



September 27, 2011

NOTICE TO THE PROFESSION

NOTICE TO: All Active Lawyers and Students-at-Law,
All Executive Directors of other Law Societies in Canada,
All Justices of the Court of Appeal and Court of Queen's Bench,
All Judges of the Provincial Court of Alberta,
All Masters in Chambers,
All Clerks of the Court

Notice of Disbarment

On September 21, 2011, a Resignation Committee of the Benchers of the Law Society of Alberta granted the application of **Deris Spencer** to resign, pursuant to section 61 of the *Legal Profession Act*, R.S.A. 2000, c. L-8, and Rule 92 of the *Rules of the Law Society of Alberta*, effective immediately. Ms. Spencer is therefore disbarred. Ms. Spencer was a suspended member of the Law Society. She resides in St. Albert, Alberta, and practised in St. Albert from March 5, 2004 to June 30, 2005, and then practised in Calgary from July 1, 2005, until March 31, 2009, when her membership was suspended for non-payment of fees. On October 7, 2010, Ms. Spencer was suspended by a Hearing Committee Panel for failing to fulfill a financial commitment and failing to respond to the Law Society of Alberta.

Ms. Spencer faced a discipline hearing on 8 citations at the time of her resignation application. The citations alleged that, *inter alia*, Ms. Spencer failed to maintain her books and records, failed to reconcile her trust account and sign the trust reconciliations, withdrew funds from trust in an amount that was greater than the amount on deposit, failed to notify the Executive Director of the Law Society of any trust shortage, failed to file her Form T for the years 2007 and 2008, misled or attempted to mislead the Law Society with respect to the information provided in her Forms S for the years 2006, 2007 and 2008, misappropriated or wrongfully converted trust funds and abandoned her clients and her practice.

Ms. Spencer admitted the facts to support these allegations in the attached signed Statement of Facts dated September 16, 2011.

The Resignation Committee directed Ms. Spencer to pay the actual costs of the resignation application, estimated at \$3,664.50, prior to any application for re-admission. To serve the public interest, the Resignation Committee directed additional conditions on any readmission application.

The Executive Director of the Law Society shall refer this matter to the Attorney General.

Brenda Edwards continues to be the custodian of Ms. Spencer's practice.

R. Gregory Busch
Director, Lawyer Conduct
Law Society of Alberta