

2010 : No. 3

Christin Priscille Marcotte

Abbotsford, BC

Called to the bar: August 31, 1990

Discipline hearing : June 30, 2010

Panel : David Renwick, QC (single Benchers panel)

Report issued : August 3, 2010 (2010 LSBC 18)

Counsel : Jaia Rai for the Law Society and Christin Priscille Marcotte on her own behalf

Facts

The Law Society received complaints about Christin Priscille Marcotte from a client, a former client and another party. In the course of its investigations, Law Society staff made numerous attempts to obtain Marcotte's response to the complaints, by phone, letters and a personal visit. Marcotte either did not respond or did not address the issues raised in the complaints. She failed to provide materials requested by the Law Society, which included ledgers, files and other supporting documents.

Verdict

The panel was satisfied that the evidence established that Marcotte's conduct amounted to professional misconduct. She was given ample opportunity to respond to the complaints. Although she was going through a difficult time, she did not provide any specific, meaningful explanation as to why she failed to respond.

Penalty

Although this was Marcotte's first citation, the panel found her professional conduct record was a significant aggravating factor. She had two conduct reviews for breach of undertaking, three conduct reviews related to procrastination and delay in handling of client matters; and a practice standards review resulting in her agreement to not practise in the area of wills and estates.

The panel noted that the issue of three complaints during the same time period, and no response having been provided, was another factor.

The panel ordered that Marcotte pay:

1. a \$2,750 fine; and
2. \$2,400 in costs.

Marcotte was also ordered to provide a substantive response to the Law Society concerning the three complaints.