

GENERAL INFORMATION

HOW TO REGISTER

To register online go to www.collaw.edu.au/cpd

To register by mail or fax, please use the registration form in the centre of this booklet.

To register by phone, please call (02) 9965 7111 with credit card details.

REGISTRATIONS

Registrations are transferable from one person to another, but if more than one member of your firm wishes to attend, please complete a separate registration form (or photocopy) for each registrant. If time remains, an acknowledgement will be sent to you. Registrations must be accompanied by payment.

CANCELLATIONS

Refunds may be requested in writing up to four working days prior to the seminar. A cancellation fee will apply. No refunds are available after the seminar. The College reserves the right to cancel or re-schedule courses, and to change speakers or revise content.

No refunds can be given for online seminars where a login and password have already been issued.

FEES

The College of Law offers a discount on seminar registrations as a benefit for NSW Law Society members.

College graduates are eligible for a further 10% discount valid for two years post admission.

Community Legal Centre staff are eligible for 30% discount off the member price.

MANDATORY CLE/CPD

If these seminars are relevant to your professional development, you may claim one 'Unit' for each hour of attendance. Refreshment breaks are not included.

For further information, please visit the Law Society website at www.lawsociety.com.au and click on [For Solicitors](#).

PRIVACY

If you require changes to your registration details or would like to be removed from CPE mailings, contact the CPE Directorate.

The College collects personal information for registration purposes and for distributing information in relation to upcoming seminars and activities and to improve our services to you through research. No information is sold to third parties.

You have the right to access your personal information at any time, however please note that our mailing lists are provided by the Law Society of NSW. To change your details please contact the Registry Department on Tel: 02 9926 0333 or registry@lawsocnsw.asn.au.

Please contact CPE for further information on:
cpd@collaw.edu.au

Tel: (02) 9965 7111
Fax: (02) 9223 7377
www.collaw.edu.au/cpd

This brochure was produced using soy-vegetable inks and plantation stock.

Information in this booklet is correct at the time of printing.



CONTINUING PROFESSIONAL EDUCATION

Your complete guide to CPD at the College of Law in February 2012



*Claire Mallon,
Principal, Juris Prudentia
Legal is presenting on the
controversial topic of property
rights over human gametes on
Tuesday 28th February*

 The College of Law

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Rule 42 of the Law Society Professional Conduct and Practice Rules

- 42.1.6.1: Ethics and Professional Responsibility
- 42.1.6.2: Practice Management and Business Skills
- 42.1.6.3: Professional Skills

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- Rule 42.1.6.1: Ethics on the Edge, Wednesday 15 February, 1pm-2pm (AEDST)
- Regulation 176: Legal Profession Regulation 2005, Thursday 23 February, 1pm-2pm (AEDST)
- Urgent Interlocutory Injunctions, Wednesday 14 March, 1pm-2pm (AEDST)



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Seminar Papers

Choose from our quality collection across a variety of practice areas at collaw.edu.au/cpd

How to Register

To register please use the registration form in the centre of this booklet or register online at: www.collaw.edu.au/cpd.

Notarial Practice

WHEN	Wednesday 1 February 2012: 8.30am to 1.30pm		
WHERE	College of Law City, St James Centre Level 7, 111 Elizabeth Street, Sydney		
COST	LS Member \$583.00	Non-Member \$699.60	Includes a light breakfast and all materials.
MCLE	4.5 MCLE units		
SEMINAR	12001		

The College of Law, in co-operation with the Society of Notaries, has been accredited by the Legal Profession Admission Board to conduct training for barristers or solicitors of not fewer than **five years standing** who wish to apply for appointment as Public Notaries under the Public Notaries Act 1997. As the standard is very high, we recommend only experienced practitioners apply.

The training course is structured to ensure candidates gain all the knowledge and skills required of a public notary. **Candidates will also be required to sit for a two-hour take-home examination.** **NB:** A pass mark in this exam is a **prerequisite** for application to the LPAB.

Note: Before enrolling for this course you should make yourself aware of the provisions of **s11 of the Public Notaries Act 1997, in respect of practitioners employed by a corporation.**

The course will consist of a number of lectures by prominent Notaries including **Norman Lyall AM** (HWL Ebsworth), **Nigel Russell** and **Colin Dunston** (both of Mackenzie Russell & Co). The topics will include:

- ▶ The general functions & responsibilities of a notary;
- ▶ Verification and authentication of documents;
- ▶ Ships' protests and shipping work generally;
- ▶ Noting and protesting Bills of Exchange;
- ▶ Fees, Seals, Forms etc.

Prospective candidates will then gain practical, hands-on experience of the work of a Public Notary in a workshop/discussion session, which will examine:

- ▶ Precedents;
- ▶ Preparation of Certificates;
- ▶ Presentation of documents;
- ▶ Eliciting and recording of client details.

How to apply for appointment after successful completion of the course and examination:

The Legal Profession Admission Board approves applications for appointment as Public Notaries at its March and September meetings. For details on applying for appointment as a Notary under the Act, please contact the LPAB.

Rule 42: Ethics & Professional Responsibility Practice Management & Business Skills Professional Skills

WHEN	Wednesday 8 February 2012: 9.00am to 12.30pm		
WHERE	College of Law City, Level 7, St James Centre 111 Elizabeth Street, Sydney		
COST	LS Member \$99.00/session	Non-Member \$123.30/session	or \$258.50 all 3 sessions or \$304.00 all 3 sessions
MCLE	1 MCLE unit/session		
SEMINAR	12002		

This program has been designed to satisfy Rule 42 of the Law Society Professional Conduct and Practice Rules.

Note: In addition, the requirement to complete the Regulation 176 CLE (on EEO, discrimination and OH&S) every three years remains – however, by attending a Regulation 176 CLE session you can also satisfy either your Ethics and Professional Responsibility requirement, or your Practice Management and Business Skills requirement, for that year.

