

# FACELAW

ONLINE LEGAL DIRECTORY

38 PAGES

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## Hossein Niroomand

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Navigating Ontario  
Family Law

Article By  
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Facelaw Magazine's  
INTERVIEW

The Right Choice For  
All Your Legal Needs



Determination  
of Separation  
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Elena E. Mazinai



A Tale of Two  
Slip And Falls

Article By

Aryan Kamyab



Little Known Way  
to Recovery for  
MVA Injuries

Article By

Ben Azimi



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Ali Ahmari Moghaddam

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FEBRUARY 2024 FACELAW.NO 43



**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.

The Legal Professional will help guide you through the complex legal landscape and will provide the appropriate and professional legal advice.

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Facelaw.ca will connect you with the right Legal Professional to fit your legal needs quickly and effectively.

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

“

Facelaw, The Right Choice For All Your Legal Needs.

”

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## Ashkan Anvari

Doctor Of Business Administration (DBA)

► Founder Of The Facelaw Platform

# Becoming acquainted with Facelaw Startup and our goals.

## What is a Startup?

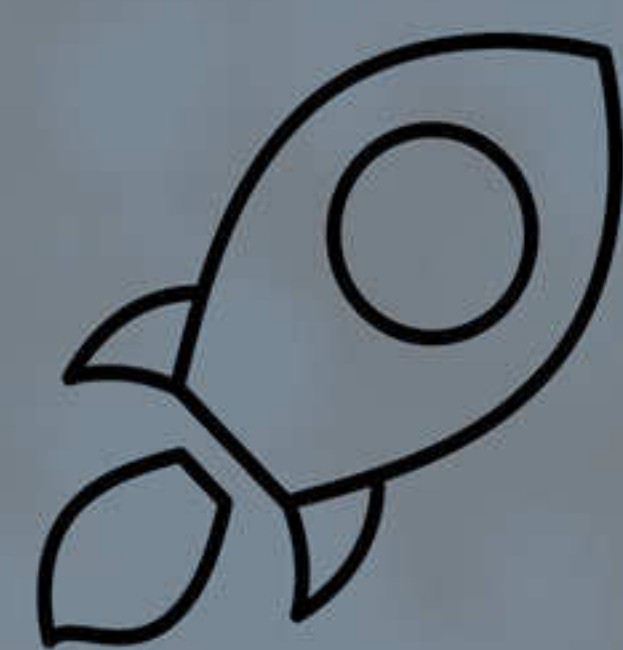
### What type of businesses can we call a 'Startup'?

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.

Startup



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.

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 teaching 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





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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.

## Why Choose Us?

- ▶ CLIENT-FOCUSED SOLUTIONS AND RESULTS
- ▶ FLEXIBLE, VALUE-DRIVEN APPROACH
- ▶ BEYOND THE BILLABLE HOUR
- ▶ DIVERSITY & INCLUSION
- ▶ WOMEN'S EMPOWERMENT AND SUCCESS
- ▶ PROVEN ADVOCACY. PROVEN RESULTS
- ▶ A MULTIDISCIPLINARY, COLLABORATIVE APPROACH
- ▶ HEAR FROM OUR CLIENTS
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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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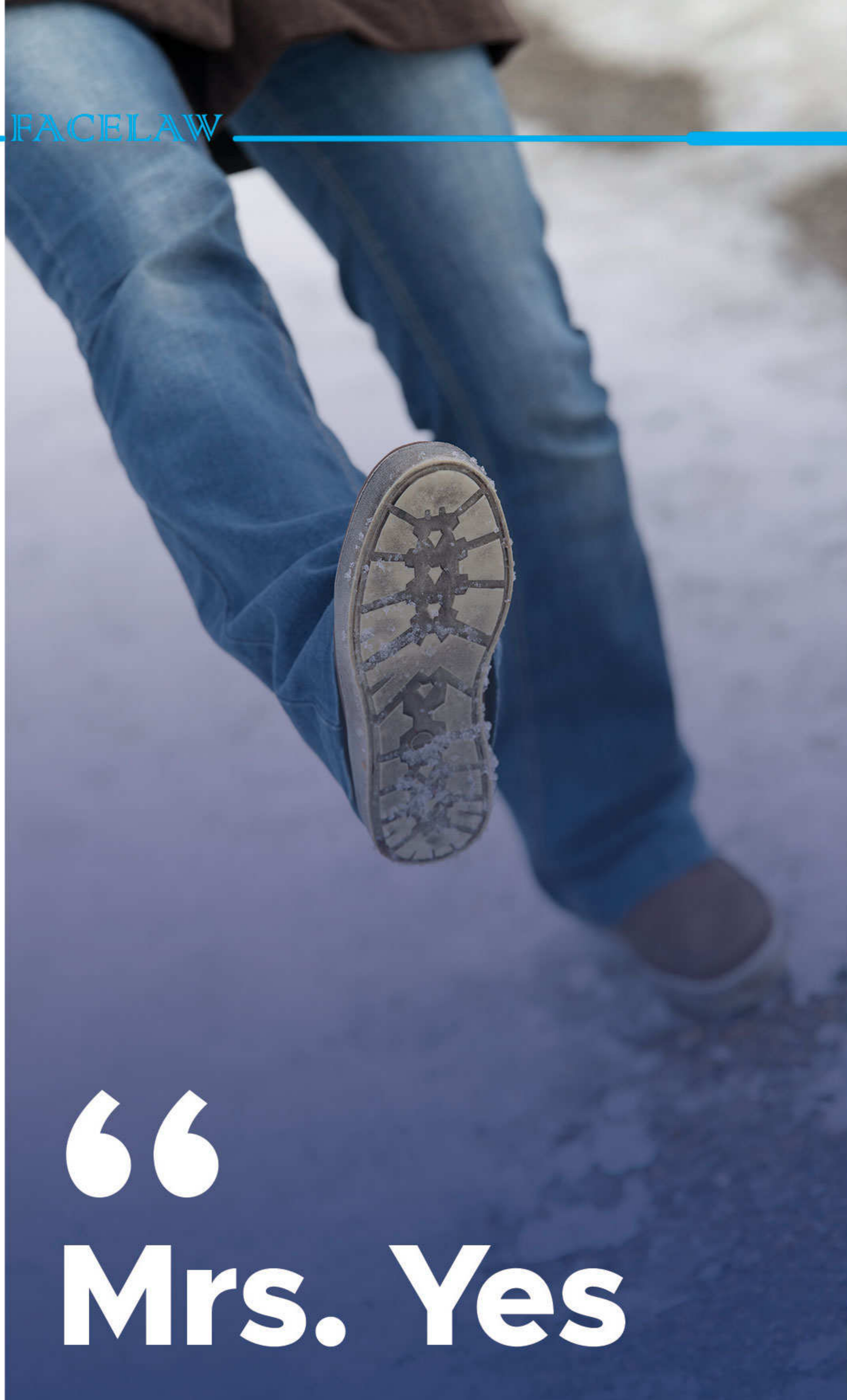
# A Tale Of Two Slip And Falls

