



SPRING 2021

THE LEGALESE

*A Semi-Annual Newsletter Publication of the
Hellenic Canadian Lawyers' Association*

DRIVING OUR MANDATE THROUGH CREATIVITY

By Francie Smirnakis, HCLA President

The Board has committed to a theme of creativity as part of the HCLA's 2021 vision and goals. Here are some of our out-of-the-box initiatives to help achieve our mandate to Network, Educate and Advocate.

A Networking Reboot – We are planning two networking events:

- A wellness-based virtual fundraising event to encourage networking while also promoting physical, mental and social activity and well-being.
- A Virtual Kafeneio “networking from home” campaign to connect members in small groups based on practice area interest, business development goals and/or mentorship opportunities.

FEATURED STORIES:

Driving our Mandate through Creativity

Meet our Scholarship Winners!

Portfolio Litigation Funding

Spotlight on Maria Douvas: The Newly-Appointed Greek-American General Counsel of Royal Bank of Canada

Tapping into your Inner Inventor

Message of the Independent Fundraising Committee to Save the GCT

Recognizing Hellenic Heritage Month

The Treatment of Personal Income Taxes In a Personal Bankruptcy

Keeping Up the Annual Christmas Cheer

HCLA Member Volunteers to Support Cretan Youth

Obtaining Greek Citizenship/A Greek Passport

The Roundtable of Diversity Associations (RODA): A Brief History

Five Lessons As You Graduate Law School

Classifieds

"We will continue to recognize the importance of supporting the next generation of lawyers and incentivizing academic excellence and community involvement through our annual scholarship program, including the Justice Karakatsanis Scholarship."

Focus on Education – We encourage your participation in the following member education initiatives:

- Help us plan a CPD with an international panel of Greek lawyers on topics of common interest amongst lawyers of Hellenic descent around the world. Email us at hcla.information@gmail.com if you are interested in being a speaker, moderator or organizer.
- Sign-up for our mentorship program at hcla.ca. Law students and lawyers at all levels can benefit from sharing their experiences and learning from others, either as mentor or mentee.

Creative Advocacy – We are broadening our advocacy role as follows:

- We are collaborating with the Ontario Bar Association and the Roundtable of Diversity Associations (RODA) to deliver a conference that is focused on advocating for diversity and inclusion, including allyship. Contact us at hcla.information@gmail.com if you would like to participate in a panel or sponsor the conference, including the social networking event.

We are committed to supporting members for industry and academic awards, rankings and recognition programs. Let us know how we can advocate for you through a nomination, reference, voting or advertising on our social media.

We want to help you prepare your candidacy for a new job, academic program or promotion, so send us your resume or cover letter, or sign up for a virtual mock interview.

We will continue to recognize the importance of supporting the next generation of lawyers and incentivizing academic excellence and community involvement through our annual scholarship program, including the Justice Karakatsanis Scholarship. Since we are not able to hold our annual fundraising gala, we are seeking special sponsorship to fund our second annual First Year Law Student Scholarship, in the amount of \$3,500. Please contact us if you would like to be the recognized sponsor for this scholarship in 2021.



MEET OUR SCHOLARSHIP WINNERS!

By Katerina Maragos, Student Director, and James Trougakos, Membership Director

Again this year, the continued support of our members has allowed us to bestow scholarships on deserving law students.

Our scholarships recognize distinguished law students of Hellenic descent that have made, and continue to make, an impact on the Greek community and their community at large. Our scholarships also recognize outstanding academic achievement.

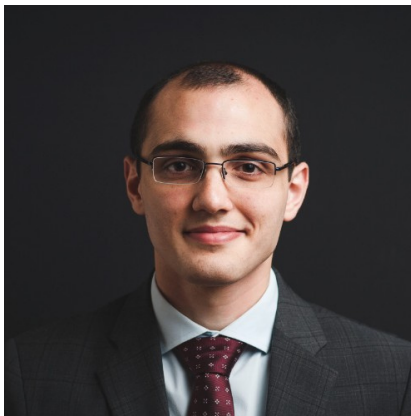
The Hellenic Canadian Lawyers' Association's board of directors wishes to sincerely extend their congratulations for all their hard earned accomplishments. We hope that you will continue to contribute to your community and represent Hellenism with passion in your law school and your professional career!



*Justice Andromache Karakatsanis
Scholarship Winners*



Kassidy Doherty, University of
Ottawa



Dimitrios Valkanas, McGill
University

*First Year Scholarship (in
recognition of Gina Alexandris)
Winner*



Kristina Tremonti, McGill
University

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"Although a somewhat new "creature" in Canada, one of the most significant (and exciting) trends in US litigation finance has been that of portfolio funding."

PORTFOLIO LITIGATION FUNDING

By Athan Papadas, Investment Manager at Augusta Ventures Canada

Non-recourse litigation finance has gained considerable traction in numerous Canadian jurisdictions. Although one could argue that third-party funding in Canada is still at an embryonic stage, there is no doubt that over the last few years it has evolved to offer increasingly sophisticated solutions to litigants (primarily claimants) and litigation counsel alike, not only in the class action space but also in commercial litigation and arbitration.

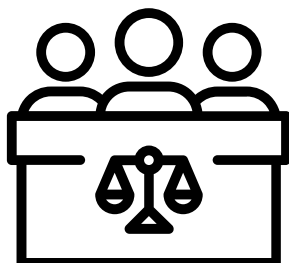
Although a somewhat new "creature" in Canada, one of the most significant (and exciting) trends in US litigation finance has been that of portfolio funding. Indeed, in 2020, 56% of capital commitments in the US were in relation to portfolio transactions averaging USD 12.8 million per deal.

In broad terms, litigation finance may be divided in single-case investments and portfolio funding investments. Portfolios refer to the aggregation of several distinct litigation claims which are typically cross-collateralized. This practically means that cases in a portfolio that are more likely to reach a positive outcome help provide a buffer against those that are less likely to succeed.

