



Law Society
of Saskatchewan

**IN THE MATTER OF *THE LEGAL PROFESSION ACT, 1990*
AND IN THE MATTER OF DREW RONALD FILYK,
A LAWYER OF REGINA, SASKATCHEWAN
DECISION OF THE HEARING COMMITTEE FOR THE
LAW SOCIETY OF SASKATCHEWAN**

HEARING DATE: October 24, 2025

DECISION DATE: November 14, 2025

Law Society of Saskatchewan v Filyk, 2025 SKLSS 3

Hearing Committee: Jonathan D. Bodvarson, Chair
Melissa Nicolls
Harold Bhagaloo

Counsel: Timothy F. Huber, K.C.: Law Society of Saskatchewan
Drew Ronald Filyk: Self-represented

INTRODUCTION:

1. Drew Ronald Filyk (hereinafter referred to as “the Member”) is the subject of a Formal Complaint dated April 29, 2025. The Formal Complaint charges that the Member is guilty of conduct unbecoming a lawyer in that:

1. He failed to provide timely, conscientious, diligent and efficient service to his client, C.C.

2. On October 24, 2025, a Hearing Committee of the Law Society of Saskatchewan (“LSS”) convened virtually by MS Teams to hear and determine the Formal Complaint. The panel was comprised of Jonathan D. Bodvarson as chair, Melissa Nicolls and Harold Bhagaloo. The Member appeared on his own, representing himself. Timothy Huber, K.C. appeared on behalf of the Conduct Investigation Committee of the LSS.

3. Neither party had any objections to the composition or jurisdiction of the Hearing Committee.

4. The Member entered a guilty plea to the Formal Complaint and the hearing proceeded as a penalty hearing.

5. An Agreed Statement of Facts and Admissions dated October 14, 2025 (“Agreed Statement”) was entered at the hearing on consent of the LSS and the Member and marked as Exhibit L-2. This Agreed Statement is appended to this decision.

6. The parties proposed a joint submission penalty on the following terms; the Member:
 - a. be given a reprimand;
 - b. pay a fine of \$2,000 forthwith; and
 - c. pay costs of \$2,000 to the LSS forthwith.

7. As explained in the reasons set out below, the Hearing Committee accepts the joint submission.

FACTS

8. The facts are set out in the Agreed Statement and summarized as follows.

9. In August 2021, the complainant, CC, contacted the Member's firm to assist CC with obtaining an order respecting the parentage of CC's foster son, JA. JA needed his birth father added to his birth certificate to finalize his band registration. A file was opened with the Member as the responsible lawyer. Following communications between a student-at-law, JE, the Member's legal assistant and CC, CC paid a retainer of \$750.00 in January 2023.

10. There was little to no work done on the file in 2023. Throughout 2023, CC regularly requested updates regarding the file, but received no response to many of her communications. CC signed a supporting affidavit on August 25, 2023, but no steps were taken to move the file forward after that.

11. On November 23, 2023, CC requested an update by December 1, 2023 and advised she would be contacting the LSS. CC did not receive a response to that communication.

12. On January 15, 2024, CC requested a refund of her retainer. Shortly after that, a complaint was filed with the LSS.

13. In April 2024, the Member received the complaint from the LSS and responded after the second request in May 2024.

14. In May 2024, the Member contacted CC and apologized for the delay, but provided CC with no information about any work done on the file since January 2023. The Member also confirmed CC wanted the Member to proceed with the work. There continued to be delays in the Member's communications with CC as the Member worked to complete the legal work. However, the Member eventually obtained the needed order on January 28, 2025. Further, the Member provided CC with about \$15,000 of legal services for which the Member did not charge CC.

15. There was a considerable delay of **15 months** between the Member being retained in January 2023 and starting substantial action on the matter in April 2024. The Member was unable to explain the delay other than to state the file was the responsibility of other junior lawyers and students. However, the Member was ultimately responsible for the matter and did not adequately monitor the progress of the file during this period of delay. The Member consequently failed to provide conscientious, diligent and efficient service to CC.

16. The Member has one prior finding of conduct unbecoming on his record from 2008, where he entered guilty pleas in connection with three separate instances of dilatory practice.

REASONS FOR PENALTY

17. The Hearing Committee accepts that the Agreed Statement supports a finding that the Member's conduct was unbecoming. The delay was unreasonable and the Member is ultimately responsible for the delegation of work.

18. The Hearing Committee reviewed the facts of this matter, the regulatory authorities, the provided case law regarding sentencing and supporting the proposed penalty, the aggravating and mitigating factors and the law on joint submissions in determining the appropriate penalty.

19. The Hearing Committee accepts that it is its duty to consider the joint submission and determine if the penalty put forward by the parties is appropriate in the circumstances.

