

Misappropriation and forgery

JILL MARIE BLACK

Calgary, Alberta (formerly of Cobble Hill, B.C.)

Called to the Bar: September 12, 1997

Became non-practising member: March 11, 1999

Ceased membership: January 1, 2000

Between May and June, 1998, Ms. Black misappropriated a total of \$45,192.30 of a client's trust funds to her own use, by purchasing a bank draft and writing a series of cheques on the account until the funds held in trust for that client were depleted. Ms. Black admitted the misappropriations to the client in March, 1999. Ms. Black did not repay the money to the client. The client received reimbursement from the Special Compensation Fund in December, 1999.

On January 4, 1999 Ms. Black removed \$10,000 from the trust account of her law firm by writing herself a trust cheque, signing the cheque and forging on the cheque the signature of her law partner's secretary, who was a co-signatory on the account. Her law partner discovered the cheque and forgery in February, 1999.

Prior to November, 1998, Ms. Black practised as a sole practitioner. On two occasions she deposited \$500 retainers to her general account, rather than her trust account, and was unable to later recall if she had rendered accounts with respect to the retainers.

Throughout these events, Ms. Black suffered from bipolar disorder, an illness she had had since 1986 but which had not been diagnosed until she was hospitalized in early 1999. She was subsequently admitted to hospital on a number of occasions and placed on various medications in efforts to stabilize her condition.

In October, 2001 Ms. Black admitted to the Discipline Committee that she was guilty of professional misconduct in misappropriating trust funds held on behalf of a client, in forging the signature of a law firm secretary on a trust cheque made payable to herself and in her handling of trust retainers on three other files. The Committee accepted Ms. Black's admission on her undertaking:

1. not to apply for reinstatement to the Law Society for three years;
2. not to apply for membership in any other law society without first advising the Law Society of B.C. in writing;
3. not to permit her name to appear on the letterhead of any lawyer or law firm without the written consent of the Law Society; and
4. to obtain the written consent of the Law Society before working for any other lawyer or law firm in British Columbia.

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