

Misappropriation of Trust Funds

RICHARD FLYNN MARR

Mayne Island, B.C.

Called to the Bar: June 20, 1969

The member admitted that although a person of means, because of cash flow problems, he professionally misconducted himself by misappropriating or wrongfully converting money entrusted to him in his capacity as a member of the Law Society of British Columbia, as follows:

- in the case of M.T., the removal of \$4,400 from trust;
- in the case of D.R., the removal of \$400 from trust;
- in the case of P.C., the removal of \$1,000 from trust;
- in the case of W.G., the removal of \$1,200 from trust;
- in the case of G.J., the removal of \$15,369.48 from trust;
- in the case of W.C., the removal of \$6,500 from trust;
- in the case of G.L. and the estate of J.T., the removal of \$5,500 from trust.

Mr. Marr further misconducted himself while acting for Ms. J. by using trust funds for a purpose other than that for which they were withdrawn.

Mr. Marr ceased to be a member of the Law Society of British Columbia on January 1, 1989.

The Law Society's Standing Discipline Committee accepted Mr. Marr's conditional admission of a discipline violation and agreed to rescind the citation outstanding against him pursuant to Rule 468, upon receiving his undertaking to:

1. not apply for reinstatement in the Law Society of British Columbia or for admission to any other Law Society for a period of five years; and then only if he has first made restitution in full of all misappropriations noted above;
2. obtain the written consent of the Benchers of the Law Society of British Columbia before working for a lawyer or law firm in British Columbia;
3. refrain from allowing his name to be used on the letterhead of any lawyer or law firm that may purchase the goodwill of his practice;

4. pay the costs of the investigation in the amount of \$4,000.

Discipline Digest — 1990: No. 1 November (Marr)