

**THE LAW SOCIETY OF MANITOBA**

IN THE MATTER OF:

**CAROLINE CRAMER**

- and -

IN THE MATTER OF:

**THE LEGAL PROFESSION ACT**

**Hearing Date:** January 14, 2025

**Panel:** Douglas Bedford (Chair)  
Penny Piper  
David Rondeau (Public Representative)

**Counsel:** Rocky Kravetsky for the Law Society of Manitoba  
J. Richard Wolson, K.C. for the Member

**REASONS FOR DECISION**

**Introduction**

1. This matter was heard virtually commencing at 1:30 p.m. on January 14, 2025.
2. The parties submitted a joint recommendation to the Panel that the Member be disbarred, that she be ordered to make a contribution to the Law Society of Manitoba's (the "Society") costs in the amount of \$11,800.00 and that she be directed to pay outstanding court costs owing to the Society in the amount of \$1,800.00. The joint recommendation was subject to the Panel being satisfied as to the fulfillment of five conditions. The most

significant conditions required her counsel to confirm that as of the date of the hearing, he held in his trust account the monies that Ms. Cramer had agreed to pay and that he had received irrevocable instructions to disburse those monies in accordance with the joint recommendation. Subject to the Panel's decision, both parties had agreed that upon disbarment, the Society would have no further jurisdiction over the Member and that it would not proceed with any outstanding complaints or discipline matters regarding her conduct.

3. After clarifying some matters stated in an Agreed Statement of Facts filed in support of the joint recommendation and hearing the respective submissions of the parties and deliberating on them, the Panel advised the parties that it accepted the joint recommendation. The parties were advised that written Reasons for the Panel's decision would follow. These are those Reasons.

### **The Facts**

4. The Society charged Ms. Cramer in a Citation dated January 9, 2025 with twelve separate transgressions which in their totality suggest that she had become ungovernable as a member of the Society and, as such, was guilty of professional misconduct. Ms. Cramer, in response to a "plea enquiry" led by her counsel acknowledged that the allegations in the Citation are all true and that she is guilty of professional misconduct.
5. On September 4, 2020, Ms. Cramer appeared before the Complaints Investigation Committee ("CIC") of the Society in order to respond to a number of complaints made regarding her practice. After hearing from her then counsel, the CIC imposed a number of restrictions on her practice,

primarily that she confine her practice to the areas of real estate and the preparation of wills and powers of attorney and that she have no more than 50 active files at a time. Ms. Cramer failed to comply with the restrictions. Accordingly, the CIC ordered further restrictions on October 21, 2020 with respect to Ms. Cramer's practice after hearing again from her and her new counsel. Ms. Cramer was directed to close or transfer all files related to estate administration and other areas of law outside of the restrictions imposed upon her by November 11, 2020. Further, she was ordered to cooperate with a practice review.

6. Ms. Cramer failed to comply with the terms of the order of October 21, 2020. She advised the Society that she intended to retire in the immediate future. She gave the Society a written Undertaking on December 7, 2020 regarding the timing and windup of her practice. She committed to retire from the practise of law no later than February 14, 2021. In accordance with the Undertaking, Ms. Cramer changed her status on February 15, 2021 to non-practising. Since that date she has not been entitled to practise law. However, she failed to comply with the terms of her Undertaking or the change in her status. She continued to work on files that she opened prior to her Undertaking and she continued to accept new work from clients. In and about May 2021, well after the date she was to have ceased doing any legal work and about the time her trust accounts were to have been wound up, she set up a business called "Value Notary Manitoba" with an office, phone, email and website offering to authenticate documents, take oaths, review documents and provide legal documents. In the months following May 2021, Ms. Cramer now acknowledges that she took on work and continued to work in the areas of real estate transactions, estate

administration and wills and estates. This work amounted to the practise of law and went well beyond the services notaries are permitted to perform.

7. Ms. Cramer proceeded to transfer \$61,609.54 from her trust account to the account of a corporation which she controlled. This had the effect of removing the monies from the audit jurisdiction of the Society. In addition, Ms. Cramer created trust accounting records that were not accurate and gave these to the Society in ostensible compliance with the Undertaking she had given. She caused monies of clients to be transferred to herself when there was no basis for doing so. In one instance, she recorded that a cheque had been issued and payment made when such cheque had not been drawn nor such payment made. There was a difference in the trust listing she provided to the Society and the purported reconciled balance of her pooled trust account. Debits appeared to be charged to the pooled trust account for office expenses. There were discrepancies between the trust ledger entries for drawn cheques on the pooled trust account and the actual payees of the cheques.
8. Ms. Cramer improperly represented to members of the public that she was still entitled to practise law. She attempted to engage other members of the Society on two occasions to allow use of their names to facilitate real estate transactions as she could no longer complete registrations through the Land Titles Office due to her change in status. She improperly used the name of another member of the Society to file a Request for Probate of a will.
9. Ms. Cramer was suspended by order of the CIC on November 24, 2021.