9.00am-10.00am (12002.1)

LEGAL COSTS: SOLICITORS' RELATIONS WITH COUNSEL AND CLIENTS (Rule 42.1.6.1 Ethics and Professional Responsibility)

Presented by: **Mark Brabazon SC** Barrister-at-Law, Seven Wentworth Chambers

10.15am-11.15am (12002.2)

STRATEGIES FOR COST MANAGEMENT (Rule 42.1.6.2 Practice Management and Business Skills)

Presented by: **Deborah Vine-Hall** Principal, DSA Legal Costs Consultants

11.30am-12.30pm (12002.3)

ALTERNATIVE DISPUTE RESOLUTION TECHNIQUES (Rule 42.1.6.3 Professional Skills)

Presented by: **Genevieve Staff** Partner, Lander & Rogers

This program satisfies the following MCLE/CPD Units under Rule 42 of the the Law Society Professional Conduct and Practice Rules:

- ▶ **Rule 42.1.6.1: Ethics and Professional Responsibility - 1 MCLE/CPD unit**
- ▶ **Rule 42.1.6.2: Practice Management and Business Skills - 1 MCLE/CPD unit**
- ▶ **Rule 42.1.6.3: Professional Skills - 1 MCLE/CPD unit**

Property Taxes Update

WHEN	Monday 13 February 2012 9.00am to 12.30pm
WHERE	College of Law City, St James Centre Level 7, 111 Elizabeth Street, Sydney
COST	LS Member Non-Member \$258.50 \$304.00
MCLE	3.25 MCLE units
SEMINAR	12003.1

Join presenter **Tony Cahill** at the latest of our regular property tax update seminars. This program looks closely at issues arising from property transactions under the Goods and Services Tax, together with the significant Stamp Duty Changes in the 2010-11 NSW State Budget.

Tony Cahill will review the latest developments and look at their impact on legal practice, including:

GST

- ▶ The latest ATO GST rulings and draft rulings
- ▶ *Gloxinia Investments* and its aftermath
- ▶ Proposed changes to the GST treatment of farm land and going concerns
- ▶ Cases on carrying on an enterprise, sale of vacant land
- ▶ GST and deposits

State Property Taxes

- ▶ 2011 Regional Relocation Grant - eligibility & restrictions
- ▶ Restrictions on first home purchase stamp duty relief

Presented by:

Tony Cahill

Legal Author and Commentator

Intriguing Topics in Building Practice

WHEN	Tuesday 14 February 2012 9.00am to 12.15pm
WHERE	College of Law City, St James Centre Level 7, 111 Elizabeth Street, Sydney
COST	LS Member Non-Member \$258.50 \$304.00
MCLE	3 MCLE units
SEMINAR	12004

A fresh look at the more unusual and complex issues arising in building law today. From liabilities arising from intricate machinery to problems with illegal building works, this seminar is a must.

Chair: **Wendy Roydhouse** Senior Legal Counsel, Lend Lease

Speakers:

Joern Schimmelfeder Partner, Middletons
Complex Machines - Legal Issues Arising in the Construction of Modern High-rises, Factories and Infrastructure

- ▶ Liability and Insurance and long term warranties
- ▶ Intellectual property and ownership
- ▶ Liquidated damages
- ▶ Extensions of time and variations and their impact on follow on contracts
- ▶ Implications of principal supplied data, equipment and materials
- ▶ Principal supported, multi layered test environments
- ▶ Implications of mixed principal and contractor maintenance

Steven Blanch Partner, Henry Davis York
Interaction between Indemnity, Insurance and Limits of Liability in Construction Contracts

Dr Steven Baveling

Barrister-at-Law, Martin Place Chambers
Unlawful Building Works especially in a Strata Setting

Regulation 176: Legal Profession Regulation 2005

WHEN	Tuesday 14 February 2012 2.00pm to 3.00pm
WHERE	College of Law City, St James Centre Level 7, 111 Elizabeth Street, Sydney
COST	LS Member Non-Member \$99.00 \$123.30
MCLE	1 MCLE unit
SEMINAR	12005

In order to satisfy requirements of the Legal Profession Regulation 2005 (formerly Clause 142 of the Legal Profession Regulation 2002, now Regulation 176), the following is required of legal practitioners:

participation every three years in a CLE program that includes a component relating to the management of the practice of law that deals predominantly with the following issues:

- ▶ *the principles of equal employment opportunity*
- ▶ *the law relating to discrimination and harassment*
- ▶ *occupational health and safety law*
- ▶ *employment law*
- ▶ *the management of legal practice consistent with the above.*

This program has been designed to satisfy this requirement.

Presented by:

Joydeep Hor Managing Principal,
People + Culture Strategies

This program also satisfies: Rule 42.1.6.1 - Ethics and Professional Responsibility - 1 MCLE/CPD unit OR

Rule 42.1.6.2 - Practice Management and Business Skills - 1 MCLE/CPD

In-House Counsel - Issues in Ethics, Discrimination and More

WHEN	Wednesday 15 February 2012 9.00am to 12.15pm
WHERE	College of Law City, St James Centre Level 7, 111 Elizabeth Street, Sydney
COST	LS Member Non-Member \$258.50 \$304.00
MCLE	3 MCLE units
SEMINAR	12006

Join your colleagues in in-house practice for a thought-provoking morning at this enlightening seminar, using a fresh approach to these somewhat well-worn issues.

Hypothetical: Voicemail Hacking & Pregnant Editors

This seminar offers in-house lawyers an opportunity to meet your Rule 42/Regulation 176 obligations in a topical hypothetical.

Watch a media company's board deal with the ethics of voicemail hacking and an anti-discrimination action brought by a disgruntled editor.

Panel discussion facilitated by **David Cosgrave**, Lecturer, In-House Practice Program, The College of Law

This session will address Rule 42.1.6.1 - Ethics & PR and Rule 176 and two MCLE points may be claimed.

