

# FACELAW

ONLINE LEGAL DIRECTORY

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## “ BEN AZIMI

Chronic Pain  
& Sufficiency  
Of Proof

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INTERVIEW

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Can You File A Medical  
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**Charles E. Gluckstein**



The Importance  
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**Ali Ahmari Moghaddam**



The Right Choice For  
All Your Legal Needs



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**WE** are a directory of Lawyers, Paralegals and Immigration consultants, striving to bring together the best professionals in the legal field.

In today's fast paced world, where almost everyone now has the internet in the palm of their hand, finding the relevant information and assistance you require has never been easier.

Finding an experienced lawyer, paralegal or immigration consultant ("Legal Professional") to assist you with your legal matters should be no different.

Whether your legal matter is complicated or simple, Facelaw.ca is here to make the initial interaction between the client and Legal Professional just as simple.

Facelaw.ca is a website which connects those looking for a Legal Professional to assist them with a legal matter (or those just wanting to get some preliminary legal advice) with an experienced Legal Professional in the appropriate field of law.

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Facelaw.ca was created to eliminate the intimidating process of searching for a Legal Professional to provide legal services. Instead of having to call different offices and law firms searching for the right Legal Professional to retain, Facelaw.ca has compiled a searchable database of local Legal Professionals who are committed to serving their clients.

So stop wasting time making useless calls and reviewing lawyer and law firm websites that provide no real guidance and try Facelaw.ca today!







# ABOUT US



“

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## Becoming Acquainted With The Facelaw Startup & Our Goals

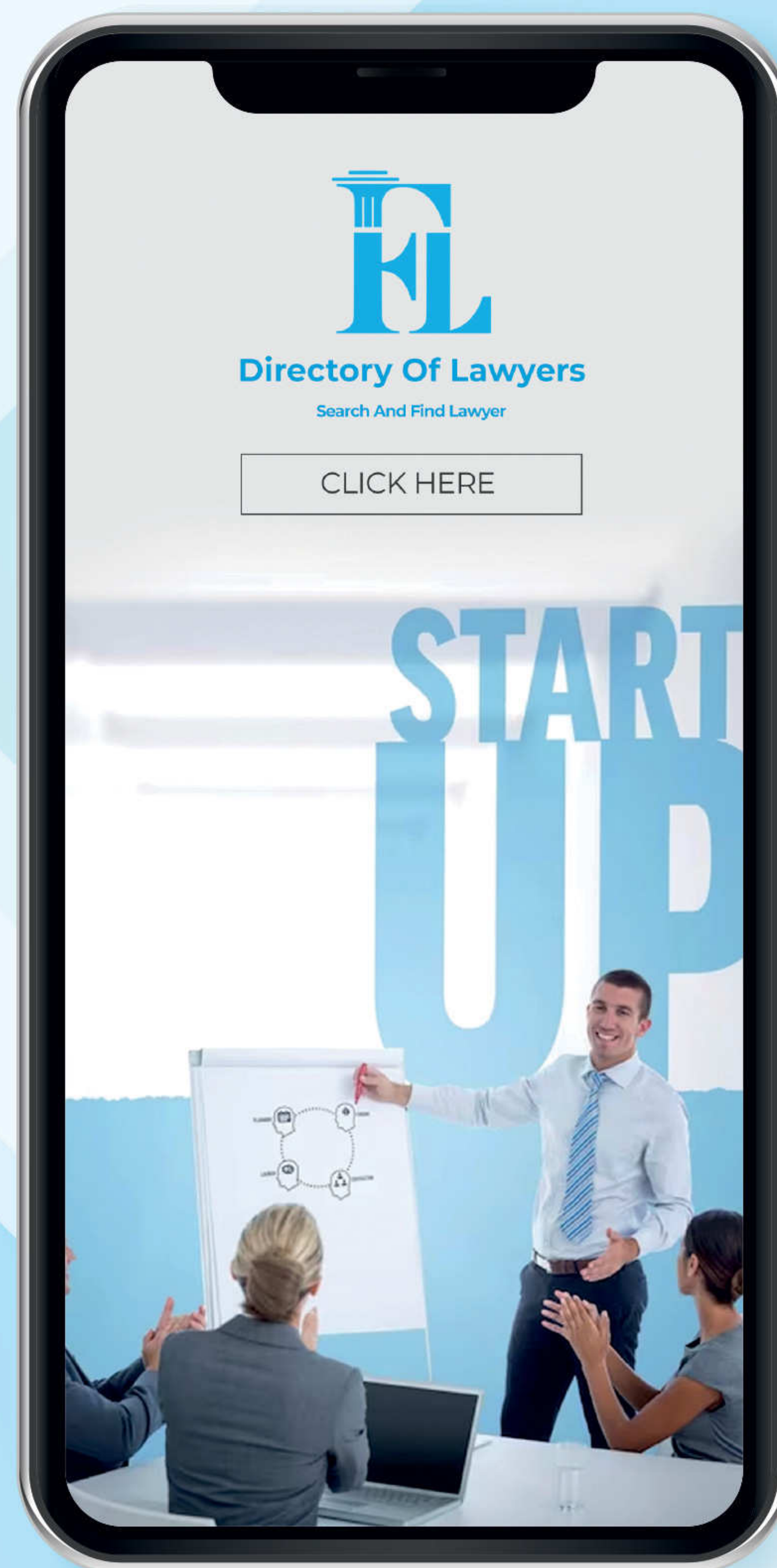
# What Is A Startup? What Type Of Businesses Can We Call A “Startup”?

The term “startup” has its roots in San Francisco, California. It is a newfangled company that offers an innovative solution to a problem and, in today’s world of technology, we are continuously seeing more and more startups. Some people consider startups a new culture for expressing innovative ideas and generating creativity. Today, especially among young adults, there is a lot of talk about newly established businesses and startups. Many people have new ideas in mind that they think they can transform the world with.

Startup refers to a business that has never had a similar model before, which can mean that the startup was first a business established by individuals or corporations. However, it should be noted that the definition of a startup is not limited to just a business. Startup also stands for **“start up company”**, which means a newly established corporation. This includes new companies that have been created as a result of entrepreneurship, and have been formed by creating new, creative and sustainable solutions to meet a need in society.

In most cases, these businesses and corporations are set up by experienced professionals, who are fully aware of all the necessary information and knowledge in their field, such as what goals to set, what services to provide and how to provide them, and so on. It is important to understand that balancing the ultimate goal and its implementation from the outset can be effective in the growth or failure of the business.

**Facelaw** is a startup built to tackle legal problems in Canada and the United States, in which the majority of the population consists of immigrants, both newcomers and those who immigrated, but neither of these categories are fully knowledgeable and well versed as to the legal issues of the country. This can sometimes lead to legal complications that may reach the courts or dispute settlement councils. As the courts and dispute resolution centers become more crowded, the pressure on society will increase. As there is an increase of legal complications due to the lack of basic legal knowledge and competency from the general public, the work force will waste time, energy and resources that can be spent on the development of society on small and large conflicts between people that could otherwise be easily resolved. Furthermore, there will also be a waste of expenditure on issues that, had the parties been first made aware of the rules and regulations, might be spent somewhere else, which could have potentially improved the business or living standards of individuals. This is directly related to the economic growth of countries and the quality of society.







## Ashkan Anvari

Doctor Of Business Administration (DBA)

► Founder Of The Facelaw Platform

The Facelaw platform intends to raise the level of legal knowledge of the community by providing the most up to date relevant information through the Internet and digital marketing and social media platforms, with the help of lawyers, paralegals, immigration consultants, and other legal consultants. For example, when a person does not have information about the inheritance laws of his country or has little knowledge about the legal issues pertaining to his property, they will definitely face legal problems.

