



IRANIAN AMERICAN LAWYERS ASSOCIATION
The first association of Iranian American attorneys in the U.S. - Established 1994

IALA Newsletter 2006

Volume II

Jan-June 2006

12 years of excellence in the Community

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Congratulations

LACBA elects IALA to take seat on its Board of Trustees.



Los Angeles, - (June 2006)

Los Angeles County Bar Association (LACBA) has elected the Iranian American Lawyers Association, its affiliate association member, to be represented on its board of trustees.

This relationship is of historical significance of a minority lawyers association to be present on LACBA's board.

We are honored and IALA's board has with great pleasure accepted

this and we look forward to working closer with the members of the association, the Bar and the Bench.

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Get to know IALA

Iranian American Lawyers Association, the first lawyer's association of Iranian American attorneys in the U.S., is a non-profit organization formed in California in 1994 and based in Los Angeles since.

We maintain active chapters in Orange County and Northern California and have over the past few years offered our services nationwide and have represented immigrants pro bono in Texas, New York and Illinois. We invite and welcome other Iranian American attorneys or attorney groups in other cities and States who like to start chapters, to contact us and we'll share tools necessary and the leadership support to steer and maintain the new chapters.

We proudly have a tradition and history of advocating for due process and unconditional right to counsel for

those questioned or detained as well as demanding equal and proportional access and representation by the Community to government assemblies or forums.

Since the implementation of post 9-11 immigration and enforcement laws, IALA has continually and successfully demanded and achieved in policy and practice, accountable enforcement in a transparent process.

We join forces and stand shoulder to shoulder with all those who's Civil and Constitutional rights where or are at issue as a result of these implementations.

We have long ago expanded and in addition to informing the community of their "Rights", have established an understanding and agreement in pol-

icy and practice with City, County, State and Federal law enforcement that those "Rights" are inalienable citizen's rights.

We continue to offer various programs (radio broadcasts and call-in Q&A law days, radio announcements of deadlines and radio interviews) in informing the Iranian American community of significant legal issues.

We also provide a networking forum for our members. conduct various events (mentor program, CLE programs, general mixers and Gala).

We are exclusively supported by our membership dues and event sponsorships and our members are admitted attorneys, law students and Honorable Bench Officers.

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President's Message

Let me start by thanking all of you for the continued support of the association's visions, goals and fulfilling our community obligations.

I also thank all members for informing the community of legal issues of significance, promoting equal access to justice and recognizing and delivering competent representation of the Iranian American community members.

I am excited to tell you about the opening of our Orange County Chapter and extend our welcome and appreciation to all those colleagues who have joined us in starting, maintaining and conducting the affairs of this new chapter.

For the year, our planning committee has coordinated a very exciting menu of events, mixers, CLE and town hall/law day programming in coordination with chapters and other professional associations. I am glad to have shared and look forward to share in each and every one of the future events with you.

I appreciate the respective committee chairs', officers' and directors' hard efforts.





I particularly welcome the new board members and look forward to a continuing year of expanding and enhancing our outreach programs, community events and professional education programs.

I am honored to continue to expand the associations' professional relationships and to work towards building an ongoing awareness of the Iranian American Lawyers' well earned reputation, ethics and talent as well as leading in advocating for due process and unconditional right to counsel for citizens who are questioned or detained subject to the U.S. laws and demanding equal and proportional access and representation by the Community to government assemblies or forums.

Meanwhile as I have always promoted an open door policy, I invite you to share your comments or suggestions about our activities. Your thoughts are always welcomed and I look forward to discussing them with you.

