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THE LEGALESE

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

Volume 4

AGM UPDATE AND NEW BOARD YEAR

By Francie Smirnakis, HCLA President

October is when we embarked on a new Board year. We have renewed commitment to the HCLA and our membership, and welcome four new Board members with fresh ideas to help drive forward our mission to Network, Educate and Advocate.

I am pleased to announce our new Board of Directors for 2021/2022. Our returning Board members are Trish Vrotsos, Christine Arruda, Katerina Maragos and James Trougakos. Our new Board members are Agapi Mavridis, Danielle Tavernese, Mary Arzoumanidis and Steve Lyberopoulos.

Our Board members work collaboratively to support one another and the HCLA's collective initiatives, which fosters fluidity and a team approach to Board roles and responsibilities. This helps to highlight and leverage our members' diverse skill sets while allowing for growth and stretch opportunities in areas of interest.

FEATURED STORIES:

AGM Update and New Board Year

Congratulations to our New Calls!

Member Spotlight: Sam Presvelos, Founder of Presvelos Law LLP

The Treatment of Assets In A Personal Bankruptcy

Pitfalls of Lawyer Media Communications

Linking to the Opportunity in Community

Allies in Diversity & Inclusion: SABA Toronto

Opinion Piece: Entrepreneurship and the Law: Going Solo

Photo Gallery

Continuing Professional Development and Other Programs

Virtual Fireside Chat with Justice Karakatsanis of the Supreme Court of Canada

Happenings in the Community

From the Editors

To further facilitate efficiency, collaboration, leadership opportunities, and profile and network building for members, the Board will be establishing ad hoc committees responsible for specific matters and initiatives. This will give the Board, and HCLA members more broadly, an opportunity to take an active role in executing on Board priorities and enhancing the value of HCLA membership.

You can learn more about our current Directors and Honourary Directors at their website bios by visiting hcla.ca.

Member Insights (AGM Poll Results)

To help guide the Board's mandate and focus for 2021-2022, we conducted live polls at the AGM and summarize the results below. These useful insights will help the Board prioritize and respond to what matters most to members. If you are interested in more details about the results, please contact hcla.information@gmail.com.

WE ASKED

YOU ANSWERED

Poll #1: Subject to health guidelines, would you attend a Gala in 2022?

67% - Yes, I feel completely comfortable attending an in-person Gala next year.

Poll #2: Would you participate in or lead a committee set up by the Board that would be dedicated to specific mandates or initiatives?

40% - Yes, I would like to get more involved in the HCLA and this is a way that I can be more actively engaged to make an impact, without sitting on the Board.

Poll #3: How do you think we should fund the first-year scholarship and the two regular annual scholarships this upcoming year, given the uncertainty that we may have a Gala?

81% - Fund through sponsorships, if possible, and if there are no sponsors then fund through the GICs.

Poll #4: How would you rate the quality and value for money of membership in the HCLA?

53% - Excellent

47% - Average

Poll #5: If the HCLA were to reintroduce pro bono initiatives, would you be interested in participating and what method would you prefer?

45% - Yes, by any method.

Honouring Outgoing Directors

I would like to extend gratitude on behalf of the entire Board and HCLA to our outgoing Board members for their exceptional dedication and contribution to Board initiatives and accomplishments during their respective tenure.

Sam Presvelos – Sam served on the Board from 2016 until March 2021. Sam was the HCLA’s Student Director responsible for all student-related matters, including liaising with law schools, coordinating scholarships and our review process, planning events such as the Under 8 After 8, and hosting OCI mock interviews and resume support for students. Sam was undoubtedly the “Student Liaison” face of the HCLA for many years, keeping close ties to students throughout their law school and articling journeys, and then maintaining those relationships as they entered their legal practice. Sam remains one of the HCLA’s most dedicated former Directors who made an outstanding impact, and we look forward to continuing to engage with Sam through member participation.

Victoria Asikis – Victoria was a long-standing HCLA Board member, serving for almost a decade, beginning in 2012. Victoria’s most current role was Communications Director responsible for managing the HCLA’s email and social media accounts. Victoria successfully enhanced the HCLA’s profile and boosted engagement among the HCLA’s social media followers. Victoria also served as Social Director and Membership Director and was an active and engaged member of the Hellenic Professionals’ Gala committee (and also responsible for managing the Gala social media pages). Victoria brought continuity and helpful institutional knowledge to the Board, and most notably took a leadership role in enhancing the HCLA’s presence in Ottawa when she moved cities and attended and held local events for lawyers and students. Victoria is a remarkably dedicated HCLA member who added tremendous value as a Director.

Voula Kotoulas – Voula has been a loyal HCLA member for many years, joining the Board in 2019 and taking on the role of Vice President given her experience and effective leadership skills. Voula contributed significantly to several Board initiatives, including representing the HCLA on the OBA Diversity Council, taking an active role in re-launching the HCLA’s mentorship program, participating in the website update, and taking ownership in AGM planning and execution through the OBA’s support program. Voula was a dynamic and excellent Vice President with demonstrated commitment, thoughtful engagement and collegiality.

