

The Supreme Court of Ohio

BEFORE THE BOARD ON THE UNAUTHORIZED PRACTICE OF LAW

CINCINNATI BAR ASSOCIATION, :
RELATOR, :
v. :
EMILY FELIZ, : Case No. UPL 18-03
RESPONDENT. :
: **ORDER**



This matter is before the Board upon the Second Motion to Approve (Revised) Stipulation and Settlement Agreement, filed on August 27, 2019. Upon consideration thereof, and consistent with the panel report and recommendation, the Board finds that Respondent engaged in the unauthorized practice of law and approves the Revised Stipulation and Settlement Agreement of Cincinnati Bar Association and Emily Feliz.

The formal complaint in this matter was filed by relator on October 9, 2018. The complaint alleged that respondent Respondent, who is not admitted to the practice of law in Ohio or any other jurisdiction, engaged in the unauthorized practice of law by representing and advising individuals in immigration matters.

Respondent was duly served and, through counsel, filed an Answer on November 16, 2018. The parties filed a motion to approve a settlement agreement on May 13, 2019. The panel reviewed the motion and accompanying settlement agreement, and by order dated August 14, 2019, the motion was denied and the stipulation and settlement agreement rejected because the panel found that that the proposed resolution did not resolve all the allegations of unauthorized practice of law set forth in the formal complaint.

The parties submitted a second motion and revised stipulation and settlement agreement, and by panel filed its report and recommendation on October 17, 2019, recommending approval. The Board accepts the panel's recommendation and approves the following revised stipulation and settlement agreement that was submitted by the parties. The Settlement Agreement as approved is attached hereto and made a part hereof.

I. Stipulated Facts

1. The Relator, Cincinnati Bar Association, is a bar association with a membership which includes attorneys practicing law in Hamilton County, Ohio, and through its Unauthorized Practice of Law Committee, is authorized to investigate and file complaints with the Board on the Unauthorized Practice of Law pursuant to Gov. Bar R. VII.

2. Respondent Emily Feliz is a resident of Hamilton County, Ohio, and is not an attorney licensed to practice law in Ohio or in any other jurisdiction. Respondent is also not an "Accredited Representative" approved by the Board of Immigration Appeals. Respondent worked as a paralegal in a law office that focused on immigration matters. Respondent enrolled in the University of Dayton's Juris Doctorate program and received her law degree in 2017.
3. Respondent provided legal services for others, which included completion of INS N-400 and INS I-130 forms and in one instance, received compensation for her services.
4. The actions as fully described in the revised settlement agreement constitute the practice of law. Respondent, however, believed that she had not engaged in activities that constitute the practice of law.

II. Stipulation Resolution

5. Respondent shall not engage in the unauthorized practice of law including, without limitation, all activities related to the selection, discussion, and completion of any legal forms, including immigration forms, except in connection with her work under the appropriate supervision and direction of a licensed attorney.
6. The parties agree and stipulate that Respondent shall affirmatively notify those with whom she communicates about legal matters, including immigration matters, that she is not licensed to practice law in the State of Ohio and will recommend that individuals seeking information or assistance from her consult with a licensed attorney with respect to any legal matters.
7. The public is protected from any future harm by Respondent and any substantial injury is remedied by the agreement.
8. The agreement resolves the material allegations of the unauthorized practice of law and any remaining material allegations are withdrawn.
9. Respondent shall be responsible for all costs in connection with this matter.
10. The Settlement Agreement does not involve any public policy issues or encroach upon the jurisdiction of the Supreme Court of Ohio to regulate the practice of law in this state.
11. The Settlement Agreement furthers the stated purposes of Gov. Bar R. VII.
12. Relator and Respondent recognize that Respondent acted with no intent to violate standards concerning the unauthorized practice of law.

