

Victoria, B.C.

Called to the Bar July 10, 1978

**Discipline Hearing Panel:** December 9, 1992

J.M. MacIntyre, Q.C., Chair, R.S. Tretiak and B. Trevino, Q.C.

J. Whittow, for the Law Society

The member appearing on his own behalf

### **Summary**

The member professionally misconducted himself by breaching his undertaking to the Law Society that he would do no solicitor's work.

### **Facts**

On May 29, 1991, the member gave a written undertaking to the Law Society Competency Committee in the following terms: "I undertake not to do any solicitor's work. I will endeavor to close all outstanding files and not take on any new matters. Specifically I will do no further real estate or company work."

In breach of that undertaking, the member drafted a will for his secretary and acted for clients in two real estate transactions.

A citation was issued against the member on April 24, 1992.

### **Admission**

The member admitted that he professionally misconducted himself by breaching his undertaking.

### **Penalty**

The member gave a new undertaking to the Competency Committee not to do any solicitor's work until relieved of the undertaking by that Committee.

The Discipline Committee and the hearing panel accepted the member's admission and proposed disciplinary action and ordered that he:

1. be reprimanded;
2. pay a fine of \$1,000 within one month; and
3. pay the costs of the Law Society hearing not to exceed \$750 within one month.