Yonida Koukio – After only a few years in Canada, Yona became increasingly involved and dedicated to the HCLA and joined the Board in 2019, taking on various Director positions, and pivoting and contributing to several different portfolios of the Board. Yona was most recently the HCLA’s Secretary responsible for monthly Board meeting and AGM minutes and is credited with creating and managing a comprehensive shared file system for Board members to keep documents and other materials organized and easily accessible. Yona was instrumental in leading the most recent website update and also served as Co-Communications and Co-Membership Director during her tenure. We hope to continue to leverage Yona’s robust network of lawyers in Greece to help with responding to the many referral requests received through the HCLA.

Thank you to Sam, Victoria, Voula and Yona. We wish you well and hope you will be back to serve the Board in some other capacity, be it on a Board committee or as an Honourary Director in the future!



Sam Presvelos



Victoria Asikis



Voula Kotoulas



Yonida Koukio

What's Ahead?

The coming months will be exciting and invigorating as we work towards delivering the following specially-curated events and initiatives, which we hope you will enjoy and support!

- Initiative to secure and recognize special sponsorship for the First Year Law Student Scholarship
- Cross-Canada membership strategy to broaden the scope of the HCLA's membership
- Furthering our relationship and engagement with other Hellenic Lawyers' Associations globally through our LSO-accredited CPD in November 2021 (Learnings from Around the Globe to Enhance Your Legal Practice) and other joint initiatives and events
- Special committees of the Board relating to the website, pro bono, social media, gala and more
- Renewing our commitment to anonymized reviews of scholarship applications in an effort to encourage more students to apply and eliminate any potential biases in the review processes
- In-person Hellenic Professionals' Gala, co-hosted with the Asclepius Dental Society and Hippocrates Hellenic Canadian Medical Association, to be held potentially in the Fall 2022
- Building stronger relationships with other diverse associations through guest speakers and participation in the OBA Diversity Council

To conclude, thank you once again to members who attended and participated in our virtual Annual General Meeting held on Tuesday, September 21, 2021. Our Board reports highlighted some of the impressive accomplishments and collective efforts of the Board and broader membership in the last year, and we are excited for what's to come. We are proud to serve this membership and thank you for your support.



Francie Smirnakis is Senior Counsel, Canadian Wealth Management and Mutual Fund Distribution, at the Royal Bank of Canada

First Year Law Student Scholarship

To our Membership,

You've been a valued part of our community for years, and we know that you're dedicated to investing in the next generation of Greek Canadian lawyers. COVID-19 has prevented us from hosting our annual gala which has typically been our primary source of funding for our scholarships.

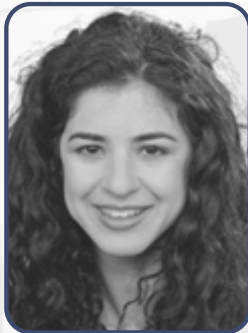
We are currently looking for individuals or firms to sponsor our First Year Law Student Scholarship in the amount of \$3500. Your support is crucial and, in recognition, the donors will be identified as the sponsor of the scholarship this year.

CONGRATULATIONS TO OUR NEW CALLS!



**Ulysses
Pamel**

Université de
Montréal



**Christina
Roussakis**

University of
Toronto



**Ellie
Minchopoulos**

University of
Toronto



**Daphné
Anastassiadis**

McGill
University



**Christian
Nianiaris**

University of
Windsor



**Anastasia
Grigoriou**

University of
Toronto



**Steve
Lyberopoulos**

McGill
University



**Helen
Felemegos**

University of
Kent



**Maria
Alexiou**

University of
Toronto



**Aspen
Tzalis**

University of
Windsor



**Stephanie
Gogos**

University of
Ottawa



**Demi
Agiomavritis**

Université de
Montréal



**Alexandra
Psellas**

Western
University

MEMBER SPOTLIGHT: SAM PRESVELOS, FOUNDER OF PRESVELOS LAW LLP

By Katerina Maragos and James Trougakos, HCLA Directors and Co-Editors of the Legalese

Can you tell us about law school?

“I’ve wanted to be a lawyer ever since high school and I wasn’t contemplating anything else at the time. After high school, I did my undergrad at York University in political science. I wrote my LSAT in the third year of my undergrad and then I went directly into law school at Osgoode. I graduated in 2016 with the highest mark in business law and the highest mark in real estate law. I wasn’t the best law student and I wasn’t the worst law student. If I knew in first year what I knew in third year it would have been less stressful experience for me. But it turned out okay.”

How did you end up on Bay Street?

“I knew I wanted to go to a large firm because, in my mind, that was what it meant to be a successful law student. But that notion was largely developed during orientation week – I didn’t know what Bay Street was before law school. It was then that I decided I wanted to work for one of the seven sisters. One of the firms I interviewed with during the recruit really stood out to me and felt really aligned with my direction. Two HCLA members were also at that firm which probably also swayed my decision.”

Why did you decide to leave Bay Street and start your own practice?