While single cases are inherently idiosyncratic and characterized by binary outcomes, in portfolios the risk is spread across a spectrum of cases which may be completely different from one another vis-à-vis area of law, jurisdiction, parties, industry sectors, stage of the case at time of investment, duration, et cetera. This diversification means that there is a lower probability that one or more unforeseen events will cause large waves across the portfolio. The result is a more attractive pricing structure for clients than when cases are funded on a one-off basis (given that binary risk equals higher cost of capital).

Another important distinction is that between law firm portfolios and corporate portfolios:

Law firm funding may be used to monetize expected fee income. This helps with cash flows and lessens the contingent fee-related risk. Fee monetization may also lead to generating new business by offering clients competitive fee arrangements. In practical terms, law firms that opt for this model continue or begin to act on partial contingency. Once contingent fees are collected on successful case resolution, a profit share mechanism may also form part of the agreed-upon distribution waterfall in order to keep all parties' interests aligned. On many occasions, a funder will also agree to defray some or all of the disbursements incurred over the course of the portfolio cases.



There is also the scenario in which the funder covers only disbursements while the law firm remains on full contingency for its fees.

Besides risk mitigation, portfolio finance enables newly established law firms to expand their practice and clientele, branch out to new areas of law and/or jurisdictions, hire more staff, pay high bills, and so forth. Therefore, portfolio funding can also provide operating capital to ambitious lawyers who wish to start their own firm, often after leaving a successful practice at an already established law firm. Again, contingent fees to be collected following successful resolution of existing and/or future cases serve as collateral for loaned amounts.

In Canada, law firm funding is quite popular with firms that are comfortable with contingent fee arrangements (mainly class action firms). However, as of late, a number of commercial lawyers across the country have expressed an appetite to extend alternative fee arrangements to their corporate clients by having a professional litigation funder in their corner.

Moving on to corporate portfolios, companies that typically (albeit not exclusively) conduct business in capital-intensive industries may seek third-party financing to pursue their “affirmative recovery” programs, i.e. potentially valuable claims that the company would otherwise forgo due to the impact of associated expense or risk on their balance sheet. Portfolio funding helps

alleviate legal expense budget pressure and shift downside risk away from the business should some or, very rarely, all litigation matters fail.

All in all, by aggregating multiple litigation and arbitration cases in a single funding vehicle, law firms and corporate clients alike benefit from better and more flexible pricing structures as well as the added benefit of adding new cases on an ongoing basis should they fit the criteria of the original financing arrangement. Moreover, law firms with sizeable contingent fee exposure or those keen to dip their toes in (or even aggressively pursue) contingency work can obtain a non-recourse facility from a third-party financier and share the risks inherent in contingency. Finally, professional funders are in the position to offer bespoke solutions allowing organizations to optimize their litigation assets and thus unlock considerable value without the – sometimes substantial – impact on their bottom line.

Given the above, it comes as no surprise that litigation funders have been reporting a significant uptick in portfolio financings and forecast further industry engagement and development of creative arrangements, particularly in the non-class action realm.



"[A]s of late, a number of commercial lawyers across the country have expressed an appetite to extend alternative fee arrangements to their corporate clients by having a professional litigation funder in their corner."

SPOTLIGHT ON MARIA DOUVAS: THE NEWLY-APPOINTED GREEK- AMERICAN GENERAL COUNSEL OF ROYAL BANK OF CANADA

By Francie Smirnakis, Mary Arzoumanidis and
Chrissy Giannoulas

**"Maria Douvas
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Maria Douvas was appointed to the role of Executive Vice President and General Counsel at Royal Bank of Canada (RBC) in February 2021. She is the first woman General Counsel at RBC and is of Greek heritage. She lives in New York with her husband and two children. This is the story of how she rose to the top of her profession, leading the Law Group of Canada's largest bank.

The Early Years

After obtaining a Bachelor of Arts degree from Columbia College – Columbia University in New York, Maria graduated with a Juris Doctorate from the University of Pennsylvania Law School in 1998. She started her legal career as an associate at two major international law firms, Hughes Hubbard & Reed LLP and Skadden Arps. After six years in private practice, she joined the U.S. Attorney's Office for the Southern District of New York where she was a member of the Securities and Commodities Fraud Task Force and the Computer Hacking and Intellectual Property group of the Major Crimes Unit.

In 2010, Maria left the U.S. Attorney's Office to work at Paul Hastings LLP. There, she became a partner in the Litigation Department, a Global Vice-Chair of the firm's Investigations and White Collar Defense group and a member of the Policy Committee. Maria remained at Paul Hastings until 2016 when an opportunity to work at RBC emerged.



The Royal Bank of Canada Opportunity

RBC was an easy choice for Maria. She held strongly to the mandate instilled in her as a child: to stand for positive change and to make a difference. She knew that lawyers played a valuable role in teaching people what's right, shaping norms and addressing systemic problems.



And, RBC's purpose, vision and values – to act with integrity, do what's right, and help clients thrive and communities prosper – aligned strongly with her values. Since joining RBC in 2016, Maria held progressively senior roles, including more recently U.S. General Counsel and Global Head of Litigation. She was appointed Executive Vice President and General Counsel of RBC in February 2021.

The Development of Women in the Legal Profession

Maria has expressed her view that becoming the first female General Counsel of Canada's biggest bank (one of the largest globally) is the greatest honor of her professional career. Maria joins the ranks of female General Counsels also recently appointed at three other large Canadian banks, representing a pivotal step in enhancing diversity at top executive levels within in-house legal departments.

Maria recognizes the crucial impact that role models have on a young woman's development in the legal industry. Most people do not believe that they can achieve that which they do not see. Role models represent what's possible, and they inspire people to be more ambitious. And, Maria understands how fragile the progress of women in the law is, and how important it is to guard against backsliding. Even today, while women represent approximately 50 percent of

students graduating from law school, they still constitute less than 30 percent of general counsels for Fortune 500 companies. And, almost all women lawyers have experienced discrimination at some point in their career.

Maria is proud that her General Counsel appointment will help to open the door even wider for other women to do more in the legal community with no socially constructed barriers blocking their way.

