

NOVA SCOTIA COURT OF APPEAL

Citation: *Lienaux v. Nova Scotia Barristers' Society*, 2009 NSCA 11

Date: 20090128

Docket: CA 293547

Registry: Halifax

Between:

Charles D. Lienaux,
a Barrister and Solicitor of Halifax, Nova Scotia

Appellant

v.

The Nova Scotia Barristers' Society
(the "Society")

Respondent

JUDGE: MacDonald, C.J.N.S.

APPEAL HEARD: November 18, 2008, in Halifax, Nova Scotia

SUBJECT: **Administrative Law, Professional Discipline, Standard of Review**

SUMMARY: The Nova Scotia Barristers' Society disciplined one of its members for conduct unbecoming. The member had made disparaging comments about the judiciary and a fellow lawyer. The member appeals to this court asserting that the review Panel erred in law, exceeded its jurisdiction and otherwise reached unreasonable conclusions.

ISSUES:

1. The appropriate standard of review.
2. Did the Discipline Panel commit reversible error?

- RESULT:**
1. The appropriate standard for all issues under review is reasonableness.
 2. Appeal allowed in part. Aside from one discrete aspect of the Panel's disposition, its inclusions were reasonable.

This information sheet does not form part of the court's judgment. Quotes must be from the judgment, not this cover sheet. The full court judgment consists of 26 pages.