

**IN THE MATTER OF PART 3 OF THE
LEGAL PROFESSION ACT, RSA 2000, c. L-8**

AND

**IN THE MATTER OF A HEARING REGARDING
THE CONDUCT OF SAM ALZAMAN
A MEMBER OF THE LAW SOCIETY OF ALBERTA**

Hearing Committee

Grant Vogeli, KC – Chair and Benchler
John Byrne – Adjudicator
Nazrina Umarji – Adjudicator

Appearances

Meryl Friedland and Karl Seidenz – Counsel for the Law Society of Alberta
Sam Alzaman – Self-represented

Hearing Dates

July 29-30, 2025

Hearing Location

Virtual Hearing

HEARING COMMITTEE REPORT

Overview

1. The following citations were directed to hearing by the Conduct Committee Panel of the Law Society of Alberta (LSA) on April 16, 2024:
 - 1) It is alleged that Sam Alzaman failed to respond promptly, substantively, or at all to many communications from Legal Aid Alberta that required a response, and that such conduct is deserving of sanction.
 - 2) It is alleged that Sam Alzaman submitted inaccurate accounts to Legal Aid Alberta, and that such conduct is deserving of sanction.
 - 3) It is alleged that Sam Alzaman failed to respond promptly and completely to communications from the Law Society, and that such conduct is deserving of sanction.
2. Mr. Alzaman was admitted to the LSA on September 26, 2017.

3. Since his admission, Mr. Alzaman has practiced in small firm settings and currently operates his own firm.
4. Three citations arise in relation to Mr. Alzaman's failure to respond to communications from Legal Aid Alberta (Legal Aid) regarding a compliance review of three Legal Aid certificates issued to him.
5. On July 29 and 30, 2025, the Hearing Committee (Committee) conducted a hearing into the conduct of Mr. Alzaman, in relation to the above citations.
6. After reviewing all of the evidence and exhibits and hearing the testimony and arguments of the LSA and Mr. Alzaman, for the reasons set out below, the Committee finds Mr. Alzaman guilty of conduct deserving of sanction on all three citations, pursuant to section 71 of the *Legal Profession Act* (Act).
7. The Committee will address sanction and costs in a future hearing.

Preliminary Matters

8. There were no objections to the constitution of the Committee or its jurisdiction, and a private hearing was not requested, so a public hearing into Mr. Alzaman's conduct proceeded.

Agreed Statement of Facts and Admission of Guilt – Citations 1 and 3

9. The LSA and Mr. Alzaman entered into a Statement of Admitted Facts, Exhibits and Admission of Guilt in relation to citations 1 and 3. They agreed on several exhibits in relation to citation 2.
10. Citation 1 relates to Mr. Alzaman's failure to respond promptly and substantively to communications from Legal Aid and citation 3 relates to Mr. Alzaman's failure to respond promptly and completely to communications from the LSA.
11. The agreed upon facts in relation to those two citations are summarized below.

Citation 1 - Failure to Respond to Legal Aid

12. On February 19, 2020, a Legal Aid representative wrote to Mr. Alzaman advising him of Legal Aid's intention to conduct a compliance review of three of his clients for services rendered in 2019. Legal Aid required Mr. Alzaman to provide time records, receipts, court documents and additional information that might assist the review. Mr. Alzaman was provided with a 30-day deadline from the date of the letter.