Having Courage

Maria believes EQ is a necessary part of being a lawyer. As a litigator, Maria speaks of the importance of "reading the room", and not getting caught up in the "magna carta" and "legalese" (pun intended) that will lose people. Maria's advice is to be true to yourself and have the courage to stand up and take risks. Maria's vision of this courage in the legal profession has three key components:

- **Have the courage to give advice.** Don't be afraid to take a stand and make a recommendation, even if it will be unpopular. The true value in lawyers lies in their advice and counsel, not just their ability to spot issues.
- **Have the courage to expand beyond your mandate.** Start modeling characteristics of others who have the roles and positions that you seek to achieve, leaning into all of your experiences and bringing your true self to the table.

"Maria is proud that her General Counsel appointment will help to open the door even wider for other women to do more in the legal community with no socially constructed barriers blocking their way."



complicated because the boundaries of work and home have become blurred during the pandemic. While working from home has afforded more flexibility, it has also come with the cost of working around the clock.

Maria's response to that is to control your calendar and allow for breaks throughout the day – book time to exercise, read a book, and find time to get away from your screens. To put her ideas into play, Maria piloted a “no meetings” week in March where RBC Law Group members were encouraged to clear their calendars so that they could focus on other things. Maria wanted lawyers to take that time to really think about whether all those meetings are necessary and



find time to decompress. And of course, take a vacation (even if it might not be to Maria's favourite travel destination of Greece this year, there is still value and necessity in unplugging).

Final Words on “Getting to the Top”

The one thing Maria knows for sure is that growth and success always comes with discomfort and failure along the way. To illustrate this, Maria tells the story of the time she first spoke in court – she was so nervous that she forgot her own name. She tells this story with the hopes of imparting on young lawyers that only with discomfort can we really grow and push ourselves to our maximum potential. Maria's story is a testament to what happens when a little girl dreams and pushes through, despite discomfort and some failures along the way, to achieve success.



Francie Smirnakis (top), Mary Arzoumanidis (no photo) and Chrissy Giannoulis (bottom) are each Senior Counsel in RBC Law Group supporting various businesses within RBC Global Asset Management and Canadian Wealth Management and Mutual Fund Distribution.

"To put her ideas into play, Maria piloted a “no meetings” week in March where RBC Law Group members were encouraged to clear their calendars so that they could focus on other things."

TAPPING INTO YOUR INNER INVENTOR

By Maggie Vourakes, 3L Osgoode Hall Law School



"The next time you need a creative solution, consider how Elon Musk would solve the problem."

The next time you need a creative solution, consider how Elon Musk would solve the problem.

Musk, the entrepreneur behind PayPal, Tesla and SpaceX is known to work hard, reportedly logging up to 120 hours per week. But it's his problem-solving style that he credits with helping him work smarter. In interviews, Musk explains that he solves problems using first principles thinking, rather than reasoning by analogy.

Reasoning by analogy vs. First principles

You're probably already familiar with reasoning by analogy. This is where you look to best practices and what others have done to solve the same problem. While this approach may help you build a better mousetrap, it still relies on what was done before. Reasoning by analogy assumes that we already understand the problem and just need to find an answer.

First principles thinking, on the other hand, challenges every assumption. By questioning everything, you deconstruct the problem into its most basic parts. Then, once you've broken down your problem into its essential building blocks, you reassemble those pieces to create a new solution.

In a Wired article, Musk (who isn't a rocket scientist by training) shares how he applied first principles strategy to build an affordable rocket ship that he could send to Mars. Purchasing the rocket ship outright would have cost \$65 million. Applying first principles, Musk deconstructed the problem to figure out why rockets are so expensive.

"What is a rocket made of? Aerospace-grade aluminum alloys, plus some titanium, copper, and carbon fiber. Then I asked, what is the value of those materials on the commodity market? It turned out that the materials cost of a rocket was around 2 percent of the typical price."

Surprisingly, building the rocket ship from scratch turned out to be the less expensive option.



Applying first principles to legal innovation

First principles isn't a new idea; Aristotle used the technique more than 2,000 years ago. It's also a mental skill that is familiar to lawyers. Questioning assumptions, starting with the facts, breaking down the essential issues and reasoning up, are skills that lawyers begin learning in law school and exercise regularly afterwards. This suggests that legal professionals, although regarded as traditional, are equipped to innovate; it's just a matter of transferring those legal skills to new problems.

Those problems could include the future of legal services. The Canadian Bar Association's (CBA) Legal Futures Initiative identified that the legal industry will be facing a complex and compelling set of challenges

over the next decade to remain viable and competitive in the face of new technologies, including remote law firms and advances in artificial intelligence (AI). At the same time, the CBA reports that legal professionals who embrace change and innovation have an opportunity to adapt and gain a competitive edge.

The good news is that first principles is a skill you can learn, and one that you are likely practicing already. Whether it's generating new ideas to keep the practice of law thriving, or building rocket ships to Mars, we all have an inner inventor that we can tap into.



MESSAGE OF THE INDEPENDENT FUNDRAISING COMMITTEE TO SAVE THE GCT

The Greek Community of Toronto (GCT) is facing a financial crisis brought on by the Covid-19 pandemic, and the Independent Fundraising Committee to Save the Greek Community of Toronto has been tasked with fundraising to avoid the sale of any churches.

This effort has the specific goal of raising \$1.5 million or more in the next 6-9 months in order to allow GCT to get back on its feet.

As of Monday, May 17, 2021, the amount of \$641,961 has been

raised from 924 generous donors. No amount donated is too small.

The open letter published by the Committee can be accessed here:

<https://tinyurl.com/SaveTheGCT>

Please contact Greg Kanargelidis, Committee Member and former HCLA President at greg.kanargelidis@blakes.com if you have any questions.

"The good news is that first principles is a skill you can learn, and one that you are likely practicing already. Whether it's generating new ideas to keep the practice of law thriving, or building rocket ships to Mars, we all have an inner inventor that we can tap into."