III. Civil Penalty

13. Respondent agrees to pay a civil penalty of \$1,250.

IT IS ORDERED that the Second Motion to Approve (Revised) Stipulation and Settlement Agreement filed on August 27, 2019, is granted. It is further ordered that Respondent shall pay the civil penalty in this matter in monthly installments and shall be paid in full within ninety (90) days of the date of this order. It is further ordered that the

Complaint in this matter will be dismissed in accordance with Gov. Bar R. VII, Sec. 5b(D)(1) upon payment in full of that civil penalty. It is further ordered that the signed Settlement Agreement be recorded for reference pursuant to Gov. Bar R. VII, Sec. 5b(H).

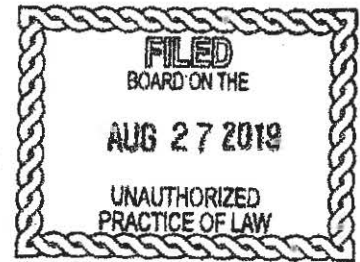
SO ORDERED.



Edward T. Mohler, Chair

**BOARD ON THE UNAUTHORIZED
PRACTICE OF LAW**

BOARD OF COMMISSIONERS ON THE
UNAUTHORIZED PRACTICE OF LAW
OF THE SUPREME COURT OF OHIO



CINCINNATI BAR ASSOCIATION, *

CASE NO.: UPL 18-03

RELATOR, *



v. *

EMILY FELIZ, *

RESPONDENT. *

REVISED STIPULATION AND SETTLEMENT AGREEMENT OF
CINCINNATI BAR ASSOCIATION AND EMILY FELIZ

Whereas Relator, Cincinnati Bar Association, filed a formal Complaint (the "Complaint") on September 26, 2018 against the Respondent, Emily Feliz, with the Board of Commissioners on the Unauthorized Practice of Law of the Supreme Court of Ohio (the "Board"); and

Whereas Relator and Respondent have reach an agreement that resolves their differences, as revised following the August 14, 2019 Order of the Panel herein; and

Relator and Respondent (the "Parties") now enter into this Stipulation and Settlement Agreement pursuant to Gov. Bar R. VII §5b, the terms of which are set forth below:

I. STIPULATED FACTS

The Relator and Respondent have stipulated to the following facts:

1. The Relator, Cincinnati Bar Association, is a bar association with a membership which includes attorneys practicing law in Hamilton County, Ohio.

2. The Relator, through its Unauthorized Practice of Law Committee, is authorized, pursuant to Gov. Bar R. VII, to investigate and file complaints with the Board of Commissioners on the Unauthorized Practice of Law of the Supreme Court of Ohio regarding claims of the unauthorized practice of law.

3. The Respondent, Emily Feliz, is a resident of Hamilton County, Ohio.

4. Respondent is not an attorney licensed to practice law in Ohio or in any other jurisdiction. Respondent is also not an "Accredited Representative" approved by the Board of Immigration Appeals. Prior to 2015, Respondent worked as a paralegal in a law office with a focus upon immigration matters. Respondent was not a lawyer or law student at the time of this employment. In 2015, Respondent enrolled in the University of Dayton's two-year Juris Doctorate program. In 2017, Respondent received her law degree and awaits the opportunity to re-take the Ohio Bar Examination.

5. In January 2014, Respondent was approached by Robinson Allende Corporan Gonzalez ("Corporan"), and his wife Alma Guadalupe Hernandez Mejia ("Hernandez"), about assistance with immigration matters. Corporan and Hernandez met with Respondent in her residence and sat at a desk to which Respondent pulled up chairs for them to have a discussion. Corporan, Hernandez and Respondent were previously acquainted insofar as their families knew and had interacted over a period of years. Corporan stated his desire to pursue his own naturalization and the couple's desire for the filing of a petition to allow the immigration of Hernandez's daughter to the United States from Mexico, which Corporan, Hernandez and Respondent discussed. Respondent was aware Corporan and Hernandez had consulted with an attorney but that they were unable to hire an attorney. Respondent completed INS N-400 and INS I-130 forms based upon information supplied by Hernandez and Corporan on forms, supplied by

Corporan and Hernandez consisting of an INS N-400 form for Corporan and an INS I-130 form for the child in Mexico. Both forms were identified to Corporan and Hernandez from information in Spanish on the appropriate Homeland Security website. As part of that conversation, Respondent asked Corporan and Hernandez the questions on the forms, which were in English on the subject forms, and wrote the answers they supplied in English in the appropriate space on the forms, insofar as neither Corporan nor Hernandez could read or write English. Corporan and Hernandez paid Respondent a lump sum for filing fees and to compensate Respondent. Respondent accepted the funds for these services and fees.

