



December 9, 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

Suspension

On November 17, 2010, a Hearing Committee found the conduct of Ming Joe Fong, who practises in Calgary, Alberta, to be deserving of sanction on eight citations.

The citations on which his conduct was found to be deserving of sanction were: breaching a trust condition, acting in a conflict of interest, implementing instructions that were contrary to professional ethics, failing to fulfill his commitments to his client, failing to obtain instructions from his client, failing to ensure his client was informed, and failing to respond to opposing counsel and the Law Society on a timely basis and in a complete manner.

The Hearing Committee ordered, pursuant to Section 72(1)(b) of the *Legal Profession Act* R.S.A. 2000, c. L-8, that Mr. Fong be suspended for 30 days, effective November 20, 2010. The Hearing Committee also ordered Mr. Fong to pay the actual costs of the hearing.

Mr. Fong's suspension was stayed pending his appeal of that sanction to the Benchers. The Benchers dismissed Mr. Fong's appeal on October 25, 2011. Mr. Fong's suspension was then stayed pending his appeal of the Benchers' dismissal to the Court of Appeal. That stay expired today.

On December 6, 2011, the Benchers of the Law Society of Alberta suspended the membership of Mr. Fong effective immediately pursuant to section 63 of the *Legal Profession Act*, R.S.A. 2000, c. L-8. They did so because Mr. Fong's conduct is the subject of proceedings under Part 3 of the *Legal Profession Act* and the Benchers considered his suspension warranted in the circumstances.

Don Thompson, QC
Executive Director
Law Society of Alberta