RECOGNIZING HELLENIC HERITAGE MONTH

By Effie Triantafilopoulos, MPP for Oakville North-Burlington

March was a special time for people of Hellenic descent in Ontario as our province celebrated Hellenic Heritage Month. In 2019, I consulted with members of our community across Ontario and introduced a bill in the Ontario Legislature to place Hellenic Heritage Month into Ontario law. I was very proud to see my bill supported unanimously and then adopted by the Premier Ford government and become law. Ontario is the first and only jurisdiction in Canada to put this into law and I hope that the federal Parliament and other provinces soon do the same.

For Hellenes, 2021's Hellenic Heritage Month was an even greater celebration as Greece marked the 200th Anniversary of its independence from the Ottoman Empire. With the COVID-19 pandemic, most celebrations had to be held virtually, but people around the world joined together to mark the occasion. Here in Ontario the Premier spoke on video and I brought together Hellenic Canadian MPs and members of

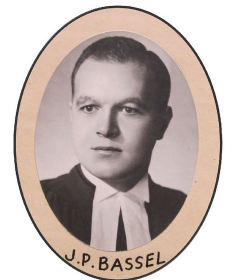
legislatures to present a video for this historic celebration. National and regional landmarks such as Niagara Falls and the CN Tower were lit up in blue and white on March 25th.



Credit: greekevents.ca

To commemorate the month, I also featured prominent Hellenic Canadians who have made contributions to our country. These ranged from international opera singer Teresa Stratas to some of Canada's first Greek Members of Parliament. Readers of this publication may be interested to know that I also had the opportunity to honour some of Ontario's pioneering lawyers of Greek background.

These included Madam Justice Andromache Karakatsanis, the first Hellenic Canadian to serve on Canada's Supreme Court, after a distinguished career in the Ontario Government. And John Peter Bassel was the first person of Hellenic descent called to the Ontario Bar, in 1947.



The two legal leaders are just one example of the proud contribution our community has made to Ontario and Canada. People in fields from business to medicine, sport to law, politics to entertainment have contributed. Hellenic Canadians can be proud of our history and heritage and our contributions to the country we love. This is why Hellenic Heritage Month is so important. It's a time to celebrate and remember, but also a time we share our culture and heritage with our fellow Canadians. Hellenic Canadians remember our great history in this country, and we are working to build an even greater future.



Credit: greekcitytimes.com



THE TREATMENT OF PERSONAL INCOME TAXES IN A PERSONAL BANKRUPTCY

By Mary Plahouras, BA (Hons), LLM, CFE

"When bankruptcy occurs, the taxation year is split into two periods: (1) pre-bankruptcy period; and, (2) post-bankruptcy period."

The approach taken by the Canada Revenue Agency (CRA) regarding the collection of personal income tax debt is straightforward: upon issuance of a Notice of Assessment or Reassessment to the taxpayer, all taxes assessed and determined to be owing, are to be paid in full, pursuant to the *Income Tax Act* (ITA).

When bankruptcy occurs, the taxation year is split into two periods: (1) pre-bankruptcy period; and, (2) post-bankruptcy period. The taxation year of a bankrupt comes to an end on the day before the date of bankruptcy (pre-bankruptcy period) and a new taxation year begins on the date of bankruptcy and ends on December 31st of that year (post-bankruptcy period). For instance, if the date of bankruptcy is April 3, 2020, the taxation year of the bankrupt comes to an end on April 2, 2020 and a new taxation year begins on April 3, 2020 and ends on December 31, 2020.

The significance of the pre and post-bankruptcy period has consequences for the dischargeability of the tax debt. A pre-bankruptcy tax debt is dischargeable in bankruptcy. A post-bankruptcy tax debt is not dischargeable in bankruptcy. Notwithstanding the bankruptcy, the bankrupt remains liable to the CRA for

payment of the post-bankruptcy tax debt.

Prior-Bankruptcy Personal Income Tax Return

Pursuant to section 22 of the Bankruptcy and Insolvency Act (BIA), the Licensed Insolvency Trustee (LIT) is not liable to make any return that the bankrupt was required to make more than one year prior to the commencement of the calendar year, or the fiscal year, of the bankrupt, in which the bankrupt became bankrupt. For instance, if the year of the bankruptcy is 2020, the LIT is required to file the bankrupt's 2020 tax return with the CRA. Notwithstanding the LIT's obligation to file the one-year prior-bankruptcy tax return, the bankrupt has an obligation under ITA to file all outstanding tax returns.

If there is a prior-bankruptcy refund, the CRA can claim a set-off to the prior-bankruptcy refund where there is: (1) one or more prior-year tax liability owing to the CRA; or, (2) an enforcement maintenance registered with the CRA, such as a maintenance order by Family Responsibility Office for child support. In absence of any prior-bankruptcy tax liability or enforcement maintenance registered, the CRA will send the prior-bankruptcy refund to the LIT

for the general benefit of the bankrupt's creditors. If there is a tax liability owing to the CRA arising from prior year(s) tax assessment(s), the tax liability is a claim provable in the bankruptcy and dischargeable. The bankrupt will not be liable to the CRA for payment of the prior-bankruptcy tax liability.

Notwithstanding section 22 of the BIA, where the LIT determines that there may be significant refunds for the bankruptcy estate, the LIT may opt to file all the outstanding prior year tax returns for which the bankrupt has not filed in order to capture any income tax refunds or GST/HST tax credits that may become available to the bankruptcy estate.

Pre-Bankruptcy Personal Income Tax Return

If the year of the bankruptcy is 2020, then, in the year 2021, the LIT has an obligation to file the 2020 pre-bankruptcy tax return with the CRA. If there is a pre-bankruptcy refund, the CRA can claim a set-off to the refund where there is: (1) prior year(s) tax liability owing to the CRA; or, (2) an enforcement maintenance registered with the CRA.

If there is no prior-bankruptcy or pre-bankruptcy tax liability or enforcement maintenance registered, the CRA will send the pre-bankruptcy refund to the LIT for the general benefit of the bankrupt's creditors. If there is a tax liability owing to the CRA arising from the pre-bankruptcy return, the tax liability is a claim provable in

the bankruptcy and dischargeable. The bankrupt will not be liable to the CRA for payment of the pre-bankruptcy tax liability.