13. The deadline for Mr. Alzaman to provide the records and information was extended several times.
14. On May 6, 2021, Legal Aid wrote to Mr. Alzaman advising him that he would be suspended from the Legal Aid roster if he failed to provide the requested records and information by June 1, 2021.
15. Mr. Alzaman did not provide the records or information by June 1, 2021, and on June 2, 2021, Legal Aid advised Mr. Alzaman that he was suspended from the roster. He was also told that the suspension could be rescinded if he provided a substantive response to the previous letters requesting records and information.
16. Mr. Alzaman did not respond to the June 2, 2021 letter from Legal Aid.
17. On July 5, 2021, Legal Aid informed Mr. Alzaman that his failure to respond constituted a fundamental breach of his obligations as a roster lawyer, and that he had been removed from the roster. He was also informed that his active Legal Aid certificates would be cancelled on August 16, 2021. Mr. Alzaman did not respond.
18. On August 17, 2021, Legal Aid informed Mr. Alzaman that his 26 outstanding certificates were cancelled. Legal Aid noted that if any of those files remained active in court and he was still counsel of record, his obligations to the court and clients continued. Legal Aid advised him that they would not appoint new counsel until they heard from him or his clients. They asked that he advise of his intentions regarding the 26 certificates, as soon as possible.
19. Mr. Alzaman did not respond to Legal Aid's August 17, 2021 letter and never did provide the requested audit records or information.
20. On December 16, 2022, Mr. Alzaman was interviewed by an LSA investigator. During that interview, he stated that:
 - a) He should have complied with Legal Aid's request;
 - b) He received Legal Aid's request but had no particular reason as to why he did not respond;
 - c) He never made any attempts to locate or obtain the physical files related to Legal Aid's request; and
 - d) He only started the process of locating and obtaining his electronic files approximately 11 months after the initial request by Legal Aid.

21. Mr. Alzaman admitted the following in relation to citation 1:
- a) That between February 19, 2020 and May 6, 2021, he failed to provide a substantive response to communications sent to him by Legal Aid; and
 - b) That he failed to provide records, schedule a date to discuss audit requirements as requested and failed to advise about his intentions with respect to remaining clients and Legal Aid certificates.

Citation 3 - Failure to Respond to LSA Communications

22. On March 22, 2022, the LSA issued an Investigation Order after an initial review of a complaint by Legal Aid.
23. On March 28, 2022, an LSA investigator emailed Mr. Alzaman a copy of the Investigation Order and a letter requesting that he take steps to obtain the three client files that were relevant to the investigation. The investigator requested an approximate time frame within which Mr. Alzaman anticipated being able to obtain the files.
24. There was a lengthy period during which Mr. Alzaman asked for extensions but failed to properly and fully respond to the LSA request.
25. On December 16, 2022, Mr. Alzaman was interviewed by an LSA investigator. During that interview Mr. Alzaman admitted the following:
- a) That he had delayed contacting his previous firm about obtaining the files because of his pride and ego. He did not want to disclose why the LSA was asking for the files;
 - b) That he failed to respond to communications from the LSA which was a personal failing; and
 - c) That although he had some personal issues and had moved offices, he had no excuse for not responding to the LSA investigator's emails.
26. On May 19, 2023, the LSA completed an investigation report and on May 29, 2023, the report was sent to Mr. Alzaman requesting a response by June 12, 2023.
27. Mr. Alzaman requested an extension to July 4, 2023, which was granted. Mr. Alzaman did not provide a response by the July 4, 2023 deadline.
28. On July 5, 2023, Mr. Alzaman emailed the LSA and advised that he had almost completed his response and would submit it in "a day give or take". Mr. Alzaman did not

provide a response over the next several days. On July 14, 2023, the manager of the LSA Conduct Department emailed Mr. Alzaman setting a new deadline of July 28, 2023. Mr. Alzaman did not respond to this email.

29. On August 28, 2023, Mr. Alzaman emailed the LSA and stated that the LSA would have his response to its investigation report by 8:00 am the following morning. Mr. Alzaman did not provide the response by 8:00 am the next day. In fact, he never provided the LSA with a response to the investigation report.
30. Mr. Alzaman made the following admissions in relation to citation 3:
 - a) That he failed to provide a substantive response to the LSA investigator's communication dated March 28, 2022, including failing to take reasonable steps to obtain the files requested by the investigator until January 2023, 10 months after the request;
 - b) That he failed to provide any response to 10 communications from the LSA investigator;
 - c) That he failed to provide any response to the LSA investigation report and communications from the LSA Conduct Department related to the investigation report including four specific communications.
 - d) That these failures were all contrary to section 7.1-1 of the Code of Conduct and Rule 85(7) of the Rules of the LSA.

Citation 2 – Submitting Inaccurate Accounts to Legal Aid

31. The LSA and Mr. Alzaman did not enter into an agreed statement of facts or admissions regarding citation 2. The facts summarized below are of the evidence at the hearing.