With my warmest regards,
P. Patrick Ashouri

IALA's former Presidents

Name		Year
Michael Kade	☺	2005
P. Patrick Ashouri		2004
		
Cameron Yadidi	☺	2003
Kayhan Shakib	☺	2002
Steve Sepassi		2001
		
Rafik Ayvazi	☺	2000
James K. Sadigh	☺	1999
Alaleh Kamran	☺	1998
Zohreh Mizrahi		1997
		
Mark K. Ameli		1996
		
Steve S. Zand	☺	1994-95

* provided pictures included

News

Deputy District Attorney Susan Irene Etezadi wins the San Mateo County Superior Court judge's race

San Mateo, CA – (June 8, 2006) The Iranian American Lawyers Association congratulates Deputy District Attorney Susan Irene Etezadi in her winning the San Mateo County Superior Court judge's race last Tuesday night.



Veteran prosecutor Susan Etezadi beat out former coworker and current defense attorney Lisa Maguire for a rare judicial seat, making her the first Iranian-American judge in the San Mateo county and one of the few judges chosen by voters.

Susan Etezadi received her bachelor's degree from University of California, Davis and graduated from University of San Diego Law School in 1983. She spent 21 years with the District Attorney's Office and during her career, has prosecuted 71 jury trials and more homicides than any other woman in the San Mateo county and in January 2007, she will assume the seat on the Superior Court bench currently held by Judge John Schwartz, who retires in August after 20 years of service.

"It makes me very humble and proud that the people of San Mateo County voted for me. The courts belong to the people and a judge works for the public, the public has spoken. I am honored," Etezadi said.

Iranian-American Judges currently serve on the bench of the Los Angeles (Honorable Soussan Bruguera) and San Bernardino County Superior Courts (Honorable Shahla Sabet) as well as Federal immigration courts (Honorable Gita Vahid-Tehrani) in Los Angeles. Iranian American attorneys also occupy significant positions in the local District Attorney's Offices, Public Defender's Offices, the California Attorney General's Office and the U.S. Attorney's Office.

EVENTS

March 28, 2006 - The impact of immigration cases on the administration of justice.

February 28, 2006 - IALA Orange County mixer



February 22, 2006 - IALA Los Angeles mixer



cont'd

April 4th, 2006 - Honoring Chief Justice Ronald M. George in celebration of his FIRST decade as California Chief Justice

April 8th, 2006 - Town hall meeting presented by Multi-Cultural Advisory Committee (MCAC)



June 4, 2006 - Law Day, Radio Broadcast at KRSI radio from 2:30—5:30 p.m

June 2-3, 2006 - Continuing the strong tradition of supporting important and interesting programs, IALA is proud to be a donor and co-sponsor of the State Bar's Spring Summit on Diversity in the Profession. This Summit was held in San Jose on June 2-3, 2006.

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News

Los Angeles Multi-Cultural Advisory Committee (MCAC) Town Hall Meeting April 8, 2006

Los Angeles – (April 2006)

Co-hosted by the FBI's Multi-Cultural Advisory Committee (of which Iranian American Lawyers Association is a member and co-founder organization) on Saturday, April 8, 2006 at the Exposition Park Community Center in Los Angeles .



FBI supervisors and Multi Cultural Committee members addressed the audience's questions and concerns. Saturday's Town Hall meeting at the Exposition Park Community Center near USC was the first of what organizers have planned to be a series of meetings in Southern California .

The FBI-LA, (MCAC) is an independent body/assembly of non-profit community based organizations, groups and asso-

ciations who represent the diversified people of Southern California and its mission statement reads:

“The Multi-Cultural Advisory Committee (MCAC) endeavors to create an environment to facilitate dialogue and enhance the relationship between the FBI and the Community which is based on mutual respect, understanding, and the protection of Constitutional rights and civil liberties.”

As also reported in Los Angeles media, P. Patrick Ashouri , President of the Iranian American Lawyers Assn., and the advisory committee's spokesperson told the audience, that, “As a lawyer's association, we determined that the protection of the constitutional and civil rights as well as the unconditional right to counsel if addressed, would bring a balance which we felt would be necessary before we could play an effective role in this relationship to build and enhance dialogue and relationships between law enforcement (FBI) and the community”.