Ethics for In-House Counsel

Odette Gourley Partner, Corrs Chambers Westgarth
This session will address Rule 42.1.6.1 - Ethics & PR

MCLE Units

Session 1 satisfies Rule 42.1.6.1 Ethics and PR - 1 Unit; and/or Rule 42.1.6.2 Practice Management and Business Skills/Regulation 176 - EEO, OHS and Anti-Discrimination - 1 Unit
Session 2 satisfies Rule 42.1.6.1 Ethics and PR - 1 Unit

Note: Under Rule 42.8 of the Solicitors Rules, MCLE units accrued in the period 1 January - 31 March in any year may be carried forward into the following MCLE year but can only be counted in one MCLE year. As such by attending this seminar you may be eligible to fulfil some of your obligations for the next CPD year.

Cornerstones of Contract Law

WHEN	Wednesday 15 February 2012 3.00pm to 5.00pm	
WHERE	College of Law City, St James Centre Level 7, 111 Elizabeth Street, Sydney	
COST	LS Member \$165.00	Non-Member \$196.00
MCLE	2 MCLE units	
SEMINAR	12007	

This seminar provides an ideal opportunity for junior practitioners to learn valuable and practical lessons, as well as serving as a refresher for more experienced solicitors. If you would like to brush up on the basic legal principles of contract law, then this is the seminar for you.

Speaker: **Erica Taylor**
Principal, lexicon:legal
[Warranties, including the new "consumer guarantees" \(formerly implied warranties\) under the new Consumer Law](#)

Speaker: **Greg Waugh**
Barrister-at-Law, 12th Floor Selborne/
Wentworth Chambers
[Rescission and Repudiation](#)

Retail and Commercial Leases Update

WHEN	Thursday 16 February 2012 1.30pm to 5.00pm	
WHERE	College of Law City, St James Centre Level 7, 111 Elizabeth Street, Sydney	
COST	LS Member \$258.50	Non-Member \$304.00
MCLE	3.25 MCLE units	
SEMINAR	12003.2	

The purpose of this practical session is to look at aspects of commercial leases, including a session on retail leases and new developments.

Tony Cahill will also engage in a lively discussion about the latest developments,

Areas to be covered include:

- ▶ Recent amendments – towards national, harmonised retail leasing legislation?
- ▶ The consultation draft *Retail Leases Amendment Bill 2011*
- ▶ Options for renewal (including forfeiture)
- ▶ Importance of clarifying extent of permitted use
- ▶ Formation of a binding agreement for lease
- ▶ Assignment under the *Retail Leases Act*
- ▶ Compensation

It will also cover new developments in case law, legislation and practice which impact on lease practice. These will also be evaluated in the context of the GST.

Presented by:

Tony Cahill

Legal Author and Commentator

Powers of Attorney and Guardianship Made Easy

WHEN	Friday 17 February 2012 9.00am to 12.30pm	
WHERE	College of Law City, St James Centre Level 7, 111 Elizabeth Street, Sydney	
COST	LS Member \$275.00	Non-Member \$330.00
MCLE	3.25 MCLE units	
SEMINAR	12008.1	

Lawyers are regularly advising clients who wish to appoint another to make decisions for them when they are not able to make those decisions for themselves.

This short course will present and discuss the range of options available to clients in these circumstances, the legal principles which govern the instruments, what can be included in these instruments, and the requirements for valid appointments.

Topics covered:

- ▶ Powers of Attorney
- ▶ Enduring Powers of Attorney
- ▶ Enduring Guardianship
- ▶ Advanced Care Directives

Presented by:

Maria Tzannes

Consultant Solicitor, former Barrister and Lecturer

Maria was admitted as a legal practitioner in 1976. She holds Bachelor degrees in Law and Arts and a Masters degree in Adult Education.

This program also satisfies: Rule 42.1.6.3 - Professional Skills - 1 MCLE/CPD unit

Supreme Court: The Essential Guide to Practice and Procedure

WHEN	Monday 20 February 2012 9.00am to 4.30pm	
WHERE	College of Law City, St James Centre Level 7, 111 Elizabeth Street, Sydney	
COST	LS Member \$450.00	Non-Member \$545.00
MCLE	6 MCLE units	Includes lunch and all materials.
SEMINAR	12008.2	

This popular intensive program is designed to help practitioners successfully navigate their way around the complex Supreme Court jurisdiction. A must for all who would like practical, down to earth advice as to how to operate effectively in this Court.

- ▶ Proper preparation of court documents
- ▶ Interlocutory procedures
- ▶ Compromises and settlements
- ▶ Operation of court lists
- ▶ Complying with standard directions
- ▶ Preparation for hearing
- ▶ How to appear

... and much more.

Join us for a day of comprehensive, pragmatic learning, including all materials and lunch.

Presented by:

Maria Tzannes Consultant Solicitor, former Barrister and Lecturer

Maria was admitted as a legal practitioner in 1976. She holds Bachelor degrees in Law and Arts and a Masters degree in Adult Education. *Maria* practised law as a solicitor in her own practice for 14 years. In 2000 she went to the Bar and practised very successfully for almost five years. She is now a Consultant Solicitor.

The ABC of Will Drafting

WHEN	Tuesday 21 February 2012 9.00am to 12.30pm		
WHERE	College of Law City, St James Centre Level 7, 111 Elizabeth Street, Sydney		
COST	LS Member \$275.00	Non-Member \$330.00	
MCLE	3.25 MCLE units		
SEMINAR	12008.3		

This program has been specifically designed to assist practitioners with the fundamentals of will drafting.

As always, popular presenter **Maria Tzannes** will provide a helpful, hands-on approach to the steps involved in drafting a straightforward will. There will be plenty of examples and opportunity for questions. This workshop is highly recommended for those new to practice, or as a useful refresher for anyone who would like to improve their drafting skills.

