

**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 Bencher
John Byrne – Adjudicator
Nazrina Umarji – Adjudicator

Appearances

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

Hearing Dates

December 19, 2025

Hearing Location

Virtual Hearing

HEARING COMMITTEE REPORT – SANCTION PHASE

Overview

1. Sam Alzaman was admitted to the Law Society of Alberta (LSA) in 2017. He was charged with three citations. The citations arose as a result of Mr. Alzaman's failure to respond to communications from Legal Aid Alberta (Legal Aid) about a compliance review and his inaccurate billing to Legal Aid.
2. The 3 citations were:
 - 1) It is alleged that Sam Alzaman failed to respond promptly, substantively, or at all to many communications from Legal Aid 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, 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.

3. The LSA and Mr. Alzaman entered into a Statement of Admitted Facts, Exhibits and Admission of Guilt in relation to citations 1 and 3. A two-day hearing was conducted in relation to citation 2.
4. After the hearing on July 29 and 30, 2025, for the reasons set out in its decision dated October 2, 2025 (Merits Decision), the Hearing Committee (Committee) found Mr. Alzaman guilty of conduct deserving of sanction in relation to all 3 of the citations.
5. A subsequent hearing was conducted to determine the appropriate sanction. After reviewing all of the evidence and hearing the arguments of counsel for the LSA and Mr. Alzaman on his own behalf, for the reasons set out below, the Committee finds that the appropriate sanction is a suspension of one month. In accordance with section 72 of the *Legal Profession Act (Act)*, the Committee ordered Mr. Alzaman to be suspended from practicing law for one month starting on December 20, 2025 and ending on January 19, 2026.
6. In addition, pursuant to section 72(2) of the *Act*, the Committee ordered Mr. Alzaman to pay costs of 15,000.00 to the LSA by December 31, 2027.

Preliminary Matters

7. As noted in the Merits Decision, there were no objections to the constitution of the Committee or its jurisdiction and a public hearing proceeded. No objections or private hearing applications were made during the sanction phase of the hearing, so the hearing continued in public.

Analysis of the Appropriate Sanction

8. The facts related to the sanctionable conduct are set out in the Merits Decision.
9. Counsel for the LSA and Mr. Alzaman presented the Committee with a joint submission about the appropriate sanction and costs; a one-month suspension and payment of costs of 15,000.00 by December 31, 2027.
10. Paragraph 185 of the Pre-Hearing and Hearing Guideline (Guideline) provides that the fundamental purposes of sanctioning are to ensure that the public is protected from the acts of professional misconduct and to protect the public's confidence in the integrity of the profession. Paragraph 186 of the Guideline sets out other purposes of sanctioning which are:
 - a) Specific deterrence of the lawyer,
 - b) General deterrence of other lawyers,
 - c) Protection of the public,

- d) Ensuring the Law Society can effectively govern its members, and
- e) Denunciation of misconduct.

11. Paragraph 198 of the Guideline sets out factors for consideration in determining the appropriate sanction as follows:

The prime determinant of the appropriate sanction is the seriousness of the misconduct. The seriousness of the misconduct may be determined with reference to the following factors:

- a) the degree to which the misconduct constitutes risk to the public;
- b) the degree to which the misconduct constitutes a risk to the reputation of the legal profession;
- c) the degree to which the misconduct impacts the ability of the legal system to function properly (e.g., breach of duties to the court, other lawyers or the Law Society, or a breach of undertakings or trust conditions);
- d) whether and to what extent there was a breach of trust involved in the misconduct;
- e) the potential impact on the Law Society's ability to effectively govern its members by such misconduct;
- f) the harm caused by the misconduct;
- g) the potential harm to a client, the public, the profession or the administration of justice that is reasonably foreseeable at the time of the lawyer's misconduct, and which, but for some intervening factor or event, would likely have resulted from the lawyer's misconduct;
- h) the number of incidents involved; and
- i) the length of time involved.

