

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

**AND**

**IN THE MATTER OF A SECTION 61 RESIGNATION APPLICATION  
REGARDING SHANE STEVENSON  
A MEMBER OF THE LAW SOCIETY OF ALBERTA**

**Resignation Committee**

Stacy Petriuk, KC – Chair (Bencher)  
Corie Flett, KC – Committee Member (Bencher)  
Grant Vogeli, KC – Committee Member (Bencher)

**Appearances**

Shane Sackman – Counsel for the Law Society of Alberta (LSA)  
Percival Odynak, KC – Counsel for Shane Stevenson

**Hearing Date**

December 6, 2023

**Hearing Location**

Virtual Hearing

**RESIGNATION COMMITTEE REPORT**

**Overview**

1. Shane Stevenson was admitted as a member of the Law Society of Alberta (LSA) on July 21, 2000. He practiced law in Calgary at a firm from 2000-2004, practiced in-house in Calgary from 2004-2005, and in 2005 he returned to his previous law firm in Calgary until 2007. In 2007, Mr. Stevenson moved to Edmonton to practice at a law firm there. Mr. Stevenson practiced primarily in corporate/commercial law until July 4, 2018.
2. On April 15, 2018, Mr. Stevenson was arrested and charged with impaired driving causing death. On April 20, 2018, Mr. Stevenson gave an oral undertaking not to practice law until the criminal matter was addressed, and to seek inactive/non-practicing status. On June 5, 2018, Mr. Stevenson formally self-reported to the LSA that he had been charged with an indictable offence. On July 4, 2018, Mr. Stevenson became inactive/non-practicing. On October 5, 2020, Mr. Stevenson pleaded guilty to impaired driving causing death, pursuant to section 255(3) of the Criminal Code.

3. On October 14, 2020, Mr. Stevenson was sentenced to three and a half years incarceration. Mr. Stevenson was also prohibited from operating a motor vehicle for five years. Mr. Stevenson was automatically suspended from the LSA on the same date, pursuant to section 83(7) of the *Legal Profession Act*, R.S.A. 2000, c.L-8 (*Act*).
4. Mr. Stevenson did not appeal his criminal conviction or sentence. The appeal period has expired.
5. Mr. Stevenson is presently serving the remainder of his parole until April 13, 2024.
6. On August 26, 2021, the LSA applied to disbar Mr. Stevenson, pursuant to section 83 of the *Act*. The section 83 application was put into abeyance on July 19, 2022, until Mr. Stevenson was released from prison on February 14, 2023.
7. Mr. Stevenson has applied for resignation from the LSA, pursuant to section 61 of the *Act*. This Resignation Committee (Committee) was constituted to hear Mr. Stevenson's application.
8. At the time of this hearing, Mr. Stevenson did not have a disciplinary record with the LSA.
9. After reviewing all of the evidence and exhibits and hearing the arguments of the LSA and Mr. Stevenson, the Committee allowed the application pursuant to section 61 of the *Act* and advised that a written decision would follow. This is that written decision.

### **Preliminary Matters**

10. There were no objections to the constitution of the Committee or its jurisdiction, and a private hearing was not requested. As a result, a public hearing into Mr. Stevenson's resignation application proceeded.
11. The requisite application and statutory declaration by Mr. Stevenson pursuant to Rule 92(1) of the Rules of the LSA was submitted.

### **Citations**

12. At the time of this hearing, Mr. Stevenson was not facing any citations, but his conduct was the subject of proceedings under Division 1 of Part 3 of the *Act*.

### **Statement of Facts**

13. Mr. Stevenson agreed to a Statement of Facts (attached as Schedule 1, without attachments) in support of his section 61 resignation application.

## The Evidence

14. No oral evidence was received by the Committee.

## The Submissions of the Parties

15. LSA counsel supported Mr. Stevenson's application for resignation, agreeing that his resignation pursuant to section 61 of the *Act* served the public interest. As such, the Committee considers this application to be tantamount to a joint submission, and therefore deserving of deference, unless it would bring the administration of justice into disrepute or otherwise be contrary to the public interest; *Law Society of Alberta v Kramar*, 2020 ABLS 31 at paragraph 19, citing *R. v. Anthony-Cook*, 2016 SCC 43.