The program will deal with:

- ▶ Formal requests for a valid will under the *Succession Act*
- ▶ Taking instructions
- ▶ Revocation of previous wills
- ▶ Issue of capacity & extensions of capacity
- ▶ Choice and appointment of executors and trustees
- ▶ Identification of assets and liabilities
- ▶ Specific gifts and gifts to charities
- ▶ Residuary clauses in wills
- ▶ Trusts in wills and powers to executors
- ▶ Funeral arrangements
- ▶ Execution

Presented by:

Maria Tzannes former Barrister and Lecturer, Consultant Solicitor

This program also satisfies: Rule 42.1.6.3 - Professional Skills - 1 MCLE/CPD unit

Developments in Motor Vehicle Accident Law

WHEN	Tuesday 21 February 2012 2.00pm to 5.15pm		
WHERE	College of Law City, St James Centre Level 7, 111 Elizabeth Street, Sydney		
COST	LS Member \$258.50	Non-Member \$304.00	
MCLE	3 MCLE units		
SEMINAR	12009		

Don't miss this opportunity to catch up on current issues. This is a quick and easy way to come up to speed with developments in this key area of personal injury practice. Essential for practitioners in this field.

Chair:	Denis Mockler Principal, Stewart Cuddy & Mockler and Accredited Specialist - Personal Injury
Speaker:	Jnana Gumbert Director, Stacks/Goudkamp and Accredited Specialist - Personal Injury Judicial Review of MAS and CARS Decisions
Speaker:	Tom Mithieux Solicitor, Carroll & O'Dea Review of Recent Motor Accident Cases
Speaker:	Helen Wall Barrister-at-Law, Henry Parkes Chambers and CARS Assessor Developments in Third Party Claims

How to Handle Intense Emotional Situations and Clients: Communicating Effectively with Stressed Clients, Lawyers and Others

WHEN	Wednesday 22 February 2012: 9.00am to 5.00pm		
WHERE	College of Law City, Level 7, St James Centre 111 Elizabeth Street, Sydney		
COST	LS Member \$520.00	Non-Member \$590.00	Includes lunch and all materials.
MCLE	6.5 MCLE units	Satisfies Rule 42.1.6.3 - Professional Skills	
SEMINAR	12010.1	Book early - places limited.	

Gandhi once said, "The true function of a lawyer is to unite parties riven asunder." How far that thought seems from the daily lives of many lawyers! The question is, are you willing to take steps to bring your practice and life back to that ideal?

In this workshop you will learn and begin to practice the techniques of Nonviolent Communication, which has been used for the last thirty years to successfully resolve disputes between Israelis and Palestinians, in South Africa, Bosnia, Rwanda and other global hotspots. However, these techniques are practical, learnable and proven in daily life. One attorney says, "This training incorporates all the basic tenets of mediation and ties together the concepts of all the psychological masters."

Objectives

This workshop will enable you to:

- ▶ Read the signs for unproductive communications
- ▶ Overcome resistance, antagonism and recalcitrance
- ▶ Create the capacity to be heard by others
- ▶ Recognize and cut through static to get to the real issues at stake
- ▶ Clear underlying emotional issues
- ▶ Establish mutual respect
- ▶ Greatly increase willingness to cooperate

Major Topics

- ▶ The Principles of Conflict Resolution
- ▶ The Process of Nonviolent Communication in Legal Communications
 - ▶ The Four Stages in the Communication Process
 - ▶ How to get what you want
 - ▶ Detect and respond to signs of escalation of conflict in yourself and others
 - ▶ Recognize and advocate a stopping point when things will only get worse
 - ▶ Use language that awakens good will rather than escalates bad will
 - ▶ How to enable all parties to get what they want
- ▶ Practical Applications (To be drawn from needs of participants)

Instructor: **Jorge Rubio-Vollert** is an Associate with Frank Sanitate Associates. He is a Certified Nonviolent Communication Trainer and Director of the Latin American Project of the Center for Nonviolent Communication. He has extensive international experience as a workshop facilitator and mediator for businesses, government institutions and individuals in the United States, Colombia, Spain and Sweden. He has taught for many state Bar Associations over the past few years.

The Allens Arthur Robinson Competition Law Fest

WHEN	Thursday 23 February 2012 8.30am to 1.00pm		
WHERE	Allens Arthur Robinson Deutsche Bank Place Cnr Hunter & Phillip Sts, Sydney		
COST	LS Member \$258.50	Non-Member \$304.00	
MCLE	3.5 MCLE units		
SEMINAR	12011		

Mark your diaries for the return of this premier annual competition law seminar, presented by Allens' experts. This advanced program is not to be missed.

The Allens competition team will cover all the recent important developments in competition and consumer law. Attending this immensely popular Competition Law Fest will bring you right up to date in this fast moving sphere of law.

The Fest will be presented by partners **Fiona Crosbie, Carolyn Oddie, Jacqueline Downes** and **Kon Stellios** together with members of the Allens' competition law team.

Allens' dedicated competition practice is well known in Australia and internationally as they continue to act on headline deals and competition cases across a range of industries.

Now in its tenth year, this popular program is one of a kind.

The Art of Letter Writing and Advices

WHEN	Friday 24 February 2012 9.00am to 12.30pm		
WHERE	College of Law City, St James Centre Level 7, 111 Elizabeth Street, Sydney		
COST	LS Member \$275.00	Non-Member \$330.00	
MCLE	3.25 MCLE units		
SEMINAR	12008.4		

Developing effective skills in legal letter writing can be a challenge. This practical program, covering the main points of letter writing, has been specifically designed to assist you with this.

Popular presenter **Maria Tzannes** will provide a practical, hands-on approach to legal writing and drafting advices. A variety of sample documents will be reviewed and discussed throughout the morning. There will be plenty of examples and opportunity for questions.

This workshop is highly recommended for those new to practice, or as a useful refresher for anyone who would like to improve their current skills.

Presented by:

Maria Tzannes

former Barrister and Lecturer, Consultant Solicitor

Maria was admitted as a legal practitioner in 1976. She holds Bachelor degrees in Law and Arts and a Masters degree in Adult Education.

Comments from previous course:

- ▶ Thanks. Notes were great and clearly presented.
- ▶ The presenter was very knowledgeable, engaging and enthusiastic.