Evidence

32. Mr. Alzaman was a Legal Aid roster lawyer. He agreed to charge Legal Aid pursuant to the Legal Aid tariff.
33. Mr. Alzaman was called as a witness by counsel for the LSA. He was questioned about 21 issues related to his charges for three clients. The questioning identified many inaccurate and incorrect charges. Examples include:
 - Charges for conducting a trial on a date when there was not a trial;
 - Charges for entering a guilty plea when the charge was withdrawn;

- Charges for speaking to sentencing when Mr. Alzaman was not present in court;
 - Charges for services on particular dates when the services were actually rendered on other dates;
 - Charges for the same client but on the wrong Legal Aid certificate;
 - Charges for a bail application pending appeal where he was not entitled to charge because he had not received a Legal Aid certificate for an appeal; and
 - Charges where there were no time records to support the hourly charges.
34. Mr. Alzaman testified that he was a junior lawyer at the time, had no training on how to use the Legal Aid tariffs and that there were no resources to assist him or other lawyers charging Legal Aid.
35. Mr. Alzaman testified that he was not trying to overcharge Legal Aid. He believed that all amounts he charged were appropriate but acknowledged that wrong descriptions and wrong dates were used. He also acknowledged that many of the incorrect charges were caused by carelessness including getting dates wrong and getting certificate numbers wrong.

Submissions by Counsel for the LSA

36. Counsel for the LSA submitted that the records entered as exhibits and the testimony of Mr. Alzaman made it clear that Mr. Alzaman's billing of Legal Aid was inaccurate and careless. She submitted that she raised 21 instances of incorrect or inaccurate billing in her Questioning of Mr. Alzaman and that he admitted 17 of them.
37. Counsel for the LSA submitted that there were four categories of inaccurate or incorrect charges:
- Baseless charges;
 - Charges that are inaccurate on the face of the billing itself;
 - Charges that are technically inaccurate; and
 - Charges where the accuracy cannot be determined because there are no supporting records.

38. It was submitted that Mr. Alzaman's evidence explaining some of the charges was not reliable because he was relying on his memory of events that occurred several years ago. He had no notes, memos or billing records to support his testimony.
39. Counsel for the LSA submitted that Mr. Alzaman's inaccurate billing was deserving of sanction because inappropriate billing of Legal Aid is incompatible with the best interests of the public and damages the reputation of the profession. She referred the Committee to cases where similar conduct was determined to be professional misconduct deserving of sanction.

Submissions of Mr. Alzaman

40. Mr. Alzaman submitted that there were explanations for his inaccurate charges and that he did not overcharge because he did the work and used the tariff categories he thought were most appropriate. He advanced several explanations to justify his inaccurate and incorrect billing including that:
- All of his billings were validated by Legal Aid;
 - The tariff was incomplete and confusing and that all lawyers had difficulty with it;
 - Legal Aid provided no training or resources to assist with billing;
 - He was a junior, inexperienced lawyer at the time.
41. Mr. Alzaman emphasized that although some of his billing was inaccurate and careless, he did not financially benefit from the inaccuracies. He submitted that he did not overcharge Legal Aid and, if he did, it was not intentional.

Analysis and Decision

Citations 1 and 3

42. Mr. Alzaman admitted guilt in relation to citations 1 and 3 and the Committee accepts those admissions. The admitted facts support a finding of guilt of conduct deserving of sanction.
43. The admissions of guilt satisfy the requirements of paragraph 47 of the LSA Hearing and Pre-Hearing Guideline:
- The admission was voluntary without coercion;
 - They are unequivocal admissions of guilt; and

- Mr. Alzaman understood the nature and consequences of the admissions.
44. Citation 1 relates to Mr. Alzaman's failure to respond to Legal Aid. Failing to respond to professional communications is a breach of section 7.2-7 of the Code of Conduct which states:

A lawyer must answer with reasonable promptness all professional letters and communications from other lawyers that require an answer, and a lawyer must be punctual in fulfilling all commitments.

45. Citation 3 relates to Mr. Alzaman's failure to respond to the LSA. That is a breach of Rule 85(7) of the Rules of the LSA and section 7.1-1 of the Code of Conduct. Rule 85(7) states:

85(7) A member who is the subject of a complaint shall:

- (a) cooperate fully with the Society in a review conducted under Section 53 of the *Act*;
- (b) respond fully and substantively to any request to answer any inquiries or to furnish any records; and
- (c) respond within any timeline or in accordance with any deadline established by the Society.

