

2007 : No. 3 July

James Douglas Hall

Victoria, BC

Called to the bar: September 2, 1994

Resigned: November 24, 2005

Disbarred: May 28, 2007

Discipline hearing : March 7, 8 and July 28, 2006

Panel : Anna K. Fung, QC, Chair, Ralston S. Alexander, QC and William M. Everett, Q

Report issued : March 15, 2006 (2006 LSBC 10) and May 28, 2007 (2007 LSBC 26)

Counsel : Brian McKinley for the Law Society; no one appearing on behalf of James Douglas Hall

Facts

On March 8, 2006, the panel made an oral decision on Facts and Verdict, finding James Douglas Hall guilty of 11 counts of professional misconduct, including failure to abide by a direction of the Practice Standards Committee, failure to maintain proper records, filing a trust report containing false information and a forged signature of an accountant, practising law while suspended, breaching undertakings to the Law Society, and deliberately misleading a client and another lawyer. The panel found Hall's professional misconduct to have been pervasive, extremely serious and, in the case of his failure to maintain proper books and records, to have extended over a number of years.

Verdict

On July 28, 2006, the panel concluded Hall should be disbarred, noting that he had repeatedly failed to respond to Law Society requests for information, had displayed indifference and contempt for matters of significance involving the Law Society, and had demonstrated a fundamental lack of honesty in his dealings with clients, auditors and the Law Society. The panel pointed out that there is ample authority in Law Society jurisprudence for disbarment where fundamental dishonesty has been demonstrated, even when no misappropriation has occurred.

The panel also stated it would not have hesitated to disbar Hall for ungovernability.

Penalty

The panel ordered that Hall:

1. be disbarred; and
2. pay costs in the amount of \$17,180.93.