Therefore, with a platform like Facelaw, you can search and find a lawyer, paralegal, or an immigration consultant who has sufficient knowledge in that particular field (with any language, cultural background and nationality that suits your needs), read their articles about the relevant issues, listen to their podcasts, watch their videos or participate in their webinars and seminars for free.

You can even ask these advisors questions so that in the future you will be better prepared should you face legal issues. If necessary, you can arrange to retain the services of a lawyers, paralegals, or an immigration consultants, or to better tackle your legal concerns.

These services provided by Facelaw will prevent time from being wasted on finding these advisors in newspapers and websites, as they can all be found in the Facelaw directory.



**We became a bit familiar with the unique aim of the Facelaw startup, in that it is the only legal directory to include services such as:**

- ⇒ A Website with professional search capability and extensive content
  - ⇒ Active social networks with useful content
  - ⇒ Dedicated e magazines and print magazines of legal issues in English and Persian
  - ⇒ Digital / Internet radio and television
  - ⇒ Free seminars and conferences with qualified professionals,
  - ⇒ IOS and Android applications
  - ⇒ Extensive advertising at the provincial and national levels
- And ...

Facelaw's main goal is to reduce the problems and violations resulting from lack of legal information by raising the legal knowledge of society to create a safer, more sustainable environment, which is certainly one of the goals of the government too.

In order to create a culture of identifying legal issues and applying the laws and regulations in our daily life, it is better to use the services of lawyers and legal advisers when important decisions are being made. Having a lawyer or paralegal, or an immigration consultant, by your side ensures that you take the right path without making mistakes that could potentially create legal complications in the future.

We will continue to carry out the strong mission of our startup and we ask you, the general public, to introduce this platform to your friends and acquaintances so that everyone can become familiar with this platform and increase their general legal knowledge. If you are a lawyer, paralegal or an immigration consultant, we ask you to join us in this special endeavor to help your community to create a better world.

**Dr. Ashkan Anvari**







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## Ali Ahmari Moghaddam

- ▶ We believe that clients should feel welcome and comfortable every time they walk into our office.
- ▶ Our law firm also works hard to make sure that clients are involved in all aspects of their case.
- ▶ We take the time to educate clients about their legal matter so that they are well informed about all aspects of their particular case.

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# ONLINE SEMINARS

IN:



Facelaw has the technological ability to conduct various seminars for the community in order to increase awareness in the legal field. As well, Facelaw conducts private seminars for businesses to educate them in the different areas of law. This has the power to inspire businesses to tackle new projects and to advance their level of knowledge within the law. For these seminars, the speakers will be the direct members of Facelaw who are licensed professionals like that of lawyers, paralegals and immigration consultants.

Depending on the nature of discussion, the seminar may be led by one or more professionals.

These seminars will take place in North America. Some will be provided for free and others will require the purchase of a ticket. Facelaw will have all the details including prices, dates, and topics of discussion available on our website for your ease of reference.



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## Ontario's No Fault System: is it Good for Drivers?

### Auto Insurance in Canada

Canada handles car insurance and motor vehicle collisions a little differently than our neighbours to the south, where motor vehicle insurance laws and regulations vary significantly from state to state.

Car insurance in Canada is regulated, in some form or another, by the government. While some provinces, including Quebec and BC, provide a public auto insurance system; others, including Ontario and Alberta, have a private auto insurance system.

Despite these differences, basic auto insurance in Canada is mandatory and intersects with public policies and provincial statutes, regardless of the province. An additional hallmark of the Canadian system of auto insurance is the no fault system. Although not all provinces have an elaborate no fault system like Ontario, each province has some basic aspect of this structure.



Significant differences in provincial no fault systems merely range in the level of coverage and the extent to which tort claims are handled. Ontario is the most populated province in the country and boasts a robust no fault system. However, Ontario residents and licensed drivers will often find Ontario's Accident Benefits system to be convoluted and difficult to navigate.

## Ontario's No Fault System

The no fault system is labelled as such by virtue of the removal of a necessary determination of fault from the initial assessment of an insurance claim. Essentially, if a person is involved in an automobile accident, they deal directly with their own insurance company, regardless of fault.

In turn, the insurance company has access to government regulated funds (Accident Benefits, for example) that are designed to cover the basic claims of a motor vehicle accident. Because these basic funds are publicly available, insurance companies (generally) do not engage in elaborate investigations and adversarial behaviour between one another, which usually takes a great deal of time.

Prior to the no fault system, injured parties could be without compensation for long periods of time or would be required to cover costs of vehicle damage themselves and seek reimbursement later. Ontario's no fault system has expedited the process and removed some of those challenges.

## Claims in Tort

So what are the downsides of the no-fault system? One could argue that the system protects (or rather, doesn't adequately discourage) poor driving. While from a public policy perspective, this may be theoretically true, there are ways for drivers to collect damages that are beyond the scope of the Accident Benefits program in Ontario. Civil litigators are available to help pursue lawsuits on behalf of injured parties who are the victims of negligent driving. This avenue for compensation is called a tort claim. Unlike the Accident Benefits claim and the expedited no fault system, a tort claim is traditional litigation and usually requires several months or more to process. But these claims are reserved for situations where a person is seriously injured by the negligence of opposing driver. Pursuing a tort claim can be expensive and time consuming, but if the injured party has suffered and the opposing party is at fault, then a tort claim is a worth while option. Indeed, it may be the only option for a seriously injured driver to be fairly compensated because Accident Benefits will not cover the extent of the loss.

## Getting Back on the Road

Ontario's bifurcated auto insurance system is fair and efficient. With 10,617,912 licensed drivers, 9,795,303 registered vehicles on the road (2020), and 828 kilometres of the infamous 401 highway, Ontario sees its fair share of collisions. In 2020, Ontario recorded 23,689 collisions involving fatalities or personal injury; down from 34,130 in 2019. The 2021 numbers are expected to rise as more drivers are getting back on the road.

Ontario produces an enormous volume of accident claims, but by dividing claims into either Accident Benefits or claims in tort, this allows the system to process these claims more efficiently. Many claims do not require litigation, as they may be limited to vehicle damage or minor injuries. The no fault system allows these claims to be processed quickly without involving the Superior Court of Ontario, while more serious claims have the option of litigation.

Regardless of whether or not a person believes their car accident is serious, it is important to seek legal advice after a motor vehicle collision. A lawyer can determine if a claim in tort is worthwhile and can also complete the entire Accident Benefits claim in a timely and stress free manner. With the efficiency of Ontario's no fault system and a skilled personal injury litigator on your side, drivers can rest assured knowing that they will be fairly and quickly compensated after a motor vehicle accident.