Slip and falls are a common occurrence and can result in serious injuries, especially in Canada where ice and snow cover the ground for three months of the year.

The holiday season in late December sees an increase in parties and social gatherings, while at the same time, an increase in the likelihood of icy and snowy weather. Under these circumstances, accidents are waiting to happen.

This is a tale of two slip and fall accidents that ended quite differently. On one particular evening, two individuals Mrs. Yes and Mrs. No both attended separate holiday parties. Unfortunately, both of them would suffer severe injuries after slipping and falling on icy surfaces. However, one of the two victims would be successful in bringing a liability claim for damages, while the other would be unsuccessful. Here are their stories...





## “ Mrs. Yes

Mrs. Yes was attending a party at a friend's house. After having enjoyed a long night of celebration, Mrs. Yes decided that it was time to go home. She said farewell to her friends, thanked the hosts for a great evening, and departed. Over the course of the party, the weather had changed significantly. Freezing rain had fallen midway through the evening and temperatures dropped drastically, creating icy conditions on the roads, including the host's driveway.

After stepping outside the house, Mrs. Yes recognized the cold conditions and tried to locate a safe and clear path for her to use. However, the only available route was down the driveway. She proceeded down the driveway, walking slowly and carefully, towards the sidewalk. But before reaching the end of the driveway, Mrs. Yes slipped on an icy portion of the ground and severely injured her leg. A nearby neighbor noticed her fall and came to her assistance.

## “ Mrs. No

Meanwhile, in another part of town, Mrs. No was also attending a party at a friend's house when she noticed how late it had gotten. She said farewell to her friends, thanked the hosts for a great evening and proceeded to the door. The host walked her to the front door and cautioned her about the weather.

Several hours prior, the host noticed that the weather had changed to freezing rain and monitored the sudden drop in temperature. Seeing as the host had several people at her home, she left the party twice throughout the evening and salted the driveway and walkway in anticipation of the icy conditions.

Mrs. No thanked the host for the warning but assured her that she would be ok. The host recommended that Mrs. No use the walkway at the side of the house because the walkway had been shovelled recently and salted, while the driveway, although salted, had not been shovelled recently. Mrs. No informed the host that she was in a hurry to get home because of how late it was, and that she would simply use the driveway and walk carefully. After saying farewell to the host, Mrs. No proceeded down the driveway without taking caution as she walked. Midway down the driveway, Mrs. No slipped on an icy portion of the driveway and severely injured her leg. A nearby neighbor came to her assistance.

## “ Both Mrs.

Yes and Mrs. No suffered injuries that required physiotherapy and prevented them from working for several weeks. They both brought liability claims against the hosts for failing to ensure that the property was safe for guests. However, only Mrs. Yes was successful, while Mrs. No was unsuccessful. Here is a breakdown of why.

# 66 The Law

The Occupiers' Liability Act applies to both these circumstances. According to this statute, an occupier has a duty to ensure that their property is kept reasonably safe for all people who enter. An occupier is anybody who owns or is responsible for a premises. Both hosts were occupiers of the property at the time of the accidents, therefore both hosts owed their guests a duty of care to ensure that the properties were safe.

## The Occupier Mrs. Yes

The host of the party that Mrs. Yes attended failed to ensure that the property was safe. In situations where icy conditions pose a risk of injury, it is required that an occupier make efforts to remove the dangerous conditions. Typically, salting or sanding an icy driveway will help to remove the risk. An occupier must also ensure that they provide enough salt or sand. If the occupier does not add enough salt or fails to salt the entire portion of ice, they may still face liability. In this case, the hosts did not salt the driveway at all, even though they knew guests would be using their property. For these reasons, they were held liable.