20. There is case law that supports the range of penalty put forward. In *Law Society of Saskatchewan v Anne Elizabeth Hardy*, 2011 LSS 6, the lawyer received a reprimand, \$1,000 fine and costs order where there was an eight-month delay in advancing the file. The lawyer in that case had no prior discipline record but had been the subject of a prior professional standards referral. In *Law Society of Saskatchewan v Walper-Bossence*, 2011 SKLSS 4, the lawyer received a reprimand, \$1,000 fine and \$250 costs order where they plead guilty to two counts of conduct unbecoming for failing to serve clients in a conscientious, diligent and efficient manner. Finally, in *Law Society of Saskatchewan v Kloppenburg*, 2011 SKLSS 3, the lawyer received a reprimand, \$1,000 fine and \$3,275 costs order where they were disciplined for three counts of conduct unbecoming, two of which pertained to failing to serve a client in a conscientious, diligent and efficient manner. The lawyer in that case had no prior findings of conduct unbecoming but had been the subject of some professional standards referrals and received two discipline complaints.

21. In the present matter, the Hearing Committee accepts the aggravating factor is the Member's prior related finding of conduct unbecoming for failure to respond to a fellow member of the LSS and failure to serve his client. The Hearing Committee further accepts that the weight of such prior finding is reduced due to it being dated from 2008.

22. During the hearing, the Hearing Committee sought clarification of the relevance of two facts included in the Agreed Statement: first, the Member's failure to respond to the LSS after first receiving the complaint; and second, the accuracy of the Member's explanations for the delay, as outlined in paragraphs 15 and 26 of the Agreed Statement. With reference to the first, the parties advised that the Member's initial lack of response was a concern but did not rise to the level of conduct unbecoming and was not included in the Formal Complaint. Further, the Member ultimately did respond to the LSS and rectified the issue with CC. For the second, the parties clarified that the word "untrue" in paragraph 26 should properly be read as a misstatement as opposed to an intentional deception. The Committee accepts these clarifications and the parties' submissions that these elements should consequently not be considered aggravating factors. Nonetheless, the Committee notes that not responding to an LSS complaint at the first instance is concerning. Further, a response is required to be provided as soon as practicable and by the date set pursuant to subrule 1102(2) of the *Rules of Law Society of Saskatchewan*.

23. The Hearing Committee accepts the mitigating factors are that the Member took responsibility for his actions by executing the Agreed Statement and entering a guilty plea in this matter. Further, the Member ultimately resolved CC's matter by bringing a court application and at a significantly discounted rate.

24. The Hearing Committee finds the proposed penalty in these circumstances for the Member is not unfit, unreasonable, contrary to the public interest or outside the range of sentences.

ORDER

25. Therefore, pursuant to subsection 1131(3) of the *Rules of Law Society of Saskatchewan*, the Hearing Committee makes the following Orders:

1. The Member will be reprimanded;
2. The Member will pay a fine of \$2,000 to the LSS, forthwith; and
3. The Member will pay costs in the amount of \$2,000 to the LSS, forthwith.

AGREED STATEMENT OF FACTS AND ADMISSIONS

In relation to the Formal Complaint dated April 29, 2025, alleging the following:

THAT DREW RONALD FIL YK, of the City of Regina, in the Province of Saskatchewan, is guilty of conduct unbecoming a lawyer in that he:

1. He failed to provide timely, conscientious, diligent and efficient service to his client, C.C.

Jurisdiction

26. Drew Ronald Filyk (hereinafter "the Member") is, and was at all times material to this proceeding, a Member of the Law Society of Saskatchewan (the "LSS"), and accordingly is subject to the provisions of *The Legal Profession Act, 1990* (hereinafter the "Act") as well as the *Rules of the Law Society of Saskatchewan* (the "Rules").

27. The Member is currently the subject of a Formal Complaint initiated by the LSS dated April 29, 2025. The Formal Complaint is attached at **Tab 1** along with proof of service. The Member intends to enter a guilty plea to the sole allegation in the Formal Complaint.

Particulars of Conduct

28. The complainant, CC, filed a complaint against the Member. The Member was retained to assist CC with obtaining an order respecting the parentage of CC's foster son, JA. JA, who is now an adult, wanted to have his birth father added to his birth certificate, so that he could properly finalize his band registration. CC agreed to assist JA with his legal matter while JA was incarcerated.

29. CC first consulted with a lawyer at Merchant Law Group ("MLG") about the legal matter in August 2021. CC communicated with JE, who was then a student-at-law with the Member acting as his principal. A file was opened, with the Member as the responsible lawyer. After conducting an initial review of the matter, JE asked CC to pay a retainer amount of \$750.00. At that time, CC was unable to pay the retainer amount, and she instructed JE to hold off working on the matter until she was able to make payment.