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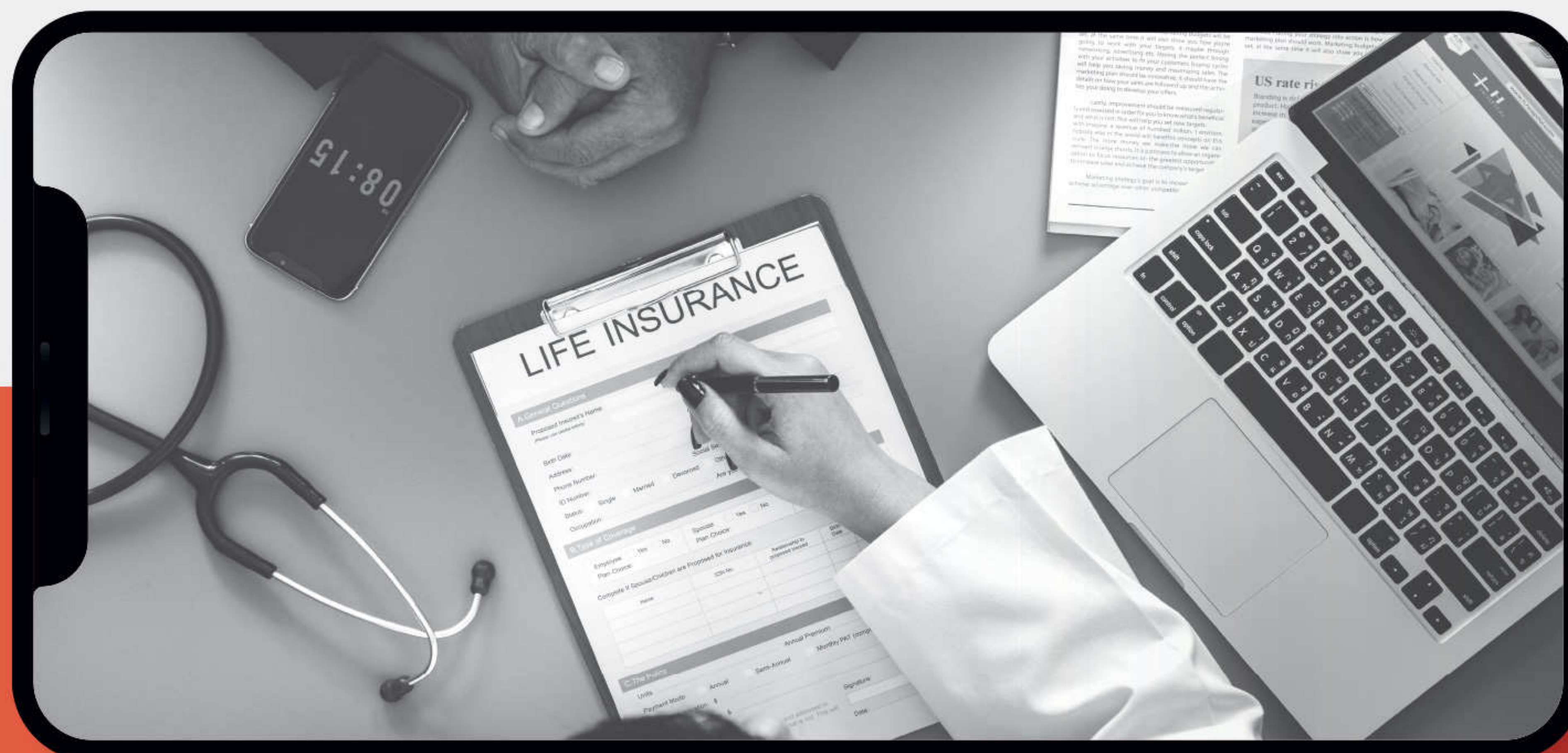
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## Can You File A Medical Malpractice Lawsuit Without A Lawyer?

With the huge amount of information accessible on the internet, some who believe they have been injured through medical malpractice wish to explore pursuing a claim without a lawyer. They may be able to do their own research about what may have happened to them, and how the legal system functions. But research and information are probably not enough to meet the challenges of pursuing a medical malpractice case for most. Although individuals, with some exceptions (including minors and incapable parties), have the right to represent themselves in a lawsuit, it is generally not advisable to do so, particularly when it comes to complex medical malpractice cases.



### Elements of a medical malpractice case

In order for a claimant to be successful in a medical negligence case, there are three key elements that must be proven:

- A breach of the standard of care
- Causation
- Damages

It is important to remember that all three elements must be met for an injured party to be successful in a lawsuit for medical negligence.



## ○ The business of medical malpractice lawsuits

Proving the case requires opinions from medical experts. These experts must review the applicable medical records, provide opinions, in writing and later in testimony, if needed, that establish a breach of the standard of care, causation, and damages.

The cost of obtaining expert opinions can be significant, and, at times, may outweigh the value of the claim itself. Regrettably, this becomes an important consideration when determining the viability of a particular case, and a reality that injured parties and their families must consider.

It is not prudent for the injured party to spend tens of thousands of dollars on expert opinions, and to invest many years of their time pursuing a lawsuit if the value of the claim is insufficient to justify that expense.

Given their scientific and complex nature, medical malpractice cases are typically more challenging than other personal injury cases. Further, these cases tend to be vigorously defended by the medical profession with their ample resources. The inherent complexity of these cases also tends to make them long and drawn out, taking many years to bring to conclusion.

Experience is a significant asset when it comes to pursuing and navigating a medical malpractice claim.

## ○ Seek legal advice before deciding to self represent

Given the complexities involved in a medical malpractice lawsuit, it is advisable to consult with a medical malpractice lawyer and seek legal advice to assist with investigating a potential claim before starting a lawsuit.





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# Chronic Pain and Sufficiency of Proof

## Case Study of Grewal V. Echelon General Insurance Company<sup>1</sup>

The applicant, JG, was involved in a MVA on October 1, 2020 and sought accident benefits. The respondent insurer, Echelon, paid med rehab benefits up to the \$3,500 Minor Injury Guideline (“MIG”) limit but denied further benefits, taking the position that JG’s injuries were minor. JG applied to the License Appeal Tribunal (“LAT”) for resolution of the dispute. The issues in this LAT proceeding were (a) whether JG’s injuries were minor and (b) whether JG was entitled to any of the disputed med rehab benefits (for four physiotherapy treatment plans, one orthopedic assessment and one in home assessment).

Soon after the accident, JG returned to normal work duties and was able to perform his regular daily activities. In approximately two and a half years since the accident, although he saw his family physician, Dr. BN, 16 times, the accident was only mentioned in three appointments. He reported complaints of pain to Dr. BN a couple of times. Dr. BN prescribed him a pain reliever and recommended massage, heat, exercise, a firm mattress and soft pillow and to attend a follow up appointment within a week if symptoms did not improve, but JG never went to a follow up appointment. Dr. BN diagnosed him with lumbar strain and cervical strain as well as muscle tenderness (minor injuries), but never with chronic pain.



Dr. BN never undertook further investigation, such as referring JG to a neurologist or for diagnostic imaging. JG’s OCF-3 Disability Certificate, completed by a chiropractor, also gave as diagnoses strain and sprain. An IE report by Dr. W written after an in person assessment and thorough medical records review diagnosed JG with cervical strain, thoracic strain, lumbar strain and low leg strain injuries.

An insured person who sustains impairments from a MVA that are predominantly minor injuries is currently limited to a maximum of \$3,500 in med rehab benefits.<sup>2</sup> A “minor injury” is defined as a one or more of a sprain, strain, whiplash associated disorder, contusion, abrasion, laceration or subluxation and includes any clinically associated sequelae to such an injury.<sup>3</sup>

If it can be proven that the insured person’s injury falls outside the definition of a minor injury, they can be removed from the MIG limit. However, the burden of proof lies with the applicant. This means that, if an applicant is seeking this exemption, the onus is on the applicant to file evidence demonstrating on a balance of probabilities that their MVA-caused injury is non minor.

Two types of conditions have been held by the LAT to be injuries outside of the MIG include:

- » Chronic pain with a functional impairment
- » A psychological impairment.

