

2013 : No. 01 Spring

Alexander John Markham-Zantvoort

Vancouver, BC

Called to the bar: August 27, 2003 (BC); February 7, 1996 (Ontario)

Ceased membership: January 1, 2013

Admission accepted: January 24, 2013

Counsel: Carolyn Gulabsingh for the Law Society; Alexander John Markham-Zantvoort on his own behalf

Facts

In March 2012, the Law Society conducted a compliance audit of Alexander John Markham-Zantvoort's practice.

Upon completion of the compliance audit, the Law Society wrote on three occasions to Markham-Zantvoort about concerns that arose during the audit. He did not reply to any of these letters. On July 27, 2012, he was suspended from practice for failing to provide explanations to the Law Society.

The Law Society wrote to Markham-Zantvoort on September 1, 2012 and asked him to address concerns identified during the audit. On September 7, 2012, Markham-Zantvoort emailed the Law Society, stating that it was his understanding that it would be inappropriate to respond to the Law Society's correspondence as his practice was under custodianship of the Law Society. He believed that the Law Society's custodianship department would respond to any issues on his behalf.

On September 17, 2012, the Law Society explained, in writing, that Markham-Zantvoort must have misunderstood and that he was obligated to respond to the Law Society's letters.

The Law Society wrote to Markham-Zantvoort again on October 1, 2012 to seek his response to the audit. On October 19, 2012, the Law Society again wrote to Markham-Zantvoort and informed him that, if he did not reply by October 29, the matter would be referred for possible disciplinary action. No response was received.

Admission

Markham-Zantvoort admitted he failed to provide a substantive response to communications from the Law Society concerning its investigation into issues arising from the compliance audit. He admitted that his conduct constituted professional misconduct.

Under Rule 4-21, the Discipline Committee accepted Markham-Zantvoort's admission. There was no disciplinary action ordered as Markham-Zantvoort ceased membership with the Law Society and was no longer a practising lawyer.