Post-Bankruptcy Personal Income Tax Return

If the year of the bankruptcy is 2020, then, in the year 2021, the bankrupt has an obligation to file the 2020 post-bankruptcy tax return with the CRA. Notwithstanding that the LIT is not obligated to file the post-bankruptcy tax return with the CRA, as a matter of practice, the LIT will typically file the return on behalf of the bankrupt.

If there is a post-bankruptcy refund, the CRA can claim a set-off to the refund where there is an enforcement maintenance registered with the CRA. If there is no post-bankruptcy tax liability or enforcement maintenance registered, the CRA will send the post-bankruptcy refund to the LIT for the general benefit of the bankrupt's creditors.

If there is a tax liability owing to the CRA arising from the post-bankruptcy tax return, the tax liability is not a claim by the bankruptcy estate. The CRA will send the Notice of Assessment or Reassessment to the bankrupt. The bankrupt will be liable to the CRA for payment of the post-bankruptcy tax liability.



"If there is a tax liability owing to the CRA arising from the pre-bankruptcy return, the tax liability is a claim provable in the bankruptcy and dischargeable. The bankrupt will not be liable to the CRA for payment of the pre-bankruptcy tax liability."

"To avoid the necessity for a court hearing and the consequences that may flow therefrom, a high-tax debtor would be well advised to consider a proposal to creditors under the BIA as opposed to an assignment in bankruptcy."

High-Tax Debtor Status *

Section 172.1 of the BIA deals with high-tax debtors. It is aimed at ensuring that bankrupts with:

1. personal income tax debt of \$200,000.00 or more; and, whose:
2. personal income tax debt represents 75% or more of the total unsecured proven claims;

do not become eligible for an automatic discharge from bankruptcy. The matter of the bankrupt's application for discharge will be brought by the LIT before the court for a hearing. The bankrupt will be required to attend the hearing. The types of discharge orders that the court may impose and the factors that the court will take into consideration in deciding the bankrupt's discharge application differ from that of a bankruptcy where the bankrupt is not a high-tax debtor.



To avoid the necessity for a court hearing and the consequences that may flow therefrom, a high-tax debtor would be well advised to consider a proposal to creditors under the BIA as opposed to an assignment in bankruptcy.

* GST/HST payable is not included in the calculation of high-tax debtor status.

* Taxes on additional income arising from a shareholder loan, draw or dividend, are included in the calculation of high-tax debtor status.



KEEPING UP THE ANNUAL CHRISTMAS CHEER

By Trish Vrotsos, HCLA Treasurer

The Hellenic Canadian Lawyers' Association was excited to co-host with the Hellenic Canadian Board of Trade our annual Christmas Cheer virtually this past year!

We were fortunate to have Steve Kriaris, Founder and President of the Kolonaki Group of Companies, host our incredible virtual wine-tasting event and educate us about different wines from Greece and their pairings. Everyone who joined the event had four different wines and pairing mezes delivered to them, to enjoy with family and friends in the comfort of their own home. It was wonderful to learn so much about the selections of wines that are produced from indigenous grape varieties in different regions of Greece. Each had its own unique delicious aroma and taste.

Members and friends of both organizations had the opportunity to enjoy these amazing wines:

- Estate Argyros Atlantis White
- Skouras Saint George
- Skouras Cuvée Prestige Moschofilero-Roditis
- Boutari Naoussa Red

These were paired with cheese, breadsticks and a delicious Three Little Figs Jam.

All of the wines are available through Kolonaki Group and the LCBO. We look forward to having another successful wine-tasting event, either virtually or in person, in the future.

Cheers!



"The Hellenic Canadian Lawyers' Association was excited to co-host with the Hellenic Canadian Board of Trade our annual Christmas Cheer virtually this past year!"

HCLA MEMBER VOLUNTEERS TO SUPPORT CRETAN YOUTH

By Agapi Mavridis

"In 2020, the [Cretans'] Association revived its scholarship program, offering two scholarships to student members of Cretan ancestry in any level of post-high school education. We were thrilled to award both scholarships during our annual Vasilopita Party in January 2021, which took place virtually on Zoom."



Hello! My name is Agapi Mavridis, and I am a Toronto-based member of the HCLA. I practice criminal law as an Assistant Crown Attorney with the Peel Crown Attorney's Office. I first became a member while back in law school at the University of Manitoba in 2014. Since coming to Toronto, I have volunteered on the HCLA Gala Committee, and I can't wait until the next one!

In my spare time, I volunteer with the Cretans' Association of Toronto "Knossos" on the Scholarship Committee.

In 2020, the Association revived its scholarship program, offering two scholarships to student members of Cretan ancestry in any level of post-high school education. We were thrilled to award both scholarships during our annual Vasilopita Party in January 2021, which took place virtually on Zoom.

It was a lot of work, but totally worth it! It was wonderful to see the amazing academic achievements and commitment to volunteerism displayed by all the scholarship applicants. Our youth are truly remarkable, and we couldn't be prouder of them. I'd like to personally thank our HCLA President Francesca Smirnakis for serving on our panel of scholarship judges.

The Scholarship Committee also launched the first-ever Arkadi Art Exhibition for our younger members. Youth aged 4-17 were



encouraged to submit artwork of the Arkadi Monastery in Crete. The Holocaust of the Arkadi Monastery in 1866 was a pinnacle event in Crete's resistance to Ottoman rule. This exhibition was a way to engage our youngest members in a relaxed way while also educating them about Cretan history. Youth were provided age-appropriate resources to help them with their artwork. Three winners were selected, and you can see all of the artwork [here](https://www.cretans.ca/awards): <https://www.cretans.ca/awards>

On a personal note, since having been called to the bar (and chasing after two kids), my spare time is more limited than it used to be. While I wish I could join the Board of Directors for the Cretans' Association, the HCLA, and many other organizations, it's just not feasible right now. Being on the Scholarship Committee enabled me to continue to support the Association and volunteer in a meaningful way while not stretching myself too thin. If this pandemic has taught us anything, it's to use our time wisely and take care of ourselves. All this to say, consider volunteering for the HCLA or other organization you want to support in any way you can, even if it's for a single event or initiative, because even a little bit of support goes a long way.