Chronic pain is not the same thing as ongoing or recurrent pain. The American Medical Association’s Guides to the Evaluation of Permanent Impairment, 6th ed. 2008 lists six criteria as “**major**” characteristics of chronic pain syndrome, with three required to establish chronic pain syndrome, and the Tribunal has adopted the use of the AMA Guides as an interpretive tool for evaluating chronic pain claims:

- » The use of prescription drugs beyond the recommended duration and, or abuse of or dependence on prescription drugs or other substances;
- » Excessive dependence on health care providers, spouse or family;
- » Secondary physical deconditioning due to disuse and, or fear avoidance of physical activity due to pain;
- » Withdrawal from social milieu, including work, recreation or other social contracts; v. a failure to restore pre injury function after a period of disability, such that the physical capacity is insufficient to pursue work, family or recreational needs; and
- » The development of psychosocial sequelae after the initial incident, including anxiety, fear avoidance, depression or nonorganic illness behaviors.<sup>4</sup>



<sup>1</sup> 2023 CanLII 81826 (ON LAT). (<https://canlii.ca/t/k01lw>)

<sup>2</sup> Statutory Accident Benefits Schedule (“SABS”), O. Reg. 34/10, s. 18(1). (<https://canlii.ca/t/55fz9>)

<sup>3</sup> SABS, “minor injury”. (<https://canlii.ca/t/55fz9>)

<sup>4</sup> Russell v. Economical, 2022 CanLII 23417 (ON LAT), paras. 14-15. (<https://canlii.ca/t/jnd96>)



One of JG's legal positions was that he suffered from chronic pain with a functional impairment, and that it is not captured by the definition of **"minor injury"**, and that therefore he qualified for med rehab benefits beyond the \$3,500 MIG limit.

The respondent, Echelon's, legal position was that JG suffered a soft tissue sprain or strain from the MVA, that sprain and strain are both clearly listed under the **"minor injury"** definition, and that therefore he does not qualify for treatment beyond the MIG.

The LAT Member hearing this case decided that the applicant had not discharged his onus of proving that his injuries were non minor; consequently, he was not entitled to med rehab benefits beyond \$3,500 and thus to any of the disputed benefits (since the limit had already been exhausted). Reasons included the following.

- .1** JG's use of a prescription drug for his pain symptoms was not significant ii. According to the evidence, JG was not excessively dependent on healthcare providers, his spouse or his family; on the contrary, he reported to his family doctor that he was fit for work, doing ok, sleeping ok and experiencing no difficulty walking.
- .2** There was no evidence of secondary physical deconditioning or avoidance of physical activity due to pain; on the contrary, he returned to normal work duties and was able to perform his regular daily activities (and reported such to Dr. BN).
- .3** There was little evidence of JG's recreation or social contacts, but the LAT Member placed significant weight on his reports to Dr. BN that he was working and not functionally impaired post accident.
- .4** Notwithstanding there were a few pain complaints, there was no evidence of a period of disability.
- .5** There was not enough evidence to support the applicant's argument that he developed psychosocial sequelae after the accident; there was only one notation of anxiety in Dr. BN's CNRs.



AMA Guides, JG did not satisfy any of the criteria of chronic pain; and, since chronic pain is only indicated by the presence of at least three of the criteria, the LAT Member concluded he did not suffer from chronic pain.

In addition, the LAT Member noted that no medical practitioner diagnosed the applicant with chronic pain and that the CNRs did not mention chronic pain.

In this case, the applicant's chronic pain argument failed because there was insufficient evidence to support it.

This case gives cues to what can amount to gaps in one's chronic pain argument, such as the lack of a diagnosis of chronic pain syndrome by a qualified medical practitioner (i.e., a pain specialist) and insufficient medical records of reports of pain over time.



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# Ben Azimi

Founder & President  
Of Azimi Law



**Introduce yourself and tell us more about the areas of your practice?**

**My name is Ben Azimi** and I am a practicing lawyer in Toronto, Ontario. My law firm, Azimi Law, has experience in all facets of personal injury law including slip and falls, car accidents, motorcycle accidents, bicycle accidents, dog bite claims and other claims that arise from incidents where individuals have sustained an injury caused by the negligence of a third party. My law firm also represents individuals whose short term and long term disability benefits have been denied and they are unable to return back to work.

Arising from our litigation practice, my law firm provides appellate litigation services. We represent individuals in their judicial review of an immigration decision, e.g., refusals relating to study visas, visitor visas, work permits or any other immigration application that has been denied.





## What inspired you to pursue a career in law?

Initially, I aspired to become a computer engineer. However, my perspective shifted when my physics teacher noticed my aptitude for problem solving, inquisitive nature and the ability to find reasons for everything. Based on these qualities, he encouraged me to pursue a career in law which was more suitable for me. Taking his advice to heart, I decided to become a lawyer and have never looked back.

Working as a lawyer is fulfilling and challenging. It lets me support justice, uphold the law and positively influence people's lives. Dealing with various legal cases keeps every day engaging and demands critical thinking, research and effective communication. This continuous need for skills aids in my personal and professional growth. Additionally, being a lawyer offers a chance to contribute to social change, advocate for fairness and help people navigate the legal system. It's a profession that demands diligence, integrity and a commitment to serving the greater good, making it intellectually satisfying and socially meaningful.

In the legal field, I set myself apart by continuously learning, thinking strategically and committing to excellence. I make sure to stay updated on the latest legal developments and strategies, offering a fresh and informed perspective for each case to secure the most optimal settlement for my clients.

My client centric approach as a lawyer is at the core of my practice, shaping every aspect of how I navigate the legal landscape. I prioritize understanding my clients' needs, concerns and objectives, forging a partnership built on trust and open communication. By actively listening to their unique situations, I can tailor legal strategies that align with their goals. This approach not only ensures personalized and effective representation but also fosters a strong attorney client relationship. I am committed to keeping clients informed, involved and empowered throughout the legal process, making them integral partners in their cases. By placing my clients at the center of my practice, I strive to deliver not only legal expertise but also a supportive and collaborative experience ultimately working towards achieving the best possible outcomes for those I serve.

What makes me competitive isn't just my legal expertise, but also my ability to handle complex issues with precision and attention to detail. I'm skilled in effective communication, both in and out of the courtroom, making my arguments strong and persuasive. Additionally, my unwavering dedication to integrity, hard work and achieving the best outcomes for clients positions me as a lawyer who goes above and beyond. Other lawyers frequently approach me for my legal expertise, recognizing my reputation as a reliable professional in the field. Colleagues seek my guidance due to my commitment to staying updated on the latest legal developments and my strategic approach to complex cases. They appreciate my ability to navigate intricate legal issues with precision and attention to detail. Moreover, my effective communication skills, both in and out of the courtroom, make me a valuable resource for collaborative efforts. In the legal community, I am often approached by fellow lawyers who value my insights and turn to me for advice on various legal matters.



## What is your competitive advantage in your field of practice?



**In five years, I envision myself significantly expanding Azimi Law, taking it to new heights, and transforming it into a multi provincial law firm.**



**Where do you see yourself in about 5 years?**



**Share one of your memorable experiences practicing as a lawyer.**

Approximately one year after founding Azimi Law, I found myself immersed in a pivotal five day trial for a client. This experience was a turning point that significantly shaped the operational ethos of Azimi Law today. Facing the challenges of a trial highlighted the importance of thorough preparation, attention to detail and a steadfast commitment to our clients' best interests. It underscored the significance of being prepared to go the distance to ensure justice is served. This trial reinforced our dedication to taking cases to court when necessary, ensuring that we stand unwaveringly by our clients and are fully equipped to navigate the complexities of a trial. It's this commitment that defines the way Azimi Law operates, emphasizing our readiness to advocate vigorously for our clients, uphold the principles of justice and deliver the highest standard of legal representation.

