



December 18, 2013

NOTICE

Resignation

On December 9, 2013, a Resignation Committee of the Benchers of the Law Society of Alberta granted the application of **Mary Jo Rothecker** to resign.

At the time of this application, Ms. Rothecker was facing eighteen citations in four separate discipline proceedings. It was alleged that she had failed to meet her commitments to clients, withdrew funds from trust without forwarding an account to her clients, misappropriated or converted trust funds for her own use, rendered an account without instructions and without having rendered services, applied trust funds to an account that had not been rendered, failed to fulfill financial commitment incurred in the business aspect of her practice, breached trust conditions imposed upon the use of trust funds, failed to comply with accounting rules of the Law Society, failed to keep confidential a client's property or information, engaged in the practice of law when not entitled to do so, transferred property intending to mislead mortgage lenders, failed to be candid with opposing counsel and failed to respond to the Law Society in a timely fashion.

Ms. Rothecker had been a non-practicing member since June 24, 2010, when a Hearing Committee suspended her membership. She currently resides in Ontario and has not practised in Alberta since 2007.

The Resignation Committee determined it was in the best interest of the public to permit Ms. Rothecker to resign under Section 32 of the *Legal Profession Act* rather than having a hearing regarding the allegations against her, given that:

1. Ms. Rothecker signed a Statement of Facts which contained details of the Law Society's evidence against her, and in which Ms. Rothecker admitted facts which demonstrated that she failed as set out in detail above.
2. Ms. Rothecker undertook never to apply for readmission to the Law Society of Alberta or to the Law Society of Upper Canada or any other Law Society.
3. In the event that Ms. Rothecker applies to be relived of her undertaking:

- a. Costs of \$90,539.50 will have to be paid at the time of the filing of her application to be relieved of her undertaking;
 - b. Ms. Rothecker will be have to provide a report of a psychiatrist or chartered psychologist confirming her suitability to practice law; and
 - c. Ms. Rothecker will be required to complete the full CPLED course.
4. Ms. Rothecker undertook not to act as an agent before any tribunal, court, or any similar body.

Ms. Rothecker is therefore no longer a member of the Law Society of Alberta.

Elizabeth J. Osler

Deputy Executive Director and Director, Regulation
The Law Society of Alberta

NOTICE TO: Public,
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.