Mr. Ashouri added: “We are the Middle eastern, the Asian and



South Asians, the Pakistanis, Indians and Iranians. We are the Latinos, Sikhs and Egyptians. So we tried to have the committee be a representative of Southern California's diversity a diversity and make up that often is spoken about by the rest of the Nation as an example of the America's melting pot.

It took a lot of time effort and energy to covenant what we all agreed to thus far. This is a very unique and powerful committee. It draws its power and energy from the unity of its members. We continue to expand its reaches and horizon and collectively work on protecting it and making it stronger and more diversified and representative of our community.”

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PRO BONO



The association continues to need volunteer attorneys to accept the representation or mentorship of other attorneys to accept the responsibility.

The association's Pro bono guidelines have been prepared to be consistent with other local

Bar's income and expense guidelines.

Take the time to help those who need your skills by becoming a volunteer.

Today there are many who cannot afford and desperately need your

generous help to have access to justice, the legal system and the courts.



News

Campaign against "open and notorious" Unauthorized Practice of Law and Misleading Advertising in the Iranian American community



IRANIAN AMERICAN LAWYERS ASSOCIATION

The first association of Iranian American attorneys in the U.S. - Established 1994

June 26, 2006

VIA FAX & US MAIL

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Re: Notice of unauthorized use of the name of 'Iranian American Lawyers Association' and notice of immediate cease

Dear Gentilepersons:

You are hereby on notice that per your advertisement in Volume No June 16-June 22, 2006 on page , the name of the 'Iranian American Lawyers Association' is without authorization or approval translated into Farsi and is improperly printed on an add bearing the name of . Inc. and Law Office of .

Iranian American Lawyers Association is a non profit association established in 1994 and demand is hereby made that the use of our name in print or any other form of media to immediately stop and an immediate retraction/correction to be printed that the Iranian American Lawyers Association is a non-profit organization and it had not and does not endorse this or any other form of advertisement unless issued and released by our association.

Sincerely,

P. Patrick Ashouri

P. Patrick Ashouri, President
 Iranian American Lawyers Association

cc. Board of Directors

Events, cont'd

June 15, 2006 - LACBA Installation dinner.
 The LACBA installation dinner was held on June 15, 2006 at the Omni Los Angeles Hotel in Los Angeles which hosted the New York Attorney General Eliot Spitzer.

June 29, 2006 - IALA Los Angeles mixer.

Future events:

July 19, 2006 - Hollywood Bowl Jazz Night.

August 3, 2006 - IALA Orange County Mixer.

September, 2006 - Hollywood Bowl 80's Night.
(based on ticket availability)

November, 2006 - 12th anniversary GALA.



News

Unauthorized Practice of Law & False and Misleading advertising

Los Angeles - (June 2006)

On a daily basis all of us in our practices and those in the association's administration strive to maintain the highest degree of professionalism and integrity in our interactions with the Community, Bench and the Bar.

During our over twelve years of honorable service to the Community and our members, we have stood continually committed to take all action necessary to prosecute inappropriate or illegal and misuse in attorney or related advertising which could mislead the community or the public in any shape, form or manner, perpetrated by any attorney, non attorney, group or center as allowed under Federal and California law and California Rules of Professional Conduct as applicable.

The recent incident was reported to us by a member who happened to run across the advertisement

mentioned in the attachments. We couldn't thank this member enough and would ask all of you that if you run across similar questionable advertisements, to

please feel free to report it to us, anonymously if you wish, and rest assured that IALA will take all action necessary to swiftly respond.

June 29, 2006

VIA FACSIMILE (818) 361-7491

Iranian American Lawyers Association
15760 Ventura Blvd, Suite 1010
Encino, California 91436
Attention: Mr. Patrick Ashouri

Dear Mr. Ashouri:

In regards to our conversation of today, we would like to inform you in respond to your letter of June 26, 2006 that we have ceased our advertising in _____ newspaper and we are repairing and redesigning our add in order to resolve the said conflict. I hope this will resolve all issues in that regard. Please accept our apology for non intentional invitation to this conflict.

