

IN THE MATTER OF the *Legal Profession Act*, R.S.N.W.T., 1988, c. L-2

AND IN THE MATTER OF an Inquiry into the conduct of James Morton, a member of the
Law Society of Nunavut

ORDER OF THE COMMITTEE OF INQUIRY

UPON THE ISSUANCE OF a Notice of Direction and Suspension by the Law Society of Nunavut (“LSN”) to Mr. James Morton (“Mr. Morton”) appointing Ms. Sara Siebert, Ms. Shayne Kert, and Mr. David Stout, members of the Discipline Committee, as a Committee of Inquiry to conduct an Inquiry.

WHEREAS:

1. The LSN alleged that Mr. Morton engaged in conduct unbecoming and professional misconduct, and that he failed to notify the LSN, forthwith and in writing, that *Criminal Code* charges were laid against him.
2. The LSN and Mr. Morton jointly submitted an agreed statement of facts in relation to Mr. Morton’s conduct; and
3. The LSN and Mr. Morton have provided a joint recommendation on penalty;

AND WHEREAS the Committee of Inquiry convened a public hearing into the conduct of Mr. Morton on June 25, 2020;

THE COMMITTEE OF INQUIRY DETERMINED that the following allegations were established:

- a) Mr. Morton committed conduct unbecoming within the meaning of subsection 22(2) of the *Legal Profession Act*;
- b) Mr. Morton committed professional misconduct by failing to carry on the practice of law honourably and with integrity, as required by Rule 2-1 of the Nunavut version of the Federation of Law Societies of Canada *Model Code of Professional Misconduct*; and
- c) Mr. Morton failed to notify the Secretary of the LSN, forthwith and in writing, that *Criminal Code* charges were laid against him, as required under subsection 98(2) of the *Rules of the Law Society of Nunavut*.

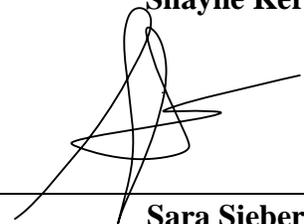
THE COMMITTEE OF INQUIRY ORDERS:

1. Mr. Morton is permitted to resign from the LSN within 24 hours of the issuance of this Order, after which his name will be struck from the Roll;
2. If Mr. Morton does not resign within 24 hours of the issuance of this Order, his name will be struck from the Roll;
3. Mr. Morton is prohibited from re-applying to become a member of the LSN or from providing any type of legal services or practicing law in any way in the territory of Nunavut for a period of three (3) years from the date of this Order; and
4. The costs for this proceeding are set at \$12,000. Payment of these costs is permanently deferred unless and until Mr. Morton re-applies to become a member of the LSN or seeks to provide any type of legal services or practice law in any way in the territory of Nunavut. Full payment of the costs are a prerequisite for Mr. Morton re-applying to become a member of the LSN or providing any type of legal services or practicing law in any way in the territory of Nunavut.

Dated June 30, 2020.



Shayne Kert



Sara Siebert



David Stout