



Law Society
of Saskatchewan

CANADA)
PROVINCE OF SASKATCHEWAN)
TO WIT)

IN THE MATTER OF *THE LEGAL PROFESSION ACT, 1990*
AND IN THE MATTER OF MERVIN CLAYTON PHILLIPS,
A LAWYER OF REGINA, SASKATCHEWAN

Formal Complaint


I, VALERIE PAYNE, of the City of Regina, in the Province of Saskatchewan, Director of Professional Responsibility for the Law Society of Saskatchewan, do hereby certify that Leslie Belloc-Pinder, Chair of the Discipline Committee of the Benchers of The Law Society of Saskatchewan, has appointed a Hearing Committee pursuant to Section 47(1) of *The Legal Profession Act, 1990*, comprised of James Morrison, Q.C., as Chair, Glenn Hepp and Amanda Doucette to hear and determine a formal complaint set out by the Conduct Investigation Committee, pursuant to Section 46(1) of *The Legal Profession Act, 1990*, against **MERVIN CLAYTON PHILLIPS**, a lawyer and a member of The Law Society of Saskatchewan, carrying on the practice of law at all of the relevant times in the City of Regina, in the Province of Saskatchewan, as follows:

THAT **MERVIN CLAYTON PHILLIPS**, of the City of Regina, in the Province of Saskatchewan is guilty of conduct unbecoming a lawyer in that he:

1. failed to be frank and candid with his client, T.V. in relation to the anticipated and mounting costs of her respective legal matters;
2. failed to be frank and candid with his client, P.V. in relation to the anticipated and mounting costs of his respective legal matters;
3. failed to serve his client, T.V., in a conscientious, diligent and efficient manner;
4. failed to serve his client, P.V., in a conscientious, diligent and efficient manner;
5. charged fees to his client T.V. that were not fully disclosed, fair and reasonable;
6. charged fees to his client P.V. that were not fully disclosed, fair and reasonable;
7. failed to follow his client's instructions and failed to encourage or facilitate settlement of T.V.'s family law dispute, despite receiving instructions from the client that she wished to settle the matter;
8. did, in the appeal of the T.V. Assessment decision, knowingly assert as true facts when their truth could not reasonably be supported by the evidence;

9. did, in relation to his client T.V., knowingly assist in dishonest conduct by allocating non-tax-deductible legal fees to files where legal fees were tax deductible; and
10. engaged in frivolous and vexatious litigation tactics in the Assessment process and subsequent appeals.

DATED at the City of Regina, in the Province of Saskatchewan, this 11 day of July, 2019.



VALERIE PAYNE
Director of Professional Responsibility
for the Law Society of Saskatchewan