The hosts tried to argue that Mrs. Yes was partially responsible for her injuries. According to the law, if the victim behaves recklessly or willingly assumes the risk involved, they may be partly responsible and will only be able to collect a portion of the damages. In this case, Mrs. Yes was not reckless and did not willingly assume the risk for the following reasons:

- ▲ She was unable to see below the thin layer of snow, and was therefore unsure if the driveway was slippery;
- ▲ Because she was unsure of the conditions, she tried to locate a safer route, but none existed;
- ▲ She walked down the driveway as carefully and slowly as possible, in case there was ice below her; and
- ▲ Mrs. Yes was wearing heavy winter boots at the time, which is appropriate footwear for the circumstances.

## The Occupier Mrs. No

The hosts of the party that Mrs. No attended did their best to ensure that the property was safe and therefore were not held liable. The law tells us that occupiers must take reasonable steps to ensure that the property is reasonably safe. This means they are not required to remove every single possible risk, as this would be an unreasonable requirement. In this case, the host recognized the weather changes and salted the driveway and walkway twice throughout the night. Additionally, the host suggested that the guest use the safer alternate path that had been shovelled. These are reasonable steps to ensure that guests are safe while on the premises.

Furthermore, even if the host failed to take reasonable steps to ensure that the property was safe, the guest in this case would have been partially, if not entirely, responsible for her injuries for the following reasons:

- ▲ Mrs. No was warned of the weather conditions but did not make efforts to walk carefully;
- ▲ She was offered a safer route down the walkway but chose to use the driveway instead;
- ▲ She was in a hurry and was therefore acting recklessly with regards to the icy conditions; and
- ▲ She chose to wear high heeled shoes that night, which posed a greater risk to her safety, given the difficulty in walking on ice in that particular footwear.

## Optional Third Guest What Do You Think?

# “

### Mr. Wrong Defendant

Mr. Wrong Defendant was attending the same party that Mrs. Yes was attending. However, Mr. Wrong Defendant left 30 minutes earlier. As he stepped outside of the house, he noticed the winter conditions and decided to walk carefully down the driveway. Unlike Mrs. Yes, he managed to reach the end of the driveway and stepped onto the sidewalk. He then took two steps and slipped on an icy portion of the sidewalk and fell, severely injuring his leg. A nearby neighbor saw him fall on the sidewalk and helped him.

Like Mrs. Yes, Mr. Wrong Defendant also sued the host of the party due to their failure to salt the driveway and provide a safe environment for their guests. Unfortunately for Mr. Wrong Defendant, the hosts were not found to be liable in this case because the victim did not slip and fall on their property.

Because he fell on the sidewalk, the occupier was in fact the municipality and not the party host. Municipalities are responsible for ensuring the safety of certain public spaces, such as sidewalks, roads and parks. Mr. Wrong Defendant was suing the wrong occupier.

Unfortunately for Mr. Wrong Defendant, it was too late to change his claim. But even if he correctly sued the municipality, it would have been much more difficult for him to succeed because municipalities are treated differently than residential hosts. Although it is reasonable for a resident to salt their driveway shortly after an ice storm (especially if they are hosting guests), it may not be reasonable for the municipality to salt every single sidewalk in the city shortly after an ice storm.

# “

### Mr. Wrong Defendant

Even though these stories are quite similar, the differences between them can result in completely opposite outcomes. Both the guest and the host play key roles in deciding liability. The occupier of a property must take reasonable steps to ensure the environment is safe, while the guest must also act reasonably and do everything they can to avoid an injury.

Finding a balance between what is reasonable and what is unreasonable can be very difficult. If you are injured in a slip and fall accident, you should seek legal advice in order to determine the strength of your case and whether or not your tale will have a happy ending.




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## Elements Of A Medical Malpractice Case

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.

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.



## Seek Legal Advice Before Deciding To Self - Represent

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.

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. Our medical malpractice team includes lawyers with the expertise to litigate these challenging cases along with staff who bring an intimate knowledge of the medical system.

With our extensive trial experience, excellent negotiating skills, and thorough knowledge of the medical practitioner insurance claims process, we can develop and manage your case every step of the way. To learn more about how our medical malpractice lawyers in Toronto, Ottawa, Barrie or Niagara can assist you, contact us for a free consultation.

[www.azimilaw.ca](http://www.azimilaw.ca)[immigration@azimilaw.ca](mailto:immigration@azimilaw.ca) **Azimi Law****BEN AZIMI** **416-900-4128** Toronto Office  **+98 991 1616 608** Iran Office **685 Sheppard Ave E, Suite #508 Toronto, ON.**  **M2K 1B6**

## Little Known Way to Recovery for MVA Injuries

### About the No Fault Auto Insurance Scheme

Most people are familiar with a tort claim against the guilty party after a car accident. Some are not aware that anyone involved, regardless of whether they are at fault, can claim accident benefits through insurance. Unlike compensation awarded for a tort, which may take years or even decades, accident benefits are paid out very quickly. The reason is that the purpose of accident benefits is to facilitate immediate treatment and compensation. While the value of a tort claim can potentially be quite high, accident benefits are usually modest. Another difference is the deadlines to make a claim: for a MVA tort claim, it is two years; for accident benefits, one must give the insurer notice of one's intent to apply for accident benefits within seven days of the accident.





