



NOTICE OF REFERRAL TO HEARING

The Hearing Committee of the Nova Scotia Barristers' Society (the "Society") will hold a hearing at a date and time to be determined, regarding charges against **Donn Fraser**, a member of the Society.

The Society charges Donn Fraser, of Stellarton, Nova Scotia, with professional misconduct and conduct unbecoming in that he breached provisions of the *Code of Professional Conduct* (the "Code"), and the Legal Profession Act (the "Act") and the Regulations made thereunder.

Specifically, it is alleged that:

1. On or about January 26, 2024 through on or about February 1, 2024, Mr. Fraser engaged in professional misconduct, contrary to subregulation 9.1.3(c)(i) of the *Regulations of the Legal Professions Act*, SNS 2004, c. 28, by violating the following provisions of the *Code*:
 - a. he did not carry on the practice of law or discharge all responsibilities to the public and other members of the profession honourably and with integrity, contrary to Rule 2.1-1 of the *Code*;
 - b. he failed to uphold the standards and reputation of the legal profession and to assist in the advancement of its goals, organizations, and institutions, contrary to Rule 2.1-2 of the *Code* and/or;
 - c. he failed to act honourably and to treat the Court with candour by making false statements about opposing litigants and opposing counsel, contrary to Rules 5.1-1 and 5.1-2 of the *Code* and/or;
 - d. he did not encourage public respect for and did not try to improve the administration of justice, contrary to Rule 5.6-1 of the *Code* and/or;
 - e. he harassed opposing litigants and their counsel, contrary to Rule 6.3-2 of the *Code* and/or;
 - f. he was not courteous and civil and did not act in good faith with all individuals with whom he had dealings in his practice, contrary to Rule 7.2-1 of the *Code* and/or;

- g. he sent correspondence that was abusive, offensive and otherwise inconsistent with the proper tone of professional communication from a lawyer, contrary to Rule 7.2-4 of the *Code*.
- 2. On or about January 26, 2024 through on or about February 1, 2024, committed conduct unbecoming contrary to Regulation 9.1.3(a), by engaging in conduct that brought discredit upon the legal profession.
 - 3. On or about May 1, 2023 through on or about December 31, 2024, Mr. Fraser engaged in professional misconduct, contrary to subregulation 9.1.3(c)(i) of the *Regulations of the Legal Professions Act*, SNS 2004, c. 28, by violating the following provisions of the *Code*:
 - a. he did not carry on the practice of law or discharge all responsibilities to the public and other members of the profession honourably and with integrity, contrary to Rule 2.1-1 of the *Code* and/or;
 - b. he failed to uphold the standards and reputation of the legal profession and to assist in the advancement of its goals, organizations, and institutions, contrary to Rule 2.1-2 of the *Code* and/or;
 - c. he failed to act honourably and to treat the Court with candour by making false statements, contrary to Rules 5.1-1 and 5.1-2 of the *Code* and/or;
 - d. he failed to be courteous and civil and act in good faith, contrary to Rules 5.1-5 and 7.2-1 of the *Code* and/or;
 - e. he did not encourage public respect for and try to improve the administration of justice, contrary to Rule 5.6-1 of the *Code* and/or;
 - f. he was not courteous and civil and did not act in good faith with all individuals with whom he had dealings in his practice, contrary to Rule 7.2-1 of the *Code* and/or;
 - g. he sent correspondence that was abusive, offensive and otherwise inconsistent with the proper tone of professional communication from a lawyer, contrary to Rule 7.2-4 of the *Code*.
 - 4. On or about May 1, 2023 through or about December 31, 2024, Mr. Fraser committed conduct unbecoming contrary to Regulation 9.1.3(a), by engaging in conduct that brought discredit upon the legal profession.

A further public Notice of Hearing will be published once the dates and times for the hearing are confirmed.

The Hearing will be open to the public in accordance with Section 44(1) of the *Legal Profession Act*. Note that at any hearing, preliminary motions may be heard and/or a settlement agreement may be proposed.