

*Failure to respond to Law Society*

PETER ALEXANDER HART

Vancouver, B.C.

Called to the Bar: May 14, 1969

In May, 1996 a client of Mr. Hart wrote to him asking for the return of a \$1,000 retainer; the client sent a copy of this letter to the Law Society. On June 26 Law Society staff sent a letter to the client to ask if the client had heard back from Mr. Hart. The client called the Society to say he had not.

On July 5 Law Society staff wrote to Mr. Hart to request his explanation and sent a reminder letter on July 25.

On August 1 Mr. Hart called the staff member and apologized for the delay, explaining that he had just finished a lengthy trial. He said that he had tried to contact his client, but was unsuccessful. He said that he had received a \$1,000 retainer but had done work worth more than that, and he planned to speak to the client about the fees.

On August 15 the Law Society wrote to Mr. Hart asking whether the matter was resolved. The Society followed up with letters on August 21 and September 20 and with telephone messages left at Mr. Hart's office on October 4, 8 and 15, none of which were returned. The client told the Law Society on three occasions between August and October that he had not heard from Mr. Hart.

Staff advised Mr. Hart in October that the matter was going before the Discipline Committee. After being served with a discipline citation in January, 1997, Mr. Hart gave an explanation for the complaint in letters he faxed to the Society in February and March.

On July 3, 1997 the Discipline Committee accepted Mr. Hart's admission of professional misconduct for his failure to respond promptly to Law Society correspondence, and the Committee instructed that the admission be endorsed on his professional conduct record.