46. Section 7.1-1 of the Code of Conduct states:

A lawyer must reply promptly and completely to any communication from the Society.

47. Mr. Alzaman's failure to respond to the LSA and Legal Aid breached section 7.1-1 of the Code of Conduct and Rule 85(7). Those breaches constitute professional misconduct deserving of sanction. They were serious, repeated and prolonged breaches.

Citation 2

48. In relation to citation 2, guilt was not admitted. However, the evidence of Mr. Alzaman clearly establishes that he submitted inaccurate accounts to Legal Aid.
49. In his testimony, Mr. Alzaman repeatedly admitted that he submitted inaccurate billings. Examples include:

- "yes that is an error";

- “wrong entry – should be voided”;
 - “Legal Aid should not have been charged”;
 - “incorrect entry”;
 - “technically not accurate”;
 - “that charge is not correct”; and
 - that charge is... “technically not accurate”.
50. Mr. Alzaman attempted to justify his inaccurate billing as lack of experience and training and general confusion and challenges with the Legal Aid tariff at the time. However, Mr. Alzaman acknowledged that he agreed to charge in accordance with the tariff and he could have asked Legal Aid for advice or clarification but did not do so.
51. The Committee finds that Mr. Alzaman was not intentionally overcharging Legal Aid but that he repeatedly submitted inaccurate charges as a result of being careless and failing to properly maintain records and apply the Legal Aid tariff. The inaccurate charges were evident from the billing and court records that were entered as exhibits. In addition, when questioned at the hearing, Mr. Alzaman admitted several inaccurate charges.
52. The Committee finds that the billing inaccuracies were caused by Mr. Alzaman’s carelessness, poor record keeping and failure to obtain an adequate understanding of the Legal Aid tariff.
53. The Committee considered whether Mr. Alzaman intentionally overcharged and concluded that he did not. Throughout his testimony Mr. Alzaman explained why he thought certain inaccurate charges were appropriate and why he knew he had done work to justify his charges. On a file where he was allotted a maximum number of hours that he could charge, although he did not have time records to confirm that he had spent the time, he explained what he did and why he knew that he had spent the hours he charged for. Overall, the Committee was satisfied that Mr. Alzaman was not intentionally overcharging. That said, his failure to accurately charge and properly record time is inappropriate and constitutes professional misconduct deserving of sanction.
54. Section 49(1) of the *Act* states:
- For the purposes of this *Act*, any conduct of a member, arising from incompetence or otherwise, that:

- a) Is incompatible with the best interests of the public or of the members of Society, or
 - b) Tends to harm the standing of the legal profession generally, is conduct deserving of sanction, whether or not that conduct relates to the member's practice as a barrister and solicitor and whether or not that conduct occurs in Alberta.
55. Mr. Alzaman's inaccurate invoicing is incompatible with the best interests of the public who are served by Legal Aid and harms the standing of the profession generally. Lawyers have an obligation to invoice clients accurately. Repeated inaccurate and careless invoicing is not acceptable. It harms the reputation of the profession.
56. There are similar cases where inaccurate billing was found to be misconduct deserving of sanction including:
- *Law Society of Upper Canada v. Kennedy*, 2014 ONLSTH 227;
 - *Law Society of British Columbia v. Dunn*, [1995] L.S.D.D. No. 254; and
 - *Law Society of British Columbia v. Mah Ming*, [2000] L.S.D.D. No. 22.
57. The Committee finds Mr. Alzaman guilty of conduct deserving of sanction on citation 2.

Concluding Matters

58. The Committee finds that all three citations have been proven on a balance of probabilities and that Mr. Alzaman's conduct is deserving of sanction in relation to all three citations.
59. As stated above, sanction and costs will be addressed in a future hearing.
60. The exhibits, other hearing materials, and this report will be available for public inspection, including the provision of copies of exhibits for a reasonable copy fee, except that identifying information in relation to persons other than Mr. Alzaman will be redacted and further redactions will be made to preserve client confidentiality and solicitor-client privilege (Rule 98(3)).

Dated October 2, 2025.

Grant Vogeli, KC

John Byrne

Nazrina Umarji