“I was used to being the best at whatever I did. When I was at the firm that I was at, I wasn’t the best at what I was doing, and I didn’t know why I wasn’t at the top of my game. Law school doesn’t teach you about 80% of the things you actually do at a firm. I felt like a misfit but I knew that I could be just as good as my peers but for some reason I wasn’t performing well in the current environment. I felt insecure and confused. I wasn’t sure how to learn or how to leverage the resources that were there. It wasn’t working for me. I decided early on in my articling term that I didn’t want to be hired back but I wanted a fulfilling experience at the firm. And I got that. As an articling student, I was on two trials, two mediations, an international mining arbitration – that’s a lot of work for an



articling period. If it wasn’t for those experiences, I wouldn’t have been able to go out on my own. During my first few months as a solo practitioner, I knew absolutely nothing. I tried to pick up precedents anywhere I could. I went to motion court in the mornings just to see how lawyers would speak to the judge. I filed things on my own. I had no clue. But I was lucky that I was able to find lawyers to help me and, over time, I learned to trust my judgement. Now I always litigate against partners. Never associates.”

You were recently named one of Toronto’s top lawyers. Tell us about that.

“I remember going into my mentor’s office one day and asking what made him a great lawyer. He was a cut above. He said, “I don’t cut corners and I do the homework.” You just know who has looked at matters from all angles. Doing the homework shows in the quality of the work. I didn’t know that I was being recommended as one of Toronto’s top lawyers but I think the other reason why is that I had good relationships with many lawyers. I think that goes a long way in our profession.”

What is your advice for the younger generation of lawyers?

“You have all of the tools you need to succeed. The two things that are going to make you successful are: (1) building the right habits and (2) networking.”

THE TREATMENT OF ASSETS IN A PERSONAL BANKRUPTCY

By Mary Plahouras, BA (Hons.), LL.M., CFE and Caryl Newbery-Mitchell, BACS, MBA, CIRP, LIT

One of the most common questions among consumer debtors contemplating Bankruptcy is, “what will happen to my assets?”

Upon filing for a Bankruptcy, all assets of the bankrupt vest with the Licensed Insolvency Trustee (LIT), subject to the provisions of the Bankruptcy and Insolvency Act (BIA) and provincial laws governing exempt assets. This article will examine the treatment of some of the most commonly held assets in a personal Bankruptcy and discuss their exempt and non-exempt status pursuant to federal and provincial legislation — in this case, Ontario pursuant to the Execution Act as at April 2021.

Where an asset is not exempt from seizure, the bankrupt may opt to purchase the LIT's interest in the asset for its appraised or fair market value. Alternatively, the LIT may sell the asset for the general benefit of the bankrupt's creditors. Note that exemption limits are amended from time to time, and accordingly the exemption limits discussed below may change.

Personal effects

Personal effects, such as personal clothing, are an exempt asset. There is no dollar limit on personal effects such as personal clothing.

Household furnishings and appliances

There is an exemption limit of up to \$14,180 for household furnishings and appliances.

Registered Retirement Savings Plan (RRSP) and Registered Retirement Income Fund (RRIF)

Contributions made more than 12 months preceding the date of bankruptcy are an exempt asset, while those within the 12 months preceding the date of bankruptcy are not.

The LIT will confirm the amount of contributions within the 12 month period and the bankrupt may have the opportunity to repurchase the LIT's interest or the LIT will instruct the financial institution to redeem the non-exempt amount for the benefit of the creditors.

Locked-in retirement account (LIRA) and pensions

Funds held in a LIRA or pensions that are governed by the Ontario Pension Benefits Act are exempt from seizure.

Proceeds in a joint bank account

The funds in a joint bank account may be considered an asset of the Bankruptcy estate and subject to seizure. The bankrupt must provide proof that the funds are jointly held and demonstrate their share of the funds. If they are successful, only the bankrupt's share of the funds will be an asset of the Bankruptcy estate.

Registered Education Savings Plan (RESP)

RESPs are owned by the plan holder, which is usually a parent. As this type of investment can be cashed in at any time, it is not exempt and will vest (less government grants and any other penalties or fees charged to cash out the RESP) with the LIT. The bankrupt may arrange to repurchase the LIT's interest in the RESP in order to retain its full value.

Shares in a publicly traded company

Shares in a publicly traded company are not an exempt asset will vest with the LIT.

Timeshares

The bankrupt's interest in a timeshare, wherever located in the world, is not an exempt asset and will vest with the LIT.

Bankrupt's interest in a family trust

The bankrupt's interest in a family trust is not an exempt asset. However, the LIT is subject to the terms of the family trust which may cause difficulty in their collecting on this asset.

Motor vehicle

There is an exemption of up to \$7,117 for one (1) motor vehicle (e.g. car, truck, motorcycle) in Ontario.

If the bankrupt owns multiple motor vehicles, they would need to arrange with the LIT to pay the fair market value of the additional vehicle to retain them.

For a leased or financed motor vehicle where security has been validly registered against it and there is no equity in the vehicle, the LIT would release its interest back to the lease or finance company.

Principal residence

There is an exemption limit of \$10,783 for a principal residence (i.e. home) in Ontario. The LIT will review certain documents (i.e. land deed, land title registry, current mortgage statement, etc.) and confirm the property value by appraisal or opinion of value to determine any equity available to the Bankruptcy estate.

If the equity exceeds the exemption, the bankrupt must either arrange to repurchase the LIT's interest in the property or surrender the property and receive the exemption in cash. If the property is jointly owned (e.g.

with a spouse), the bankrupt will only be required to repurchase the equivalent of 50 percent of the equity available in the property.