The willingness to go to trial, if necessary, has been a memorable aspect of my legal career. It represents a commitment to advocating for my clients with resilience and determination. The prospect of standing in the courtroom, presenting a case and engaging in legal battles has provided me with unforgettable experiences. Each instance, whether we proceed to trial or not, is a lesson in strategic decision making, thorough preparation and assertive representation. The readiness to go to trial shapes my approach, influencing negotiations and settlements. The memories created through this commitment, whether in crafting compelling arguments or achieving favorable outcomes, have become defining moments that highlight the strength of our dedication to achieving justice for our clients.







## Share one of the important cases you were involved in, and how you changed the outcome to your client's advantage?

At my law firm, Azimi Law, we deal with seriously injured individuals. We were representing a client who sustained serious injuries of a catastrophic nature. He had been driving a vehicle that he had borrowed from a friend. The car was insured but the driver did not know that the car was only insured for theft and fire by the owner (friend). The driver was in a serious accident and his wife died in the accident. He was seriously injured and required multiple surgeries.

The insurer initially took the position that the client would be excluded from certain benefits because of the exclusion clause set out in section 31 of the Statutory Accident Benefits Schedule, which states that "if the driver knew or ought reasonably to have known that he or she was operating the automobile while it was not insured under a motor vehicle liability policy", the insurer is not required to pay an income replacement benefit, a non earner benefit or a benefit under section 21, 22 or 23. We were able to prove that despite the exclusion clause set out in the Statutory Accident Benefits Schedule, the driver (client) did not know that he was operating an automobile that was not insured. As such, our client was entitled to all the benefits and we were able to secure him a favorable settlement. People come to our firm when they've been hurt, trusting that I can help them through the legal process and get them the highest compensation possible. I become their champion, understanding how their injuries affect their lives. When they reach out to me, I go through everything with a fine tooth comb, looking at all the details of their situation to figure out the best way to help. I work closely with doctors and gather important information to tell their stories in a way that shows how much they've been through. I talk to insurance companies to make sure my clients get the highest compensation for all the hardships they've faced whether physical, emotional or financial. When we go to court, I speak up for them and make sure their side of the story is heard loud and clear. Through it all, I keep them informed and supported so they know I'm working hard to get them the compensation they deserve.

Using technology in my legal work has made a big difference, changing how I do things and helping me get more done. Digital tools and software have made tasks like paperwork easier, so I can spend more time on the important legal stuff. Systems for managing cases and doing research online have made it faster and more accurate for me to find the information I need. Talking with clients has become simpler through secure messaging and video calls, making it easier to update them regularly. Technology also helps me provide clients with better information by using online legal research databases. Plus, it's made organizing and finding important documents a lot easier. Overall, using technology in my legal work not only makes me more efficient but also means I can give clients quicker, easier and better legal services.



## How do you use information technology and digital tools in your legal profession?





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**How has your experience been with Facelaw thus far?**

In my experience, Facelaw has proven to be a trustworthy platform dedicated to connecting individuals with lawyers and other legal professionals. The platform introduces users to a network of credible legal colleagues, fostering a sense of trust and reliability. Through insightful interviews with lawyers and legal experts across The United State & Canada, Facelaw actively contributes to expanding people's knowledge about various legal matters. This proactive approach not only facilitates informed decision making but also plays a role in preventing potential fraud by ensuring a transparent and reputable connection between users and legal professionals.



**In what ways do you support or give back to your local community?**

I consistently strive to contribute to both my local community and the Iranian community. In my efforts to support, I offer free no obligations consultations for individuals with personal injury cases. I offer this service all across Ontario and on all platforms, applications, video conferencing and social media. Additionally, in immigration matters, I provide a complimentary review of their files for appellate cases and judicial review.



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# “ What are your hobbies and what do you enjoy doing in your spare time?

Since the age of 16, I've been immersed in the world of music passionately playing the guitar and exploring the art of singing. Beyond my musical pursuits, I am also an avid athlete with a keen interest in various sports. Weightlifting has become a significant aspect of my fitness journey, allowing me to build strength and resilience. Soccer is another sport that captivates my enthusiasm and I enjoy the camaraderie and skill involved in the game. Additionally, water sports hold a special place in my heart providing a refreshing and exhilarating way to stay active and connected with the outdoors. These dual passions for music and sports have shaped my diverse interests, contributing to a well rounded and fulfilling lifestyle.

Exploring diverse cultures and traveling have grown beyond a simple pastime for me; they've become a treasured hobby. The delight of venturing into new places, meeting people from various backgrounds and immersing myself in different traditions has given me a richer understanding of the world. Whether strolling through lively markets, savoring local dishes or experiencing the unique customs of a community, each journey leaves a lasting impact on my perspective. The excitement of uncovering hidden gems, historical landmarks and the vibrant array of human experiences ignites my passion for exploration. This pastime not only widens my knowledge of the world but also fosters a deep appreciation for the diversity that makes each destination special.

My globetrotting experiences and the insights gained from diverse cultures have become instrumental in my role at the law firm, particularly in navigating the complexities of working with clients from various backgrounds. Traveling the world has not only broadened my understanding of cultural nuances but has also equipped me with a unique skill set to engage effectively with clients from different parts of the globe. By immersing myself in different societies, I've cultivated a deep appreciation for the cultural intricacies that shape people's perspectives and legal expectations. This firsthand knowledge has proven invaluable in building trust and rapport with clients, as I approach each case with a cultural sensitivity that goes beyond legal expertise. Additionally, exposure to different legal systems globally has allowed me to tailor my legal strategies to align with the unique expectations of clients from diverse cultural backgrounds. The ability to bridge cultural gaps and adapt my approach has not only enhanced client satisfaction but has also positioned our law firm as one that values inclusivity and understands the importance of cultural context in providing effective legal representation.



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# The Importance Of Having A Will

Your loved ones will be grateful for your decision to create a Will and begin your estate planning process. There is a significant importance for Ontario adults to have a valid Will to address several important decisions regarding their estate.

A Will is a legal document that is an individual's last will and testament which outlines your wishes in the event you pass away. Your Will is a guide for your loved ones to follow in accordance with your wishes, and without this it can cause a strain and difficulty on your family members. To ensure you are adequately planning your estate and protecting your loved ones, it is essential to create a valid Will.

Many people put off completing this important legal document for a few reasons. There are misconceptions about not having enough assets to make creating a Will worthwhile. Regardless of an estate size, having a valid Will is extremely important to handle all the affairs of distribution of assets as well as handling estate debt. Additionally, many others put it off and leave it on their to-do lists, to complete eventually.

However, there are many reasons one should have a level of urgency in completing a Will. If you have minor children, you will want to ensure they are taken care of by the guardian of your choosing, if you are no longer here. Otherwise, the court is left with the decision on who to appoint as the guardian of your children.

If you have special personal belongings and possessions that you wish to gift to loved ones, you are able to do so using your Will. Any monetary gifts you want to give friends and family members, or charitable gifts can also be drafted into your Will. Your wishes on how you want your property to be distributed, will be in your Will and your Estate Trustee that you appoint must follow these instructions.

## “ What is a Valid Will in Ontario? ”

A valid Will in the province of Ontario must be signed by the person who is making it, as well as witnessed by two individuals who do not benefit or inherit under the Will. The person creating the Will is called the testator, and this individual must be over the age of majority in Ontario (age of 18), and of sound mind.

