

**IN THE MATTER OF PART 3 OF THE  
LEGAL PROFESSION ACT, RSA 2000, c. L-8**

**AND**

**IN THE MATTER OF A HEARING REGARDING  
THE CONDUCT OF MELANIE DE QUADROS  
A MEMBER OF THE LAW SOCIETY OF ALBERTA**

**ORDER OF THE HEARING COMMITTEE**

**UPON THE ISSUANCE OF CITATIONS** by the Law Society of Alberta (LSA) to Melanie de Quadros pursuant to section 56 of the *Legal Profession Act* (the Act);

**AND WHEREAS:**

- a) Melanie de Quadros and the LSA have entered into a Statement of Admitted Facts and Admission of Guilt (the Statement, attached to this Order) in relation to Melanie de Quadros conduct on October 23, 2020;
- b) Melanie de Quadros admits in the Statement that the conduct set out in the Statement is deserving of sanction;
- c) On November 17, 2020, the Conduct Committee found the Statement acceptable, pursuant to subsection 60(2) of the Act;
- d) On January 8, 2021, the Chair of the Conduct Committee appointed a single Bencher as the Hearing Committee (Committee) for this matter, pursuant to subsection 60(3) of the Act;
- e) Pursuant to subsection 60(4) of the Act, it is deemed to be a finding of this Committee that Melanie de Quadros conduct is deserving of sanction;
- f) On February 18, 2021, the Committee convened a public hearing into the appropriate sanction related to the conduct of Melanie de Quadros;
- g) The LSA and Melanie de Quadros have provided a joint submission on sanction for the Committee's consideration, seeking a reprimand and fine of \$1,500.00;
- h) The parties have also agreed that it is reasonable for Melanie de Quadros to pay \$1,522.50 in costs in relation to this matter;

- i) The Committee has determined that the joint submission is reasonable, consistent with sanctions in similar cases, does not bring the administration of justice into disrepute and is therefore in the public interest;
- j) The Committee has accepted the joint submission on sanction, and accepted the submission with respect to the payment of costs;

**IT IS HEREBY ORDERED THAT:**

1. The appropriate sanction with respect to Melanie de Quadros is a reprimand, which was delivered orally by the Committee to Melanie de Quadros at the hearing, and a fine of \$1,500.00, which must be paid by February 18, 2022.
2. The text of the reprimand will be attached to this Order as a schedule prior to the Order being published.
3. Melanie de Quadros must pay costs in the amount of \$1,522.50, by February 18, 2022.
4. No Notice to the Profession or Notice to the Attorney General is to be made.
5. The exhibits and this order will be available for public inspection, including the provision of copies of exhibits for a reasonable copy fee, except that identifying information in relation to persons other than Melanie de Quadros will be redacted and further redactions will be made to preserve client confidentiality and solicitor-client privilege (Rule 98(3)).

Dated at Edmonton, Alberta, on February 19, 2021.

---

**ROBERT PHILP, Q.C.**  
Single Bench Hearing Committee

IN THE MATTER OF THE *LEGAL PROFESSION ACT*

- AND -

IN THE MATTER OF A HEARING REGARDING THE CONDUCT OF  
**MELANIE DE QUADROS**  
A MEMBER OF THE LAW SOCIETY OF ALBERTA

**STATEMENT OF ADMITTED FACTS AND ADMISSIONS OF GUILT**

**A. INTRODUCTION**

1. This hearing arises out of one complaint comprising of three citations.

**B. BACKGROUND**

2. I was admitted as a member of the Law Society of Alberta (the “**Law Society**”) on November 17, 2016. My current status is “Inactive/Non-Practicing.”
3. From 2016 to 2017, I worked as an associate lawyer at a criminal defence firm in Lethbridge.