## Analysis

16. The issue to be determined by this Committee, is whether it is in the best interest of the public to permit Mr. Stevenson to resign pursuant to section 61 of the *Act* in the face of serious unresolved conduct matters.
17. Based upon the Statement of Facts, the Committee finds that:
  - a. On April 15, 2018, Mr. Stevenson caused the death of a child as a result of impaired driving. The child was crossing at a marked crosswalk, for which other motor vehicles had stopped for her. Mr. Stevenson did not stop his vehicle at the crosswalk, struck the child and continued. An off-duty police officer, who happened to be at the intersection, followed Mr. Stevenson and reported the incident to Edmonton Police Services (EPS). Several marked EPS vehicles responded to the area and began following Mr. Stevenson's vehicle. A helicopter was dispatched to the area and caught up with Mr. Stevenson's vehicle. When Mr. Stevenson was attended upon by EPS officers, he had a strong smell of alcohol on his breath, had mildly blood-shot eyes and was unsteady on his feet. Mr. Stevenson provided two samples of his breath that night, the lowest reading was 170mg in 100mls of blood. At the time that Mr. Stevenson was operating his motor vehicle that caused the collision and the death of the child, Mr. Stevenson's ability to operate a motor vehicle was impaired by alcohol.
  - b. Substance abuse and addiction issues suffered by Mr. Stevenson were factors in his conduct.
  - c. At the criminal trial, several victim impact statements were read into the record.
  - d. During Mr. Stevenson's criminal trial, Mr. Stevenson took full responsibility for causing the death of the child.

- e. Mr. Stevenson has taken steps to rehabilitate himself and is active with the AMA IMPACT program.
18. Pursuant to section 83(4) of the *Act*, if a member is convicted of an indictable offence, the Benchers may order suspension, or that the member be disbarred. The Committee is satisfied that, in this case, Mr. Stevenson would in all probability be disbarred. Pursuant to section 1(c) of the *Act*, the resignation of a member pursuant to section 61 is deemed to amount to a disbarment. It is in the best interest of the public to permit Mr. Stevenson to resign pursuant to section 61 of the *Act*, as opposed to facing a disbarment hearing pursuant to section 83(4) of the *Act*. The Committee finds that the joint submission with respect to the appropriateness of the section 61 application to be reasonable.

## Decision

19. The Committee finds that the Statement of Facts is in an acceptable form.
20. Based on the evidence established by the Statement of Facts, the Committee determines that it is in the best interests of the public to accept the application of Mr. Stevenson to resign pursuant to section 61 of the *Act*, effective December 6, 2023.
21. The Committee accepted the undertakings and agreements made by Mr. Stevenson.
22. The Committee reviewed the estimated costs of hearing this application, as prepared by LSA counsel. The estimated statement of costs was entered as exhibit 7. The estimated statement of costs is in the amount of \$2,617.13. LSA counsel and counsel for Mr. Stevenson originally jointly submitted that costs should not be payable by Mr. Stevenson at all. However, after inquiries by the Committee, counsel for Mr. Stevenson agreed that costs should not be payable by Mr. Stevenson unless he seeks to reapply for admission to the LSA. Therefore, the Committee finds that costs of \$2,617.13 shall be payable by Mr. Stevenson should he reapply for admission to the LSA.
23. Pursuant to section 61(3) of the *Act*, the Committee directs that the following information be entered into the roll:
  - a. The roll shall reflect that Mr. Stevenson's application under section 61 of the *Act* was allowed on December 6, 2023; and
  - b. Details of this decision shall be noted in the roll, including the Statement of Facts put before this Committee.

## Concluding Matters

24. The Statement of Facts (Exhibit 6(d)) references and attaches documents that relate to the criminal proceedings. The Statement of Facts shall be included as part of the documents available with this decision without the attached criminal proceedings documents. One of these documents is the Agreed Statement of Facts that was filed with the Court of King's Bench with respect to Mr. Stevenson's guilty plea, and the other is a copy of the transcript of the criminal trial. At the request of counsel for the parties, the Statement of Facts will be published without these two documents.
25. The other exhibits, other hearing materials, and this report will be available for public inspection, including the provision of copies of the non-excluded exhibits for a reasonable copy fee, except that identifying information in relation to persons other than Mr. Stevenson will be redacted and further redactions will be made to preserve client confidentiality and solicitor-client privilege (Rule 98(3) of the *Act*).
26. A Notice to the Profession will be issued.
27. A Notice to the Attorney General is not required.
28. The Committee thanks LSA counsel and Mr. Stevenson and his counsel for their handling of the application and wishes Mr. Stevenson continued recovery and rehabilitation.