For more information about the Association or our programs, I encourage you to visit www.cretans.ca and follow us on Instagram @cretansassociationoftoronto, or Facebook (Cretans' Association of Toronto "Knossos").



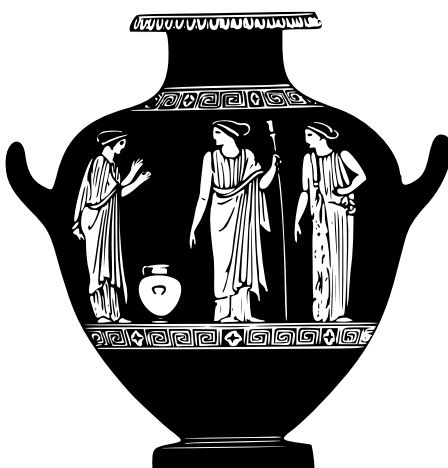
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Cretans' Association
of Toronto "Knossos"



cretans.ca



"For more information about the Association or our programs, I encourage you to visit www.cretans.ca and follow us on Instagram @cretansassociationoftoronto, or Facebook (Cretans' Association of Toronto "Knossos")."

"The Greek passport allows the holder and his/her family to reside and work in all the countries of the European Union. Making sure to spend no more than 6 months in Greece each year, the family is not subject to Greek taxation."

OBTAINING GREEK CITIZENSHIP/ A GREEK PASSPORT

**By Vasiliki Anyfanti, Anyfanti & Partners Law Firm
(Athens, Greece)**

People from all over the world, who were not born in Greece, but are of Greek origin, are interested in learning what steps are required for obtaining Greek citizenship. For example, they were born outside Greece, to parents, or grandparents, or sometimes even great-grandparents, who were born in Greece.

The Greek passport allows the holder and his/her family to reside and work in all the countries of the European Union. If the family spends no more than 6 months in Greece each year, they will not be subject to Greek taxation.

A Greek passport can only be issued to a Greek citizen who is registered with a Greek Municipality. Every person can be registered as a Greek citizen if his/her ancestors or one of them was a Greek citizen, provided that the person requesting the Greek citizenship follows the procedure required by Greek Law in order to prove the Greek citizenship of his/her ancestors and the sequence of Greek origin.

The starting point is the "Certificate of Registration" of their closest ancestor who was born in Greece. If a fresh certified copy of the "Certificate of Registration" of the Greek-born parent or grandparent or Great

grandparent from a municipality in Greece can be located and obtained, the most important step in the process may be done. Where that proves problematic, one can try the records of the Greek Army for proof of citizenship of male ancestors. However, this is not enough. We must also obtain the marriage certificate of that parent or grandparent or Great grandparent born in Greece, and then all birth and marriage certificates until we reach the birth certificate of the present applicant. Where the Greek ancestor changed their first or last name when naturalized as a foreign citizen, this decision must also be obtained so to prove that they are the same person.

OPTIONS AND PROCESSES FOR GREEK CITIZENSHIP

1. The process of designation /assertion of citizenship (διαπίστωση ελληνικής ιθαγένειας).

With this process, if you're applying through a grandparent or an even more distant relative, the relatives 'in-between' you and them may have to go through obtaining Greek citizenship first, if they haven't already. For example, if you have a grandmother who's Greek, but your parent isn't, they may

have to go through the citizenship application process first and become a citizen before you can apply.

For the recognition of the Greek Nationality, an application should be submitted along with all the required documentation to the Competent Municipality, and then it should be forwarded to the Competent Department of the Ministry of Internal Affairs, which is the Competent CITIZENSHIP Administration. Upon review of the file, a Decision of the Competent CITIZENSHIP Administration will be issued recognizing the Greek nationality of the applicant. The competent department should then issue a Decision ordering the registration of the applicant with a Greek Municipality (the Municipality with which his/her ancestors were registered) and procure a certificate of registration.

This procedure can be accomplished either through the Greek Consulate (which will send the needed documentation to the Greek Authorities) or can be accomplished through a limited Power of Attorney to specialized Greek lawyers who deal directly with the Greek Authorities.

2. Naturalization of people of Greek origin who live abroad

- Applicant must be 18 years or older; and
- Have knowledge of Greek history and culture.

This procedure can only be accomplished through the

Greek Consulate (where the applicant is resident).

An application will be sent through Greek Consulate to the Ministry of Interior Decentralization and E-Governance with all the above-mentioned documents and the report of the Greek Consul.

This report is the most important element underlying the judgment on the application for naturalization, in particular establishing the existence of national consciousness.

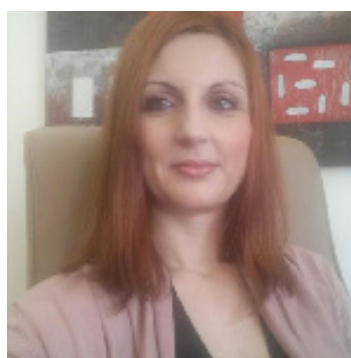
Epecially, the consul report indicates:

- Information for the Greek heritage of the applicant
- The registration of the applicant or his ancestors in official registries
- The knowledge of Greek language
- The contact with Greece and the perception of the current reality of the country, the Greek history, Greek culture

The Greek consul will conduct an interview to assess these qualities.

If you happen to have Greek ancestry, I would strongly encourage you to get the papers to prove it.

You can contact us directly by email anyfanti@abroadlaw.com for any clarifications you may need.



"This procedure can be accomplished either through the Greek Consulate (which will send the needed documentation to the Greek Authorities) or can be accomplished through a limited Power of Attorney to specialized Greek lawyers who deal directly with the Greek Authorities."

"The inception of RODA came about in the spring of 2011 when the Toronto Lawyers Association (TLA) and other equity-seeking bar associations came together to discuss the DiverseCity Diversity Counts: A Snapshot of Diverse Leadership in the GTA report, in particular the disproportionately low number of visible minority leaders in the legal profession."