This program also satisfies: **Rule 42.1.6.3 - Professional Skills - 1 MCLE/CPD Unit**

The Nuts and Bolts of Family Law

WHEN	Thursday 23 February 2012: 9.00am to 4.30pm		
WHERE	College of Law City, Level 7, St James Centre 111 Elizabeth Street, Sydney		
COST	LS Member \$414.00	Non-Member \$495.00	Includes lunch and all materials.
MCLE	6 MCLE units		
SEMINAR	12012		

This annual seminar focuses on current issues and practical aspects of family law practice.

Chair: **Kathy Matri** Principal, Brazel Moore Lawyers

Speaker: **Susan Warda** Principal, Coleman Greig Lawyers and Accredited Specialist - Family Law
Parenting Matters - A Review
This will be a practical session about running parenting applications in the Family Court and Federal Magistrates Court.

Speaker: **Ian Serisier** Special Counsel, Swaab Attorneys
Expert Witnesses and their Evidence in Family Law Proceedings
There is probably no other area of law that relies so much on expert evidence than the practice of Family Law. A knowledge of expert evidence is important to both financial and parenting proceedings. The session will include an analysis of a recent High Court decision and will conclude with a quiz and a prize being awarded for the best answer.

Speakers: **Priscilla McCorriston** and **Libby Watson** St George Domestic Violence Service
Family Violence and Women's Experiences of the Family Law System

Speaker: **Gayle Meredith** Principal, Gayle Meredith & Associates and Accredited Specialist - Family Law
The Trend Towards Mediation in Family Law Financial Disputes
▶ Why mediate?
▶ What is a facilitative mediation under the AG's model?
▶ What will happen when my client and I engage in one?
(This session complies with Rule 42.1.6.3 - Professional Skills)

Speaker: **Glenda Laurence** Principal, Argyle Lawyers and Accredited Specialist - Family Law
Issues in Spousal Maintenance

Speaker: **Terese Messner** Barrister-at-Law, Family Law Chambers
Listing Urgent Applications in the Family Court and the Federal Magistrates Court
▶ Have you tried to have an application for leave to serve short notice granted recently?
▶ In the Family Court?
▶ In the Federal Magistrates Court?
▶ What do the cases reported as *Lynch & Dunstan* and *Zeller & Whitby* mean for such applications?

Drafting Effective Pleadings

WHEN	Monday 27 February 2012: 9.00am to 4.30pm		
WHERE	College of Law City, St James Centre Level 7, 111 Elizabeth Street, Sydney		
COST	LS Member \$450.00	Non-Member \$545.00	Includes lunch and all materials.
MCLE	6 MCLE units		
SEMINAR	12008.5		

The progress of a matter can often depend on the quality of the written pleadings. The importance of a properly formulated and drafted pleading has become more and more apparent as the Courts focus on the quality of documents supporting litigation.

Drafting of such effective and precise Court documents can often be a challenge. This practical program, as part of our *Practical Skills* series, has been specifically designed to assist you with improving these skills.

Get an in-depth look at what it takes to draft successful pleadings as expert [Maria Tzannes](#) takes a practical, hands-on approach to drafting such documents, including:

- ▶ Summonses
- ▶ Statements of claim
- ▶ Cross-claims and set-offs
- ▶ Notices of motion
- ▶ Affidavits
- ▶ List of documents for discovery
- ▶ Notices to admit fact and authenticity of documents
- ▶ Request for further and better particulars
- ▶ Interrogatories
- ▶ Subpoenas
- ▶ Offers of compromise
- ▶ Consent orders

A variety of sample documents will be reviewed and discussed and there will be plenty of examples and opportunity for questions.

This workshop is highly recommended for those new to practice, or as a useful refresher for anyone who would like to improve their current skills.

Presented by: **Maria Tzannes** former Barrister and Lecturer, Consultant Solicitor

[Maria](#) was admitted as a legal practitioner in 1976. She holds Bachelor degrees in Law and Arts and a Masters degree in Adult Education. Maria practised law as a solicitor in her own practice for 14 years. In 2000 she went to the Bar and practised very successfully for almost five years. She is now a Consultant Solicitor.

This program also satisfies: [Rule 42.1.6.3 - Professional Skills - 1 MCLE/CPD unit](#)

A Day of Wills and Estates Law

WHEN	Tuesday 28 February 2012: 9.00am to 4.30pm		
WHERE	College of Law City, St James Centre Level 7, 111 Elizabeth Street, Sydney		
COST	LS Member \$414.00	Non-Member \$495.00	Includes lunch and all materials.
MCLE	6 MCLE units		
SEMINAR	12013		

Gain insights into the latest developments in wills and estates at this highly informative seminar.

Chair: **Judy Dean** Lecturer, The College of Law, and
James Hall Senior Lecturer, The College of Law

Speaker: **Jennifer McMillan** Lecturer, Wills and Estates Program, The College of Law and Accredited Specialist - Wills and Estates

[Assessing Capacity to Make a Will or Power of Attorney](#)

- ▶ [A practical guide for solicitors assessing capacity](#)
- ▶ [Understanding the different tests for wills, codicils and powers of attorney](#)
- ▶ [Lessons learnt from recent capacity cases](#)

Speaker: **Neil Watt** Principal, Neil Watt Consulting

[Ethics at the Pointy End](#)

- ▶ [Capacity issues](#)
- ▶ [Contested wills](#)
- ▶ [Ending a retainer](#)

This session also satisfies: [Rule 42.1.6.1 - Ethics & Professional Responsibility - 1 MCLE/CPD unit](#)

Speaker: **Dr Stephen Janes** Barrister and Senior Lecturer in Law, University of Western Sydney
[Recent Cases Involving Informal Wills](#)

Speaker: **Pamela Suttor** Principal, L Rundle & Co Solicitors and Accredited Specialist - Wills and Estates
[Construction and Rectification](#)

Speaker: **Brian Hor** Principal, Willworks Pty Ltd
[Reviewing and Updating Family Trusts for Tax Efficiency, Asset Protection and Succession Purposes](#)

Speaker: **John Poole** Maurice Buckley, C T Poole & Son and Accredited Specialist - Wills and Estates
[The Importance of Accurate Estate Accounting and Entitlement of Executors to Commission](#)

Rule 42: Ethics & Professional Responsibility Practice Management & Business Skills Professional Skills

WHEN	Wednesday 29 February 2012: 9.00am to 12.30pm		
WHERE	College of Law City, Level 7, St James Centre 111 Elizabeth Street, Sydney		
COST	LS Member	\$99.00/session	or \$258.50 all 3 sessions
	Non-Member	\$123.30/session	or \$304.00 all 3 sessions
MCLE	1 MCLE unit/session		
SEMINAR	12014		

This program has been designed to satisfy Rule 42 of the Law Society Professional Conduct and Practice Rules.