12. Guidance on joint submissions on sanction is provided in the Guideline at paragraphs 207 and 208 which state:

A lawyer and Law Society counsel may agree to jointly recommend a particular sanction. If a joint submission on sanction is presented, the parties require a high degree of certainty that the sanction recommendation will be accepted by the Hearing Committee. Accordingly, the Hearing Committee must give significant deference to the joint submission on sanction.

The lawyer must acknowledge that if there is a joint submission on sanction, while the Hearing Committee will show deference to it, the Hearing Committee is not bound by any joint submission.

13. In addition to the above noted provisions of the Guideline, the Committee also took note of the principles outlined by the Supreme Court of Canada in *R. v. Anthony-Cook* 2016 SCC 43 and cases that followed *Anthony-Cook*. The public interest test enunciated in *Anthony-Cook* requires that a hearing committee should not depart from a joint submission on sanction unless the proposed sanction would bring the administration of justice into disrepute or is otherwise contrary to public interest. The following questions should be considered by a hearing committee in applying the public interest test:

- 1) Is the joint submission so markedly out of line with the expectations of reasonable persons aware of the circumstances of the offence and the offender that the joint submission would be viewed as a breakdown in the proper functioning of the conduct and discipline system?
- 2) Would the joint submission cause an informed and reasonable public to lose confidence in the regulator?
- 3) Is the joint submission so unhinged from the circumstances of the offence and the offender that its acceptance would lead reasonable and informed persons, aware of all the relevant circumstances, including the importance of promoting certainty in resolution discussions, to believe that the proper functioning of the conduct and discipline system had broken down?

Submissions by Counsel for the LSA about the Appropriate Sanction

14. Counsel for the LSA referred to the Guideline and pointed out that sanctioning is intended to protect the public and the reputation of the profession. He submitted that the most applicable sanctioning factors in this case are general and specific deterrence and ensuring that Mr. Alzaman is governable. He referred to the recent Alberta Court of Appeal decision in *Charkhandeh v. College of Dental Surgeons of Alberta*, 2025 ABCA 258 (*Charkhandeh*). In that case, the Alberta Court of Appeal indicated that in accordance with the principle of restraint, the most lenient sanction that would serve the legitimate purposes of the sanctioning should be selected.

15. Counsel for the LSA pointed out the following findings of this Committee about Mr. Alzaman's inappropriate conduct:

- He failed to respond to Legal Aid's numerous requests for information for 15 months (paragraph 21 of the Merits Decision).
- He failed to substantively respond to the LSA's investigator for 10 months (paragraph 30 of the Merits Decision).

- His failures to respond to Legal Aid and the LSA were serious, repeated and prolonged breaches (paragraph 41 of the Merits Decision).
- His inaccurate invoicing was repeated, careless and harmed the reputation of the profession (paragraph 55 of the Merits Decision).

16. Counsel for the LSA referred to the Committee to the following analogous cases from Alberta:

- *Law Society of Alberta v. Haniff-Darwent*, 2020 ABLS 2 (2-week suspension plus costs; joint submission).
- *Law Society of Alberta v. Smith*, 2024 ABLS 16 (2-week suspension plus costs, panel would have ordered 45-day suspension but for the joint submission).
- *Law Society of Alberta v. Mirasty*, 2016 ABLS 21 (45-day suspension plus costs).
- *Law Society of Alberta v. Kobylnyk*, 2019 ABLS 19 (2-month suspension plus costs).
- *Law Society of Alberta v. Spencer*, 2010 ABLS 24 (3-month suspension plus costs).

17. He also referred to the Committee to the following eight out-of-province cases:

- *Law Society of Ontario v. Watson*, 2023 ONLSTH 160 (1-month suspension plus costs).
- *Law Society of Upper Canada v. Joseph Dannial Ernest Stewart Baker*, 2006 ONLSHP 20 (1-month suspension plus costs).
- *Law Society of Upper Canada v. Joseph Dannial Ernest Stewart Baker*, 2006 ONLSHP 21 (1-month suspension plus costs).
- *Law Society of Ontario v. Avagyan*, 2023 ONLSTH 109 (1-month suspension plus costs).
- *Law Society of Ontario v. Avagyan*, 2023 ONLSTH 155 (1-month suspension plus costs).
- *Law Society of Upper Canada v. Branco*, 2016 ONLSTH 49 (1-month suspension plus costs).
- *MacDonald Weiser (Re)*, 2023 LSBC 29 (3-month suspension plus costs).