## There are six kinds of accident benefits

Expenses that cover treatment not covered by OHIP or one's private insurance plan are called Medical Rehabilitation Benefits. Meanwhile, Attendant Care Benefits cover the expenses of hiring an aide or attendant to assist with day to day functions. An Income Replacement Benefit supplements one's lack or shortfall of income due to being unable or less able to work since the accident, while the Non-Earner Benefit provides financial support if one was unemployed, retired or a student at the time of the accident. The Caregiver Benefit can contribute to the expense of care for one's dependent. Lastly, coverage for expenses in hiring services to care or maintain one's home is the Housekeeping Benefit.

On receipt of a notice of intent, the insurer assigns an adjuster and sends you an application package. The OCF-1 is the application while the OCF-3 is the disability certificate that is partly completed by you and partly by your healthcare provider. Additional forms are used in applying for specific benefits. The insurer can approve, investigate, reject or terminate benefits. You may contest a rejection or termination by applying to the License Appeal Tribunal for dispute resolution. After a MVA, there are many challenges ahead, such as working to recover and return to pre-accident activities, and you likely have many questions. Ben Azimi is an experienced lawyer who can help you get the answers and navigate the legal process to get the benefits you deserve.



[www.MazinaniDivorceLawyers.ca](http://www.MazinaniDivorceLawyers.ca)

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## Determination of Separation Date

### ▲ Divorce Order

In order to legally end your marriage, you need to get a divorce order from the Court. Separation is the first step to obtaining a divorce.

### ▲ Valuation Date

Pursuant to the Family Law Act, the separation date is the valuation date for the purposes of calculating net family property.

### ▲ Separation Date

In some cases, it is quite clear when separation occurs. For example, one spouse leaves the family home or provides a separation agreement to the other spouse.

In other cases, the date of separation is disputed. There are two aspects to spouses living separate and apart. First, the parties must live apart from each other, and second, there must be an intention on the part of one or both of them to live separate and apart from the other.

To live “apart” requires a physical separation between the parties. This means that the parties cannot be cohabiting in a conjugal relationship. However, the fact that they continue to reside in the same home together does not necessarily mean that they are not living apart. Spouses can be living separate and apart under the same roof.

### Factors to Consider in Determining the Date of Separation

The relevant principles that emerge from the case law to determine the date of separation can be summarized as follows:

- Whether there has been sexual relations between the parties.
- Whether the parties have been involved romantically with other people.
- Whether the parties have continued to discuss family issues and problems and communicate about daily issues.
- Whether the parties continue to be accountable to each other for daily activities.

- Whether the parties have continued to participate in joint social activities.
- Whether the parties spent vacations together.
- Whether the parties continued to share and participate in each other's daily routines as in the past, such as eating meals together and sharing household chores.
- Whether the parties have celebrated special occasions together.
- Whether the parties have purchased gifts or exchanged other tokens of affection with each other.
- Whether the parties have supported each other with respect to extended family obligations.
- Whether the parties described their status on documents such as Income Tax Returns as separated.
- Whether there have been any changes in the way the parties manage their financial affairs, including whether they have taken steps to separate their financial dealings

## “ Separation Agreement & Uncontested Divorce

The most efficient and cost effective way of ending a marriage is by way of settling all claims in a separation agreement and filing an uncontested divorce application.

The Family Law Act requires that, in order for a separation agreement to be enforceable, it must be in writing, signed by the parties, and witnessed.

The ground for divorce is usually marriage breakdown by reason of the separation of at least one year and the Application is commenced at the Superior Court of Justice.



Whether the parties continued to share the use of assets?



**NIROOMAND**  
LAW



# Hossein Niroomand

**Managing Partner  
at Niroomand Law**

**Providing Professional Legal Guidance  
To Small & Medium Sized Businesses**

**Hossein Niroomand is the Managing Partner at Niroomand Law, spearheading a legacy of legal excellence since 2003.**

**With unwavering dedication, he has consistently offered legal representation across a diverse spectrum of legal domains. Niroomand Law focuses in civil litigation, personal injury claims, disability denial cases, employment disputes, family law matters, and issues related to "Mehr" or Dowry.**

**At Niroomand Law, our commitment lies in customizing our services to impeccably align with the distinct needs of every client we serve. We take pride in our meticulous approach, ensuring that each individual receives the utmost care and attention throughout their legal journey. Our mission is to provide unparalleled representation, fostering trust and confidence in every client we represent.**



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# Navigating Ontario Family Law: The Wisdom of Reasonable Negotiation over Litigation



In the realm of family law, emotions often run high, tensions can escalate swiftly, and decisions made in the heat of the moment may have long-lasting consequences. For those embarking on the intricate journey of legal proceedings in Ontario, it's imperative to understand the profound significance of opting for reasonable negotiation over the adversarial path of litigation.

As a seasoned family lawyer practicing in Ontario, I've witnessed firsthand the toll that contentious courtroom battles can take on individuals and families. While litigation certainly has its time and place, there's an undeniable wisdom in seeking amicable resolutions through negotiation, particularly in the context of family matters.

Ontario's family law landscape is governed by a complex framework of statutes, regulations, and legal precedents, all aimed at safeguarding the best interests of children, promoting fair distribution of assets, and ensuring equitable resolutions to disputes. However, navigating this intricate terrain can be daunting, especially when emotions are running high and relationships are strained.