30. CC contacted JE by email on January 14, 2022. She stated that she had the funds to pay the retainer amount, and asked JE to confirm if MLG wanted a \$700.00 or \$750.00 retainer amount. JE advised CC that he could no longer handle her matter (as he was leaving MLG), and that she could contact the Member directly when she was ready to proceed with the application.

31. CC wrote to JE again on January 6, 2023. She again asked what retainer amount was required to commence work on the matter. She stated, "as soon as you respond I will send an e-transfer." CC also sent an email to another individual at MLG and asked if the firm was able to handle her legal matter. The Member's legal assistant responded to CC on the same day confirming that the retainer amount required was \$750.00. CC made a retainer payment by e-transfer on or about that date to the Member, as she was instructed to.
32. On January 11, 2023, CC followed up with MLG to ask about the transfer, as it had not been accepted by the Member. MLG confirmed that the Member had received the transfer of funds on January 19, 2023. CC inquired about how long it would take for the Member to prepare the court application and indicated a willingness to make herself available to sign supporting documents during her upcoming visit to Regina from Alberta. CC was told that they would be in contact with her when the material was ready, stating "Drew needs to work on the file now. We will let you know how things progress."
33. CC received no follow-up from the Member or his assistant. CC wrote to the Member with a copy to his assistant on March 27, 2023, and requested an update on the file. She did not receive a response. CC wrote to the Member and his assistant again on May 4 and May 19, 2023. In those emails, CC referred to making a number of phone calls to the Member and his assistant and noted that she was expecting a call back and an update on the legal matter. In her last correspondence to the Member during that time, CC requested a return of her retainer funds as nothing appeared to be happening on the matter.
34. CC received an update from the Member's assistant on May 24, 2023. CC was told that the Member was waiting to speak with the Public Guardian and Trustee ("PGT"), who was appointed as administrator of JA's birth father's estate. The assistant stated that they would follow up with CC the following week. CC replied to the assistant to advise her that she had spoken with the PGT many times over the years and that the PGT directed her to get a court order, which is what CC had instructed the Member to do.
35. Hearing nothing further from the Member, CC requested an update on June 16, 2023. In response to this, the Member's assistant stated that the firm needed to prepare affidavits to support the application. The Member's assistant requested that CC contact LW, a new student-at-law at MLG who was tasked with drafting the application.
36. Over the course of the next few weeks, LW and CC exchanged email correspondence about the matter. The Member stated to the Law Society that LW worked on the application and supporting affidavits during this time from June to August 2023. No such work was found after a review of the file obtained by the Law Society, but there were time entries referencing such work. An issue arose regarding the supporting affidavits of JA's family members, and on July 26, 2023, CC wrote to the Member's assistant and LW to ask if MLG could proceed on the matter with her affidavit and one other supporting affidavit. She did not receive a response.
37. On August 9, CC sent an email to LW and the Member's assistant and demanded a response. She stated, "Can one of you reply, Please? It is unacceptable that you take my money, do nothing, and don't respond. It is a simple matter." LW called and spoke with CC. Following the call, LW sent CC an email requesting that CC provide details to put in an affidavit, which CC provided that day. It appears from the file materials that CC signed

a supporting affidavit on August 25, 2023. Neither the Member nor LW took any steps to move the matter forward after CC signed her affidavit.

