

**P00IN THE MATTER OF PART 3 OF THE
LEGAL PROFESSION ACT, RSA 2000, c. L-8**

AND

**IN THE MATTER OF AN APPEAL
REGARDING IKECHUKWU OKAFOR
A MEMBER OF THE LAW SOCIETY OF ALBERTA**

Appeal to the Benchers Panel

David Tupper, KC – Chair and Bencher
Arman Chak, KC – Bencher
John Evans, KC – Bencher
Levonne Louie – Lay Bencher
Ali Rakka – Lay Bencher
Erin Runnalls, KC – Bencher
Ronald Sorokin, KC – Bencher

Appearances

Shane Sackman – Counsel for the Law Society of Alberta (LSA)
Simon Renouf, KC – Counsel for Ikechukwu Okafor

Hearing Date

May 28, 2026

Hearing Location

Virtual Hearing

APPEAL PANEL DECISION

Overview

1. On May 28, 2026, an Appeal Panel of the Benchers of the Law Society of Alberta (LSA) was convened to consider the appeal of Ikechukwu Okafor, a member of the LSA.
2. Mr. Okafor appealed the four-month suspension ordered by a Hearing Committee of the LSA on May 27, 2025.
3. The Appeal Panel considered the arguments, capably made by both counsel for the LSA and counsel for Mr. Okafor, and decided, unanimously, to uphold the sanction of a suspension period of four months. Our reasons follow.

Preliminary Matters

4. There were no objections to the constitution of the Appeal Panel or its jurisdiction and a private hearing was not requested.

Background and Facts

5. Mr. Okafor was admitted as a member of the LSA on July 13, 2010. He was born on June 5, 1961 and practiced law in Nigeria before coming to Canada. Mr. Okafor has no prior disciplinary record with the LSA.
6. Mr. Okafor's practice is primarily focused on real estate conveyancing. He was engaged in that practice when the circumstances giving rise to the Complaint, the hearing, and the resulting sanction took place.
7. On October 20, 2022, Alberta Land Titles Office (LTO) informed the LSA of concerns that it had arising from Document Registration Requests (DRRs) submitted by Mr. Okafor. The DRRs related to a real estate transaction for which Mr. Okafor was engaged by BG and SG. Mr. Okafor was retained to assist with refinancing a property located [in] Calgary, Alberta. The property was owned by BG and SG, and BG's brother, HG. In 2010, HG was deported from Canada. In 2011, HG signed an Enduring Power of Attorney naming BG as his attorney.
8. As part of the refinancing, on May 13, 2022 Mr. Okafor submitted a DRR to the LTO to transfer title from [BG, SG and HG] jointly, to only BG and SG. BG signed the transfer on behalf of HG pursuant to the Power of Attorney.
9. On September 8, 2022, the LTO rejected the registration and advised Mr. Okafor that a power of attorney could not be relied on to transfer title.
10. Rather than take steps to either obtain the actual signature of HG or properly and lawfully address the issue, Mr. Okafor himself signed a new land transfer. He signed for each of BG, SG, and HG, and then completed an Affidavit of Execution attesting to the authenticity of those signatures. He then resubmitted the DRR package to the LTO.
11. Mr. Okafor, in a Statement of Admitted Facts, Exhibits and Admissions of Guilt (Statement of Admitted Facts), has admitted that the Affidavit of Execution was false and that he did not witness BG, SG, or HG sign the document.
12. The October 4, 2022 filing was again rejected by the LTO which indicated that the signatures of SG appeared to be different as between the first filing and the second filing.
13. Rather than acknowledge that, in fact, he had signed for SG or again take any steps to properly correct the matter, Mr. Okafor made a handwritten notation on the Notice of Deficiency that had been sent by the LTO and asserted that SG had signed the document. He resubmitted the Notice of Deficiency to the LTO. Again, in the Statement of Admitted Facts, Mr. Okafor has admitted that the notation was untrue.
14. The Conduct Committee Panel considered this matter and on May 14, 2024, directed that three citations proceed to hearing. These were as follows:
 - 1) It is alleged that Ikechukwu Okafor forged the signatures of his clients on transaction documents and that such conduct is deserving of sanction;

- 2) It is alleged that Ikechukwu Okafor submitted forged transaction documents to the LTO and that such conduct is deserving of sanction; and
- 3) It is alleged that Ikechukwu Okafor submitted a misleading statement to the LTO and that such conduct is deserving of sanction.

