

BEFORE THE HEARING BOARD  
OF THE  
ILLINOIS ATTORNEY REGISTRATION  
AND  
DISCIPLINARY COMMISSION

FILED

January 24, 2025

ARDC CLERK

In the Matter of:

VISHAL KAMAL CHHABRIA,

Attorney-Respondent,

No. 6311031.

Commission No. 2025PR00003

AMENDED COMPLAINT

Lea S. Gutierrez, Administrator of the Attorney Registration and Disciplinary Commission, by her attorney, Evette L. Ocasio, pursuant to Supreme Court Rule 761(d), complains of Respondent, Vishal K. Chhabria, who was licensed to practice law in Illinois on May 9, 2013, and alleges that Respondent has engaged in the following conduct which subjects him to discipline pursuant to Supreme Court Rule 770:

*(Criminal Conviction for Conspiracy to Commit Marriage Fraud)*

1. At all times related to this complaint, Respondent was a sole practitioner, based in Schaumburg, with his practice focused on representing clients in immigration matters.

2. At all times related to this Complaint, Section 216 of the Immigration and Nationality Act (INA) allows a foreign national to become a lawful permanent U.S. resident on the condition that they marry a U.S. citizen. A conditional permanent resident receives a “green card” that is valid for two years. To obtain conditional permanent residency, a foreign national and their U.S. citizen spouse must petition United States Citizenship and Immigration Services (“USCIS”) by submitting an application with supporting documentation including proof of the marriage and proof of the relationship to demonstrate the marriage is authentic. The process requires the couple to appear before and be questioned by a USCIS Adjudicator under oath, after

which the application is either approved or denied. After two years, the conditional permanent resident must apply to USCIS to remove the conditions on their residency, and if they fail to, their “green card” and legal status in the U.S. will expire and they will be deportable.

3. Beginning in or about April 2018, and continuing until on or about March 16, 2022, as part of a conspiracy, Respondent provided legal representation for fraudulently married couples when they petitioned USCIS for a “green card” for the foreign national spouse. Respondent knew these couples were in a fraudulent marriage, or “contract marriages”, for the sole purpose of obtaining a “green card” for the foreign national spouse. Respondent knowingly assisted the couples in completing necessary forms with false and fraudulent representations, gathering and manufacturing false and fraudulent documentation, submitting said false and fraudulent documentation to UCIS, coaching the couples to falsely and fraudulently hold themselves out as legitimately married and evade detection by officials at the USCIS interviews, and personally accompanying the couples to their USCIS interviews.

4. In support of these USCIS petitions, Respondent knowingly submitted false and fraudulent documents to USCIS on behalf of the fraudulently married couples, including, for example, Form I-130 (Petition for Alien Relative) and Form I-485 (Application to Register Permanent Resident or Adjust Status). Additionally, Respondent collected and knowingly submitted fraudulent supporting documentation to USCIS on behalf of the fraudulently married couple, including lease agreements, powers of attorney, wills, and health care proxies. Further, as part of at least one of the fraudulent USCIS packages, Respondent included the passport of the U.S. citizen spouse.

5. For each couple he represented, Respondent created significant legal documents for them to execute and present to USCIS as part of their petition for a “green card” for the foreign

national spouse. These documents included wills, powers of attorney, and health care proxy forms. Respondent directed the couples to back date these forms to make it appear as though these were executed long before the USCIS interview in an effort to convince the USCIS adjudicator that the marriage was legitimate. Further, Respondent advised the couples that these legal documents were not enforceable and were only for the purpose of presenting to USCIS. Respondent personally handed these false and fraudulent documents to the USCIS Adjudicator at the couple's USCIS interviews.

6. In total, Respondent submitted at least six packages containing false and fraudulent documentation for "green cards" based on fraudulent marriages between U.S. citizens and foreign nationals seeking legal permanent resident status in the United States.

7. By virtue of the conduct described above, beginning in or about April 2018, and continuing until on or about March 16, 2022, Respondent knowingly, willfully, and unlawfully conspired with others to commit an offense against the United States, that is to knowingly enter into fraudulent marriages to evade immigration laws, in violation of Title 8, Section 1325(c) and Title 18, Section 371, of the United States Code.

8. On February 28, 2022, a criminal complaint was filed in the United States District Court for the Western District of New York charging Respondent and four co-conspirators with the federal offense of conspiracy to commit marriage fraud in violation of Title 18 of the United States Code, Section 371. The matter was captioned *United States v. Vishal K. Chhabria, et al.* and docketed as 1:22-cr-00129-LJV.

9. Specifically, the complaint alleged Respondent provided legal representation to fraudulently married couples in connection with applications the couples submitted to USCIS to obtain a Permanent Resident Card, commonly referred to as a "green card", for the foreign national

spouses, and that he did so knowing the marriages were false and fraudulent. Respondent assisted these couples by: completing necessary forms with false and fraudulent representations; gathering and manufacturing false and fraudulent documentation; coaching the couples to falsely and fraudulently hold themselves out as legitimately married; coaching the couples on how to evade detection by USCIS officials at their interview; and by personally accompanying the couples to those interviews.

10. On September 23, 2022, Respondent filed a waiver of indictment, thereby waiving his right to prosecution by indictment and consenting to prosecution by information. The one-count information, filed the same day, charged Respondent with one count of conspiracy to commit marriage fraud in violation of Title 18 of the United States Code, Section 371.

11. On September 23, 2022, Respondent entered into a plea agreement in which Respondent agreed to plead guilty to one count of conspiracy to commit marriage fraud in violation of Title 18 of the United States Code, Section 371.

12. In pleading guilty, Respondent agreed that he committed each element of the federal offense of conspiracy to commit marriage fraud, and admitted to the facts set forth above.

13. On September 23, 2022, Respondent's guilty plea came before the Honorable John L. Sinatra, Jr. for hearing, and was accepted. The sentencing hearing was initially set for March 16, 2023, but was rescheduled several times. On October 16, 2024, the sentencing hearing was rescheduled for January 8, 2025.

14. On January 8, 2025, Respondent was sentenced to probation for a term of three years. In addition, the court imposed six months on home detention.

15. As a result of the conduct and conviction described above, Respondent has engaged in the following misconduct:

- a. committed criminal acts that reflect adversely on his honesty, trustworthiness, or fitness as a lawyer in other respects, by conduct including his conviction for the criminal offense of conspiracy to commit marriage fraud in violation of Title 18, United States Code, Section 371, and Rule 8.4(b) of the Illinois Rules of Professional Conduct (2010); and
- b. conduct involving dishonesty, fraud, deceit or misrepresentation, by conduct including (1) knowingly preparing forms with false and fraudulent representations, gathering and manufacturing false and fraudulent documentation, and submitting said false and fraudulent documentation to UCIS, on behalf of fraudulently married couples; and (2) coaching the couples to falsely and fraudulently hold themselves out as legitimately married to evade detection by officials at UCIS interviews, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct.

WHEREFORE, the Administrator respectfully requests that this matter be assigned to a panel of the Hearing Board, that a hearing be held pursuant to Supreme Court Rule 761(d), and that the panel make findings of fact, conclusions of fact and law, and a recommendation for such discipline as is warranted.

Respectfully submitted,

Lea S. Gutierrez, Administrator  
Attorney Registration and  
Disciplinary Commission

By:     /s/ Evette L. Ocasio      
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