



June 14, 2010

NOTICE TO THE PROFESSION

NOTICE TO: All Active Members 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 May 25, 2010, a Resignation Committee of the Benchers of the Law Society of Alberta granted the application of **Garth S. Bailey** to resign, pursuant to Section 61 of the *Legal Profession Act*, R.S.A. 2000, c. L-8. Mr. Bailey is therefore disbarred. Mr. Bailey was a suspended member of the Law Society. He resides in DeWinton, Alberta and practised from April 18, 1989 until March 11, 2005 when he was suspended on an interim basis by a resolution of the Benchers.

Mr. Bailey faced a discipline hearing on five citations at the time of his resignation application. The citations alleged that Mr. Bailey deliberately or through incompetence facilitated a client to achieve or seek to achieve an improper objective, that he refused to be interviewed and to cooperate with an investigation, that he placed the public at risk through his incompetent or reckless handling of trust funds, that he issued letters to third parties that were inaccurate or misleading, and that he failed to follow accounting rules.

Mr. Bailey admitted facts and the foregoing allegations and advised the Resignation Committee that he had been charged criminally related to the same matters addressed by the citations.

The Resignation Committee directed that Mr. Bailey pay the actual costs of the discipline proceedings and the resignation application, estimated at \$3,601.25. The Resignation Committee further directed, in accordance with Section 78(6) of the *Legal*

Profession Act, that the Executive Director send a copy of the hearing record to the Minister of Justice and Attorney General.

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