Hearing Committee

15. As mentioned, Mr. Okafor entered into a Statement of Admitted Facts, which included admissions of guilt.
16. On May 27, 2025, the Hearing Committee conducted a virtual hearing (Conduct Hearing) based on the Statement of Admitted Facts and admissions of guilt.
17. The Conduct Hearing was accordingly focused entirely on the question of sanction.
18. The LSA submitted that the appropriate sanction for Mr. Okafor's conduct was a suspension in the range of three – eight months and, particularly, that a six month suspension was proper.
19. In contrast, Mr. Okafor submitted that a suspension was neither necessary nor desirable and that instead a fine, reprimand, and costs were sufficient.
20. Both parties provided a significant number of authorities to the Hearing Committee.
21. The Hearing Committee then considered the authorities and the arguments. The Hearing Committee noted the fundamental purpose of sanctioning, to ensure that the public is protected from acts of professional misconduct and to protect the public's confidence and the integrity of the profession. (*Law Society of Alberta v. Okafor*, 2025 ABLS 23 (*Okafor*), paragraph 18)
22. The Hearing Committee then also considered the other purposes of sanction including specific deterrence of a lawyer when appropriate to protect the public, prevention of the lawyer from practicing law through disbarment or suspension, general deterrence of other lawyers, ensuring that the LSA can effectively govern its members and denunciation of the misconduct. (*Okafor*, paragraph 18)
23. The issue of delay was not raised in front of the Hearing Committee. This was an argument raised by Mr. Okafor for the first time during the appeal. Mr. Okafor argued that there has been significant delay in this matter such that the decision of the Court of Appeal in *Wachtler v. College of Physicians and Surgeons of the Province of Alberta*, 2009 ABCA 130 (*Wachtler*), should be considered. In that case, the Court of Appeal said that "... unexplained, lengthy delays can sometimes be accounted for at the penalty stage" (paragraph 46). In paragraph 47, the Court of Appeal also said "unexplained delays of 21 months are intolerable."
24. The Appeal Panel accepts that delay can be a mitigating factor when considering sanction. However, in this case, the Appeal Panel is satisfied that there was not unreasonable delay and accordingly, the delay does not act as a mitigating factor. There are three reasons for this.

25. First, as noted by the LSA, the total time to hearing in *Wachtler* was 53 months. In this matter, the total time from the beginning of investigation to the Conduct Hearing was 30.5 months. Four of those months relate to a reasonable adjournment request of counsel for the LSA. In addition, in this case, Mr. Okafor was interviewed by investigators for the LSA approximately one month after the complaint was received by the LSA. The investigation proceeded promptly.
26. Second, the Appeal Panel agrees that the assessment of delay in 2009 when the *Wachtler* decision was issued and its effect is necessarily different from the assessment of delay in 2026. The LSA is now regulating a significantly greater number of lawyers and the complexities of dispute resolution have increased in the last 16 years. This must be considered when assessing delay.
27. Third, the Appeal Panel notes that the National Discipline Standards say that the ideal time period to investigate, refer and set a hearing should be between roughly 22-32 months. That timing was consistent with the time in this case.
28. Accordingly, the Appeal Panel concluded that delay should not be a mitigating factor.
29. The Hearing Committee then found that certain evidence was most relevant to Mr. Okafor's sanction. This evidence was as follows:
 - 1) Mr. Okafor is senior counsel and has no prior disciplinary record;
 - 2) Mr. Okafor's misconduct was serious and was repeated over a period of time in a number of documents. He opted to "double down" on the use of the forged documents in an effort to have the LTO accept the forgery;
 - 3) Mr. Okafor did not gain any personal benefit from his conduct;
 - 4) Ultimately, Mr. Okafor's clients were not prejudiced;
 - 5) Once confronted by the LSA, Mr. Okafor admitted his conduct and cooperated, entering into the Statement of Admitted Facts that avoided a lengthy hearing;
 - 6) Mr. Okafor does not dispute that his conduct must be referred to the Attorney General; and
 - 7) Mr. Okafor has continued to practice for years since these events with no other issue.
- (*Okafor*, paragraph 19)
30. The Hearing Committee then determined that the four-month suspension was warranted. Costs were also ordered and those costs have not been appealed.
31. Critical to the Hearing Committee was the fact that Mr. Okafor forged signatures, then swore a false Affidavit of Execution, and then repeated to the LTO that the forgeries were in fact not forgeries. The Hearing Committee noted the critical role played by the LTO in Alberta and the fundamental importance of the LTO to our Torrens property system. The Hearing Committee also noted that Mr. Okafor had a number of