Life insurance policy

Pursuant to the Insurance Act, a life insurance policy with a designated beneficiary is an exempt asset. However, a life insurance policy payable to the estate of the bankrupt is not, and the cash surrender value of the policy is subject to seizure.

Some policies include a cash surrender value or investment component and accordingly may be subject to seizure. The LIT will review the policy and confirm the status of the policy with the insurance company.

Claims resulting from personal injury

If the bankrupt is successful in litigating for damages for personal injury (i.e. motor vehicle accident, etc.), the proceeds are an exempt asset.

Lottery winnings

Lottery winnings by an undischarged bankrupt are an asset of the bankruptcy estate. If the winning occurs after the bankrupt's discharge, the winnings are exempt from seizure.

Inheritance

Any inheritance received by an undischarged bankrupt is an asset of the bankruptcy estate. If the bankrupt comes into an inheritance after the Bankruptcy has been discharged, the inheritance is not an asset of the Bankruptcy estate.

Tools of trade

There is an exemption limit of up to \$14,405 in Ontario for tools of trade and other personal property used to earn a living.

Income tax refund for the year(s) prior to Bankruptcy

The LIT is required to file the personal income tax return for the year(s) prior to the Bankruptcy with the Canada Revenue Agency (CRA). Any refund is an asset of the bankruptcy estate, subject to set-off by CRA for prior liabilities, amounts owing to family responsibility, restitution orders, etc. CRA will forward the remaining refund(s) to the LIT for the general benefit of the creditors.

Goods and Services Tax Credit (GST)

GST refunds are not an asset of the bankruptcy estate unless such refunds are required to cover the LIT's prescribed fees and disbursements to a maximum threshold. GST refunds in excess of that threshold must be returned to the bankrupt.

Canada Child Benefit (CCB)

The CCB is an exempt asset. It cannot be assigned to the LIT, charged, attached or given as security.

Disability Tax Credit (DTC)

Any pre and/or post-bankruptcy personal income tax refund resulting from a claim of the DTC is an asset of the bankruptcy estate, subject to set-off by the CRA.

A link to the original article, first published on MNP LTD's Blog, can be found here:

<https://mnpdebt.ca/en/resources/mnp-debt-blog/the-treatment-of-assets-in-a-personal-bankruptcy>



Mary Plahouras is a restructuring professional with MNP's Insolvency and Restructuring group in Toronto.



Caryl Newbery-Mitchell is a Vice-President in MNP's Consumer Insolvency practice.

PITFALLS OF LAWYER MEDIA COMMUNICATIONS

Paper delivered by Honourable Justice Emiliios Kyrou of the Victorian Court of Appeal at a Hellenic Australian Lawyers Association webinar on June 2, 2021

We are pleased to share the introductory remarks to a paper by Honourable Justice Emiliios Kyrou. To read the full paper, please visit: <https://hal.asn.au/vic-the-pitfalls-of-lawyers-communicating-with-the-media-by-the-hon-justice-emiliios-kyrou/>.

Introduction

In preparing for this paper, I came across a quote which I would like to share with you:

Better to remain silent and be thought a fool than to speak out and remove all doubt.



My next quote is from Sir Gerard Brennan, a former Chief Justice of the High Court. In his 1997 'State of the Judicature' speech, he expressed concern with what he saw as 'a recently emerging phenomenon' of some advocates assuming 'the role of public relations officers for their clients [by] making their client's case to the media and offering comment on the Court's judgment'. In his view, that role is inconsistent with the advocate's duty to the Court to fairly and candidly assist the Court on both fact and law.

Consistent with Sir Gerard's view, lawyers' media communications have traditionally been limited on the assumption that the administration of justice is better served if lawyers are 'seen but not heard' outside the court room. Allowing lawyers to use the media as a vehicle to sway public opinion — let alone enabling a US-style media circus surrounding high-profile trials — is viewed by some as impinging on the independence of the Bar, thus risking the integrity of the trial process.

On the other hand, too strict a limitation on lawyers' media communications may discourage public comment on occasions where it is legitimate.

Accordingly, restrictions on lawyers' out-of-court media communications must balance three interests: (a) the interest of the public and the media in accessing facts and opinions about litigation; (b) the interest of litigants in placing a legal dispute before the public or in countering adverse publicity about the matter; and (c) the interest of the public and opposing parties in ensuring that the process of adjudication is not distorted by statements carried in the media, especially in criminal cases.

The pitfalls of lawyers' media communications extend across diverse areas of law. They include the risk of committing a breach of the professional conduct rules regulating public disclosures and the duty of confidence, the risk of unintentionally waiving client legal privilege, the risk of committing a contempt of court, and the risk of engaging in misleading or deceptive conduct.

In this paper, I will discuss these pitfalls and their ramifications. I will refer to examples in each area and conclude by addressing the lessons to be learned from those examples.

LINKING TO THE OPPORTUNITY IN COMMUNITY

By Karen Perron, OBA President

I saw the law as the path for me at a very young age – despite having no lawyers in my family or immediate circle. I had a penchant for advocacy (others might say “argument”) and persuasion (some might add “persistence”) that I realized, if properly developed and directed, might make a positive difference in the world. Connecting with other lawyers – through my involvement in the Ontario Bar Association (“OBA”) – has increased the impact I’m able to have in my own career. Now, as president of this association, 16,000 members strong, I have an insider’s view into how effectively lawyers from across the province can collaborate to amplify the positive impact of an entire profession.