THE ROUNDTABLE OF DIVERSITY ASSOCIATIONS (RODA): A BRIEF HISTORY

By Adrian Ishak, Chair (2021)

I would first like to thank the HCLA for the opportunity to introduce myself as the chair of the Roundtable of Diversity Associations (RODA). For those of you not familiar, RODA is an umbrella organization that brings together a coalition of 21 equity-seeking Canadian legal associations with the goal of fostering dialogue and promoting initiatives relating to the advancement of diversity, equality and inclusion in the legal profession, the judiciary, and within the broader legal community. RODA is particularly aptly named; in Portuguese it means "circle". As part of our mandate, we monitor and provide input on policy developments within the profession and legal system.

The inception of RODA came about in the spring of 2011 when the Toronto Lawyers Association (TLA) and other equity-seeking bar associations came together to discuss the DiverseCity Diversity Counts: A Snapshot of Diverse Leadership in the GTA report, in particular the disproportionately low number of visible minority leaders in the legal profession. In the summer of 2011, the TLA, together with those same equity-seeking (the

(HCLA amongst them!), began to plan a Diversity Soirée in the fall of that same year.

The first Diversity Soirée was hosted on November 24, 2011, at the Toronto Lawyers Association Lounge in the Superior Courthouse at 361 University Avenue. The wine and cheese event was a great success with about 135 people in attendance, including several distinguished Ontario judges and members from ten equity-seeking bar associations who jointly sponsored the event. Justice Harry LaForme, a member of the Mississaugas of New Credit First Nation and the first Aboriginal person to be appointed to sit on any appellate court in the history of Canada (now senior counsel at Olthuis Kleer Townshend LLP), was on hand to provide opening remarks.

The Diversity Soirée represented the first collaboration between the TLA and these equity-seeking bar associations and the results were very promising. As a result, representatives of the TLA and those same equity-seeking bar associations met in March 2012 with a view to establishing an ongoing relationship between those associations to celebrate, collaborate, promote and encourage diversity within the

legal profession and beyond (including on the bench and in law schools).

The second Diversity Soirée, held on November 29, 2012, brought together lawyers and judges from the Ontario Court of Appeal, Ontario Superior Court of Justice, and Ontario Court of Justice, and was jointly sponsored by an even larger array of equity-seeking bar associations. The Assistant Deputy Attorney General, Malliha Wilson, gave the opening remarks. We knew we were onto something...

Following that successful event, representatives of the TLA and participant equity-seeking associations again met in April 2013. It was agreed that the group would set a mandate, terms of reference and would meet regularly both in person and by teleconference. On hand from the HCLA was Niki Iatrou, who was amongst the most ardent supporters of the initiative.

Since that fateful April 2013 meeting, the group has met monthly by teleconference or in-person with the following general purposes:

- Establish a forum and foster a dialogue and promote initiatives that relate to the advancement of diversity, equality and inclusion in the legal profession in Canada;
- Create a forum for equity-seeking bar associations to collaborate, support each other, share best practices and issues of common concern and to identify opportunities to make the legal profession, including the judiciary, more inclusive and welcoming;

- Promote each other's events, share newsletters and other pertinent information;
- Prepare and publish ad hoc responses to issues of shared concern to the various groups making up the association;
- Relationship-build and have a stronger voice with LSO and other legal stakeholders; and
- Coordinate the annual Diversity Soirée (now the annual conference in partnership with the OBA) and other educational events.

The third Diversity Soirée was held after this initial meeting on Thursday, November 28, 2013. An enthusiastic crowd was in attendance to celebrate the diversity of the Toronto legal community and the establishment of RODA. Justice Juriansz of the Court of Appeal made the opening remarks and then-president of the TLA, Miriam Young, in her welcome, announced the formation of RODA and the recent signing of a letter of intent to ratify RODA's Terms of Reference.

Since then, RODA has grown into an organization supporting an ever-larger group of equity-seeking bar associations of all stripes working towards creating a legal profession that represents the communities in which we work. Our numbers have grown, as has our engagement. As noted above, in the intervening years, our Diversity Soirée has morphed into the RODA Annual Diversity Conference in partnership with the OBA. This year we'll be marking our 7th annual collaboration with the OBA and are very much looking forward to welcoming the members of the HCLA.

"This year we'll be marking our 7th annual collaboration with the OBA and are very much looking forward to welcoming the members of the HCLA."



FIVE LESSONS AS YOU GRADUATE LAW SCHOOL

By Gina Alexandris, Former HCLA President

"As I realized this, and reflected on my professional journey for a Greek International Womens Award, five themes came to me that might be helpful to current law students and new lawyers (and with it, the chance to thank a few people who sparked these lessons for me)."

This year marks 30 years since I graduated law school and began my professional career. As I realized this, and reflected on my professional journey for a Greek International Womens Award, five themes came to me that might be helpful to current law students and new lawyers (and with it, the chance to thank a few people who sparked these lessons for me).

1. **Quiet the noise and listen to your soul:** I remember the absolute angst I felt as I contemplated various articling options. Following the pack at the time, I had applied for and interviewed with mid and large sized general practice firms and one boutique family litigation firm (an area of interest of mine at the time). And truly at the last minute, I included a smaller general practice firm which nobody around me at law school seemed to know, but that appeared from my research to be doing good work and served a broad constituency, including the Greek community, which was important to me at the time. I realized I had my own unconscious bias (didn't appreciate the term at the time, of course) against "Greek or community-based firms", largely formed from some of my experiences and conversations with others at

law school. Having met with representatives at the various firms, I really liked this firm (Sotos, Karvanis, now Sotos LLP), but I was so unsure based on the noise from lawyers and law students around me. Until one day a wise mentor, herself not a lawyer, patiently listening to me listing pros and cons of all possible options, stopped me and suggested I pause, quiet the noise around me, and simply listen to my own soul. Call it gut or instinct or heart, but truly listen to what I wanted to do, not what I felt I should do based on everyone else's reasons or expectations. And when I finally did this, and made my decision to start my professional career with Sotos, a weight was lifted and much became clearer.