One of the key principles underpinning Ontario's family law is the encouragement of alternative dispute resolution methods, such as negotiation, mediation, and collaborative law. These approaches prioritize open communication, mutual respect, and creative problem solving, empowering parties to craft tailor made solutions that meet their unique needs and circumstances.

When parties choose negotiation over litigation, they retain a greater degree of control over the outcome of their dispute. Rather than placing their fate in the hands of a judge who may have limited insight into the intricacies of their family dynamics, negotiating parties have the opportunity to actively shape the terms of their agreement, fostering a sense of ownership and empowerment in the process.

Moreover, negotiation offers a more cost effective and time efficient alternative to litigation. Court proceedings can be protracted, costly affairs, consuming valuable financial resources and exacerbating tensions between parties. By contrast, negotiation allows parties to resolve their differences in a timely manner, often avoiding the need for lengthy court battles and costly legal fees.

Importantly, the benefits of negotiation extend beyond mere practical considerations. By choosing to engage in constructive dialogue and compromise, parties demonstrate a willingness to prioritize the well being of their children and the preservation of family relationships. Rather than perpetuating animosity and discord, negotiation fosters a spirit of cooperation and goodwill, laying the groundwork for future interactions and co parenting arrangements.

Of course, negotiation is not without its challenges. It requires a willingness to set aside personal grievances, communicate effectively, and engage in good faith bargaining. Moreover, it may necessitate the guidance of experienced legal counsel to navigate complex legal issues, facilitate productive discussions, and ensure that the final agreement is fair and legally enforceable.

In some cases, despite best efforts at negotiation, parties may find themselves at an impasse, unable to reach a mutually acceptable resolution. In such instances, litigation may become necessary to protect one's rights and interests. However, even in these situations, negotiation can still play a valuable role, whether in the form of settlement conferences, mediation arbitration, or collaborative law processes.

Ultimately, the decision to pursue negotiation over litigation is a deeply personal one, guided by the unique circumstances of each case. However, as a family lawyer committed to promoting the well being of my clients and their families, I firmly believe in the transformative power of reasonable negotiation to foster positive outcomes, mitigate conflict, and pave the way for a brighter future. In Ontario's complex family law landscape, choosing the path of negotiation is not merely a matter of legal strategy it's a testament to the enduring strength of the human spirit to transcend adversity and forge meaningful connections, even in the face of adversity.





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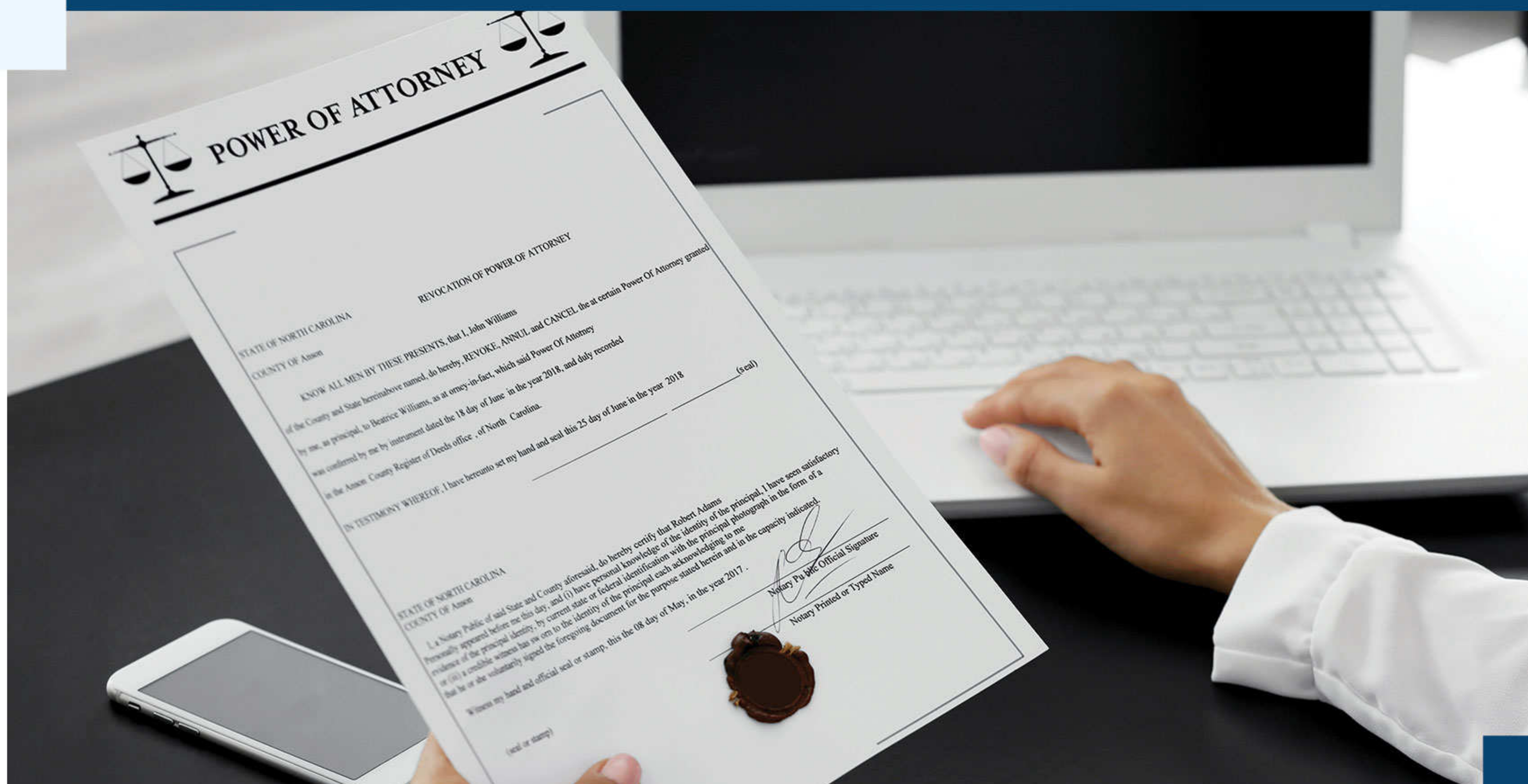
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While a carefully drafted Will is essential to a comprehensive estate plan, and is necessary in directing the disposition of property and minimizing government interference into your affairs, a Will alone will be of no effect in the event of an incapacitating injury or debilitating disease experienced during your lifetime. That is why when I meet with my clients, I always stress the importance of having a power of attorney for both property and personal care in place.