We are delighted to be joined by the Hellenic Canadian Lawyers’ Association in this important work. We have welcomed an HCLA representative to our inclusive, engaged and intrepid OBA Council again this year, and I know we will continue to benefit from adding an HCLA voice to the conversations we are leading about serving the needs of today’s lawyers, advancing access to justice, and enhancing the profession as a whole.

Community is the centerpiece of my mandate this year, which aims to ensure that every lawyer in Ontario can capitalize fully on the power, expertise, connection and opportunity found in the OBA community and tap into the tools they need to thrive within a rapidly modernizing world of law.

With *OBA Link*, regional differences continue to be highly relevant to the tools and services the OBA offers lawyers, but entirely irrelevant to their ability to access them. The last year has demonstrated that we needn’t be limited by geography in terms of the events or expertise we’re able to access; the referrals or mentors we’re able to gain, or the career advancement or social activities we’re able to join. *OBA Link* is a commitment to bringing the full benefit of belonging to a dynamic, diverse community to lawyers province-wide.

Our new OBA Lawyers Link app facilitates that cross-region, cross-specialty, cross-setting connection, placing all the need-to-know news, conversations, education and engagement opportunities, services and support Ontario lawyers rely on, at your fingertips.

OBA Council is also key to *OBA Link*. It is where we surface challenges, opportunities and successes from across regions and communities and devise solutions to the most pressing issues that we can share with all lawyers. It is with the contribution of our partners, like the HCLA, that we are able to transform a wealth of opinions and shared experiences into action that serves the legal profession and the public we serve.



Karen Perron is a partner at the Ottawa offices of Borden Ladner Gervais LLP.

ALLIES IN DIVERSITY & INCLUSION: SABA TORONTO

By Rahul Sapra, SABA Student Liaison, Western Law (3L)

The South Asian Bar Association of Toronto (“SABA”) is Canada’s largest diverse bar association. From the newest calls to the newest judge of the Supreme Court of Canada, members of SABA come from all corners of the legal profession. SABA’s members include lawyers from large and small firms alike; lawyers from government agencies and departments; lawyers from non-profit organizations; in-house lawyers from public and private corporations; members of the judiciary; academics; law students; and more. The over 800 members of SABA Toronto are united by one common goal: advancing the interests of South Asian members of the legal profession, and of South Asian communities.

To achieve this goal, SABA has split its mandate into five key pillars:

- (1) Advocacy,
- (2) Pro Bono and Community Outreach,
- (3) Women’s Empowerment Initiatives,
- (4) Legal & Continuing Professional Development Training, and
- (5) Mentorship and Student Outreach.



SABA’s advocacy is focused on the empowerment of South Asian practitioners. SABA advocates on issues of relevance to the South Asian community and other marginalized or disenfranchised minority groups, including advocacy for greater representation of South Asian lawyers in the judiciary, the government, and the legal profession more broadly.

Closely linked to advocacy is the Pro Bono and Community Outreach (“PBCO”) efforts of SABA. The PBCO Committee works on addressing access to justice issues for racialized minorities in Toronto. It does so by partnering with social justice organizations that serve racialized minority populations to offer seminars, clinics, and presentations on a variety of legal topics. The pandemic and its by-products have afflicted our communities at an alarming rate (eg. rising domestic violence, mental health struggles, and increases in Anti-Asian hate). The PBCO Committee has worked extremely hard to partner with grassroots organizations to assist with fundraising/combating these effects.

The “Women’s Empowerment” pillar of SABA’s mandate stems from the reality that South Asian women face disproportionate barriers to success in the legal profession. To address these inequities, SABA – and in particular SABA’s Women’s Committee – holds events that address the unique barriers faced by South Asian female lawyers, including events to help South Asian women network, learn, and grow as professionals. SABA and the Committee advocate for women’s issues not only in the Bar, but in the community as a whole.

As a professional association, SABA works hard to advance the professional interests of its members. The training and learning encompassed in the fourth pillar of SABA’s mandate is instrumental to ensuring SABA members’ professional success. The organization serves as a networking forum and employment resource for South Asian members of the bar. SABA is well known for its Annual Gala & Awards Night at Liberty Grand (the largest diverse-bar association gala in the country), which is a highlight of the legal calendar.

SABA places a special focus on supporting the next generation of South Asian lawyers and legal professionals. SABA is a key partner of South Asian Law Students' Associations (SALSA) at Ontario law schools, and funds annual student award bursaries to assist those in need.

Over the next few years, SABA is hoping to grow its reach and influence. SABA's President Devin Persaud of Goodmans LLP, states: "For those of you on the sidelines waiting for an opportunity to give back, I encourage you to step forward and volunteer to be a part of the SABA family. It is easy to be satisfied with just practicing law, but I guarantee you it is much more rewarding to search for ways to improve the law, to improve the legal process, and to assist those who have been marginalized and disadvantaged. There is no greater time than the present, especially as we look forward to showcasing our city and bar when we host the national SABA North America convention in 2024 for the first time."