Sincerely,

News

Los Angeles Multi-Cultural Advisory Committee (MCAC) Town Hall Meeting April 8, 2006

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Mr. Ashouri added:

"We got together back in 2004 out of growing and increasing concerns regarding effects and implementations of post 9-11 federal laws and those who enforce it.

We went to the FBI as co-equals and suggested a forum which is open to all representative groups. It was agreed, and the first Multi-

Cultural Advisory Committee was formed in 2004 and has been operating ever since."

Mr. Ashouri continued to summarize the committee's activities of advising on cultural sensitivity issues, about practices of field agents regarding various religious beliefs and local procedures which were changed to adopt to those concerns, unconditional right to counsel in voluntary interviews, clarification on FBI's name and

background check process and procedures, the ramifications of the Patriot Act and its application in FBI's local practices, hosting various meetings for key speakers from various State and Federal departments including, Debra Yang (U.S. Attorney, CA-Central District), Bill Lockyer (CA, Attorney General), Ana Hinojosa (US Customs and Boarder Protection), and USCIS.

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Other news

Interview with Dan Sutherland of DHS office of Civil Rights

Los Angeles - (March 2006) IALA also a member of the DHS community outreach committee which started in 2004, interviewed Dan Sutherland, in charge of the office of Civil Rights & Civil Liberties of the Department of Homeland Security and in charge of the outreach program on KRSI Radio in March 2006.

In this interview with P. Patrick Ashouri, Mr. Sutherland elaborated on the government's readiness to prosecute all hate crimes including that which may be targeted against the Iranian American Community and encouraged callers and listeners to document and report any incidences of alleged hate crime or civil rights violations immediately.

The outreach committee meets regularly with representatives of DHS including ICE, TSA, CBP and USCIS among others, to update contacts, learn of new procedures in various offices and inform the authorities of local issues, concerns and challenges.

IALA has continually advocated for due process and unconditional right to counsel for individuals who are questioned or detained and demanding equal and proportional access and representation by the Community to government assemblies or forums.



Congratulations

LACBA elects IALA to take seat on its board of trustees.

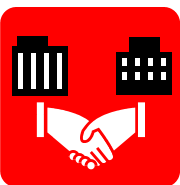


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As the trustee and appointed by the board, P. Patrick Ashouri will represent the association, its members, constituencies and the Community's interests and needs.



The LACBA installation dinner was held on June 15, 2006 at the Omni Los Angeles Hotel in Los Angeles which hosted the New York Attorney General Eliot Spitzer.



As an Affiliate Association with the Los Angeles County Bar Association, our membership provides added value and benefit for all the IALA members including LACBA membership discount.

Fifth Circuit remands case to the BIA to rule on the merits

Los Angeles - (February 2006)

The issue in **Torabi v. Ashcroft**, Fifth Circuit Case No. 04-60123, unpublished, was whether the Board of Immigration Appeals (BIA) abused its discretion in denying the alien's motion to reopen, based on her statutory eligibility to adjust to permanent resident status. This decision can be viewed at

www.mizrahioffice.com/04-60123.pdf

Timing was critical in this case. While the alien's appeal of a BIA denial was on timely appeal to the Fifth Circuit, and only days after the expiration of the 90-day

deadline to file a motion to reopen before the BIA, the Immigration Service approved the alien's I-140 Immigrant Petition.

Petitioner filed a Motion to Reopen with the BIA, citing this new evidence and sent a request to the Fifth Circuit to stay proceedings while the motion was adjudicated. The BIA denied the motion solely on the basis of timeliness, and a Status Report was sent to the Fifth Circuit informing them of the decision and asking the Court to review this new decision.

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Message from the Board

We have a number of recent graduates and new admittees joining the association, we welcome each and every new member and appreciate renewing members for their continued support.

We are also launching an updated web page interface which would allow members to update their information, add and revise their data and area(s) of practice, reserve and pay for events and their membership.