- *College of Registered Nurses of British Columbia v. Cunningham*, 2017 BCCNM 4 (3-month suspension plus costs).

18. Counsel for the LSA submitted that the following aggravating factors apply in this case:

- Mr. Alzaman's serious lack of responsiveness to Legal Aid and the LSA demonstrated a potential governance issue.
- Mr. Alzaman's invoicing and accounting was extremely shoddy.

19. Counsel for the LSA submitted that the following mitigating factors apply in this case:

- Mr. Alzaman has no prior record of misconduct.
- Mr. Alzaman admitted to two of the three citations.
- Mr. Alzaman is working cooperatively with the LSA on undertakings related to his practice.
- Mr. Alzaman was relatively junior at the time of the misconduct.

Submissions by Mr. Alzaman about the Appropriate Sanction

20. Mr. Alzaman agreed with the submissions of counsel for the LSA, acknowledged his errors and expressed sincere remorse.

Decision on Sanction

21. The Committee concluded that the sanction proposed in the joint submission is appropriate and satisfies the principles outlined in *Anthony-Cook*. It is not out of line with expectations of a reasonably informed person and would not cause the public to lose confidence in the LSA.

Submissions by Counsel for the LSA about Costs

22. Counsel for the LSA referred to the Statement of Estimated Costs that was entered as Exhibit 10. Those costs total \$30,618.13 with investigator fees charged at \$100 per hour and legal fees at \$125 per hour.

23. Counsel for LSA referred to the *Charkhandeh* decision and the principle that costs are not to be a form of sanction or to denounce conduct. In paragraph 138 of *Charkhandeh* the Alberta Court of Appeal stated:

The law is clear that costs are not intended to be a form of sanction... Costs relate to the process of the hearing, not the substance of the charges.

24. The Court of Appeal went on to say that costs must be reasonable and proportionate (paragraph 144) and that a costs award cannot be unduly onerous or a “crushing” burden on the professional (paragraph 147).
25. Counsel for the LSA submitted that Mr. Alzaman’s conduct of the hearing justifies an increased award of costs. In particular, he pointed to the following:
 - Mr. Alzaman was very slow responding to LSA counsel and submitted his material very late.
 - Mr. Alzaman admitted guilt to Citations 1 and 3, but he could have done so much earlier.
 - Mr. Alzaman refused to admit guilt to Citation 2 but at the hearing during cross-examination he admitted to 17 of 21 particulars and the LSA proved the other 4 particulars.
26. Counsel for the LSA submitted that a costs award of \$15,000.00 to be paid by December 31, 2027, was reasonable in the circumstances because the amount was less than half of the actual costs calculated using very low rates and because of Mr. Alzaman’s conduct of the proceedings.

Submissions by Mr. Alzaman about Costs

27. Mr. Alzaman submitted that both the quantum and time to pay were reasonable and that the joint submission should not be disturbed because it is not unreasonable in the circumstances.

Decision on Costs

28. The Committee found that the costs award proposed in the joint submission was appropriate. It satisfies the principles outlined by the Supreme Court of Canada in *Anthony-Cook*.

Concluding Matters

29. For the reasons explained above, Mr. Alzaman has been suspended from practicing law for one month as of December 20, 2025, and he has also been ordered to pay the LSA costs of \$15,000.00 by December 31, 2027.
30. A Notice to the Profession was ordered and was issued on December 19, 2025.
31. Notice to the Attorney General is not required.
32. 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 January 6, 2026.

Grant Vogeli, KC

John Byrne

Nazrina Umarji