



DISCIPLINE CASE *DIGEST*

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Case 95-22

JERRY GEORGE ROSS
Winnipeg, Manitoba

Called to the Bar
June 26, 1973

Particulars of Charges
Professional Misconduct (1 count)

- failure to honour a financial commitment

Date of Hearing
September 13, 1995

Panel
Donald Little, Q.C. (Chairperson)
Gary Gilmour
Gordon Bates

Disposition

- reprimand
- costs of \$250.00

Counsel
Daniel Dutchin for the Law Society
Member was unrepresented

Failure to Honour a Financial Commitment

Facts

Mr. Ross, who as called to the Bar on June 26, 1973, appeared before the Discipline Committee on September 13, 1995.

As associate of Mr. Ross retained the services of a Court Reporter who then submitted a Statement of Account to Mr. Ross' firm. The account was in the amount of \$69.55 and was incurred in February of 1993. A number of reminder letters were sent to Mr. Ross concerning this Statement of Account, but it was not paid. Payment of the Statement of Account was not made until December of 1994, after the Law Society became involved.

Comments of the Discipline Committee

The Committee accepted Mr. Ross' evidence that there was some confusion following the departure of his associates from the firm and also accepted the evidence of Mr. Ross that he never disputed liability for the account. The Committee did not accept that the confusion constituted a defence to the charge or that the evidence of confusion adequately addressed the lengthy period of non-payment of the account.

Findings and Penalties

The Committee found Mr. Ross guilty of professional misconduct and imposed a reprimand and also ordered that costs be paid in the amount to \$250.00.

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