



Law Society
of Saskatchewan

C A N A D A)
PROVINCE OF SASKATCHEWAN)
T O W I T)

**IN THE MATTER OF *THE LEGAL PROFESSION ACT, 1990*
AND IN THE MATTER OF ESTES FONKALSRUD,
A LAWYER OF MOOSE JAW, SASKATCHEWAN**

ORDER

A Hearing Committee of the Law Society of Saskatchewan (hereinafter called the “Hearing Committee”), comprised of David Rusnak, Q.C., as Chair, Judy McCuskee and Kevin Bell having convened a meeting on May 14, 2020 determined that Estes Fonkalsrud is guilty of conduct unbecoming a lawyer in that he:

Formal Complaint – July 7, 2017

1. **did enter into a business transaction with a client, G.N., without first:**
 - a. **disclosing to G.N. the nature of the conflicting interest or how a conflict might develop;**
 - b. **determining that the circumstances required G.N. to receive independent legal advice in relation to the transaction; and**
 - c. **obtaining G.N.’s consent to the transaction continuing in the presence of the conflict of interest.**

Formal Complaint - March 23, 2020

1. **on December 6, 2018, was convicted of an offense contrary to s. 145 of the Criminal Code arising out of his breach of an undertaking, provided as a condition of his release, not to consume alcohol.**

and after having heard submissions from the Member and from counsel on behalf of the Law Society of Saskatchewan Conduct Investigation Committee and after due deliberation to determine the action to be taken, the Hearing Committee orders the following:

- a. **IT IS ORDERED THAT ESTES FONKALSRUD is suspended from May 15, 2020 to May 28, 2020, inclusive;**
- b. **IT IS FURTHER ORDERED THAT ESTES FONKALSRUD shall pay a fine of \$1,000.00 to the Law Society of Saskatchewan;**

- c. IT IS FURTHER ORDERED THAT ESTES FONKALSRUD shall pay costs to the Law Society of Saskatchewan in the amount of \$3,000.00 within 30 days, or such other date as the Chair of Discipline may approve.

DATED at the City of Regina, in the Province of Saskatchewan, this 15th day of May, 2020.



**Timothy Brown, Q.C., Executive Director
Law Society of Saskatchewan**