To learn more about SABA, please visit: www.sabatoronto.com



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OPINION PIECE

ENTREPRENEURSHIP AND THE LAW: GOING SOLO

By Georgios Triantafillou, HCLA Member

If you asked me during my articling term if I'd be writing a piece on what it's like being a young lawyer entrepreneur with his own practice straight out of articling, I would have laughed. Well, here we are!

From my experience, lawyer entrepreneurs who go solo at the outset of their careers are faced with numerous challenges. I spent years in law school reading case law that will never be relevant to my practice, attending coaching sessions on how to prepare for Bay Street interviews with major law firms, and learning legal theory as opposed to practical skills. I saw more contracts signing up for student loans than I saw in three years of law school.

Lawyers run businesses but law schools fail to educate their students on how to run legal practices and be businesspeople. Therefore, my promise to you, as the reader of this article, is to share with you the basic considerations I took into account prior to building my firm and opening my doors.

Step 1: Foundation

Starting from the ground up can be very challenging and it is important you have a solid foundation you can build on. To build my foundation, I asked myself the following questions:

- What business structure do I want? Will I have a sole proprietorship or a professional corporation?
- What do I want my firm to stand for?
- What is the value proposition and in what areas of law will my firm practice?

These are your building blocks, and the rest build on these simple questions.

Step 2: Marketing

Marketing is a key to determining the future success of your firm. Make sure the way you advertise and present your firm attracts the clients you are seeking for; represent your firm's central values and their importance to the client. Questions that I asked myself included the following:

- What should I name my firm to make it easily marketable? What will the name represent?
- What type of clients do I want to attract?
- What should the logo look like? Should there be a slogan? What colours should I use? What fonts should I use?
- What geographic location should I be marketing to? Where will the firm be located?
- Will I do billboard or Instagram marketing?

Step 3: Software, hardware and security

The appropriate laptops and computers are essential as they determine the softwares you can use for docketing, document management, data storage, security and more. You'll want to ensure that the hardware you purchase has strong antivirus and other security software to protect client information from potential cyber threats.

But the real challenge is deciding on which softwares to choose. There are so many out there and without having tried them all, it's unlikely that one will fit your needs on the first try. Don't settle on your client management and docketing systems as they are the backbone of your practice as a solo lawyer. You need efficiency and organization as your time will be stretched very thin.

Step 4: Regulatory obligations

Once incorporated or registered as a sole proprietorship, the next step is to register the firm with the Law Society of Ontario (LSO) and pay for liability insurance as a self-employed individual. If you choose to incorporate, ensure that the necessary filings are completed for your corporation

Step 5: Network

Focus use your time wisely by reaching out to new or existing clients and increasing your substantive knowledge in a practice area. It's also important to make connections with lawyers who practice in different areas to form a network to refer your clients to and for them to refer theirs to you. Being a lawyer with reliable connections for your clients makes you more valuable.

Step 6: Opening

This is both the easiest and hardest part of it all. With all the preparation done to get up and running, posting on social media that your firm is "officially open" seems too easy. Reach out to your clients to let them know you've opened and immediately get moving on marketing.

The issues and considerations in this short piece only highlight some of the many considerations a lawyer entrepreneur has to face. What I can say, however, is that there are great benefits despite the challenges, including independence, being able to manage your own time, the feeling of accomplishment and control over all aspects of your work just to name a few. Additionally, it is extremely rewarding to see client's satisfied with the services they have received, and knowing that the experience was tailored to them by you from start to finish. Best of all, once you've learned how to run your own business, you'll be much better prepared to step into your business clients' shoes when they look for your services.



Georgios (George) Triantafillou is the Founder of GT Law Professional Corporation

PHOTO GALLERY

Thank you to everyone who attended in-person events in 2021 and made the past year so special!



CONTINUING PROFESSIONAL DEVELOPMENT AND OTHER PROGRAMS

Learnings from Around the Globe to Enhance Your Legal Practice

This event, hosted by the HCLA and moderated by Christine Arruda (Community Relations Director) and Francie Smirnakis (President), was held on Tuesday, November 30, 2021 at 7pm (ET). The session was accredited by the Law Society of Ontario for 45 minutes of Professionalism and included an international panel of Hellenic lawyers: Peter Lagarias (President) and Peter Bagatelos (Co-Founder, Past President and Administrative Coordinator) of the Hellenic Law Society of California; Eleni Katsoulis (President-Elect) of the Hellenic Bar Association of Illinois; and Bill Athanasellis (Secretary) of the Hellenic Australian Lawyers Association.

Attendees learned how these lawyers have leveraged their experiences through their involvement in professional cultural associations to enhance their legal practice in the areas of leadership, career and profile management, mentoring and work/life balance.

Live polls revealed further member insights as follows:

1. When asked what skills development interests them the most, Members were generally evenly split across Leadership, Career and Profile Management, Mentoring and Work/Life Balance.
2. When asked about their professional profile and brand, 40% of Members who responded said that they are well-known in their area of practice.
3. When asked about what they value most in a mentorship relationship, 43% of Members said informal and ad hoc chats about work and personal matters.
4. When asked about work/life balance, 50% of Members said they need a stronger support network from colleagues, peers, friends and family, and no Members wanted more involvement in community or extra-curriculars.

