

IN THE HONOURABLE SUPREME COURT OF THE REPUBLIC OF LIBERIA,
SITTING IN ITS OCTOBER TERM, A.D. 2024.

BEFORE HER HONOR: SIE-A-NYENE G. YUOH CHIEF JUSTICE
BEFORE HER HONOR: JAMESETTA H. WOLOKOLIE..... ASSOCIATE JUSTICE
BEFORE HIS HONOR : YUSSIF D. KABAASSOCIATE JUSTICE
BEFORE HIS HONOR : YAMIE QUIQUI GBEISAY, SR..... ASSOCIATE JUSTICE
BEFORE HER HONOR: CEANEH D. CLINTON-JOHNSON..... ASSOCIATE JUSTICE

GRIEVANCE AND ETHICS COMMITTEE (GEC)'S INVESTIGATIVE
REPORT ON A COMPLAINT FILED BY MRS. STEPHANIE RANDALL
AGAINST COUNSELLOR DENISE SAYCHEE SOKAN.

Heard: November 12, 2024

Decided: February 17, 2025

MR. JUSTICE KABA DELIVERED THE OPINION OF THE COURT

On the 3rd day of July, A. D. 2023, the complainant, Mrs. Stephanie Randall, filed a complaint before the Chief Justice of the Honorable Supreme Court against Counselor Denise S. Sokan. The complainant alleged in her complaint that she hired the legal services of Counselor Denise S. Sokan to represent her interest in divorce proceedings instituted against her by her husband, Mr. Augustine P. Randall, Jr. She further averred that during the hearing of the matter, Cllr. Sokan exhibited a lack of critical communication and other acts of incompetence that affected the outcome of the proceedings; the court records retrieved from the office of the clerk of the court show that the court served Counsellor Sokan notices of the assignments and that she failed to inform the complainant; that she had no knowledge of the entire proceedings until her husband sent her a copy of the bill of divorcement via social media four months after the matter was finally decided; that upon receiving copy of the purported rulings from her husband, she immediately forwarded same to Cllr. Sokan, who denied knowledge of said rulings and claimed that her signature appearing on the notice of assignment that preceded the ruling was forged, that Cllr. Denise S. Sokan failed to take any corrective measures to mitigate the situation. Finally, that Cllr. Sokan's action led her to believe there were foul-play by Cllr. Sokan in representing her legal interest.

Upon receiving her complaint, the Chief Justice forwarded it to the Grievance and Ethics Committee (GEC), the legally established body responsible for

investigating complaints of unethical behavior of lawyers. In compliance with the procedure, the GEC furnished Counselor Sokan with Mrs. Randall's complaint and requested that she respond to its allegations.

Consequently, the respondent filed a formal response averring therein that the matter is still pending before the Sixth Judicial Circuit, Civil Law Court, and that she is unaware of any final ruling. Counselor Sokan further averred that the purported final ruling appearing on the file and the accompanying notices of assignment is the product of fraud as the matter is still at a conference level and that the court had the two conferences in the presence of the complainant present. She further averred that the complainant is always in the habit of refusing to pick up calls and reply to her text messages; based upon her legal representation on behalf of the complainant, the complainant received US\$6,700.00 as alimony.

Following receipt of Cllr. Denise S. Sokan's returns, the GEC convened hearings with the parties present. At the hearings, the parties and their witnesses testified as follows:

Mrs. Stephanie D. Randall, the complainant, substantially testified that she hired the services of Cllr. Denise S. Sokan to represent her legal interest in a divorce proceeding filed against her by her husband; during her second appearance in court along with the respondent, she observed the respondent in conversation with her husband, Mr. Randall, before the hearing. Upon her inquiry, her lawyer told her that Mr. Randall wanted to change his money, and she assisted him. She told the investigation that while at one of the conferences, the respondent told her that her husband insisted that he wanted the divorce but that she was taken aback when, after a protracted period without a hearing, her husband, in June 2023, sent her a final ruling terminating her marriage; that she immediately contacted the respondent who informed her that she was not aware of any such action. Further, Madam Randall stated that she, her lawyer, and her parents proceeded to Judge Feika's house on the RIA Highway. At that time, Judge Feika stated that he had never ruled over the dissolution of the marriage.

The respondent testified that she was unaware of Judge Feika's ruling because she was never in court nor received any assignment for said

hearing. The respondent further averred that apart from two clandestine assignments, her office received all other assignments in the case. Not only are the signatures on the two assignments a forgery of her signature, but the records generated claiming to be her representation are false. She informed the GEC that the court held two conferences with the parties but that the judge ordered the clerk to take records at only one of those conferences. The respondent further averred that when the complainant called and told her that she refused to receive a copy of a ruling delivered to her by a court sheriff, she informed the complainant that it was not possible because the court had held no hearing in the matter; that a few days thereafter, the complainant forwarded to her a copy of a purported Bill of Divorcement from her husband, Mr. Randall dated the 14th day of February 2023; that the complainant immediately proceeded to the court along with the complainant to examine the court records and that her search of the records revealed that two assignments that she did not know of were surreptitiously placed in the court file purporting to be assignments served on her; When confronted about the two clandestine assignments in the case file, the clerk of the court told her that he did what he was told to do; that she thereafter reviewed the judge's returns filed with the Supreme Court and she noticed that contrary to what the clerk told her, the judge reported in the returns that he had only two conferences in the matter; and that she observed that the purported ruling was dated February of 2023, while the Judge's returns was dated March of the same 2023 but did not mention the ruling. She concluded that all efforts on her part to explain the abnormalities to the complainant to find a solution received no support from the complainant.

