

THE LAW SOCIETY OF BRITISH COLUMBIA

IN THE MATTER OF THE *LEGAL PROFESSION ACT*, SBC 1998, C. 9

AND

JASMIN DHILLON

(a member of the Law Society of British Columbia)

RULE 3-7.1 CONSENT AGREEMENT SUMMARY

1. On December 18, 2024, the Chair of the Discipline Committee approved a consent agreement proposal submitted by Jasmin Dhillon (the “Lawyer”) under Rule 3-7.1 of the Law Society Rules (the “Rules”).
2. Under the proposal, the Lawyer admitted that she committed the following misconduct, and that it amounts to professional misconduct:
 - (a) The Lawyer admits that, between approximately September 1, 2020 and August 31, 2022, she failed to maintain accounting records in compliance with Part 3, Division 7 of the Law Society Rules (the “Rules”) by doing one or more of the following:
 - i. failing to record all trust transactions within seven days and all general transactions within 30 days, contrary to Rule 3-72(1);
 - ii. failing to maintain proper trust account records that include all information required in Rule 3-68, including a trust ledger showing separately for each client all funds received and disbursed;
 - iii. failing to immediately eliminate trust shortages, contrary to Rule 3-74(1);

- iv. making trust withdrawals when accounting records were not current, contrary to Rule 3-64(3); and
 - v. failing to prepare monthly trust reconciliations as required and when due, contrary to Rules 3-68(d) and 3-73.
- (b) The Lawyer admits that, between approximately November 2, 2020 and August 16, 2022, she caused trust shortages on one or more of 13 occasions by improperly withdrawing client trust funds from her trust account when her trust accounting records were not current and/or there were insufficient funds on deposit to the credit of the clients on whose behalf the Lawyer made the withdrawals, contrary to one or both of Rules 3-63 or 3-64(3) of the Rules.
- (c) The Lawyer admits that, between approximately November 2, 2020 and August 5, 2022, she failed to immediately make the required written report to the Executive Director when she discovered trust shortages greater than \$2,500, contrary to Rule 3-74(2) of the Rules, in one or more of the following instances:
 - i. a shortage of \$498,760.43 on file 161;
 - ii. a shortage of \$36,281.22 on file 205; and
 - iii. a shortage of \$13,100 on file 124.
- (d) The Lawyer admits that, on approximately July 31, 2022, she improperly took residual trust balances on eight client matters, totaling \$24.30, and credited some of the funds to five other client matters to eliminate trust shortages, and the remainder to the “float” of her own funds in the trust account.
- (e) The Lawyer admits that, between approximately August 19, 2021 and August 20, 2021, she backdated the nine monthly trust reconciliations

from September 2020 through to May 2021, in an attempt to mislead the Law Society about her compliance with Rule 3-73(5) of the Rules.

- (f) The Lawyer admits that, on or about August 31, 2022, she provided answers to questions B22, C10, C11, C12, C18, C24, and C36 on her Trust Report for the period ending May 31, 2022, that she knew or ought to have known were false or misleading.
3. Under the proposal, the Lawyer agrees to be suspended for six weeks, starting the later of December 9, 2024 or two days after this consent agreement proposal is approved by the Chair of the Discipline Committee. After her suspension, the Lawyer agrees to practice under a trust supervision agreement.
4. In making her decision, the Chair of the Discipline Committee considered an Agreed Statement of Facts and a letter to the Chair of the Discipline Committee. The Chair also considered the Lawyer's absence of a professional conduct record prior to the events that gave rise to this consent agreement.
5. This consent agreement will now form part of the Lawyer's professional conduct record.
6. Pursuant to Rule 3-7.1(5) of the Rules, and subject to Rule 3-7.2 of the Rules, the Law Society is bound by an effective consent agreement, and no further action may be taken on the complaint that gave rise to the agreement.
7. The admitted facts set out in the Agreed Statement of Facts are anonymized and summarized below.

Summary of Facts

Member Background

8. Jasmin Dhillon (the "Lawyer") was called to the bar and admitted as a member of the Law Society of British Columbia on June 5, 2015.
9. The Lawyer practises primarily in the area of family law (80%), real estate (10%), and wills and estates, corporate, criminal and civil matters (collectively, 10%).

10. As a result of the Audit and subsequent investigation, the Lawyer agreed to practice under a trust supervision agreement on February 28, 2023.

Background Facts

11. From May 24 to 27, 2022, the Law Society's Trust Assurance Department conducted a compliance audit (the "Audit") of Jasmin Dhillon Law Corporation (the "Firm") for the period of September 1, 2020 to May 20, 2022 (the "Audit Period").
12. The Audit uncovered issues related to the use of her trust account which were subsequently referred to the professional conduct department of the Law Society for investigation.

