

DISCIPLINARY COMMITTEE

OF THE

GENERAL LEGAL COUNCIL

ORDER

COMPLAINT NO. 27/91

In the matter of Elsa McGann
and D. Marjorie Rose
Attorney-at-Law.

In the matter of the Legal
Profession Act.

UPON THE APPLICATION DATED the 16th day of April, 1991
MADE UNDER S12(1)(a) OF THE LEGAL PROFESSION ACT coming before
the Disciplinary Committee at a hearing on the 14th day of March,
1992 AND UPON DUE CONSIDERATION of the evidence and documents
relating to the allegations contained in the Affidavit which
accompanied the said application THE COMMITTEE FOUND that Attorney-
at-Law D. Marjorie Rose was guilty of misconduct in a professional
respect. The Committee hereby makes an Order based on the following
findings:


1. The Respondent as Attorney for the complainant gave a cheque
in respect of purchase moneys payable to the complainant
which was on presentation to the Bank on which it was drawn
dishonoured for insufficiency of funds in the Attorney's
account and despite demands she has failed to made good the
said sum to the complainant.
2. The respondent was duly notified of the hearing of the
proceedings for the 19th October, 1991.
3. The relevant facts were never disputed by the Respondent.
4. The evidence of the Complainant stands uncontradicted.

The Disciplinary Committee finds that the conduct of the
Attorney-at-Law is dishonest, dishonourable and disgraceful and
such as tends to discredit the profession of which she is a member.

PURSUANT TO THE FOREGOING FINDING the Disciplinary Committee HEREBY
ORDERS:-

- a) That the name of Attorney-at-Law, D. MARJORIE ROSE be struck off the Roll of Attorney-at-Law.
- b) That the said Attorney-at-Law pay to the Complainant the sum of \$19,210.88 by way of restitution.
- c) Costs of \$500.00

Dated 14th March, , 1992


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(Chairman of the Panel)

Filed with the Registrar of the Supreme Court by Barbara Hall
Secretary of the Disciplinary Committee of the General Legal
Council, 78 Harbour Street in the Parish of Kingston, in accordance
with the Legal Profession Act.