38. CC expected the matter to proceed. However, she received no information or updates from the Member or LW, and she continued to contact the firm for an update. CC wrote to the Member's assistant on November 14, stating, "you and I spoke by telephone 2 or 3 weeks ago." You indicated that LW was no longer with Merchant Law, and you believed she had sent the file into Court for processing, but you were not certain. You said you would follow up and get back to me later that week. Time flies and I have not heard from you. Please respond with an update."
39. Having received no response to her email, CC sent a follow up on November 23, 2023. She stated, "you will see from this string of emails that this file has been open and active for nearly two years. I paid the retainer almost a year ago, yet I have been unable to receive an update. Promises to call me back are empty. This is an extremely simple and straightforward case. My next call will be to the Law Society. Please respond before December 1, 2023." CC did not receive a response. She wrote to the Member and his assistant on January 15, 2024. In that email, CC stated the firm's work had been poor and requested a refund of the retainer. On February 20, 2024 the Member asked his assistant to contact CC to confirm whether CC wanted a refund of her retainer along with the court documents which had been prepared or if CC wanted the Member to file the application at Court.
40. CC filed a complaint about the Member to the Law Society. The Member received a copy of the complaint on April 15, 2024, and he was asked to provide an explanation and response to the concerns that were raised within 30 days. The Law Society did not receive a response from the Member by the deadline. The Law Society sent a second request for a response on May 23, 2024.
41. On May 17, 2024, the Member and CC spoke about the legal matter. The Member again offered to provide CC with a full refund of the retainer as well as the documents which had been prepared, or alternatively, if CC wanted the Member to proceed with the application in Court, he would do so. CC advised the Member that she wanted the Member to proceed with the application. Following their telephone discussion, the Member sent CC an email stating that he apologized for the delay and that after his review of the documents on file, it appeared as though there was miscommunication regarding the involvement of the PGT. The Member provided no explanation as to what work had been completed to advance the matter since January 2023, when CC paid the retainer.
42. The Member after reviewing the prior work done by JE and LW revised the materials and filed an Originating Notice on June 4, 2024, and provided an update to CC on June 6, 2024. The matter was heard on June 25, 2024, and a fiat was issued on the same day. The fiat stated that the application was brought in the wrong division and under the wrong legislation, as JA was no longer a child. The judge noted that the application contained information about JA that was incorrect as it was over four years old. The judge left it open to the Member to refile a proper application.
43. The Member did not provide an update to CC following the appearance and receipt of the fiat. On July 3, 2024, CC wrote to the Member to request an update regarding the court application on June 25, 2024. The Member provided an update to CC later on the same

day. The Member advised CC that the judge refused the application and stated that the judge was "hung up on technical issues".

44. On July 8, 2024, CC responded to the Member and stated that it was unfortunate that he did not tell her about the court's decision right away, as she had spent the weekend in jail with JA and could have had JA sign the correct paperwork at that time. CC stated that it was always her instructions to get an order for the father's DNA to prove paternity, and that she was disappointed that the Member dismissed her instructions and used an incorrect process involving the PGT. The Member responded to CC the same day and stated that he would draft an updated Authorization for CC so that she could have JA sign it. The Member did not send the Authorization to CC until August 27, 2024.
45. The Member wrote to CC on September 5, 2024, with an update. He stated that he had "not forgotten" about CC, but that he was "just trying to fit working on [her] matter in with the rest of [his] files." The Member provided a draft supplemental affidavit for CC to review and indicated that another person from MLG, JW, would be finalizing the application. The Member prepared and filed an extensive Brief of Law, as the relief sought was an equitable remedy on a point of law which had not been previously dealt with by the Court. The application was argued on November 7, 2024, and the decision was rendered on January 28, 2025. The relief being sought by CC was granted.
46. The Member has been unable to explain the delay on the matter other than to state that the file was the responsibility of the other junior lawyers that were working on the file, JE, and LW.
47. The delay and inactivity on CC's legal matter is considerable. Between January 11, 2023, at which point CC reasonably expected that the Member would take action with respect to her matter, the Member took no action in respect of the matter and failed to monitor the progress of file tasks assigned to juniors and students.
48. For the next year, CC wrote to the Member and/or his assistant to ask about what was happening in her file. She often did not receive a response.
49. Despite being retained in January 2023, the Member did not take any substantive action to proceed with the matter until he received the Law Society's notification to him about CC's complaint on April 15, 2024. Following receipt of the Law Society's correspondence, the Member contacted CC in May, and he was instructed to proceed with the court application.
50. In total, there was a 15-month delay between the Member being retained to act on the matter and the date on which he began substantial action to proceed with the matter.
51. The Member has provided unsatisfactory explanations to the Law Society regarding his conduct of CC's matter. The Member initially told the Law Society that two other lawyers had carriage of the matter, and that he was not involved. This was untrue - the two individuals (JE and LW) were students-at-law at the time that the Member claimed they were responsible for the file. The Member was principal to JE at the time.
52. While it was appropriate for the Member to delegate and oversee the work of the students, it is the Member who is ultimately responsible for the matter. The Member failed to monitor the progress of the file as he, unsuccessfully, attempted to delegate work to students in

need of supervision and, in turn, failed to provide timely, conscientious, diligent and efficient service to CC. To his credit the Member was able to ultimately obtain the relief requested by CC, on a very unique point of law and facts, and the Member provided CC with approximately \$15,000 worth of legal services for which the Member did not charge CC.

Member's Discipline History

53. The Member has one prior finding of conduct unbecoming on his record from 2008 [**Tab 2**] wherein he entered guilty pleas in connection with three separate instances of dilatory practice related to failure to serve a client and failure to respond to two different opposing counsel. The member was ordered to pay a fine in the amount of \$1,500.00, costs and was directed to "cooperate with the questions and directions of a practice advisor to be designated from time to time by the Discipline Committee."