Although there are many DIY Kits for Wills, many of these do it yourself solutions do not take into account estate planning needs of specific individuals, which can differ depending on the testator's personal situation and assets. These do it yourself kits can seem easy and simple, however they can also cause significant harm to your estate and your heirs if done incorrectly without a lawyer's assistance.



“

## What it means if you die without a Will

If you die in Ontario without a Will, this is considered intestate. Because there is no will, there is also no Estate Trustee who can immediately deal with your property. An application needs to be made to appoint an Estate Trustee Without a Will.

Eventually if you have no living next of kin, the property escheats to the Crown and your estate goes to the Ontario government. This priority is created based on the Table of Consanguinity, which looks at each level of kinship in your family tree.



The probate process is lengthier, costly and under Ontario's Succession Law Reform Act, your estate is disposed of using this statutory distribution.

According to this statutory guideline, your estate goes to your spouse and children, however if you have no children, your next of kin is your parents. If your parents are no longer living, it is passed down to your siblings, and if they are no longer living, it goes to your nieces and nephews, and so forth.

However, if you are unmarried and in a common law relationship, there is no statutory right for a common law partner to inherit from your estate. This can cause you to disinherit your common law spouse without intending to do so. Additionally, if you have minor children and do not have a Will that appoints a guardian, the court will decide who to appoint without your input. It is important that a decision as significant as who cares for your children in your absence, is made carefully by yourself. Creating a validly executed Will can avoid these issues by addressing your specific wishes in the document.



“

## What it means if you die with a Will

If you die with a Will in Ontario, this is considered testate. As long as your Will is validly executed, the distribution of your estate follows in accordance with your wishes. You are also able to choose who manages your estate by appointing your Estate Trustee.

Your Estate Trustee is given authority by your Will, to manage your estate, distribute and dispose of assets according to your wishes. Although your estate will still go through probate, the process is a lot speedier as your estate will be administered by your Estate Trustee. The distribution is also done in terms of priority, in the manner you as the testator decide. If you have minor children, your Will is where you can appoint a guardian to care for your children.

This is an important decision for your children's best interests, and it is critical to select someone you trust to fill this role. Additionally, by reviewing your estate with your lawyer when creating your Will, you can go over your

assets and discuss tax implications of the distribution of these assets, and select the right planning tools that can help reduce taxes for your estate planning needs.

By having a Will and an appointed Estate Trustee, your loved ones can be assured that your affairs will be handled during the administration of your estate, in accordance with your wishes.

“

## Hiring a Lawyer

It is essential when creating your estate plan and your Will specifically, that you retain a lawyer that can adequately draft your personal wishes and needs.



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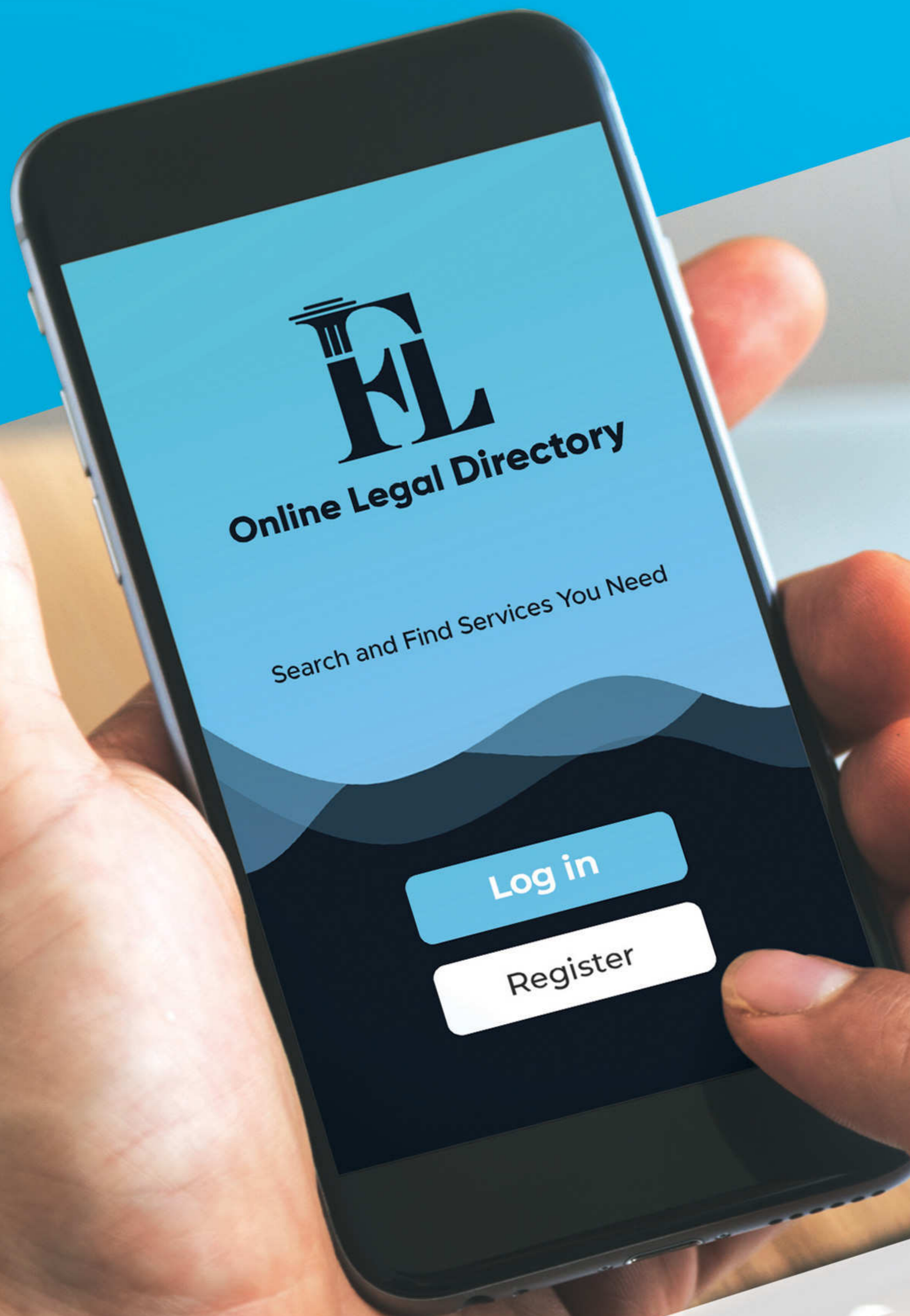


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Hossein Niroomand has been practicing since 2003 and specializes in civil litigation, personal injury, employment, and family law. He is admitted to the Ontario Bar representing private individuals and corporations.

Hossein is very well respected within the legal community for his extensive experience negotiating lump sum settlements, as well as mediations, arbitrations and trials. He oversees every step in the progress of your case and you can rest assured that hossein's experience is at work for you.

He has shown himself to be a worthy advocate in confronting the aggressive tactics of most defense lawyers and putting together strategies to ensure the best possible results for you.

Niroomand Law Began In 2003 As A Boutique Full Service Law Firm. We Offer Legal Services Of All Kinds, And Tailor Our Services To Meet The Unique Needs Of Our Clients. Our Mandate Is Simple: **To Provide Expert Representation - No Matter What.**

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# Dr. Naser Abedi



The Law Office of Dr. Naser Abedi was established in 2001 as a law firm operating from the Greater Toronto Area, Ontario, Canada and primarily practicing Family Law, Immigration Law, Business Law, and Wills and Power of Attorney. Our firm maintains many affiliates in other key areas of law, as well.