We love
hearing
from you

Fifth Circuit remands case to the BIA to rule on the merits

...continued from page 8

The Court ordered the matter “carried with the case”, resumed the briefing schedule, and ordered the parties to appear for oral argument before a three-judge panel on October 4, 2005. The issue was successfully argued by Zohreh Mizrahi, former IALA president (1997) and lead immigration attorney of Law office of Mike S. Manesh. On January 30, 2006, the Court issued its decision with the following notable findings:

- 1- The 90-day limitations period for filing motions to reopen under 8 C.F.R. §1003.2(c)(2) is regulatory, not jurisdictional, and the doctrine of equitable tolling may be applied.
- 2- The Courts have discretionary authority to order the Board of Immigration Appeals (BIA) to consider the merits of an adjustment of status claim based on an alien’s Immigrant Petition which was approved *after* the ninety-day deadline to file a Motion To Reopen before the Board.
- 3- A Status Report timely filed as required by court order, which is filed within 30 days of the denial of a subsequently filed Motion to Reopen and which seeks review of *that* denial, “is both a constructive and timely petition for review.”

The Fifth Circuit remanded the case to the BIA solely to rule on the merits of the alien’s eligibility for adjustment of status. The Court held the merits of the alien’s claims for asylum, withholding of removal and relief under the U.N. Convention Against Torture, in abeyance pending the outcome of the BIA’s consideration. The government subsequently filed a Petition for Rehearing, but it was denied.

On remand, the BIA received supplemental briefs from both parties and the matter is currently pending.

PLEASE NOTE THAT Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4. However, petitioner’s counsel’s office has been contacted by other practitioners who plan to urge the Court to publish the case.

For more information : Law Office of Mike S. Manesh, APC, Attn: Lead immigration attorney Zohreh Mizrahi 310-843-9292

Elections coming soon

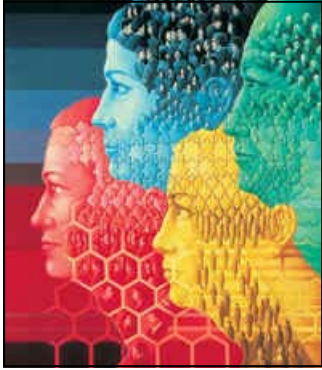
Even though we have a couple of months before the nominations are sought, you are encouraged to consider yourselves and others whom you deem fit. Your participation in the nominations and voting for the nominees is one of the key elements of your membership and of great value to the association.



Raymond R. Tabandeh,
IALA board member,
named a partner of
Christie, Parker & Hale,
LLP

PASADENA, Calif. – Raymond R. Tabandeh, has been named a partner of the intellectual property law firm of Christie, Parker & Hale, LLP. Tabandeh joined the firm in 1998. His practice emphasis is in foreign and domestic patent and trademark prosecution, licensing and intellectual property counseling. He was formerly with Xerox Corporation.

Are We Not All Americans Before or After The Hyphen?



Émigrés the world over, migrate to the United States calling Her their new home, including Italians, Germans, French, Lebanese, Egyptians, Spanish, Iranians, Indians, Pakistanis, Iraqis, to Russians, Mexicans, Brazilians, Chinese, Japanese and Irish, etc. Each culture brings with it a wealth of history, custom and cultural nuances which can not be appreciated until understood.

That which is unknown often causes fear and apprehension in most of us. We are all proud of our heritage, culture and customs. But when it comes to sharing another's culture, some "native born" have an inherent resentment to that which is different. Multi-Cultural understanding and appreciating other's culture, customs and traditions have been shown to render an atmosphere of respect and mutual understanding.

Earlier generations - those who settled here in the 18th and 19th centuries - occasionally affect a somewhat more vested interest in the United States than those who migrated here from the last half of 20th century to the present. It is this "who came here first!" misconception that fuels the fire of prejudice and differentiation based on ancestry and ethnicity.

Our Courts interpret, analyze and apply U.S. law, often responding to political pressure, diverse constituencies or geo-political events. The judiciary has attempted, over the past few decades, to define who is citizen, immigrant, immigrant alien, documented alien or undocumented alien and, has categorized numerous administrative and legal procedures to obtain various classifications under Immigration and other Federal law.