6. Respondent was given \$1230.00 by Corporan and Hernandez, and the Respondent provided them a receipt which she signed. The funds were applied to purchasing money orders for filing fees of \$420 for submitting the I-130, filing fees of \$595 for submitting the N-400 form, and filing fees of \$85 for submitting the required N-400 Biometrics Services Fee, leaving \$130 left over which Corporan gave to Respondent as payment for services.

7. Respondent also assisted with completing documents for members of her church and for members of her family. Respondent considered mistakenly that the assistance she provided did not constitute the practice of law. Respondent did not accept money for her assistance to these individuals. Respondent was attempting to help those who could not afford legal services.

8. The actions as described above constitute the unauthorized practice of law. Respondent believed that she had not engaged in activities that would constitute the practice of law.

9. Respondent states that she has provided no independent assistance of any nature in immigration matters since her entry into law school in 2015, including in connection with her work under the supervision and direction of Karen Bradley, Esq., an Ohio licensed attorney with

an immigration law practice in Dayton, Ohio.

10. The conduct of Respondent as otherwise described herein was directed to assist her friends, family and others in her church community. Respondent did not engage in the aforementioned activities for financial gain.

11. Respondent is an immigrant to the United States from the Dominican Republic, coming to the United States when she was 8 years old. Because of her proficiency in English, Respondent was routinely requested to help her parents, family, and church leaders, with many tasks such as interpreting and translating documents from Spanish to English throughout her life.

12. Respondent has agreed to cease and desist from, and states that she has ceased and desisted from, ever again engaging in the rendering of independent assistance to persons in immigration matters, including, without limitation, all activities related to the selection, discussion, and/or completion of any legal forms, including immigration forms, except in connection with her work under the appropriate supervision and direction of a licensed attorney.

13. Upon review of all the facts and circumstances, the allegation that Respondent provided legal advice to Marisol Mora in/around December 2012, is hereby withdrawn by Relator. Ms. Mora approached Respondent through the office of her then-attorney employer, and the cited interaction with Ms. Mora was in her capacity as a paralegal for the firm she was employed by at the time.

14. Upon review of all facts and circumstances, the allegation that Respondent represented Estela Montes in/around December 2012 is hereby withdrawn by Relator. Further investigation revealed that Ms. Montes was in fact the best friend of Respondent's mother, and Respondent's e-mail address was utilized on communication by Ms. Montes with the National Visa Center insofar as the NVC requires an e-mail address for communication, specifically

including allowing communication through a friend or family member.

II. STIPULATED RESOLUTION

The Relator and the Respondent have stipulated to the following agreed upon resolution of this proceeding as set forth in Gov. Bar R. VII Sb:

1. The Respondent shall not engage in the unauthorized practice of law including, without limitation, all activities related to the selection, discussion, and completion of any legal forms, including immigration forms, except in connection with her work under the supervision and direction of a licensed attorney.

2. The parties hereby agree and stipulate that Respondent shall affirmatively notify those with whom she communicates about legal matters, including immigration matters, that she is not licensed to practice law in the State of Ohio and will recommend that individuals seeking information or assistance from her consult with a licensed attorney with respect to any legal matters.

3. The public is protected from any future harm by Respondent and any substantial injury is remedied by this agreement.

4. This agreement resolves the material allegations of the unauthorized practice of law and any remaining material allegations herein are withdrawn.