Failure to Record all Trust Transactions Within Seven Days and General Transactions Within 30 Days, and Maintenance of Accounting Records

13. During the Audit Period, the Lawyer's practice was to record trust transactions using excel spreadsheets (the "Lawyer's Spreadsheets").
14. The Lawyer's Spreadsheets did not meet the requirements for trust accounting records, because:
 - (a) not all of the transactions were recorded;
 - (b) not all forms of funds were recorded;
 - (c) the source of the funds received was not always correctly recorded; and
 - (d) the identities of clients on whose behalf trust funds were received or disbursed was not always recorded or recorded properly.
15. Further, during the Audit Period, the Lawyer did not maintain a trust ledger showing separately for each client all client funds received and disbursed.
16. The Lawyer also failed to accurately record general transactions promptly, or within 30 days after a general transaction.

17. The Lawyer's general ledger included an "unclassified" account the Lawyer used to record unknown deposits and withdrawals from trust (the "Unclassified Ledger").
18. As of June 30, 2023, the Unclassified Ledger contained three trust deposits.

Improper Withdrawal of Trust Funds when Account Records Not Current, Causing Trust Shortages that were Not Immediately Eliminated

19. During the Audit Period, the Lawyer made trust withdrawals when her account records were not current.
20. During the Audit Period, the Lawyer caused trust shortages on 13 occasions (the "Trust Shortages").
21. The Trust Shortages were due to the following circumstances:
 - (a) one instance where a cheque was physically deposited with the bank, but not recorded by the bank as a deposit in the trust account until several days later.
 - (b) one instance where trust funds were deposited in error to another trust account used by the Lawyer instead of the Firm's trust account;
 - (c) one instance where trust funds had not yet been deposited into trust at the time of the withdrawal;
 - (d) one instance arising from the use of the Unclassified Ledger to withdraw trust funds to pay the Lawyer's fees resulting in excess payout to the client;
 - (e) two instances where there were insufficient funds being held in trust for the client matter due to errors in the statement of adjustments; and
 - (f) eight instances where the Lawyer made withdrawals for payment of fees and disbursements in circumstances where there were insufficient funds held on the client matter.
22. The Lawyer did not immediately eliminate the Trust Shortages as soon as practicable.

23. The Lawyer did not immediately make the required written reports to the Executive Director when she discovered three trust shortages greater than \$2,500.

Improperly Taking Residual Trust Balances

24. During the Audit Period, the Lawyer held residual trust funds for eight client matters totalling \$24.30 (the “Residual Trust Funds”).
25. The Residual Trust Funds were due and payable to each of the eight clients.
26. The Lawyer’s general account records indicate a transfer of the Residual Trust Funds to trust shortages in five client matters, with a balance of \$18.30 posted to the Lawyer’s trust float.
27. The Residual Trust Funds were transferred to “zero out” the trust balances in all 13 matters.
28. The Lawyer was not entitled to any of the Residual Trust Funds.

Failing to Prepare Monthly Trust Reconciliations and Backdating Monthly Trust Reconciliations

29. The Lawyer failed to prepare accurate monthly trust reconciliations for the Firm’s trust account on nine occasions between October 30, 2020 and June 30, 2021.
30. On November 3, 2023, the Lawyer submitted eight of the nine Trust Reconciliations after adding date stamps that were an indication of when the Trust Reconciliations were prepared but not when they were in fact signed by the Lawyer (the “Backdating”).
31. The Lawyer’s Backdating of the Trust Reconciliations was an attempt to mislead the Law Society about the Lawyer’s compliance with the Law Society Rules.

Submitting a Trust Report Containing Representations That She Knew or Ought to Have Known Were False

32. On August 31, 2022, the Lawyer filed the Firm’s 2022 Trust Report that included responses with false or misleading information, as follows:
 - (a) regarding Section B22, the annual attestation was not filed by April 30, 2022;

- (b) regarding Section C10, trust transactions were not recorded within 7 days of their occurrence;
- (c) regarding Section C11, general transactions were not recorded within 30 days of their occurrence;
- (d) regarding Section C18, trust withdrawals were made while the records were not current and numerous shortages had resulted;
- (e) regarding Section C24, trust reconciliations were not completed within 30 days of month end;
- (f) regarding Section C12, the float balance was over \$300 up until August 2021; and
- (g) regarding Section C26, there were many closed client matters with trust balances during the Audit Period.

Professional Conduct Record

- 33. Prior to this misconduct, the Lawyer had no professional conduct record.
- 34. As a result of this matter, the Lawyer's professional conduct record now consists of the conditions and limitations on her practice that were imposed during the investigation when the Lawyer undertook not to open or operate a trust account except in compliance with a trust supervision agreement.

Mitigating Circumstances

- 35. At the time of the misconduct, the Lawyer was a five year call with no disciplinary record.
- 36. During this time, the Lawyer was experiencing significant family stressors as a new first-time mother and single parent.
- 37. The Lawyer did not benefit financially or gain any material advantage from her misconduct, and no clients were financially harmed.

38. The Lawyer took significant steps to address the administration and accounting issues in her practice.
39. The Lawyer fully cooperated in efforts to resolve the matter, admitted her misconduct, and consented to a six-week suspension and ongoing trust supervision.