Our firm prides itself on its track record of expertise, dedication, and ethical responsibility. Our clients are very satisfied with their experience at our law firm, because we pay attention to the needs of our clients and provide friendly, honest, compassionate, and trustworthy legal representation. Nothing demonstrates this more than the fact that a great quantity of our clients are based on repeat representation and referrals from past clients.

When you choose our practice to handle your legal dilemma, you can rest assured that we will commit our years of education, experience, and excellence to your legal matter and maintain communication with you throughout the process. Contact us today and let us take the worry out of your legal issue.

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He is the founder of Yazdani & Associates Immigration Firm as well as YLG – Yazdani Law Group.

He received a Master's degree in Canadian Common Law at York University, and graduated from Osgoode Hall Law School in 2016.

He obtained his Certificate of Qualification from the National Committee on Accreditation (NCA).

He is the author of several articles on matters pertaining to Public International Law, Dubai Property, Arbitration Law, and Canada Immigration Law.

Mr. Yazdani is the only lawyer in Canada with an immigration consultant diploma and three law degrees. His high-profile and celebrated cases have attracted international attention, and he is frequently consulted as an immigration expert by journalists, government and non-governmental organizations (NGOs) on matters pertaining to immigration law and policy. He recently was a television host in a biweekly show known as "Canadian Immigration from Law's Point of View".

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*YLG Empowers Individuals  
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Afshin Yazdani is a skilled advocate, trusted advisor, international barrister and solicitor with more than 20 years experience in the legal field. His career has taken him to great heights from being a law professor in Iran and the United Arab Emirates to growing Canada's largest Iranian-Canadian immigration law firm.

After a six year stint in Dubai, UAE, Yazdani immigrated to Canada in 2012, where he received an immigration consulting diploma in Montreal in 2013.

In the same year, he founded Yazdani and Associates Consulting in Toronto, Ontario with primary focus on providing business and immigration consulting services to international companies. He became a regulated immigration consultant (ICCRC) member in 2016 and subsequently, he worked as an international lawyer and senior consultant for WWICS, Toronto branch - Canada's largest Indian immigration organisation with more than 20 branches worldwide, averaging about 25 000 Canadian visa applications annually.

After completing his postgraduate studies in Canadian Common Law at Osgoode Hall Law School and Ryerson Universities in 2018, he identified a need to represent the new generation of young, ambitious, individuals and entrepreneurs to realise their dreams in Canada and hence the concept of Yazdani Law Group (YLG) was born in 2019.

Yazdani actively participates in client cases, having advocated and consulted hundreds of successful cases and mentors a stellar team of over 200 employees with associate business in Tehran, Shiraz, Los Angeles, Toronto and Vancouver, to achieve their objectives in complex cases ranging from refugee hearings to angel investor visas, while maintaining an active and robust litigation practice to effectively resolve problems.

Afshin Yazdani has been certified as a distinguished 2021 member of Lawyers of distinction. The father of one holds a bachelors and masters degree in law from Iran and master's degree in law and an immigration consulting degree from Canada, and was the former member of the Iranian Bar and former practitioner in the united Arab Emirates. He is currently is currently a member of Ontario Law Society. As part of his astounding portfolio, Yazdani is also a regular columnist having written Canadian immigration articles for specialised publications such as Lawyers Daily, one of Ontario's most read legal publications by Lexis Nexis, was the producer of the 24-episode TV series Immigration to Canada from a Law Prospective and was featured in Law Times.





# Simona Jellinek

▶ Senior Counsel

## Education:

- ▶ Bachelor of Arts, University of Toronto, 1991
- ▶ Bachelor of Law, Osgoode Hall Law School, 1994

## “Expertise

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Sexual Abuse



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**Simona Jellinek** leads the Sexual Abuse and Assault team as counsel. Simona has more than 25 years of representing survivors of childhood abuse as well as adult assaults. She has litigated against religious institutions, Children’s Aid Societies, all levels of government, Big Brothers, Scouts, school boards, and many other institutions where people are placed in harm’s way. Simona has litigated hundreds of cases and has helped her clients achieve some of the highest settlements for sexual abuse cases in Canada. **Simona** was on the Executive Committee of the Ontario Trial Lawyers Association’s Board of Directors for almost a decade. She also served on the Toronto Police Sexual Assault committee for many years. She co drafted the Sexual Abuse Guidelines applicable to all Ontario lawyers by the Law Society of Ontario.

**Simona** is one of Canada’s most experienced and successful lawyers in the complex and unique area of **sexual abuse** and assault litigation. Her experience in the area allows her to provide effective legal advice with knowledge and compassion. She has dedicated her life to helping survivors of sexual trauma in their journey towards healing. **Simona** has also been instrumental in changing important pieces of legislation including the removal of the limitation period in sexual abuse and assault cases. As well, she also assisted the government in amending legislation to allow survivors who are on ODSP to remain on ODSP even after receiving compensation from a judgment or settlement. Simona’s expertise in the area has been recognized by her peers and she is listed in Best Lawyers and Lexpert. She has been honoured to receive the Distinguished Service Award by the Ontario Trial Lawyers Association and the Zenith Lexpert award.



