

THE LAW SOCIETY OF MANITOBA

IN THE MATTER OF:

CHAD RUSSELL SUTHERLAND

- and -

IN THE MATTER OF:

THE LEGAL PROFESSION ACT

Hearing Date: January 22, 2026

Panel: Douglas A. Bedford (Chair)
Rhea Majewski
David Rondeau (Public Representative)

Counsel: Ayl Klein for the Law Society of Manitoba
No Appearances for Chad Russell Sutherland (the "Member")

REASONS FOR DECISION

Introduction

1. The Law Society of Manitoba (the "Society") issued a Citation against The Member on September 9, 2025. A process server served the Citation on the Member on September 12, 2025.
2. In accordance with its Rules, the Society obtained an Order of Substitutional Service on December 2, 2025 which authorized service on the Member through an email address maintained by him and on December 11, 2025, December 15, 2025, and December 17, 2025, via the forgoing email address

the Member was given notice that this hearing had been set for January 22, 2026 and then was provided with copies of affidavits to be relied upon by the Society at this hearing and the names of the panel members.

3. The Member did not attend the hearing and did not appoint counsel to represent him.
4. Section 71(6) of *The Legal Profession Act*, CCSM c.L107 stipulates as follows:

If the member charged has been given notice of the hearing in accordance with the rules, the hearing may proceed in the member's absence, and the panel may, without further notice to the member, take any action it could have taken with the member present at the hearing.

5. The hearing proceeded in the Member's absence.
6. The Society asserted that the Member had breached his obligation to act with integrity, had failed to treat the Court of King's Bench courteously and had failed in his obligations to the Society in the course of its investigations into his conduct. The Society submitted that the Member was therefore guilty of professional misconduct and asked the panel to impose an indefinite suspension and issue an order for costs in the amount of \$6,000.00.
7. The panel, after considering the evidence tendered by the Society and the submissions of its counsel, found the Member guilty of professional misconduct and imposed an indefinite suspension and ordered costs be paid in the amount of \$6,000.00.

The Facts

8. On April 21, 2025, the Society revoked the Member's practising certificate due to his failure to comply with conditions previously imposed by the Society. Accordingly, as of April 21, 2025, the Member became a "non-practising" member.
9. On June 21 and 22, 2025, the Member encountered a former client, S.B., on a street in Winnipeg. Over the course of two days, he repeatedly asked her for money, telling her that the amounts he was seeking were a substantial reduction from what she owed for work he had done for her when associated with a law firm in Winnipeg. S.B. declined to pay. Indeed, she reminded the Member that in the past, on occasions when she had offered to pay him directly, he had refused and told her that payment for his legal services had to be made to the firm where he was practising.
10. In the period February to April 2025, the Member represented a client, D.R., with respect to criminal charges. The Member was directed to attend in the Court of King's Bench for pre-trial conferences regarding D.R.'s case on March 26, April 8, and April 15, 2025. The Member missed all three conferences, notwithstanding that the presiding judge directed that it was "imperative" that the Member appear in Court at 12:15 p.m. on April 15, 2025. The evidence presented revealed that the Member was aware of the March 26, 2025 Court appearance and tried, too late, to change it to a virtual appearance. Further, there was a co-counsel acting on the matter in accordance with an earlier directive from the Court, so the client's interests were, to a degree, protected.

11. On May 21, June 25, July 8, July 25, September 9, October 7, October 20, November 21, December 2, and December 15, 2025, the Society wrote and sent emails to the Member asking him to respond regarding its investigation and the concerns arising out of the foregoing facts. The Member did not respond to any of these communications.

The Member's Record

12. The Member is 43 years of age and was called to the Bar of Manitoba in 2018.
13. The Member has no discipline history with the Society. The Society advised that the Member is not a member of any other law society.

Analysis

14. Lawyers who provide legal services to clients are obligated to render an account to the client itemizing the services provided and, where the services are provided through a law firm, the account must be rendered by or in the name of the firm and payment is due to the firm.
15. Accordingly, the Member's persistent efforts on June 21 and 22, 2025, to entice a former client to pay him directly for unspecified services performed when he was working in association with a firm were dishonest. As trite as it is to state it, integrity is indispensable to a lawyer's character and work. Trying to persuade a client to make a payment for legal services directly to him, which on its face amounted to cheating the Member's former firm where the services were performed, clearly undermines public confidence in the trustworthiness and the ethics of the legal profession.

16. To the credit of S.B., she was not 'taken in' by the Member's efforts to persuade her to give him money. Indeed, in a simple way, she reminded the lawyer of where his duty lay.
17. The Member's breach of his obligation to act at all times with integrity amounts to professional misconduct.
18. Courts cannot function efficiently when lawyers repeatedly fail to attend conferences, particularly when the presiding judge has directed that it is "imperative" that the lawyer appear. Failure to appear in the absence of any advance notice is obviously discourteous to the Court, to other counsel in attendance and to one's client. The Member failed to give any notice that he would not appear on D.R.'s matter on April 8 or April 15, 2025. And, although the evidence does disclose an effort by him to transform the March 26, 2025 hearing to a virtual one, the notice was given so late that all others, including the Court, were obviously inconvenienced.
19. We find that the Member's failure to attend the three appearances, particularly the April 8 and April 15, 2025 appearances, without notice or explanation amounts to professional misconduct.
20. As counsel for the Society submitted, the Society cannot fulfill its duty to protect the public interest when lawyers do not respond to the Society's request for explanations of conduct that is being investigated. Here we have ten requests for responses sent over the course of eight months. The Member did not reply in any fashion to any of them. This constitutes a breach of the *Code of Professional Conduct* (Chapter 7.1-1) and the *Rules of the Law Society of*

Manitoba [see ss. 5-64(3) through (5)]. Accordingly, we find the Member guilty of professional misconduct for his failures to reply to the Society's written enquiries.

21. The transgressions set out above, while all serious, are not of the same magnitude as those which have resulted in the disbarment of other members. Further, it must be acknowledged that the Member's dishonest requests for payment from S.B. did not result in receipt of any money. In the case of his failure to attend Court, we acknowledge that, to an extent, the client D.R.'s interests were protected through the attendance of co-counsel. We are not aware of any facts that might mitigate the Member's failure over eight months to respond to the Society's written communications.
22. We note as well that the Member has no discipline history with the Society. Having apparently practised for some seven years, he is not a "junior" member of the Bar but, in the absence of any details regarding where he has practised over the years and any evidence as to his present circumstances, we agree with the Society's submission that the appropriate penalty for this Member is an indefinite suspension from practising law pursuant to our jurisdiction under s. 72(1)(c) of *The Legal Profession Act*, CCSM c.L107. This disposition will allow the Member, if he chooses, to communicate with the Society with a view to submitting relevant evidence that might persuade the Discipline Committee of the Society to vary or rescind our present order. In the meantime, he is prohibited from practising law which in fact protects the public.

23. Having reviewed a summary of the costs incurred by the Society in this matter, we concur that an order of costs in the amount of \$6,000.00 is appropriate and consistent with orders of costs in similar investigations.

Conclusion

24. We find the Member guilty of professional misconduct for the foregoing breaches of integrity, courtesy to the Court of King's Bench and failure to respond, repeatedly, to the Society. We affirm our order pronounced on January 22, 2026 that the Member, Chad Russell Sutherland, be suspended indefinitely from the practice of law and we order that he pay the costs of the Society's investigation and prosecution in the amount of \$6,000.00.

DATED this 18th day of February, 2026.

Douglas A. Bedford
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R
Rhea Majewski

David Rondeau
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