For more details about the results, please contact hcla.information@gmail.com. The event concluded with a random draw for a book donated and authored by the Honourable Justice Emilios Kyrrou of the Victorian Court of Appeal entitled "Call me Emilios". Congratulations to George Karayannides (former HCLA Honorary Director) for winning this special prize!

Proceeds from this event (approximately \$500) will be used to support the HCLA student scholarships given there was no fundraising Gala held in 2021.



Clockwise: Bill Athanasellis - Hellenic Australian Lawyers Association, Eleni Katsoulis - Hellenic Bar Association of Illinois, Peter Bagatelos - Hellenic Law Society of California and Peter Lagarias - Hellenic Law Society of California.

CONTINUING PROFESSIONAL DEVELOPMENT AND OTHER PROGRAMS (CON'T)

LPP Conversation with Legal Professional Groups



LPP Conversation with Legal Professional Groups held on Wednesday, October 27, 2021 was co-organized and moderated by Gina Alexandris, Senior Director, Law Practice Program, Ryerson University (Honourary Director and former President of the HCLA). Mary Arzoumanidis (Secretary) facilitated a breakout session with LPP licensing candidates following a panel discussion that included representatives from various groups, including Francie Smirnakis (President) representing the HCLA. Other panelists were from the Canadian Association of Black Lawyers (CABL), Canadian Hispanic Bar Association (CHBA), Canadian Italian Advocates Organization (CIAO), Canadian Muslim Lawyers Association (CMLA), Federation of Asian Canadian Lawyers (FACL), OBA Equality Committee, OBA Sexual Orientation and Gender Identity Law Section, South Asian Bar Association (SABA) and Women's Law Association of Ontario (WLAO). Topics of discussion included activities offered to members that are beneficial to licensing candidates and newly-called/junior Ontario lawyers, how to join the organizations, advice for candidates in equity-seeking groups who are struggling with the job market, recommendations on being resilient in the legal profession and ways to advance equity/diversity/inclusion.

RODA's 7th Annual Diversity Conference in Partnership with the OBA

RODA's 7th Annual Diversity Conference in Partnership with the OBA was held on Tuesday, November 23 and Wednesday, November 24, 2021. The HCLA participated in the planning of the conference and Francie Smirnakis (President) acted as facilitator for the practical breakout sessions as well as host for one of the virtual networking events. Participants in this conference gained practical strategies and tools to assess, analyze, and strategize about their role in challenging discrimination and inequity, and heard from a distinguished faculty, including special guest, the Honourable Supreme Court Justice Mahmud Jamal.

Upcoming CPD - "Changing your Critical Self Talk"

We invite our members to monitor their inbox for an invitation to our upcoming CPD "Changing your Critical Self Talk" (date to be announced) by Paul Karvanis (former HCLA Director). This event will be accredited for 1 hour of Professionalism hours in Ontario.



VIRTUAL FIRESIDE CHAT WITH JUSTICE KARAKATSANIS OF THE SUPREME COURT OF CANADA

On November 23, 2021, the Canadian Bar Association hosted the OBA Young Lawyers Division for a Virtual Fireside Chat with Honourable Justice Andromache Karakatsanis (a founding member of the HCLA). The conversation canvassed topics including effective advocacy, mentorship, and shaping a unique pathway in the legal profession. Christine Arruda (Community Relations Director) attended the session and summarizes the highlights below.

Justice Karakatsanis opened the chat by discussing the importance of the justice system to constitutional democracy. She reminded us that as lawyers, we must strive to defend and promote justice for all. She added that the independence and integrity of lawyers to champion the rule of law and the rights and freedoms of all Canadians is critical. All lawyers have an opportunity and obligation to make a difference.

In discussing her own pathway through the legal profession, Justice Karakatsanis spoke candidly about her career experiences and shared some of the valuable insights she gained from her early days in private practice and her time in public service. She shared the following insights:

- **Transitioning Between Jobs or Practice Areas:** Justice Karakatsanis explained that such transitions are not easy and require us to embrace uncertainty. We need to be open to new opportunities and be willing to try something outside of our comfort zones. We should not let the fear of change hold us back. Each job presents an opportunity to learn something new.
- **Managing Career Set-Backs:** We will all experience setbacks at some point in our careers. We need to remember that when one door closes, another will open and we never know when a disappointment will provide a better opportunity. We need to focus on the job we have and do it well. There is always something we can learn from our current job. We also need to be flexible and persevere through setbacks.
- **Integrity and Reputation:** We should respect the values of the profession at all times and guard our integrity and reputations. Our reputations do not only serve our careers but also the administration of justice. We need to make sure we are civil and respectful in how we deal with others. Always review emails for tone and never respond when emotional (ie. respect the 24-hour rule). Take care of the people and relationships in our professional lives. These relationships need to be built and nurtured. Collective decision-making rests on relationships.
- **Maintaining Work-Life Balance:** Make time to do the things you enjoy, find balance and lead a rich personal life, as not only will we be happier, but we will be better lawyers. Do not wait, as the work will not subside. Keep one day per week free of work. Determine your personal boundaries and prioritize your mental health.
- **Equity, Diversity and Inclusion (EDI):** A commitment to EDI means we all need to be self-aware. We need to champion the values of respect, humility and humanity. We are all formed by our personal experiences and will not truly understand what it is like to walk in someone else's shoes. We need to listen, learn and unlearn and take action for change.

