

## SUPREME COURT OF OHIO

### Ohio State Bar Association v. Immigration Associates, L.L.C.

Ohio State Bar Ass'n v. Immigration Assoc., L.L.C., 132 Ohio St. 3d 476, 2012-Ohio-3304 (2012) · No. 2011-2194 · Decided July 24, 2012

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#### SUMMARY

The Ohio Supreme Court approved a consent decree enjoining Immigration Associates, L.L.C., Barbara Abbitt, and Gerald Abbitt from engaging in the unauthorized practice of law. The respondents were specifically prohibited from preparing or marketing immigration forms and documents, rendering advice concerning such forms, and representing themselves as knowledgeable in immigration law; no civil penalty was imposed.

#### CASE DETAILS

|                       |                                                                                                                                                         |
|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | Supreme Court of Ohio                                                                                                                                   |
| WRITING FOR THE COURT | Per Curiam; Chief Justice O'Connor; Justice Pfeifer; Justice Lundberg Stratton; Justice O'Donnell; Justice Lanzinger; Justice Cupp; Justice McGee Brown |
| JURISDICTION          | Ohio                                                                                                                                                    |
| DECIDED               | July 24, 2012                                                                                                                                           |
| DOCKET                | 2011-2194                                                                                                                                               |
| DISPOSITION           | approved                                                                                                                                                |
| PROCEDURAL POSTURE    | The Ohio State Bar Association sought approval of a proposed consent decree recommended by the Board on the Unauthorized Practice of Law.               |
| PRECEDENTIAL VALUE    | published precedential opinion                                                                                                                          |

#### TOPICS

[immigration](#) [remedies](#) [equitable relief](#)

#### PRACTICE AREAS

[unauthorized practice of law](#) [immigration law](#) [professional discipline](#) [remedies](#)

#### QUESTIONS PRESENTED

1. Whether the Supreme Court of Ohio should approve the proposed consent decree addressing respondents' unauthorized practice of law.
2. Whether respondents should be enjoined from marketing, selling, or preparing immigration forms and from rendering advice concerning immigration forms, applications, or petitions.

#### **HOLDINGS**

1. The Supreme Court of Ohio accepted the Board on the Unauthorized Practice of Law's recommendation and approved the parties' proposed consent decree.
2. Respondents were enjoined from activities constituting the unauthorized practice of law, including marketing, selling, or preparing immigration forms, applications, petitions, and supporting forms, and rendering advice concerning those documents.

#### **FACTUAL BACKGROUND**

Immigration Associates, L.L.C., operated an Ohio business that advertised assistance with immigration forms and related services. Its individual respondents were not attorneys and the business did not regularly employ an attorney. The respondents prepared an application for United States citizenship for a client for a fee, and the application allegedly contained multiple errors; the respondents also routinely prepared forms for submission to USCIS and the Department of State.

#### **PROCEDURAL HISTORY**

The Board on the Unauthorized Practice of Law issued a final report recommending approval of the parties' proposed consent decree. The Supreme Court of Ohio accepted the recommendation, approved the decree, enjoined respondents from specified unauthorized-practice activities, and taxed costs to respondents.

#### **DISPOSITION**

approved