**C. COMPLAINT**

4. On July 10, 2017, the Law Society received a complaint from M.P., my former client, alleging, *inter alia*:
  - (a) that I failed to attend his trial date;
  - (b) that I failed to disclose to him that I did not attend his trial date; and
  - (c) that I misrepresented to M.P. that the sanction for his traffic ticket conviction was a \$350.00 fine and that no demerits or other consequences would be applied to his driver’s license, when in actuality, M.P.’s driver’s license was suspended as a result of him being convicted in absence at his trial date.

**D. CITATIONS**

5. On January 15, 2019, the Conduct Committee of the Law Society (the “CCP”) directed that the following conduct be dealt with by a Hearing Committee as follows:
  - (a) That I failed to inform my client, M.P., of a material error or omission;

(b) That I failed to be candid with my client, M.P.; and

(c) That I failed to identify my client, M.P., as required by the *Rules of the Law Society of Alberta* (the “Rules”).

## **E. FACTS**

6. In January 2017, M.P. retained the law firm I worked at to act as his agent with respect to a traffic court docket appearance scheduled for June [...], 2017. M.P. had been charged with driving while his driver’s license was suspended pursuant to section 94(2) of the *Traffic Safety Act*.
7. On May [...], 2017, another lawyer at my firm attended M.P.’s traffic court docket appearance and set the matter over to a trial scheduled for June [...], 2017 (the “Trial”).
8. On or about May 5, 2017, M.P. reached out to this lawyer requesting that she represent him at the Trial. On May 8, 2017, I emailed M.P. to advise that the lawyer was not available on the day of the Trial and offered to represent him for a fee of \$500.00 plus GST.
9. On May 12, 2017, M.P. advised me that the traffic violation he was charged with concerned his commercial driver’s license. At the time, M.P. was employed as a professional truck driver and required his license to work.
10. On May 25, 2017, after M.P. and I exchanged emails regarding questions he had about his traffic ticket, M.P. advised me that he wished to retain me to represent him at Trial and that he would send me a payment by the first week of June, 2017.
11. On June 9, 2017, M.P. emailed me to advise that he made a payment totaling \$525.00 through the firm website.
12. On June 12, 2017, I emailed M.P. to confirm receipt of his payment, and advised that I would reach out to the Crown Prosecutor assigned to M.P.’s case to find out what he or she would be seeking in terms of sanction.
13. I mistakenly diarized M.P.’s Trial date in my calendar for the week following June [...], 2017. As such, I did not attend M.P.’s Trial.
14. I realized my error on July 19, 2017, when M.P. emailed me to inquire about the outcome of the Trial.
15. Upon realizing my error, I called the courthouse to inquire about M.P.’s case and subsequently sent M.P. the following email on June 19, 2017:

You were found guilty. You have a \$345 file [sic], payable by September 15, 2017. We'd advise you to pay as soon as possible as the default time is 14 day custody.

The number for Lethbridge Provincial Court is [...]. If you call this number, they will explain to you how you can make a payment.

Given the result of the trial, we'd be happy to refund you your payment minus a small processing fee used for our website. We can email you a cheque, if you provide your mailing address. For our records, we'd appreciate if you could send a photo/copy [sic] of a piece of ID. We are required to have ID on all privately retained clients by the Law Society of Alberta.

16. I intentionally concealed my mistake from M.P. I compounded this concealment by offering to return M.P.'s retainer. I realize that my obligations were instead to inform M.P. of the mistake, advise him that he should obtain independent legal advice on the matter, that I might not be able to act for him further, and leave it to him to decide his course of action.

17. When M.P. inquired about whether the conviction would impact his driving record, I advised:

We've double-checked with the courthouse and nothing is showing up but you can always check officially by going to your local registry [...]

18. On June 25, 2017, M.P. called me to inform me that he had been suspended from driving. He asked if I attended his Trial, and I disclosed that I did not. I apologized to M.P. and advised that I would file an application to set aside his conviction on the basis that I failed to appear at the Trial.

19. I failed to serve M.P. in that I did not realize that an automatic suspension would follow M.P. being found guilty of an offence pursuant to section 94(2) of the *Traffic Safety Act*, and so failed to inform M.P.