Unfortunately, many people are unfamiliar with the concept of a power of attorney, or often believe it to be unnecessary if they have a Will. This is not true. There are very important distinctions between a Will and Power of Attorney that a person should be aware of.

# Power of Attorney for Personal Care





A power of attorney for both property and personal care come into effect upon signing and take effect during your lifetime. Your Will, on the other hand, only comes into effect upon death. With respect to the power of attorney for personal care, imagine a scenario that while you are still alive, you become incapable of making decisions for yourself. In this instance, the person or persons named in your power of attorney for personal care can step in and make decisions on your behalf. Your attorney for personal care can make decisions or provide consent on your behalf in a variety of situations, including, but not limited to, whether or not you should remain in a hospital, whether or not you should undergo certain tests or surgeries, and the types of life-sustaining measures that should be taken for you.



As such, it is very important to choose a person or persons that you trust to handle such a role. It is also important to speak with the potential candidate(s) prior to naming them in your power of attorney for personal care, and to inform them of your wishes. One of the most common considerations discussed with the attorney for care is whether or not you would like to be kept on life support if the situation ever arises.


As a lawyer, I do recognize the difficulty people experience engaging in such conversations, especially for their loved ones as it can be unpleasant and uncomfortable, but I can assure that it will not only give you piece of mind, but also assist your attorney for personal care to make the appropriate decision based on your instructions, should the duty arise.



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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.

