraph 13-9.E of the Rules.

It is further **ORDERED** that an attested copy of this Order be mailed to the Respondent by electronic, first-class and certified mail, return receipt requested, at her last address of record with the Virginia State Bar at Abogados Law PLC13000 Harbor Center Dr., Ste 210, Woodbridge, VA 22192-2847 and a copy by electronic mail to Richard W. Johnson, Jr. Assistant Bar Counsel.

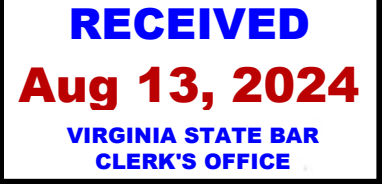
ENTERED THIS 29th DAY OF AUGUST, 2024

VIRGINIA STATE BAR DISCIPLINARY BOARD

**Yvonne S.
Gibney**

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Gibney
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Yvonne S. Gibney
Chair Designate



VIRGINIA:

BEFORE THE DISCIPLINARY BOARD
OF THE VIRGINIA STATE BAR

IN THE MATTER OF
ALISA LACHOW CORREA

VSB Docket No. 24-051-129914

AGREED DISPOSITION
(SIX MONTH SUSPENSION WITH TERMS)

Pursuant to the Rules of the Supreme Court of Virginia, Part 6, Section IV, Paragraph 13-6.H, the Virginia State Bar, by Richard W. Johnson, Jr., and Alisa Lachow Correa, Respondent, *pro se*, hereby enter into the following Agreed Disposition arising out of the referenced matter.

I. STIPULATIONS OF FACT

1. Respondent was admitted to the Virginia State Bar (“VSB”) in 2003. At all relevant times, Respondent was licensed to practice law in the Commonwealth of Virginia.
2. On September 17, 2012, Noberto Rosales Argueta (“Complainant”) retained Respondent to represent him in an immigration matter. Respondent charged Complainant a fee he could afford, and they communicated throughout the ten year representation.
3. Following several continuances¹, on October 6, 2022, Respondent represented Complainant at his individual hearing at the Executive Office of Immigration Review before Immigration Judge Roxanne Hladylowycz (“the Court”).
4. At the outset of the hearing, the Court chastised Complainant and Respondent because there were no new supporting documents in the file since 2019, and because documents filed late by Respondent were also not in the file.²

¹ The continuances were based upon Respondent’s unavailability.

² Complainant’s file contains several requests for continuances, including for October 6, 2022, a Motion for Prosecutorial Discretion, and Complainant’s appeal to the Board of Immigration Appeals. Documents produced after 2019 are minimal, including tax returns and a letter from Complainant’s employer.

5. When the Court asked Respondent to explain why documents were untimely filed, Respondent replied that Complainant was “slowly producing” them and he did not have the “money... to be able to get everything together.”
6. The Court also criticized Respondent for the late filing of a request for Prosecutorial Discretion (“PD”).³ The Court remarked: “I mean, seriously, the day before the actual hearing you filed a PD request, where have you been with the request for PD for the last like, three years. Nowhere.... why is it that the night before the actual merits hearing you are asking for PD.”
7. At the conclusion of the hearing, the Court advised the parties that a decision would be forthcoming. Following the hearing, Respondent stated that she advised Complainant that he would likely have to appeal the matter.
8. On October 28, 2022, the Court issued an adverse ruling and Order of Removal for Complainant. Respondent received the Order of Removal on November 3, 2022.
9. Respondent did not notify Complainant of the Order of Removal.
10. Respondent did not advise Complainant of the deadline to file his appeal of the Order of Removal, November 28, 2022.
11. On December 6, 2022, Complainant received notice that his work application authorization had been denied, and he contacted Respondent seeking an explanation.
12. On December 7, 2022, Respondent met with Complainant and filed Complainant’s appeal to the Board of Immigration Appeals.