10. On November 24, 2021, upon the application of the Society, the Manitoba Court of Queen's Bench (now King's Bench) appointed two custodians to take custody of Ms. Cramer's files and all funds belonging to her clients. Ms. Cramer failed to comply with all of the terms of the Court Order, failed to co-operate with the Custodians and continued to fail to respond completely and accurately to requests for information from the Society's auditors and investigators.
11. Ms. Cramer initially contested the Society's jurisdiction over her on the grounds that as of February 15, 2021 she was "retired". This argument was dismissed by a panel of this Committee on May 17, 2023.
12. The Panel was advised that the affairs of some 17 clients and three other persons were affected by Ms. Cramer's failure to wind-up her practice as she committed to do in December 2020 and by her repeated failures to provide complete and accurate information regarding certain estates, the beneficiaries of the estates and assets of the estates. However, as of the date of this hearing, the Panel was advised that all trust monies had been accounted for and had either been disbursed to those entitled to them or were being held securely pending the identification of the parties entitled to them.

### **The Member's Record**

13. Ms. Cramer was called to the Bar of the Province of Manitoba in 1962, having articulated with her father. She was the sole female in her graduating class.

14. Over the years Ms. Cramer practised with a number of small firms. She also served as the Chairperson of three different Provincial Boards. Since 1992 she was the sole proprietor of the firm where she practised.
15. Ms. Cramer's record consists of two guilty pleas in 2015. She was reprimanded and ordered to pay costs of \$2,500.00 for failing to avoid a conflict of interest and failing to provide the required quality of service in connection with the preparation of a will.
16. As of the date of the hearing, Ms. Cramer is 86 years of age and has practised for a total of close to 59 years.

### **Analysis**

17. It is well-established in Canada that courts and administrative tribunals, including this Panel, should accept joint recommendations unless the proposed penalty "would bring the administration of justice into disrepute or would otherwise be contrary to the public interest." (See *Anthony-Cook v. Her Majesty the Queen*, 2016 SCC 43 as cited in *The Law Society of Manitoba v. Sullivan*, 2018 MBLS 9 at paragraph 5.)
18. In Ms. Cramer's case, two very experienced counsel have submitted to us that we ought to disbar her and order that she contribute an amount to the costs the Society has incurred in investigating her practice and in sorting out the misinformation she initially provided. Disbarment is the most serious penalty that can be imposed on a member of the Society and it should not be lightly imposed. In this case, we have no difficulty accepting the recommendation. Ms. Cramer clearly became ungovernable in the final year of her practice. While her counsel was no doubt correct in observing

that she was overcome by the stress and challenge of trying to practise well into her eighties, there were so many failures to follow restrictions, orders and undertakings that one must conclude that Ms. Cramer completely lost sight of that most fundamental obligation of every lawyer, the duty to treat her clients, her governing body and the Court with integrity.

19. Rule 2.1-1 of the *Code of Professional Conduct* is devoted to integrity and comments on why it is so important in the character of those who practise law:

Public confidence in the administration of justice and in the legal profession may be eroded by a lawyer's irresponsible conduct. Accordingly, a lawyer's conduct should reflect favourably on the legal profession, inspire the confidence, respect and trust of clients and of the community, and avoid even the appearance of impropriety.

Aside from her counsel's general observation noted above, the parties chose not to provide the Panel with any additional explanation for Ms. Cramer's conduct. We do not think it appropriate to speculate on her motives or why she departed from the effort to facilitate her withdrawal from practice in a dignified manner through an undertaking to retire. Ms. Cramer's conduct in the final year of her practice amounted to a litany of transgressions that reflect poorly on the legal profession and could not help but erode trust in her on the part of the public and most certainly the Society. The only reasonable course in her case is to disbar her.

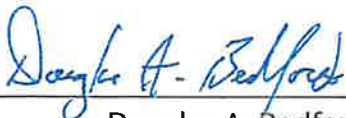
20. It is sad to see a legal career of almost 59 years with only a very modest, previous record, end in disbarment. In Ms. Cramer's case, we can acknowledge that her choice of law for a profession was particularly challenging in a day when almost no women chose it and those who did


frequently were not respected or encouraged to continue; for that she deserves commendation. No doubt, over the decades she conscientiously served many clients who were helped and grateful for her assistance. Also deserving of acknowledgment is her admission that she has become ungovernable and her agreement to the joint recommendation. The fact that this matter was resolved through a joint recommendation certainly spared some former clients from having to testify and, similarly, the valuable time of Society staff who would have had to testify was spared.

**Conclusion**

21. For the foregoing reasons Ms. Cramer is disbarred and ordered to pay the sum of \$11,800.00 as a contribution to the Society's costs of investigating her conduct and is directed to pay the sum of \$1,800.00 that she was ordered to pay the Society for court proceedings. We confirm that given the answers given to us by Mr. Wolson and indirectly by Ms. Cramer and by Mr. Kravetsky that we were satisfied on January 14, 2025 that the five conditions stipulated by the parties in the joint recommendation were satisfied.

DATED this 31<sup>st</sup> day of March, 2025.

  
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Douglas A. Bedford

  
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Penny Piper

  
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David Rondeau