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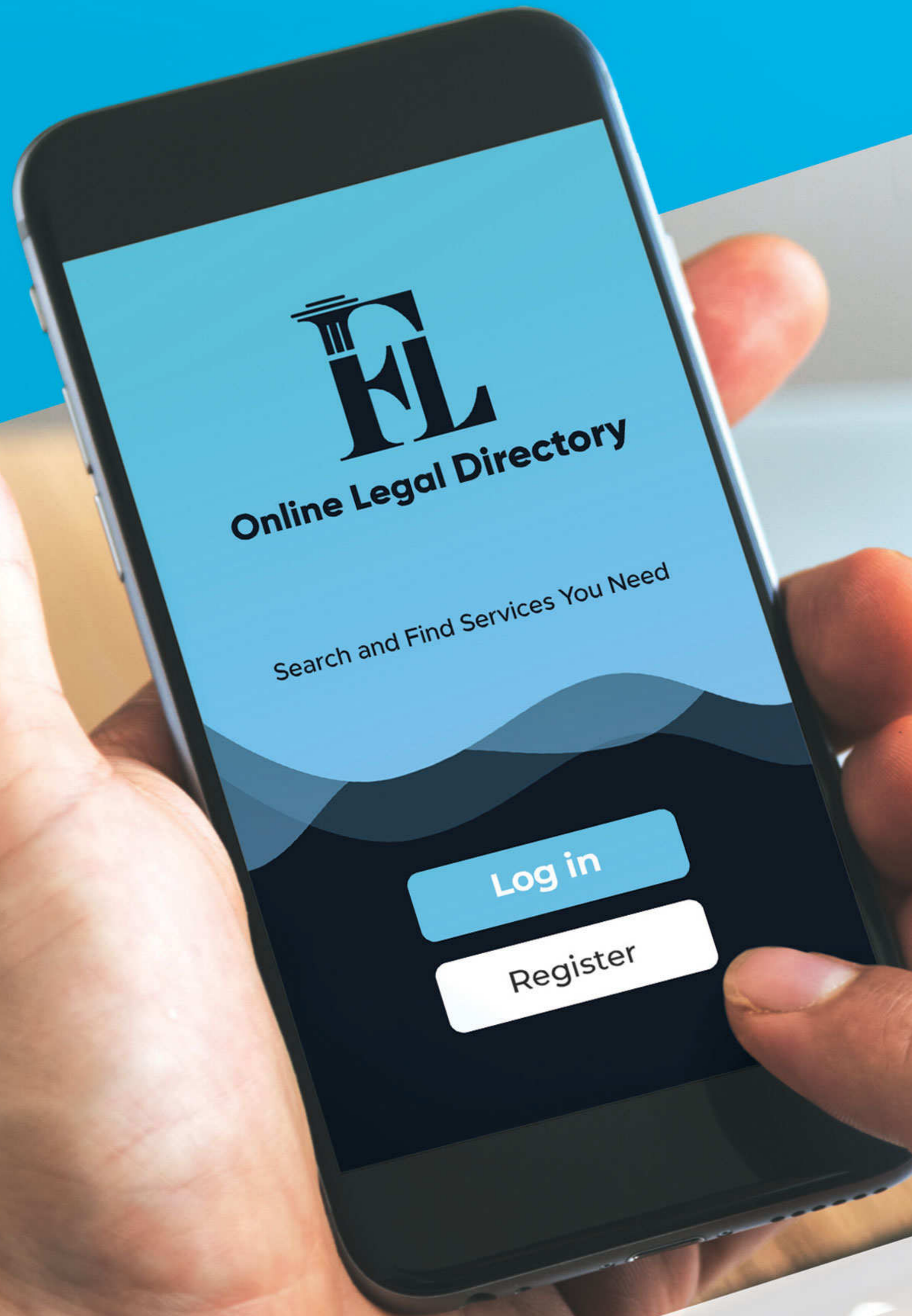
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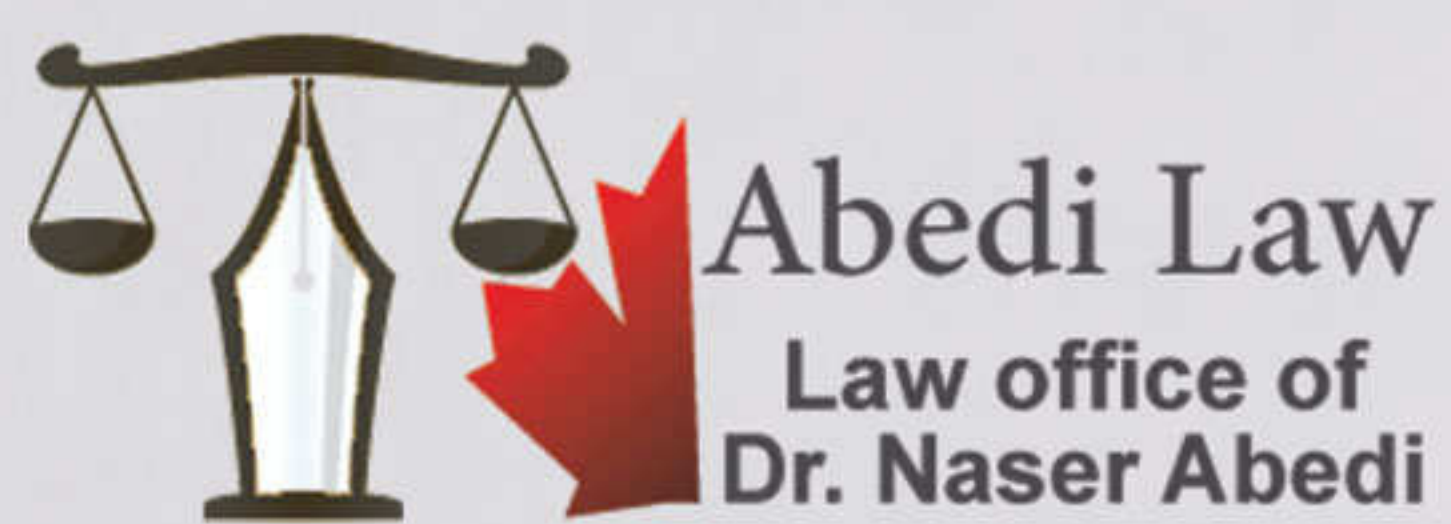
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# Dr. Naser Abedi



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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.