Cllr. Edwina Edjerah Bacchue, the lawyer representing the complainant's husband, testified that several conferences were held in the case, but there was no trial. In those conferences, according to Cllr. Bacchue, her client, paid the alimony and suit money to the defendant and her lawyer; further, Cllr. Bacchue informed the GEC that the dissolution of the marriage was never an issue anymore as Cllr. Soka consented to the dissolution, and the parties were aware that the dissolution was inevitable. She further averred that the sticky issue they were discussing in those conferences surrounded the distribution of their property.

Following the completion of the witnesses' testimonies, the GEC observed and recommended in their report to the Chief Justice as follows:

"OBSERVATION:

After listening to the parties' oral testimonies and carefully perusing all the documents proffered, the committee observed the following:

1. His Honor Judge Ousman F. Feika Judge's returns for the Term of the court stated unambiguously that only conferences were held in the divorce involving Mr. and Mrs. Randall.
2. That no trial was held at the Sixth Judicial Circuit, Civil Law court, leading to the dissolution of the marital tie between Mr. Randall and Mrs. Stephanie Randall, the complainant herein, consistent with the Judge's returns that the committee requested.
3. According to our investigation, the purported final ruling in the case file seemed to be a product of fraud, which the Honorable Supreme Court should probe further.
4. That Cllr. Denise S. Sokan was never involved in anything unethical because her testimony corroborated the judge's return and testimony of Cllr. Edwina Edjerah Barchue, the legal counsel for Mr. Randall.

RECOMMENDATION

The committee unanimously agreed that the complaint filed against Cllr. Denise S. Sokan should be dismissed because she did absolutely nothing in violation of the Code for Moral and Professional Ethics of Lawyers. The committee further recommends that the Bill of Divorcement issued to Mr. Randall be nullified and an investigation conducted to ascertain its origin, beginning with the clerk of court who produced and signed the records of the alleged trial in the Divorce proceedings. "

After the submission of the GEC's report with the findings and recommendation to the office of the Chief Justice, the Chief Justice appointed four *amicus curiae* to advise this Court on the report of the GEC. In obedience thereof, the *amicus curiae* unanimously agreed with the recommendations contained in the GEC's report that the complaint filed by Mrs. Stephanie Randall against Counselor Dennis Sokan be dismissed as said complaint lacks merit and void of any violation of the Code of Moral and Professional Ethics.

Considering the above findings and recommendations, this Court considers as determinative of this matter the issue of whether the Grievance and Ethics Committee (GEC)'s report, as endorsed by the *amicus curiae*, is supported by the evidence adduced during the hearing.

The records show that the complainant's complaint alleges that Cllr. Dennis Sokan exhibited gross dereliction of duty to represent the complainant in an

action of divorce filed by the complainant's husband. She alleged that Counsel Sokan refused to attend to several notices of assignments made for the hearing and determination of the case; that as a result of Counselor Sokan's refusal to attend to notices of assignments, the court ruled against the complainant, thereby depriving the complainant of her days in court. In contrast, Counselor Denise S. Sonkan denied any wrongdoing and said that the complainant's information and testimonies were misleading as the matter is still pending before the court, as evidenced by the judge's returns.

Our review of the records of the investigation revealed that the matter is still pending undetermined before the Civil Law Court. The investigation also revealed that the ruling sent to the complainant by her husband, purporting to be the final ruling from the Civil Law Court in the matter involving the divorce action filed by her husband, was a product of fraud; evidence by the court assigned judge's returns annexed in the case file which shows that the matter is yet to be determined.

We have diligently search the Code of Moral and Professional Ethics, the guiding tools of lawyers in this jurisdiction, and giving due consideration to the complaint and the evidence produced during the investigation, we are in full agreement with the findings of the GEC. The lawyer's duty to his client is encapsulated in thirteen provisions of the Code of Moral and Professional Ethics: rule five (5) to rule seventeen (17). In reading those rules and taking into consideration the allegations contained in the complainant's complaint, the respondent's response, and the testimonies of the witnesses that appeared to aid the GEC in resolving this matter, we have found that the Grievance and Ethics Committee, (GEC)'s report finds support in the evidence adduced during the hearing of this matter. We also agree with the GEC that the complainant failed to prove that Cllr. Denise Sokan abused her oath, thereby causing injustice to the complainant.

WHEREFORE AND IN VIEW OF THE FOREGOING, the findings and recommendations of the Grievance and Ethics Committee (GEC), as endorsed by the *amici curiae*, are hereby affirmed. The Clerk of this Court is ordered to inform the parties of this decision. AND IT IS HEREBY SO ORDERED.

WHEN THIS CASE WAS CALLED FOR HEARING, COUNSELLOR DENNIS S. SOKAN APPEARED PRO SEC. COUNSELLORS TOMMY N. DOUGBA, KUKU Y. DORBOR, BHARTOR CORA HOLMES VARMAH AND J. AWIA VANKAN APPEARED AS AMICUS CURIAE.