opportunities to correct the problem over a period of several days but chose not to do so. That was identified as an aggravating factor in the question of sanction.

32. Based on all of this, the Hearing Committee determined that a reprimand and fine were not sufficient and that a suspension was required.

Submissions of the Parties to the Appeal Panel

33. In this appeal, the LSA argued, first, that the Hearing Committee is owed deference in an appeal of sanction. A determination of sanction involves a question of mixed law and fact. The decision about a sanction is not an extricable question of law subject to correctness. The LSA relied on *Yee v Chartered Professional Accountants of Alberta*, 2020 ABCA 98 (Yee) and *Chartered Professional Accountants of Alberta (Complaints Inquiry Committee) v Mathison*, 2024 ABCA 33 (paragraph 18).
34. The LSA then argued that, having regard to the authorities and the facts, the four-month suspension period was reasonable. The LSA noted, as it had before the Hearing Committee, a number of authorities that it said were at least somewhat comparable and in totality supported the four-month suspension period.
35. With respect to the standard of review, Mr. Okafor also relied on Yee. He focused on the comments of the Court of Appeal that "the Appeal Tribunal should, however, remain flexible and review a decision under appeal holistically, without a rigid focus on any abstract standard of review" (paragraph 35). Mr. Okafor also focused on the comment of the Court of Appeal that the Appeal Tribunal is "well-positioned to review the entire decision and conclusions of the discipline tribunal for reasonableness, to ensure that, considered overall, it properly protects the public and the reputation of the profession;" (paragraph 35(e)).
36. Mr. Okafor then reviewed a number of cases, most of which had been in front of the Hearing Committee. He argued, based on these, the suspension should be either removed or, if necessary, reduced to 30-days.

Standard of Review

37. With respect to the standard of review, the Appeal Panel agrees that Yee is the leading authority. As Yee indicates, the standard of review is reasonableness. The focus of the Appeal Panel should be on errors of law, errors of principle, or whether the Decision is reasonably sustainable. The Appeal Panel should remain flexible and review the decision holistically without a rigid focus on any abstract standard of review.
38. The Appeal Panel will proceed to do that.

Decision

39. As indicated earlier, the Appeal Panel has decided to uphold the decision of the Hearing Committee. The four-month suspension period shall remain.
40. As mentioned, the Hearing Committee was provided with a significant number of authorities, over 20. Most of the same cases were provided to the Appeal Panel.

41. Necessarily, the facts in this type of case are unique and there is no perfect analogue in the cases.

42. The Appeal Panel notes, however, the general tenor and thrust of all of the cases deal with forgery. Forgery by a lawyer is extremely serious and goes to the root of the lawyer's obligation to the public. It is contrary to the most fundamental obligations of a lawyer to the public and to the profession. The Saskatchewan Court of Appeal said it well in *Oledzki v Law Society of Saskatchewan*, 2010 SKCA 120 at paragraph 6:

Where complaints of forgery, misleading the public, and misleading other members of the profession are proven or admitted, the paramount concern is the risk to the public of that type of conduct. Acts of forgery and deceit goes straight to the heart of a lawyer's integrity and to that of the profession, regardless of motivation or the absence of self-benefit. The seriousness of these complaints cannot be overstated ..."