Note: In addition, the requirement to complete the Regulation 176 CLE (on EEO, discrimination and OH&S) every three years remains – however, by attending a Regulation 176 CLE session you can also satisfy either your Ethics and Professional Responsibility requirement, or your Practice Management and Business Skills requirement, for that year.

9.00am-10.00am (12014.1)

ETHICS WITH A BIT OF WATTAGE (Rule 42.1.6.1 Ethics and Professional Responsibility)

- ▶ Delinquent clients
- ▶ Handling former clients - in the dock!
- ▶ Firing clients ethically
- ▶ Modern technology and ethical practice

Presented by: **Neil Watt** Principal, Neil Watt Consulting

10.15am-11.15am (12014.2)

EDISCOVERY AND ELECTRONICALLY STORED INFORMATION (ESI) (Rule 42.1.6.2 Practice Management & Business Skills)

Covering emerging technologies and strategies for assessing and mitigating risk in litigation preparedness.

Presented by: **Rebecca Grant** Director and CEO, iCourts Pty Ltd

11.30am-12.30pm (12014.3)

DRAFTING EFFECTIVE PLEADINGS (Rule 42.1.6.3 Professional Skills)

Presented by: **Adrian Maroya** Ninth Floor Selborne Chambers, and
Philip Carr 5th Floor Wentworth Chambers

This program satisfies Rule 42 of the the Law Society Professional Conduct and Practice Rules:

- ▶ Rule 42.1.6.1: Ethics and Professional Responsibility - 1 MCLE/CPD unit
- ▶ Rule 42.1.6.2: Practice Management and Business Skills - 1 MCLE/CPD unit
- ▶ Rule 42.1.6.3: Professional Skills - 1 MCLE/CPD unit

Property Rights over Human Gametes Is a new property paradigm emerging for the human body?

WHEN	Tuesday 28 February 2012 5.00pm to 6.00pm	
WHERE	College of Law City, St James Centre Level 7, 111 Elizabeth Street, Sydney	
COST	LS Member	Non-Member
	\$99.00	\$123.30
MCLE	1 MCLE unit	
SEMINAR	12015	

This fascinating seminar is relevant to all lawyers and practitioners who advise clients in matters of health, succession, and personal property. Following the critical decision in the recent *Re the estate of the late Mark Edwards* [2011] NSWSC 478, which dealt with personal property, succession and the *Human Tissue Act* 1983, the conventions in this area are significantly challenged.

Don't miss this unique opportunity to hear from an expert in this new and exciting area of law.

Presented by:

Claire Mallon

Principal, Juris Prudentia Legal

Claire Mallon is principal, of Juris Prudentia Legal, a boutique city firm with a special focus on professional liability, tort, employer's Liability and health law. She was admitted to practice as a barrister and solicitor of the Supreme Court of WA in 1995 and as a solicitor of the Supreme Court of NSW in 1997. She has practiced in WA, England and NSW as a litigator.

Claire is nearing completion of a Masters of Health Law (MHL) at the University of Sydney with a particular interest in the global health law regime, the *parens patriae* jurisdiction of the Supreme Court, professional liability, death law and the intersection between health care and technology.

Workers Compensation Update

WHEN	Wednesday 29 February 2012 2.00pm to 5.15pm	
WHERE	College of Law City, St James Centre Level 7, 111 Elizabeth Street, Sydney	
COST	LS Member	Non-Member
	\$258.50	\$304.00
MCLE	3 MCLE units	
SEMINAR	12016	

This seminar is designed for practitioners who handle workers compensation matters. Join your colleagues for an update on this ever changing complex area of law.

Chair: **Maithri Panagoda** Partner, Carroll & O'Dea and Accredited Specialist - Personal Injury

Speaker: **Paul Macken** Partner, Leigh Virtue & Associates and Accredited Specialist - Personal Injury
[Defending Compensation Claims](#)

Speaker: **Ramon Loyola** Solicitor, Legal & Medical Services Branch, NSW Workers Compensation Commission
[Medical Assessments and Medical Appeals in the NSW Workers Compensation Scheme](#)

Designed to assist practitioners in the practice and procedure of medical assessments and medical appeals in the NSW workers compensation scheme, with a discussion of the roles and functions of the Registrar as gatekeeper, the Approved Medical Specialist and Medical Appeal Panel, and updates of relevant developments in the law and judicial interpretations of the grounds of medical appeal.

Speaker: **John Wynyard** Barrister-at-Law, Henry Parkes Chambers
[Recent Developments in the Workers Compensation Commission](#)

INTERACTIVE ONLINE SEMINARS

Webconferences in February/March 2012

As a busy practitioner, you may find that committing the time out of the office to attend face-to-face seminars can be difficult. Advance your continuing professional development with The College of Law by participating in a live presentation over the internet, with sound delivered by teleconference. You will be able to see speakers present live online, and may interact by submitting questions during the seminar. Accompanying seminar materials are made available in advance.

ETHICS ON THE EDGE (12017.1)

(Complies with Rule 42.1.6.1 - Ethics and Professional Responsibility)

Topics covered will include:

- ▶ Delinquent clients
- ▶ Handling former clients - in the dock!
- ▶ Firing clients ethically
- ▶ Modern technology and ethical practice

Wednesday 15 February 2012, 1.00pm to 2.00pm (AEDST)

Presented by **Neil Watt** Principal, Neil Watt Consulting

Neil Watt is best known as an advisor in the field of professional ethics. Formerly the Senior Ethics Lawyer at Queensland Law Society, Neil now runs a consultancy in Sydney.