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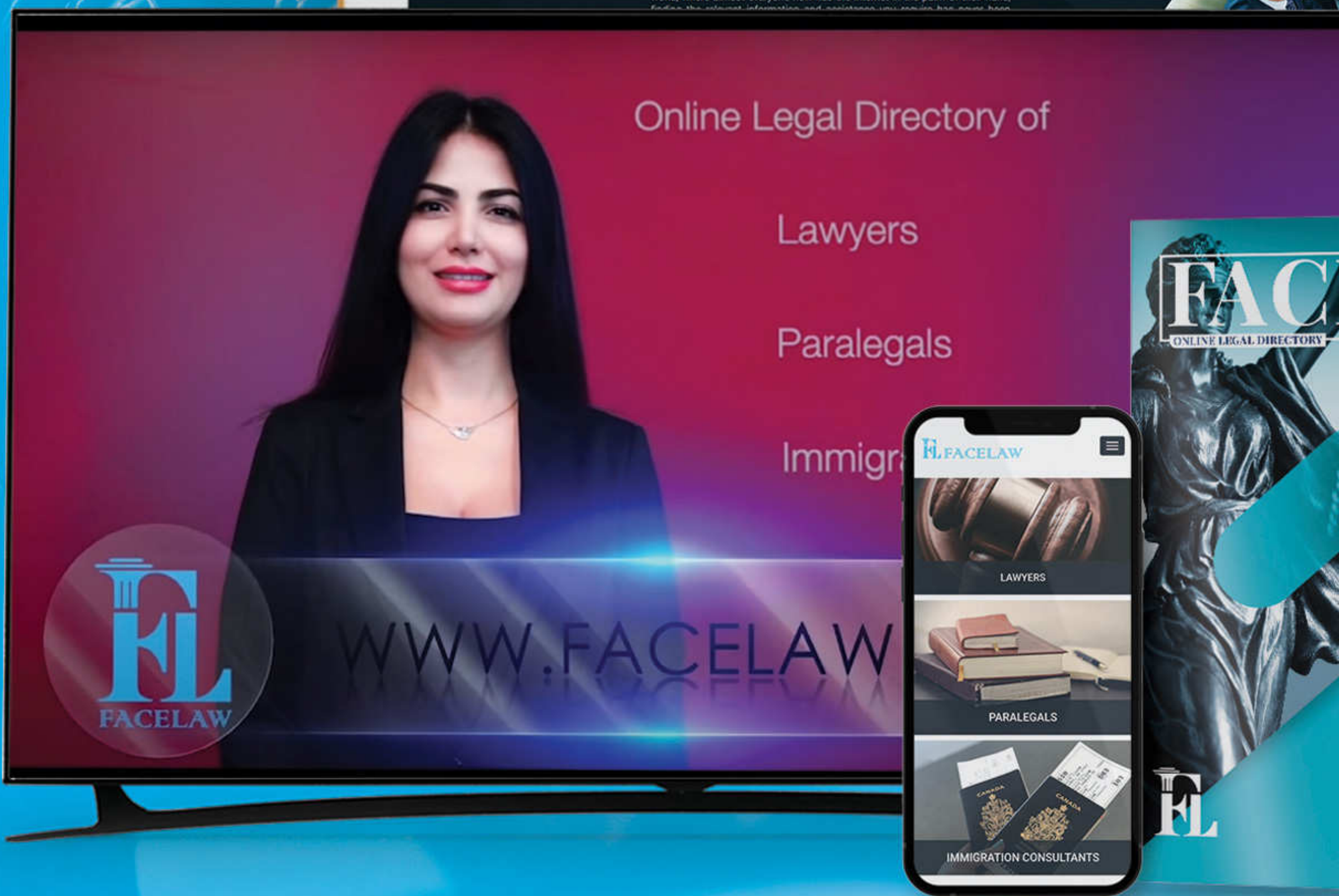
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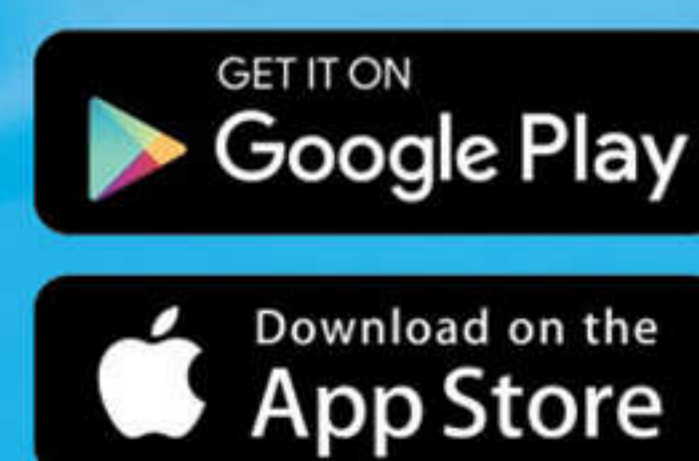
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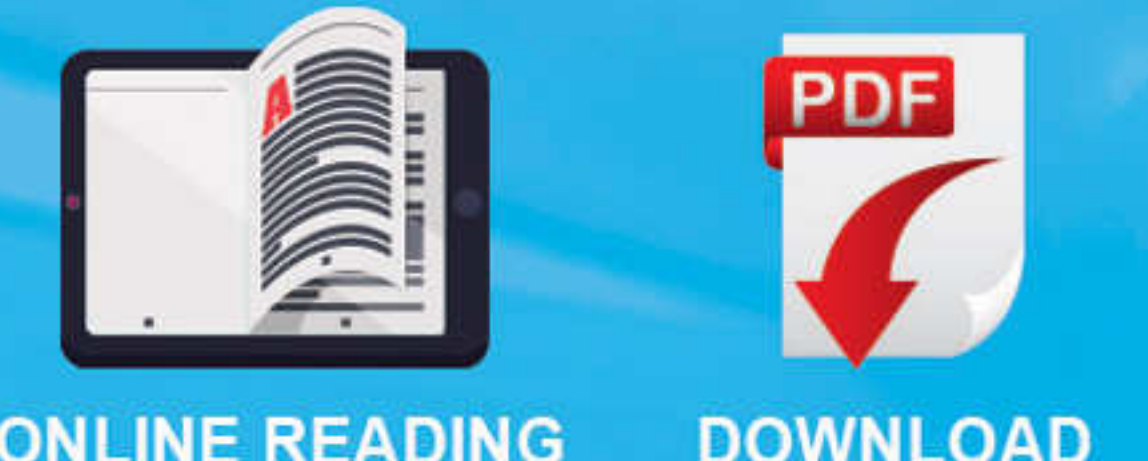
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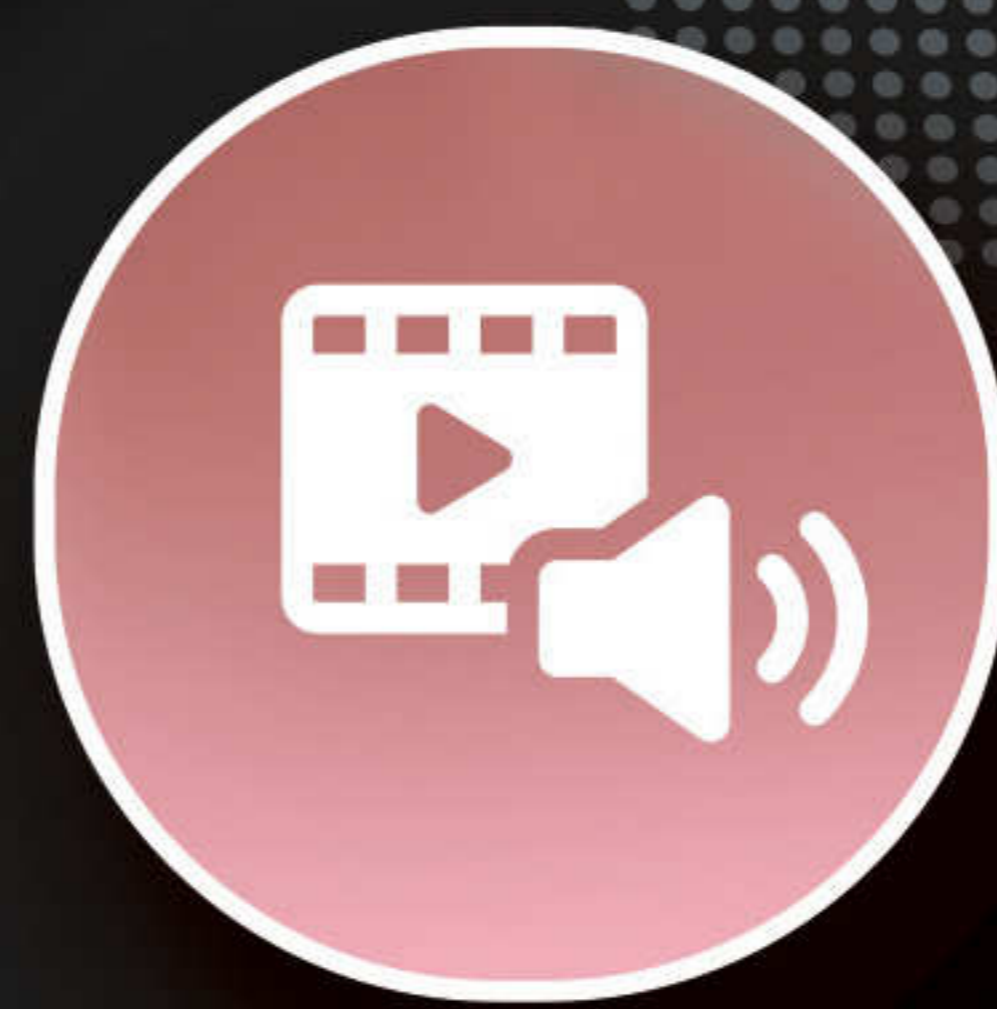
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