

Misappropriation of trust funds

MARGARET RUTH YOUNG

Vancouver, B.C.

Called to the Bar: September 13, 1973

In July, 1990 Ms. Young received for a client \$2,206.08 from the Insurance Corporation of British Columbia as the balance of settlement in the client's personal injury action.

Ms. Young was entitled to deduct \$551.52 from the settlement funds for her fees and disbursements. She instead placed the entire \$2,206.08 in trust and, in the Fall of 1990, paid out \$740 a month for three months to cover the rent on her apartment where she practised. She thereby misappropriated \$1654.56 belonging to the client.

During the Fall of 1990 Ms. Young also misappropriated \$200 returned to her on behalf of another client in a trademark application file. She used this money for personal living expenses.

Ms. Young ceased membership in the Law Society at the end of 1990. She disclosed her misappropriation to the Law Society staff in February, 1991, and consented to the appointment of a custodian for her practice. She subsequently repaid to both her clients the amount of the misappropriations. A citation was issued against Ms. Young in December, 1991. On February 26, 1992 she admitted to the Standing Discipline Committee that she had professionally misconducted herself in misappropriating client trust funds.

Ms. Young explained that , at the time of the misappropriations, she was suffering from acute psychotic depression, for which she was taking medication and receiving medical treatment. She said she had experienced numerous personal difficulties, which created significant psychological stress for her and impaired her judgment.

The Committee accepted Mr. Young's admission on her undertaking to:

1. refrain from applying for reinstatement with the Law Society for two years;
2. not allow her name to appear on any lawyer's letterhead without prior written consent of the Law Society;
3. notify the Secretary in writing before applying for admission to practise law in any other jurisdiction; and
4. refrain from working in any capacity for any lawyer or firm in B.C. without the prior written consent of the Law Society.

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