As a member of the aforementioned population, I can only believe that as long as our "pledge" and the law that grids it, stand for the equal protection, liberty and justice for all, America shall provide an unprejudiced safe harbor for those who flee oppression and dictatorship. We émigrés are seeking to have a secure home to raise our families, contribute to society and participate in advancing humanity, and its aspiration of mutual understanding and respect. It is our pledge of allegiance which keeps us all tied together and has for centuries by concluding "...liberty and justice for all."



Being American is accepting America for the colorful tapestry it is, respecting émigrés cultures which constitute the interwoven fabric of our society. We, by respecting Her laws and those who enforce it, expect the government to transparently uphold its oath to the Constitution for the protection of all, whether during times of war or peace. We are, after all, all hyphenated-Americans.

*Reprinted with permission from Maleki Foundation
www.malekifoundation.org/a1.htm*

News

IALA helps form and start the Multi Cultural Advisory Committee with the Los Angeles County Sheriffs Department

Los Angeles - (February 2006)

IALA helped form the Los Angeles County Sheriffs Department's Multi Cultural Advisory Committee earlier this year. Holding its first meeting in February, the committee is designed to create and maintain bridges of dialogue and communication between LASD and the community while respecting individual's constitutional and civil rights.



With local law enforcement being more involved with the Federal immigration laws, it is even more vital to enhance dialogues and relationships.



IALA continues to advocate for due process and unconditional right to counsel for those questioned or detained as well as demanding equal and proportional access and representation by the Community to government assemblies or forums.

News

Los Angeles Multi-Cultural Advisory Committee (MCAC) Town Hall Meeting April 8, 2006

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Some attendees used the Town Hall meeting to share their experiences. For instance, an American grandmother of Iranian descent, expressed fear for herself and her family. "I am a U.S. citizen, have been here for over 25 years and always paid my taxes. I am worried about my family, my four children and six grandchildren". She went on to say she is sometimes afraid to even go out shopping because her hair covering identifies her as a non-mainstream "What is the solution for us?"

J. Stephen Tidwell, Assistant Director in charge of the Los Angeles FBI office, said that the Bureau has always investigated and helped local authorities in cases of hate crimes and shared examples of their recent investigations and cooperation.



He encouraged everyone to contact the FBI or their community based organization members of the advisory committee in case of any concerns or issues whether it involves the FBI directly or where the FBI can assist in addressing the issue.



Iranian American Lawyers Association
A National Non-Profit Organization

*The first association of Iranian
American attorneys in the U.S.*

Established 1994

15501 San Fernando Mission Blvd, Suite 308, Mission Hills, CA 91345
Tel: 818-990-9924 www.ialawyers.org Fax: 818-361-7491

www.ialawyers.org

Some of the member's wonderful and heart warming comments:

- You [IALA] have what it takes to begin an effective campaign against "open and notorious" unauthorized practice of law in the Iranian American community.

Our mission Statement

- To maintain the honor and integrity of the legal profession.
- To promote and maintain the sound administration of independent justice.
- To encourage discussion of legal matters or issues, to promote mutual aid among its members.
- To further equal opportunity and justice for the members of the legal profession and to provide an organization for collective action.
- To advance and preserve the integrity of the Iranian American lawyers within the community.
- To promote the legal education and general understanding of the legal system within the Iranian community.
- This association shall not participate in partisan politics nor recommend any person for any political office other than a judicial office.

IALA Newsletter

Editor

P. Patrick Ashouri

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Special thanks

- U.S. Department of Justice, Western Region CRS.
- Department of Homeland Security, Office of Civil Rights.
- Federal Bureau of Investigations, Los Angeles Field Office Community Outreach.
- Los Angeles County Sheriffs Department Community Outreach.
- The State Bar of California, Office of the Chief Trial Counsel, Enforcement Unit.
- Maleki Foundation

Twelve years of excellence in the Community