REGULATION 176: LEGAL PROFESSION REGULATION 2005 (12017.2)

Thursday 23 February 2012, 1.00pm to 2.00pm (AEDST)

Presented by **Dr Monica Hayes** Solicitor and Senior Lecturer, The College of Law

Dr Monica Hayes is a Senior Lecturer at the College of Law in Sydney, New South Wales, Australia. She completed an LLM at the University of Sydney in 2009 and is currently undertaking research for a PhD at the same university in the area of gender equality in employment.

OBTAINING URGENT INTERLOCUTORY INJUNCTIONS - PRINCIPLES AND UPDATE ON RECENT CASES

Wednesday 14 March 2012: 1.00pm to 2.00pm (AEDST) (12017.3)

presented by: **Graeme Turner** Barrister-at-Law, 12th Floor Selborne/Wentworth Chambers

This seminar will provide a practical explanation of the legal principles and practices applied in the Supreme Court of NSW Equity Division in relation to interlocutory injunctions. It will cover issues such as jurisdiction, interlocutory hearings, prima facie case principles and seven recent decisions on interlocutory injunctions.

Graeme Turner, of 12th Floor, Wentworth Selborne Chambers, was admitted to practice as a barrister in the State of New South Wales in 1987. He had previously practiced as a solicitor.

At the independent NSW Bar Graeme practises in commercial and business law and in equity. He regularly appears in the Duty Judge List of the Equity Division particularly on interlocutory injunction applications and for other urgent remedies. He has also appeared before Royal Commissions and on governmental inquiries.

Claim 1 CLE/CPD Point per seminar.

Cost per seminar: **M** \$93.50 (incl \$8.50 GST) **NM** \$100.00 (incl. \$9.09 GST)

For those last MCLE units, why not complete them online?

The College of Law now has a wide range of online seminars available, the majority of which have a podcast or webcast of the lecture to accompany them, so you have the benefit of actually hearing the speaker as the session was presented along with the printed material.

It's just like being there!

Take advantage of this convenient learning tool without having to leave your desk.

The podcasts can also be downloaded to your MP3 player.

A selection of the online programs available are listed below.

For a complete listing or to register online visit: www.collaw.edu.au/cpd

Cost per seminar: - from **M** \$93.50 (incl \$8.50 GST) **NM** \$100.00 (incl. \$9.09 GST)

BUILDING AND CONSTRUCTION

- ID211 **Fitness for Purpose: An Overrated Warranty?**
- ID240 **Building and Security of Payment update**

COMMERCIAL, CORPORATIONS, BUSINESS

- ID203 **Islamic Finance - Challenges and Opportunities**
- ID206 **Exclusion Clauses and Consequential Loss**
- ID210 **Contract Drafting Tips and Traps**
- ID213 **Contract Law: Warranties & Indemnities**
- ID225 **Mandatory Reporting for Consumer Goods Injuries**
- ID228 **Unfair Contracts and the New Consumer Law**
- ID229 **Domestic Arbitration Reform: Commercial Arbitration Act 2010**
- ID230 **Insurance Contracts - The Act Revisited**
- ID231 **Directors Duties and Insolvent Trading**
- ID232 **Overview of Financial Services Regulation**
- ID236 **The Tort of Inducing Breach of Contract**
- ID239 **Mergers and Acquisitions - An Overview**

CRIMINAL LAW

- ID187 **Fraud, Identity and Forgery Offences Reform**
- ID200 **The Circumstances in which an Accused Person can make an Application for Costs**
- ID215 **Local Court Sentencing - An Update**

EMPLOYMENT LAW

- ID201 **General Protections and Adverse Action**
- ID233 **Developments in Workplace Bullying**
- ID234 **Buying and Selling Small-Medium Enterprise**

FAMILY LAW

- ID208 **Drafting BFAs and Child Support Agreements**
- ID214 **Competing Interests of a Non-Bankrupt Spouse**
- ID218 **Negotiation Skills for Family Lawyers**
- ID227 **Family Violence: Womens Experience of Family Law System**

PERSONAL INJURY AND COMMON LAW

- ID205 **Workers Compensation - Section 9A**
- ID222 **Motor Accidents Compensation Update**

PRACTICE AND PROCEDURE

- ID191 **Recent Developments in Expert Evidence**
- ID194 **The Statutory Functions of the Coroner**
- ID217 **Professional Risks in Negotiating**

PROPERTY AND PLANNING

- ID223 **Enforcement of Mortgages**
- ID219 **GST Update for Property Practitioners**
- ID237 **Off the Plan Conveyancing NSW - Vendor Issues**

WILLS AND ESTATES

- ID212 **Use of Testamentary Trusts**
- ID226 **Intestate Succession: Recent Legislative Changes**

CPD MANDATORY REQUIREMENTS

The following online programs comply with the mandatory requirements for the Legal Profession Regulation 2005 and the three elements of the Rule 42 of the Solicitors Rules.

- ID204 **Reg. 176 - Legal Profession Regulation 2005 (by podcast)**
- ID238 **Reg. 176 - Legal Profession Regulation 2005 (by webcast)**
- ID209 **Rule 42.1.6.1: Ethics and Professional Responsibility Ethics for the Legal Profession**
- ID234 **Rule 42.1.6.2: Practice Management & Business Skills An Update on Costs**
- ID181 **Rule 42.1.6.3 - Professional Skills Effective Witness Preparation**
- ID220 **Rule 42.1.6.3 - Professional Skills Early Dispute Resolution**
- ID235 **Rule 42.1.6.3 - Professional Skills Working in Teams**

Are you ready to consider your next career step?

Legal Practice Management Course

If you have or are entitled to an unrestricted practising certificate and want to become a sole principal, partner, solicitor-director, or in-house solicitor on the record, the NSW Law Society requires you to complete the Legal Practice Management Course.