2. **Be authentic:** Before the legal profession formally spoke about "authenticity" or bringing one's whole self to your work, I met Lou Alexopoulos, who embodied and lived this concept. I am grateful to him for recruiting me to the firm and reminding me how important it was for me to be able to bring (among other things) my "Greekness" to work every day – to be able to wish "xronia polla" and "kalimera" to colleagues without feeling apprehensive or weird about it. And who

from his own examples of amazing travelling recharge adventures reminded all of us the need to stay true to your interests and wellness. During the articling interview process, in addition to Lou's comments, I remember proudly buying an olive green business suit, paired with various colourful blouses and scarves to wear to interviews – no dark blue or black suits for me, I had thought. Only to find myself about the only person in a sea of blue and black at most of the larger firm cocktail parties that season. And while an initial reaction was “what will they think”...the stronger reaction I noticed was “I don't want to be in a room of just blue and black suits!” I had to be able to find a place where I could be the best version of myself – and throughout my career, starting with articling and practice, I did just that.

3. Practice excellence and cultivate a strong professional network:

These two lessons I always attribute back to the managing partner of the firm, John Sotos. Little did I then realize at the time that this was as innovative a firm as it was. In creating the firm, John wanted the firm's clients to have what others might consider a “big firm experience” without the costs and associated administrative requirements. He expected excellence from all of us – in our work, in our business practices, in our dealings and interactions with others.

From smaller files, to large groundbreaking opportunities (working with hundreds of franchisees in one file on a major litigation was a particularly significant opportunity as a junior associate). And this laid an incredible foundation for me for the balance of my career. In addition, it was John who constantly reminded us all at the firm that the practice of law was one part legal work and one part business work, and that cultivating excellence in the second aspect was equally as important as in the first. As a twenty-something-year-old associate, receiving a book by my managing partner on “Women Rainmakers” and having to create and regularly refine a business and marketing plan, set me on a path of appreciating this aspect of the practice of law for years to come (even in my later program development and teaching).

4. Challenge yourself to learn new things and welcome feedback: From the first week of my articling experience, my wonderful practice mentor Tom Karvanis, threw me into filework I thought was beyond me. I was terrified – what did I know about such matters? I had never before been to court to speak to a motion (even if it was uncontested)! Yet he encouraged me, and guided me, and always ensured I was as prepared as possible. The discipline of preparation was critical.

"4. Challenge yourself to learn new things and welcome feedback"



"When I would think, or even say out loud, that I did not think I could do something, he would talk me through my doubts and push me forward into the experiences he knew I could take on."

And would practice with me – I now realize that simulating and visualizing the experience before it actually happens is a significant experiential learning technique. I also remember returning from court many times, going over what happened with him, and Tom offering me feedback – both the bad and the good of what I had done (or not done) and as specific as possible. When I would think, or even say out loud, that I did not think I could do something, he would talk me through my doubts and push me forward into the experiences he knew I could take on. And apart from legal work that challenged me, Tom also modeled an excellence in managing client relationships that served me well, also throughout my career, both in and out of practice.

5. Find a balance for what matters most: In addition to and together with Lou, John and Tom, throughout my time with the law firm (and even beyond that when I moved to other professional positions), their strong and bright spouses offered important role models and professional lessons as well. Tula Alexopoulos was a Citizenship Court Judge when I first met her, and then subsequently worked in various senior provincial public service roles; Niki Sotos had a successful federal public service career; and Justice Andromache Karakatsanis had been a founding member of the firm before I joined, later rising through the Ontario public service, before being appointed as a judge, becoming the first G

Greek-Canadian judge of the Supreme Court of Canada in 2011. These women exemplified both professional and personal excellence and development throughout my career. And with their spouses, they all exemplified ways to balance and integrate their careers with their families – from discussions (and examples) of fun children's birthday parties, juggling after school activities with client and work demands to engaging with their Hellenic heritage and making room to celebrate, care for and honor family, including each other, children, parents and siblings, through both positive and difficult times. These were the lessons that were equally (if perhaps not more) significant to me as a first-generation Greek professional woman in Canada.



CLASSIFIEDS

Under 8 After 8 (U8A8)

We are pleased to announce our next Under 8 After 8 (U8A8) will be hosted this summer, health restrictions permitting. We invite all law students, articling students, LPP candidates and lawyers under 8 years of practice to join us. Look out for more info in your inbox soon!

Personal and Commercial Insurance

Dina Constantinou is a Desjardins Insurance Agency owner in Toronto and is available to assist members with their Personal and Commercial Insurance Needs, Life and Critical Illness Protection for individuals and families, and Investments such as RRSPs and RESPs. Dina and her team offer customized solutions to ensure clients are protected from the unexpected and from all angles. Please contact Dina to discuss how she can make a difference for you and your family, and help you get in the right spot!

Successful Easter Raffle!

The HCLA held its first Easter Raffle this year, with gift baskets prepared by Peter Minaki of Kalofagas and KOLONAKI Group, and an Easter Dinner for Two curated by Mamakas. The winners were contacted on April 30, 2021. The event generated proceeds of \$758.67 and a donation in the amount of \$200.00 was made to the Hellenic Heritage Foundation to commemorate 200 years of Greek Independence!

Rankings and Recognition

If you have been ranked or awarded recognition for your legal expertise and would like to be included or profiled in future issues of the Legalese, please email hcla.information@gmail.com

Virtual Kafeneio

Tired of just working from home... want to try something new?

Join the HCLA Networking from Home Virtual Kafeneio
Get paired with 2 other HCLA members of your choice or have us match you! Register online at hcla.ca



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Board Appointment



We welcome Christine Arruda as the newest addition to the Board of Directors. Christine fills a vacancy left by Sam Presvelos' departure to pursue other opportunities.

Chloe Boubalos



The HCLA congratulates our director Chloe Boubalos who recently joined Daniel Brown Law as a criminal defence lawyer.

From the Editors

We hope that the 2021 Spring edition of the Legalese has brought our community a sense of connection, and we look forward to reconnecting in person soon.

As we continue to grow the publication, we welcome articles from all members on any topic.

If you're interested in contributing to the Fall 2021 edition of the Legalese, please contact the editors at hcla.information@gmail.com. The submission deadline is October 15th.

We hope this spring brings you joy and renewal,


Katerina Maragos and James Trougakos