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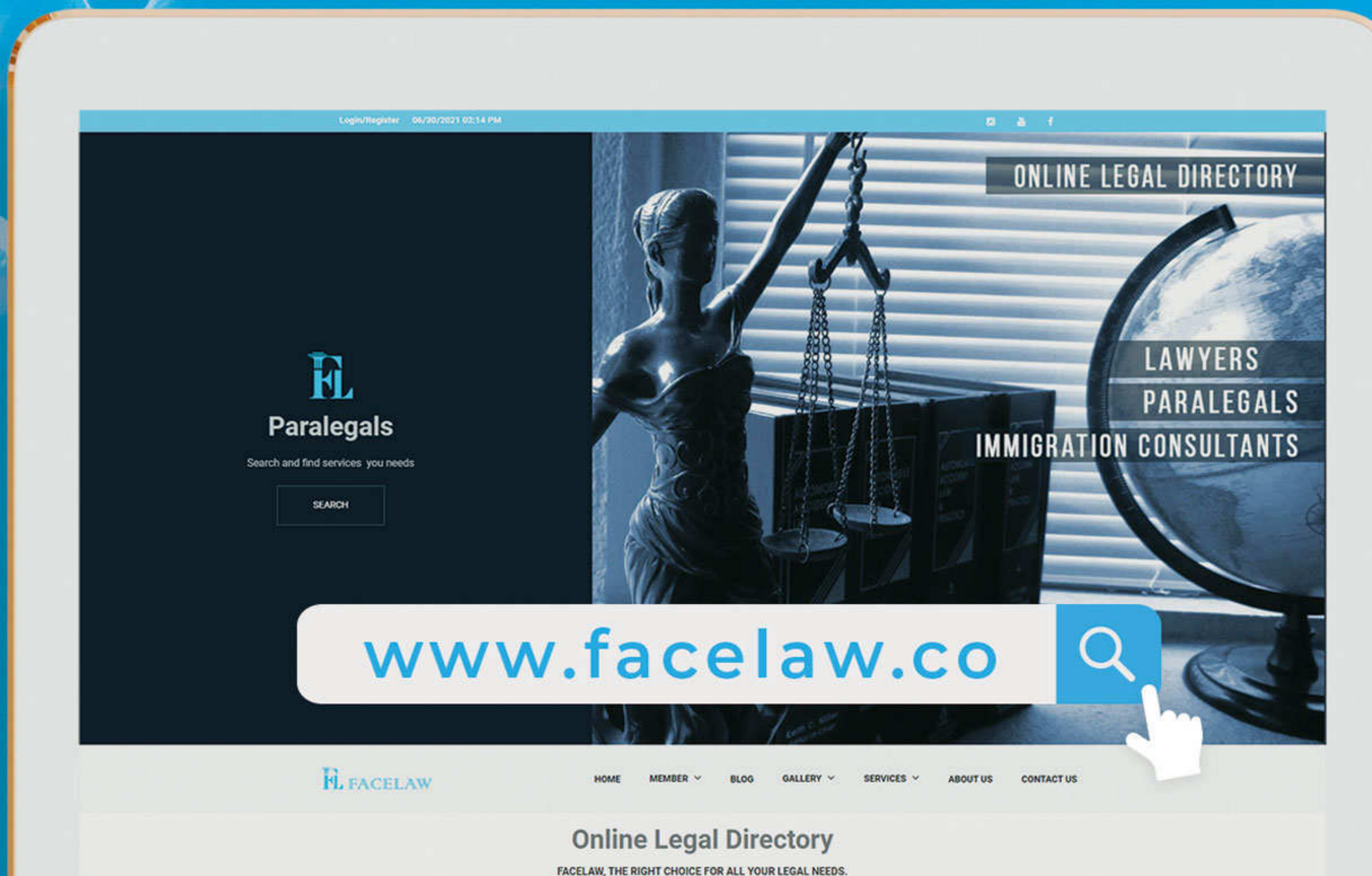
**Simona Jellinek** leads the Sexual Abuse and Assault team as counsel. Simona has more than 25 years of representing survivors of childhood abuse as well as adult assaults. She has litigated against religious institutions, Children’s Aid Societies, all levels of government, Big Brothers, Scouts, school 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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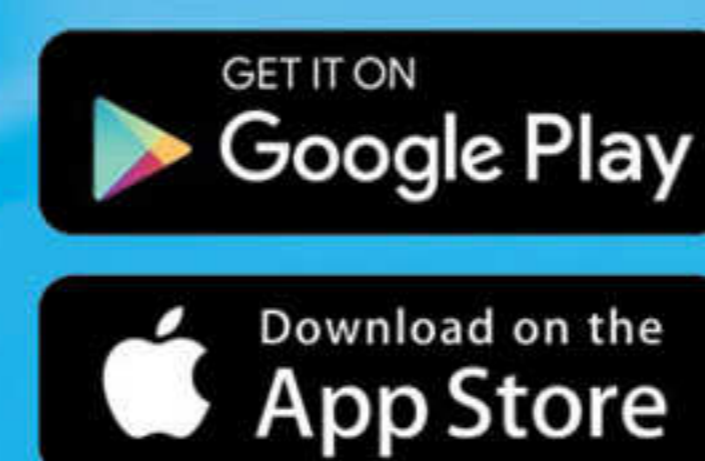
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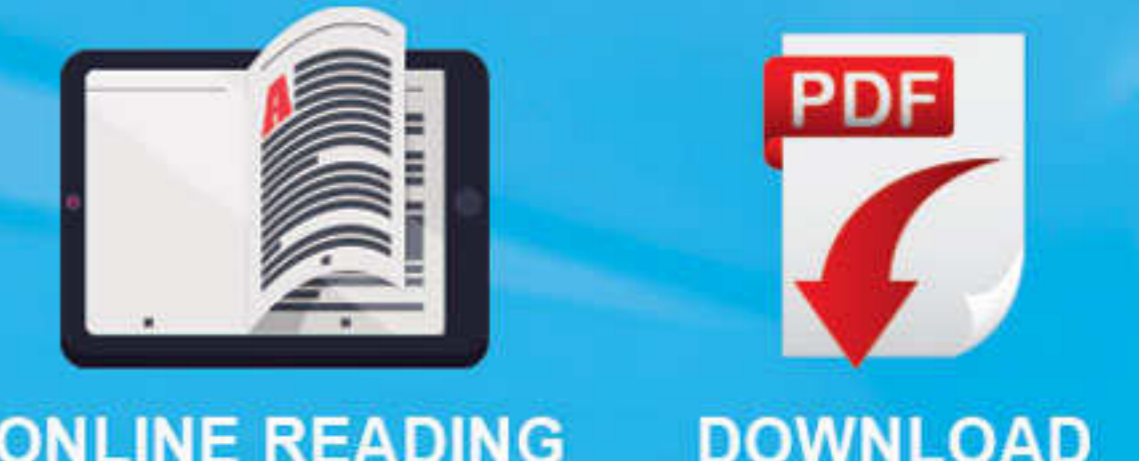
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