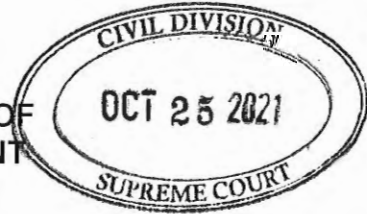


SU2021CV04421

FORMAL ORDER OF THE DISCIPLINARY COMMITTEE OF  
THE GENERAL LEGAL COUNCIL MADE ON COMPLAINT  
NO. 263 2017



IN THE MATTER OF CLAUDINE NEMBHARD VS  
LORRAINE RAMSON

AND

IN THE MATTER OF THE LEGAL PROFESSION  
ACT 1971

PANEL: MR. TREVOR HO-LYN  
MS. KATHERINE FRANCIS  
MS. MARJORIE SHAW

**DECISION DELIVERED ON THE 9<sup>TH</sup> OCTOBER 2021**

**UPON THE APPLICATION** made under section 12 (1) (a) of the Legal Profession Act and dated the 25<sup>th</sup> September 2017 along with supporting Affidavit sworn to on the 30<sup>th</sup> October 2017 and coming on for hearing before the Disciplinary Committee on the 22<sup>nd</sup> September 2018, 27<sup>th</sup> October 2018 and 12<sup>th</sup> June 2021

**AND UPON** the Complainant Claudine Nembhard (herein after called "the Complainant") appearing and having given sworn evidence on oath,

**AND UPON** the Attorney-at-law Lorraine Ramson (herein after called "the Attorney") not appearing,

**AND UPON DUE CONSIDERATION** of the sworn evidence of the Complainant coupled with her documentary evidence,

**AND UPON** the Committee finding the Attorney guilty of professional misconduct pursuant to section 12(1) (a) on the 12<sup>th</sup> June 2021,

**AND UPON** the Attorney having been given the opportunity to make submissions in mitigation of sanction on the 9<sup>th</sup> October 2021 and the Attorney declining to attend or make any submissions in mitigation,

**THE COMMITTEE FINDS THAT:**

In 2013, the Complainant was the owner of two acres of unregistered land situated at Short Hill in the Parish of St. Elizabeth.

On 21<sup>st</sup> November 2013, the Complainant paid the Attorney the sum of \$45,000.00 towards the processing of the application for registered title. On 28<sup>th</sup> November 2013, the Complainant paid the Attorney, the sum of \$55,000.00 towards preparing the documents for the sale of the said land. On 2<sup>nd</sup> December 2013, the Complainant made a further payment of \$46,000.00 to the Attorney, no receipt from the Attorney was presented for this payment. A bank transaction history evidencing the transfer of the sum was presented.

On 25<sup>th</sup> March 2014 the Complainant paid to the Attorney a further sum of \$100,000.00. This payment too was supported by a bank transaction receipt.

In 2014, by undated Agreement for Sale the Complainant agreed to sell the said land for the sum of \$2,300,000.00.

The Purchasers paid to the Attorney a deposit of \$1,300,000.00 on execution of the Agreement for Sale.

The Attorney had conduct of sale of the said land on behalf of the Complainant/Vendor and simultaneously acted for the Purchasers.

In February 2017, registered title for the said land was secured and the Complainant's name was endorsed as the registered proprietor.

Over a protracted period of time, the Attorney has refused, neglected and/or failed to communicate any information on the progress of the transaction to the Complainant although she has conduct of the sale.

The Attorney has acted for both parties and, although now admitting in writing to being in possession of the proceeds of sale, has refrained from making payment to the Complainant, despite promises to do so, this, in letter to the Committee dated September 23, 2021.

The Attorney has retained, without any explanation, the Duplicate Certificate of Title and to the prejudice of the Purchasers and Complainant has wrongfully suspended completion of the Transfer for which she was employed.

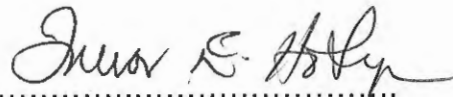
Prior to the sanction hearing, the Attorney has remained silent and unresponsive to the concerns raised in the complaint knowing that it includes suspicion of fiscal irresponsibility/impropriety.

In the circumstances the panel finds that the Attorney has breached Canons IV(r), IV (s) and I(b) of the Legal Profession (Canons of Professional Ethics) Rules.

**PURSUANT TO THE FOREGOING FINDINGS THE COMMITTEE UNANIMOUSLY  
HEREBY ORDERED THAT: -**

Pursuant to Section 12 (4) of the Legal Profession Act:

1. The Respondent Attorney Lorraine Ramson is struck from the Roll of Attorneys-at-law entitled to practice law in the several courts of the island of Jamaica for misappropriating the proceeds of sale which she admits she has but has failed to pay over to the Complainant.
2. The Attorney Lorraine Ramson is to pay over the proceeds of sale to the Complainant.
3. The Attorney Lorraine Ramson is to ensure that the Purchasers who are already in possession receive the title in their names.
4. The Attorney Lorraine Ramson is to pay costs in the sum of \$75,000.00 to the General Legal Council and costs of \$75,000.00 to the Complainant.



.....  
**CHAIRMAN OF PANEL**

Dated 9<sup>th</sup> October 2021