VIRTUAL FIRESIDE CHAT WITH JUSTICE KARAKATSANIS OF THE SUPREME COURT OF CANADA (CON'T)

When asked about effective advocacy, Justice Karakatsanis explained that advocacy is an art and the only way to improve is through practice. She closed the chat by offering 10 practical tips for strengthening advocacy skills:

1. **Prepare.** Know your case.
2. **Make the time to think critically about your case.** Ask yourself: Does it make sense? Does something bother you? Is something out of place? Chase down lingering issues as they will resurface.
3. **Know your audience.** Are you trying to persuade a fact finder? Are you persuading someone to change a framework? Is it an appeal or is it a trial?
4. **Frame your issues with precision.** Determine what you want, why you want it, and inform the judge.
5. **Simplify.** This leads to clarity of thought.
6. **Remember that less is more.**
7. **Be trustworthy and honest to yourself, your client, the opposition and the judge.**
8. **An appeal is more likely to be won or lost with written submissions rather than oral advocacy.** Present your strongest point first and put your energy into the factum.
9. **Make the judge want to find for your client.** If the facts are on your side, frame the human issue; if not, then frame the issue as better for society.
10. **Be yourself and be authentic.** Do not imitate others.



HAPPENINGS IN OUR COMMUNITY

Congratulations to Professor Katsivela on the Publishing of her New Book

The HCLA congratulates Ms. Marel Katsivela, HCLA member and Associate Professor at the University of Ottawa, on the publication of her bijural book on torts entitled "*Responsabilité délictuelle et responsabilité extracontractuelle au Canada. Une étude de droit comparé*". Professor Katsivela's publication is available at Éditions Themis.



New OBA Diversity Council Representative

As an HCLA and OBA member, Andreas Present, will act as the HCLA representative on the OBA's Diversity Council, which was founded with the objective of increasing diversity in the OBA by bringing diverse lawyers into the governance structure and providing support to organizations such as the HCLA. In this role, Andreas will attend the OBA Diversity Council meetings on behalf of the HCLA and report back to the Board on the Council's initiatives. Andreas obtained his law degree in Cyprus and is currently enrolled in the Law Practice Program at Ryerson University.

New Website Committee of the Board

The Executive Committee of the HCLA established an ad hoc committee responsible for matters relating to the HCLA website. Members of the Website Committee include Trish Vrotsos, Christine Arruda, Francie Smirnakis and Mary Plahouras. Additional interested HCLA members are invited to participate. This is a unique opportunity for members to take on a leadership role and increase their profile within the HCLA. You would be responsible for finding solutions for updating and maintaining our website, including engaging external support as necessary and reporting progress to the HCLA Board at a monthly meeting of the Board. Please email hcla.information@gmail.com if you are interested in joining this Committee.

New HCLA/RODA Representatives

The HCLA welcomes two members - Alexandra Psellas and Theoni Kapetaneas - who have volunteered to act as the HCLA's representatives to the Roundtable of Diverse Legal Associations (RODA) and will work alongside top legal professionals and participate in various advocacy and access to justice initiatives.

Alexandra and Theoni will be responsible for attending RODA's monthly, one-hour, virtual meeting and providing updates to the HCLA Board. Alexandra is an associate in Gowling WLG's Toronto office and Theoni is J.D. Candidate at the University of Ottawa Faculty of Law.

Referrals Network

In order to assist with the dozens of referral requests received by the HCLA annually, the HCLA is seeking the involvement of interested member(s) to help manage our referral network and help keep our referrals database up-to-date.

Interested members can contact the HCLA by email: hcla.information@gmail.com.

FROM THE EDITORS

We hope that you have had a lovely holiday season gathering with loved ones (even if it looked different from what we hoped for) and we would like to wish you *Καλή Χρονιά!*

Our publication is growing and we have our Members to thank! We hope that the Legalese helps instill a sense of connection with our community. We continue to welcome articles from all members and friends on any topic to be included in future volumes of the Legalese. And, as always, we invite you to email us at hcla.information@gmail.com with any thoughts, feedback or tips!

These are (still) incredibly challenging times but our community makes it worthwhile. As we enter into a new year, we want to thank you for your support. Your voices, perspectives, and insights help us shape the organization and this publication.

On behalf of the entire Board of Directors, we'd like to wish you a safe and healthy start to the new year. This past year has taught us to expect the unexpected. As we venture into the new year, it also brings along with it new opportunities. We are pleased to be able to be there with you through this journey.

Yours truly,

Katerina Maragos and James Trougakos



Katerina Maragos is a Corporate Commercial Associate at Borden Ladner Gervais LLP (Toronto).



James Trougakos is a Tax Associate at Davies Ward Phillips & Vineberg LLP (Montreal).

New Membership Year!

January 1 also marks the start of our 2022 membership year, which runs from January to December. Your membership allows us to continue our work for lawyers, students, judges and law school graduates across Canada who are of Hellenic descent, and helps fund our scholarships programs. Please contact our membership director Agapi Mavridis agapim@gmail.com if you have any questions.