

Failure to Respond to Law Society

THOMAS OWEN GRIFFITHS

Vancouver, B.C.

Called to the Bar: July 30, 1949

The Law Society wrote to Mr. Griffiths on June 15, 1989 requesting his explanation of a matter. Reminder letters were sent to him on July 6 and July 20, 1989. On July 27, a position to respond fully upon his receipt of a report from his legal assistant. Another reminder letter was sent to Mr. Griffiths on September 6, 1989.

Receiving no response, the Law Society placed a telephone call to Mr. Griffiths on September 20, 1989 at which time Mr. Griffiths agreed that “something must be done” concerning the matter. Mr. Griffiths advised that “the file is complicate” and that his legal assistant was “very busy.” Mr. Griffiths was asked to determine when the report would be ready and to call back. Mr. Griffiths agreed to do so. Further calls were placed to Mr. Griffiths on September 22, 26, 27 and 28, 1989 with messages for him being left in each instance. Mr. Griffiths’ legal assistant returned calls on September 28, 1989 and advised that his report was almost completed and that he had only to meet with Mr. Griffiths to discuss the matter, and intended to do that on September 28 or 29. The Law Society confirmed that a response was expected within one week.

Further telephone messages were left for Mr. Griffiths on October 10 and October 12, 1989. A second telephone message was left for him on October 12 advising him that, if no response was received by Monday, October 16, the issue of his failure to respond to Law Society correspondence in a timely manner would be put before the Standing Discipline Committee for their review. A response was received by the Law Society on October 13, stating that Mr. Griffiths’ legal assistant had advised him only the day before that a partial report was completed and that, due to an officer merger, a reply would be forthcoming “as soon as practical.”

The reply was not received until November 14, 1989. On that day Mr. Griffiths tendered a conditional admission of a discipline violation to the Standing Discipline Committee pursuant to Rule 468, admitting that his conduct by reason of not ensuring that his office responded in a reasonable time to Law Society correspondence constituted professional misconduct.

The Standing Discipline Committee agreed to accept this admission, record it on Mr. Griffiths’ professional conduct record and rescind the outstanding citation.