The College of Law's Legal Practice Management Course is accredited by the Law Society of New South Wales. This three day course applies to all solicitors admitted after 1986. Participants may claim up to 10 professional development points depending on their MCLE needs, including the Rule 42 requirements.

Course options are tailored to meet the needs of the following categories of solicitors:

- ▶ Sole Practitioners
- ▶ Corporate and Government
- ▶ Small and Medium Partnerships (2-9 and 10-34 partner firms)
- ▶ Large Partnerships (35+ partner firms)



Why The College of Law?

By choosing a College legal practice management course you are guaranteed presenters with a wide range of expertise and depth of experience. Our presenters are chosen in their area of legal practice or profession.

The course cost is \$1,575 (GST free) which covers all course tuition, course materials, invaluable business planning checklists and templates. Refreshments and lunch are provided over the three days. Delegates also receive substantial discounts on LawWare Software and Practice Papers.

Legal Practice Management: Corporate/Government

WHEN	Friday 3, Saturday 4 and Friday 10 February 2012 9.00am to 5.00pm each day
WHERE	College of Law 2 Chandos Street, St Leonards
COST	\$1,695.00 (GST free)
MCLE	1 MCLE unit per hour of attendance
SEMINAR	NM12_01 Incl. lunch, refreshments and all materials.

The course is specifically adapted for in-house lawyers and includes materials from the College of Law's Master of Applied Law (In-House Legal Practice) Program, and presenters with experience as in-house counsel.

With a strong emphasis on legal and organisational strategy, understanding the in-house team's value proposition and delivering effective results, this course also covers the role of in-house lawyers in ethical culture and governance systems, stakeholder relationships, risk assessment and management and the core regulatory curriculum.

Topics include:

- ▶ Strategic management - challenges for corporate and government lawyers
- ▶ People management
- ▶ Work and systems management
- ▶ Developing an ethical business culture
- ▶ Financial mechanics - budgets and balance sheets
- ▶ Client relationships strategies - delivering value
- ▶ Professional responsibility and ethics
- ▶ Risk management - the insurer's perspective
- ▶ Risk management: prevention strategies
- ▶ Trust account issues
- ▶ Stress management

Legal Practice Management: Small - Medium Partner Firms

WHEN	Friday 24, Saturday 25 February and Saturday 3 March 2012 9.00am to 5.00pm each day
WHERE	College of Law 2 Chandos Street, St Leonards
COST	\$1,695.00 (GST free)
MCLE	1 MCLE unit per hour of attendance
SEMINAR	NM12_02 Incl. lunch, refreshments and all materials.

Discuss current thinking on strategic and business planning, highlighting the role and responsibilities of partners in business development, practice leadership, supervision and mentoring, client development, financial and business performance and ethical and risk management. Course materials include business planning checklists and templates.

Courses are presented over three days with topics including:

- ▶ Strategic and business planning
- ▶ Work and people management
- ▶ Marketing and business development
- ▶ Financial mechanics of practice
- ▶ Ethics and professional responsibility
- ▶ Trust account rules and practice
- ▶ Trust account pitfalls and problems
- ▶ LawCover and risk management
- ▶ Practice finances
- ▶ Managing stress

Added benefits:

- ▶ LawWare software discounts
- ▶ 25% discount on the full set of the College's NSW Practice Papers (save over \$100)
- ▶ 3 complimentary College online seminars in the 2011/13 CLE years (worth over \$250), incl. r.42 topics.

Dates for your Diary

A Day in the Blue Mountains (6 MCLE units)

Saturday 17 March 2012: 9am-5pm

Fairmont Resort, Sublime Point Road, Leura

Join us for our popular annual seminar in the scenic Blue Mountains, specifically designed to provide busy practitioners with an update on major reforms in several discrete areas of law. This program offers something for everyone and provides an opportunity to learn in relaxed and charming surroundings.

The Essential Guide to Family Law Practice and Procedure (6 MCLE units)

Friday 23 March 2012: 9am-4.30pm

College of Law City, St James Centre

111 Elizabeth Street, Sydney

This program, presented by **Kathryn Kearley** Solicitor & Lecturer, BA, LL.B and Accredited Specialist in Family Law, has been specifically designed for those who practice in family law. The aim of this practical workshop is for lawyers to gain an understanding of the key concepts, practice and procedure in family law and related litigation.

It will be of particular relevance to the following groups:

- ▶ Newly admitted practitioners and those admitted less than 5 years
- ▶ Solicitors seeking to move into family law practice
- ▶ Solicitors returning to family law practice

The day will be structured in a practical, workshop-style fashion, and ensure a valuable learning experience for those attending.

Places are limited - so book early!

Three innovative workshops
from popular presenter

Frank Sanitate

held at the College of Law City
St James Centre, 111 Elizabeth St, Sydney

Don't Go to Work Unless It's Fun: How lawyers can become happier and more productive (6.5 MCLE units)

Monday 12 March 2012: 9am-4.45pm

This workshop will enable you to:

- ▶ Understand and overcome the barriers to fully enjoying your work
- ▶ Become more productive in your work
- ▶ Create an organization where everyone looks forward to coming to work every day
- ▶ Have fun

Time Mastery for Lawyers: Over 100 Ways to Maximise your Productivity and Satisfaction (6.5 MCLE units)

Friday 16 March 2012: 9am-4.45pm

This popular workshop will enable you to:

- ▶ Eliminate time stress
- ▶ Get over 100 practical ideas – at least one has to apply to you!
- ▶ Create a balance between work life and personal life
- ▶ Work with greater productivity and satisfaction

How to Manage Your Practice & Your Life

Monday 19 March 2012: 9am-4.45pm

(6.5 MCLE units)

This workshop will enable you to:

- ▶ Focus on concepts and practices that are more important for long-run results
- ▶ Feel better about yourself and your work - and thus produce better results
- ▶ Work on what's important, without getting swallowed up by the tyranny of the urgent
- ▶ Communicate to empower clients, co-workers and yourself