³ PD allows immigration prosecutors to decide how they want to proceed on an individual case, such as agreeing to remove a case from the immigration court docket through dismissal or administrative closure or agreeing to stipulations on issues such as relief, bond, or continuances. PD is exercised on a case-by-case basis. *See* <https://www.ice.gov/about-ice/opla/prosecutorial-discretion>

13. Respondent did not notify Complainant that the appeal should have been filed within 30 days of the Court's order nor did she inform him of the consequences of missing a filing deadline.
14. On June 15, 2023, the Board of Immigration Appeals dismissed Complainant's appeal because it was not timely filed.
15. In June 2023, upon learning that his appeal had been denied, Complainant contacted Respondent and was told by Respondent's staff that there was no further recourse. Respondent did not contact Complainant to explain why the appeal was dismissed or to advise him of his options, including a Motion to Reopen.⁴
16. In June 2023, Complainant contacted attorney Meghan Phillips ("Phillips") who informed Complainant his appeal had been dismissed due to being untimely filed. Complainant retained Phillips to represent him on a Motion to Reopen his matter.
17. On July 12, 2023, August 4, 2023, and August 31, 2023, Phillips sent emails to Respondent requesting an explanation for the untimely appeal and failure to timely advise Respondent of the Order of Removal and the appeal deadline. Respondent did not reply to Phillips' emails.

II. NATURE OF MISCONDUCT

Such conduct by Respondent constitutes misconduct in violation of the following provisions of the Rules of Professional Conduct:

By failing to timely file Complainant's documents prior to the October 6, 2022 hearing; by failing to timely file Complainant's request for Prosecutorial Discretion; and by failing to timely file Complainant's appeal to the Board of Immigration Appeals, Respondent violated Rule 1.1 as set forth below:

RULE 1.1 Competence

⁴ To be viable, Complainant's Motion to Reopen required either Respondent to accept responsibility for attorney error, or Complainant file a bar complaint.

A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation.

By failing to timely file Complainant's documents prior to the October 6, 2022 hearing; by failing to timely file Complainant's request for Prosecutorial Discretion; and by failing to timely file Complainant's appeal to the Board of Immigration Appeals, Respondent violated Rule 1.3(a) as set forth below.

RULE 1.3 Diligence

(a) A lawyer shall act with reasonable diligence and promptness in representing a client.

By failing to tell Complainant of the Court's October 28, 2022 Order of Removal; by failing to advise Complainant of his appellate rights and appeal deadlines; by failing to respond to subsequent counsel's request for information; and by not communicating with Respondent when his appeal was denied, and by having her staff tell Respondent that he had no further recourse; and by not informing Complainant of his options upon denial of the appeal, including the Motion to Reopen, Respondent violated Rule 1.4(a) and Rule 1.4(b) as set forth below.

RULE 1.4 Communication

(a) A lawyer shall keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information.

(b) A lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.

III. PROPOSED DISPOSITION

Accordingly, bar counsel and Respondent tender to the Disciplinary Board for its approval the Agreed Disposition of a Six-Month Suspension with Terms as representing an appropriate sanction if this matter were to be heard through an evidentiary hearing by a panel of the Disciplinary Board. Bar counsel and Respondent agree that the effective date for the sanction shall be September 27, 2024, the date this matter was scheduled for trial. The terms with which Respondent must comply are as follows:

1. On or before December 31, 2024, Respondent will complete three (3) hours of continuing legal education credits by attending courses approved by the Virginia State Bar in the subject

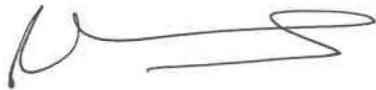
matter of law office management. Respondent's Continuing Legal Education attendance obligation set forth in this paragraph will not be applied toward her Mandatory Continuing Legal Education requirement in Virginia or any other jurisdictions in which Respondent may be licensed to practice law. Respondent will certify her compliance with the terms set forth in this paragraph by delivering a fully and properly executed Virginia MCLE Board Certification of Attendance form (Form 2) to Bar Counsel, promptly following her attendance of each such CLE program(s).


Upon satisfactory proof that all terms and conditions have been met, this matter shall be closed.

If, however, any of the terms and conditions is not met by the deadlines imposed above, Respondent agrees that the Disciplinary Board shall impose a one-year suspension pursuant to Rules of Court, Part Six, Section IV, Paragraph 13-18.O.

If the Agreed Disposition is approved, the Clerk of the Disciplinary System shall assess costs pursuant to ¶ 13-9.E of the Rules.

THE VIRGINIA STATE BAR


By: _____
Richard W. Johnson Jr.
Assistant Bar Counsel



Alisa Lachow Correa
Respondent