

Vancouver, B.C.

Called to the Bar: September 13, 1977

**Discipline hearing panel:** February 3, 1999

William Sullivan, Chair, Ann Howard and Gerald Kambeitz, Q.C.

Dennis Murray, Q.C., for the Law Society

George Angelomatis, for Mr. Beirne

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### **Summary**

Mr. Beirne failed to file an appeal of a criminal conviction on behalf of a client after being instructed to do so. The discipline hearing panel ordered that he be reprimanded and pay a \$2,000 fine.

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### **Facts**

In 1993 Mr. Beirne was retained by Mr. C, who had been convicted of second degree murder, to file an appeal of the conviction. Mr. Beirne met once with Mr. C but had no further contact with him and did not file an appeal. Mr. C retained other counsel in 1996.

### **Decision**

Mr. Beirne admitted, and the hearing panel found, that his conduct constituted professional misconduct.

### **Penalty**

After hearing submissions from counsel for the Law Society and for the respondent, and after considering evidence given on mitigation of penalty, the panel ordered that Mr. Beirne:

1. be reprimanded; and
2. pay a \$2,000 fine by February 3, 2001.