



DISCIPLINE CASE *DIGEST*

Case 15-15

Member:	Moses Okimaw
Jurisdiction:	God's River, Manitoba
Called to the Bar:	June 29, 1989
Particulars of Charges:	Professional Misconduct (1 Charge): <ul style="list-style-type: none">▪ Failure to Serve
Plea:	Guilty
Date of Hearing:	February 16, 2016
Panel:	<ul style="list-style-type: none">▪ Honourable Richard J. Scott (Chair)▪ William Haight▪ Neil Cohen (Public Representative)
Date of Decision:	Oral Decision: February 16, 2016
Counsel:	<ul style="list-style-type: none">▪ Rocky Kravetsky for The Law Society of Manitoba▪ Martin Pollock for the Member
Disposition:	<ul style="list-style-type: none">▪ Reprimand▪ Costs of \$3,000.00

Quality of Service

Facts

Mr. Okimaw was retained on August 10, 2013 by another lawyer to appear for that other lawyer's client in an Indian Residential Schools Independent Assessment Process hearing scheduled for August 24, 2010 at The Pas, Manitoba. Mr. Okimaw received and reviewed the file materials but he did not meet with the client prior to the hearing to prepare the client for his testimony. At the conclusion of the evidence portion of the hearing the matter was adjourned for submissions to take place at a later date. When arrangements were made for the submission hearing Mr. Okimaw did not inform the client of those arrangements and did not advise the client of his right to be present. He did not consult with the client in any way prior to making submissions.

Plea

Mr. Okimaw entered a plea of guilty to the charge.

Decision and Comments

The Panel accepted a joint recommendation made by counsel for the Society and for the member. The joint recommendation was reasonable and consistent with other decisions of The Discipline Committee in similar circumstance. It fully complied with the legal principles applicable to disposition in that it met the two important objectives of the discipline process, namely, protection of the public, and protection of the reputation of the profession.

Penalty

Mr. Okimaw was reprimanded and ordered to pay a contribution to the Society's costs of \$3,000.00.