

*Former member admits conduct unbecoming*

## **Misappropriation from estate as committee**

**HENRY PATRICK MCLAUGHLIN**

Vancouver, B.C.

Called to the Bar: May 15, 1968

Suspended pending discipline hearing: May 22, 1996

Voluntarily ceased membership: January 1, 1997

Between 1989 and 1996 Mr. McLaughlin was committee for his mother's estate. Over this period, he misappropriated approximately \$250,000 of the money he held in trust for his mother and used it for his own purposes. Following the misappropriations, the estate was nearly dissipated. The Public Trustee sought an annual accounting in 1993 and then sought an order to replace Mr. McLaughlin as committee.

Mr. McLaughlin reported his actions to the Law Society in April, 1996. After a discipline citation was authorized, a panel of Benchers suspended Mr. McLaughlin on an interim basis pending the hearing. Mr. McLaughlin voluntarily ceased membership in the Society at the end of 1996. Prior to ceasing, Mr. McLaughlin admitted that, as a committee, he had misappropriated money held in trust and that his conduct was unbecoming a member of the Law Society.

At the time of these events, Mr. McLaughlin was experiencing personal and financial difficulties. He has since discussed with his sister, co-beneficiary of their mother's estate, how he might make restitution.

In October, 1997 the Discipline Committee decided to rescind the outstanding citation pursuant to Rule 468 and accept Mr. McLaughlin's admission of conduct unbecoming and his undertaking:

- not to apply for reinstatement before July 21, 2001;
- not to apply for membership in any other law society without first advising the Law Society of B.C.;
- not to permit his name to appear on the letterhead of any lawyer or law firm without written consent from the Law Society;
- to obtain written consent from the Law Society before working for any other lawyer or law firm in B.C.

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