20. I filed an application to set aside M.P.'s conviction. On August 28, 2017, the Court ordered that M.P.'s conviction be set aside and directed the matter to traffic docket court to schedule a new trial date.

21. I did not take steps to verify M.P.'s identity until after the Trial. Though another lawyer initially handled M.P.'s client file, when I assumed responsibility, I did not take steps to ensure M.P.'s identity had been verified, nor did I take steps to verify his identity myself. After the trial, when I asked M.P. for a piece of identification, he provided me with a copy of his wife's driver's license via email. Upon receiving this email, I responded:

Good afternoon,  
So to confirm we need your ID, and your mailing address for the cheque.  
Otherwise we cannot issue the cheque.

22. M.P. did not provide me with a copy of his identification following this email. I did not take further steps to verify his identity. Throughout the course of these proceedings, I took no steps to confirm M.P.'s address, telephone number, or occupation.

**G. ADMISSION OF FACTS AND GUILT**

23. I admit as facts the statement contained in this Statement of Facts and Admission of Guilt and acknowledge that they shall be used for the purpose of these proceedings.

24. I admit that I failed to inform my client of a material error or omission, by:

- (a) failing to promptly advise M.P. that I did not attend his Trial;
- (b) failing to recommend to M.P. to obtain independent legal advice concerning the matter, including any rights M.P. may have arising from the error or omission; and
- (c) failing to advise M.P. of the possibility that, in the circumstances, I may not be able to act for him;

all of which is contrary to section 7.7-1 of the *Code of Conduct*.

25. I admit that I failed to be candid with my client by:

- (a) concealing the fact that I had failed to attend M.P.'s Trial when he inquired about the outcome; and
- (b) compounding the concealment by offering to return M.P.'s

retainer; all of which is contrary to section 3.2-3 of the *Code of Conduct*.

26. I admit that I failed to identify my client, M.P., as required by the *Rules* by failing to obtain M.P.'s full name, address, phone number and independent source documents regarding his identity, which is contrary to sections 118.3 and 118.6 of the *Rules*.

27. I unequivocally admit guilt to the essential elements of the citations describing the conduct deserving of sanction.

28. I acknowledge that I have had the opportunity to consult legal counsel and confirm that I have signed this statement freely and voluntarily.

29. I acknowledge that I understand the nature and consequences of these Admissions.

30. I acknowledge that, although entitled to deference, a Hearing Committee is not bound to accept a joint submission on sanction.

**THIS STATEMENT OF FACTS AND ADMISSION OF GUILT IS MADE THIS 23 DAY OF OCTOBER 2020.**

"Melanie de Quadros"  
MELANIE DE QUADROS

**Reprimand**

Ms. De Quadros, I take into account your cooperation with the Law Society throughout this matter. I take into account as well your short history at the Bar, and I understand the panic that ensued when you realized that you had made an error which caused some harm for the client. And I recognize the fear that you must have possessed when you misled the client about this particular matter.

The one thing that's critical to our profession is integrity. And we all, from time to time, make errors. I have made errors. I suspect that Mr. Hepner has made the odd error with respect to calendars and attendances, as we all have.

Your conduct here is certainly not the most outrageous conduct that the Law Society has seen or this Bench has seen, but I want you to know that upholding the integrity of the profession is important to all of us. You failed to do that in this situation.

The circumstances here are that you have no previous disciplinary record, and that's a good thing. You have been assisted in this matter by very able counsel. But the bottom line here is that you failed to meet your obligations to the client, to the profession, I might suggest in some ways to the court as well. And for that, your conduct deserves this reprimand.

I don't know, as Mr. Hepner suggested, what the future holds for you. If you do wish to seek admission either to the Alberta Bar or perhaps the Ontario Bar, there are going to be some significant hurdles for you to overcome, but that's not to say that you can't do that.

I am very mindful of the cooperative way in which you dealt with this matter, and I applaud that, and I wish you well in any of your future endeavours.