



# DISCIPLINE CASE *DIGEST*

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## **Case 96-20**

**RICHARD MAURICE ALCOCK**  
Winnipeg, Manitoba

**Called to the Bar**  
June 29, 1989

**Particulars of Charges**  
Professional Misconduct (3 counts)

- breach of duty of candour, courtesy and good faith (2 counts)
- misleading the Complaints Investigation Committee

**Date of Hearing**  
August 28, 1996

**Panel**  
Brian Pauls (Chair)  
Marc Monnin  
Douglas Yard, Q.C.

## **Disposition**

- Reprimand
- \$1,270.00 costs

**Counsel**  
Kristin Dangerfield for the Law Society  
Member unrepresented

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**Breach of Duty**

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## **Facts**

Mr. Alcock appeared before the Discipline Committee on August 28, 1994.

Mr. Alcock represented a client in a civil action which had proceeded to trial in April, 1993. Following two days of trial the matter was adjourned pending amendments that were to be made to the pleadings. As of September 1995 the trial had not yet resumed although several attempts had been made by Mr. Alcock to reschedule the trial. On September 13, 1995, Mr. Alcock informed his client that the trial would continue on December 18, 1995. When the client subsequently made inquiries of the Court of Queen's Bench he was advised that a date for the resumption of the trial had not yet been fixed.

In response to a fourteen day letter from the Law Society outlining his client's complaints against him, Mr. Alcock advised the Complaints Investigation Committee on October 19, 1995 that the matter was being reported to the Insurance Department of the Law Society. He advised his client on October 17, 1995 that his file would "be forwarded to the insurer tomorrow." In fact Mr. Alcock did not contact the Insurance Department until November 16, 1995.

## **Decision and Comments**

Mr. Alcock pled guilty to all three counts. The Committee was satisfied that the breaches as admitted by Mr. Alcock amounted to professional misconduct.

## **Penalty**

The Committee considered the fact that Mr. Alcock had no prior record with the Law Society, and that he had pled guilty to the counts set out in the Citation and had co-operated with the Law Society. The Committee imposed a reprimand and assessed costs in the amount of \$1,270.00.

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