Dated January 5, 2024.

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Stacy Petriuk, KC

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Corie Flett, KC

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Grant Vogeli, KC

## Schedule 1

### IN THE MATTER OF THE *LEGAL PROFESSION ACT*

- AND -

### IN THE MATTER OF A RESIGNATION APPLICATION BY

**SHANE RONALD STEVENSON**

**A MEMBER OF THE LAW SOCIETY OF ALBERTA**

### STATEMENT OF FACTS

#### A. BACKGROUND

1. I was admitted as a member of the Law Society of Alberta (the "LSA") on July 21, 2000.
2. I maintained active/practicing status with the Law Society of Alberta until July 4, 2018, when I became an inactive/non-practicing member.
3. Between July 21, 2000 and February 4, 2004, I practiced at [B LLP] in Calgary, Alberta. I returned to [B LLP] from November 1, 2005 until July 17, 2007. From February 17, 2004 to October 31, 2005, I practiced inhouse at [T Ltd.] I then practiced at [D LLP], formerly [F LLP] between July 17, 2007 until July 4, 2018. I practiced primarily in corporate commercial law.
4. On Sunday, April 15, 2018 I was arrested and charged with impaired driving causing death under the Criminal Code and was taken into custody on that date.
5. On Wednesday, April 18, 2018 I was released from custody and granted judicial interim release.
6. On Friday morning, April 20th, 2018 as a result of a telephone request I received from him, I met for breakfast with Law Society Investigator [JD], who indicated to me, among other things, that the Law Society wanted me to give an oral undertaking not to practice law until the criminal matter was addressed and to seek inactive/non-practicing status soon thereafter formally. I willingly gave my verbal undertaking to not practice until I formally sought inactive/non-practicing status at that meeting.
7. On June 5, 2018, I self-reported to the Law Society had I had been charged with an indictable offence. A formal complaint was opened by the Law Society in relation to this charge.

8. On July 4, 2018, I became an inactive/non-practicing member after having submitted the requisite paperwork and as previously discussed with [JD] and Law Society personnel.
9. Upon me going inactive, all of my outstanding files were resolved or otherwise transferred to other lawyers at [D LLP].
10. On October 5, 2020, I plead guilty to impaired driving causing death pursuant to section 255(3) of the *Criminal Code*.
11. A detailed account of the facts leading to my criminal conviction is appended as **Exhibit 1** to this statement, which is the Agreed Statement of Admissions that was filed with the Court of Queen's Bench and was used as the basis of my guilty plea and sentencing in this matter.
12. On October 14, 2020, Justice [M] accepted the parties' joint submission and sentenced me to three and a half years of incarceration. I was also prohibited from operating a motor vehicle for a period of five years after my sentence is served. A copy of the transcript of sentencing proceedings is attached as **Exhibit 2**.
13. On October 14, 2020, the Law Society suspended my membership pursuant to s 83(7) of the *Legal Profession Act* ("**LPA**").
14. I did not appeal my conviction, or my sentence and the appeal period has expired. I am presently serving the remainder of my parole until June 14, 2024.
15. I remain suspended to date.
16. On August 26, 2021 the LSA applied to disbar me pursuant to section 83 of the *LPA*. I retained counsel to assist in that application and that application was adjourned in October 2021. The section 83 application was put into abeyance on July 19, 2022, until I was released from prison on February 14, 2023.
17. I am applying to resign as a member of the LSA pursuant to s. 61 of the *Act*. I admit all of the contents of this Statement of Facts and the contents of **Exhibit 1**, which together are tendered as an admission of facts in support of my resignation application.
18. I admit that the conduct described in this statement constitutes conduct deserving of sanction pursuant to s. 49 of *Act*.
19. I acknowledge that I have read s. 61 of the *Act* and have considered that my resignation application, if accepted, is a deemed disbarment pursuant to the definition of "disbar" in section 1(c) of the *Act*.
20. I tender this Statement of Admitted Facts in support of my resignation application pursuant to s. 61 of the *Act*.
21. I admit the facts contained in this Statement of Admitted Facts and have signed it voluntarily, without any compulsion or duress, and with the benefit of legal advice.

ALL OF THESE FACTS ARE ADMITTED TO THIS 24 DAY OF Aug, 2023.

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Witness

“Shane Stevenson”  
Shane Ronald Stevenson