5. Respondent shall be responsible for all costs in connection with this matter.

6. This Settlement Agreement does not involve any public policy issues or encroach upon the jurisdiction of the Supreme Court of Ohio to regulate the practice of law in this state.

7. This Settlement Agreement furthers the stated purposes of Gov. Bar R. VII; and the Board shall retain jurisdiction over, and the right to enforce and resolve, any dispute concerning this Settlement Agreement.

8. Relator and Respondent recognize Respondent acted with no intent to violate standards concerning the unauthorized practice of law.

III. WAIVER OF NOTICE AND HEARING The Relator and Respondent each hereby waives the right to appearance at a formal hearing in this proceeding.

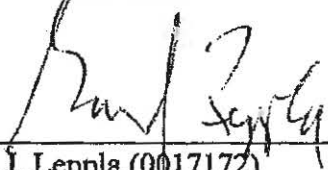
IV. CIVIL PENALTY

The parties submit that the imposition of a civil penalty upon the Respondent for the sum of \$1250.00 is appropriate for the following reasons:

1. The penalty recommended is commensurate with the sum given to Respondent by Corporan and Hernandez, as described in paragraph 6, above.
2. The Respondent has cooperated with Relator's investigation and in connection with the negotiation of this Settlement Agreement.
3. The Respondent did not believe at the time that her activities constituted the unauthorized practice of law.
4. The Respondent did not act with a dishonest motive.
5. The Respondent has agreed to pay the costs of this proceeding and the proposed civil penalty in reasonable monthly installments.
6. The parties further stipulate that the recommended civil penalty of \$1250 is appropriate for the following additional reasons:
 - a. The proposed civil penalty is approximately equal to the funds paid to the Respondent to cover costs of application submission as set forth in Item 6. of the above stipulation.

- b. Respondent has no prior incidents and expresses an understanding of the violations and a commitment to avoiding any and all potential involvement in even marginal conduct consisting of the Unauthorized Practice of Law in the future.
- c. The alleged conduct occurred years before Respondent enrolled in law school and prior to the time that she had her current understanding of the risk and potential for UPL activities.
- d. Respondent now works under the full-time supervision of a Dayton, Ohio immigration attorney, who is aware of all details of the allegations against Respondent and has continued to carefully instruct and supervise Respondent.
- e. Respondent is now the mother of three children and her employment activities and earnings provide principal support for her family.

SO STIPULATED:



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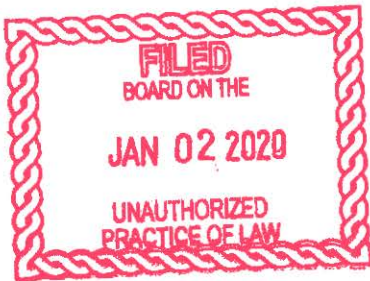
Emily Feliz, Respondent

The Supreme Court of Ohio
BEFORE THE BOARD ON THE UNAUTHORIZED PRACTICE OF LAW

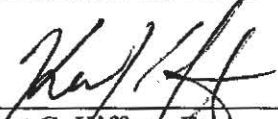
CINCINNATI BAR ASSOCIATION,	:	
Relator,	:	
v.	:	Case No. UPL 18-03
EMILY FELIZ,	:	
Respondent.	:	<u>FINAL ORDER OF DISMISSAL</u>
	:	

On November 15, 2019, respondent, Emily Feliz, paid in full the civil penalty in the amount of \$1,200 in this matter. Upon consideration thereof, the Board finds that respondent has complied with its order dated November 5, 2019, and it is hereby ordered that in accordance with Gov. Bar R. VII, Sec. 5b(D)(2) the Complaint in this matter is hereby **dismissed**.

It is further ordered that the signed Settlement Agreement shall be recorded for reference by the Board pursuant to Gov. Bar R. VII, Sec. 5b(H).



**FOR THE BOARD ON THE UNAUTHORIZED
PRACTICE OF LAW**



Kent C. Kiffnet, Esq.
Chair