43. The Appeal Panel also found the following cases particularly helpful:

- 1) *Law Society of Alberta v Shustov*, 2014 ABLs 23, in which a member fabricated a court order and received an eight-month suspension;
- 2) *Law Society of Alberta v Persad*, 2020 ABLs 27 in which a member fabricated a divorce judgement and received a six-month suspension; and
- 3) *Law Society of Ontario v Manilla*, 2021 ONLSTH 33, in which a member signed his clients name on five documents and received a three-month suspension. However, in that case, the member self-reported to the Law Society of Ontario and did not attempt to cover up his act, as Mr. Okafor did in this case.

44. Mr. Okafor did a very capable job in providing a number of cases that he suggested were comparable. The Appeal Panel agrees, however, with the LSA that those cases can be distinguished from Mr. Okafor's case. As mentioned, given the nature of this case, it would be very surprising to find any case that was the same. However, in this case, it was the combination of forgery, attested to by an Affidavit of Execution, followed by a doubling down and an attempt to cover up the issue that distinguishes it from those cases provided by Mr. Okafor. The Appeal Panel also notes that there was no self-reporting in this case and that there is no evidence of any mental health or addiction issue as there were in certain of the cases provided by Mr. Okafor.

45. The Appeal Panel agrees with the Hearing Committee that this is a very serious case. Lawyers need in all things to be trusted and to be honest. As the Saskatchewan Court of Appeal said, forgery goes to the heart of a lawyer's obligation. In this case, there was not just the forgery, but also the attempt to cover up the forgery and the repetition of the misconduct. This was done in the context of a Land Titles filing. Our LTO is fundamental to our Torrens system. Submission by a lawyer of forged documents is an attack on that very system.

46. In light of all of this, the four-month suspension ordered by the Hearing Committee was certainly reasonable. Even if the Appeal Panel were applying a less deferential standard, the Appeal Panel would find that the sanction should be upheld.

Costs

47. The LSA was entirely successful in the Appeal. The LSA provided an estimated Statement of Costs for the Appeal in the total amount of \$3,819.39. That was based on:
- 1) 1.2 hours for the preparation and review of the Hearing Record;
 - 2) 18.6 hours for preparation of the Appeal Brief;
 - 3) 4.7 hours for preparation for the Appeal;
 - 4) 1.1 hours for communications and general efforts; and
 - 5) 3.5 hours for attendance.
48. The Appeal Panel considered costs having regard to the guidance of the Court of Appeal in *Charkhandeh v College of Dental Surgeons of Alberta*, 2025 ABCA 258 (*Charkhandeh*).
49. As the Court of Appeal said in *Charkhandeh*, the quantum of any costs awarded in a professional disciplinary case must be reasonable and proportionate. The expenses must have been reasonably incurred, the quantum paid must be fair and reasonable, it must be reasonable to transfer the burden of those costs to the professional, and the costs award must be proportionate to the issues involved, the circumstances of the member, and the overall burden it placed on the member.
50. In the view of the Appeal Panel, the costs included in the Statement of Costs reflect reasonable costs that are proportionate and fair and the Appeal Panel orders that those costs be paid.

Concluding Matters

51. The Appeal is dismissed. The Appeal Panel therefore orders:
- 1) Mr. Okafor is suspended for 4 months. The suspension will commence on October 19, 2026.
 - 2) Mr. Okafor shall pay costs ordered by the Hearing Committee in the sum of \$9,895.38.
 - 3) Mr. Okafor shall pay costs of the Appeal in the sum of \$3,819.39.
 - 4) All costs are payable by Mr. Okafor within 6 months of the date of his reinstatement following the suspension.
 - 5) A Notice to the Profession shall be issued in accordance with section 85 of the *Legal Profession Act*.
 - 6) The referral to the Minister of Justice and Solicitor General, as directed by the Hearing Committee, stands.

52. 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. Okafor will be redacted and further redactions will be made to preserve client confidentiality and solicitor-client privilege (Rule 101(3)).

Dated September 18, 2026.

David Tupper, KC – Chair

Arman Chak, KC

John Evans, KC

Levonnie Louie

Ali Rakka

Erin Runnalls, KC

Ronald Sorokin, KC