

DVD Program

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**BOND
UNIVERSITY**
FACULTY OF LAW

Symposium 2017

Framing the future

Day 1 DVD Program

Friday 17 March

Disc 1 30mins

Welcome to Country

Presenter: Songwoman Maroochy, Law-woman, Turrbal People

Welcome

Presenter: **Christine Smyth**, President, Queensland Law Society; Partner, Robbins Watson Solicitors and Accredited Specialist (Succession Law) – Qld

Chief Justice's Address

Presenter: **The Honourable Justice Catherine Holmes**, Chief Justice of Queensland

Chair: **Christine Smyth**, President, Queensland Law Society; Partner, Robbins Watson Solicitors and Accredited Specialist (Succession Law) – Qld

SUCCESSION

Disc 2
1hr 17mins



Succession law case update

This session will provide you with a snapshot of the recent local and interstate cases you need to know.

Presenter: **Carla Parsons**, Director, Parsons Law and Accredited Specialist (Succession Law) – Qld

Chair: **Kylie Costigan**, Senior Associate, Estate First Lawyers and Accredited Specialist (Succession Law) – Qld



Seeking direction from the Court under section 96 Trusts Act 1973

The role of a trustee is a complex one, and exercising statutory powers and making fair decisions in accordance with them is not to be taken lightly. So any trustee in doubt about whether to take a particular course of action may want to consider making an application to the Supreme Court for judicial advice under section 96 of the Trusts Act 1973. This session will explore the ambit of the section and answer the following questions:

- why should a trustee seek judicial advice?
- when should judicial advice be sought?
- what are the benefits of making an application?
- how can an application for judicial advice be made?

Presenter: **Robert Whiteford**, Barrister, Queensland Bar

Chair: **Kylie Costigan**, Senior Associate, Estate First Lawyers and Accredited Specialist (Succession Law) – Qld

PERSONAL INJURIES

STREAM SPONSOR

Disc 3
1hr 27mins



Pre-proceedings disclosure: Similar regimes, different obligations

The overwhelming focus of personal injuries legislation is to bring parties together to have a meaningful settlement conference prior to the institution of proceedings. The various personal injuries regimes encourage the parties to put all their cards on the table to enable this process to occur, but without uniformity. Knowing when to hold them and when to fold them can be strategic, but it is important not to bend the rules. With reference to recent cases, our expert presenter will share some practical tips.

Presenter: **Brady Cockburn**, Partner, Cooper Grace Ward Lawyers and Accredited Specialist (Personal Injuries) – Qld

Chair: **Ken Taylor**, Councillor, Queensland Law Society; Director, Purcell Taylor Lawyers and Accredited Specialist (Personal Injuries) – Qld



Back to the future: Case law update

This session will reflect on the significant decisions relevant to personal injuries practice over the last twelve months to give you the opportunity to prepare for the future, by providing relevant and up to date advice to your clients.

Fast-forward your knowledge by attending this practical session.

Presenter: **Travis Schultz**, Practice Group Leader, Schultz Toomey O'Brien Lawyers, part of the Slater and Gordon Group and Accredited Specialist (Personal Injuries) – Qld

Chair: **Ken Taylor**, Councillor, Queensland Law Society; Director, Purcell Taylor Lawyers and Accredited Specialist (Personal Injuries) – Qld

CORE CPD

Disc 4
1hr 25mins



Embracing New Law

New Law is coming. Traditional business models and the delivery of legal service are being transformed to meet client needs and there are many opportunities for lawyers to embrace the New Law model. The key takeaways from this session will be:

- what is New Law?
- how New Law delivers legal services
- start up from a blank slate – business model and delivery
- adapting traditional structures to New Law
- investing in New Law.

Presenter: **Anthony Wright**, Principal, lexvoco

Chair: **Dr Rachel Baird**, Manager, Learning and Professional Development, Queensland Law Society



Six keys to growing the top and bottom line of your legal practice

Growth is essential for every practice - but how do you get that done while wearing all the other hats of a practice owner? In this strategy-packed session, you will learn the key concepts to create consistent growth. The major takeaways will include:

- how to boost your profits by over 125%
- how to attract more of the 'right' type of clients
- the three 'must have' elements to make your marketing work
- why most lawyers are uncomfortable with sales and what to do about it.

Presenter: **Jamie Cunningham**, Business Coach, SalesUp

Chair: **Dr Rachel Baird**, Manager, Learning and Professional Development, Queensland Law Society

SUCCESSION

Disc 5
1hr 26mins



Tips from the bench

In this practical session, receive tips and guidance on preparing and presenting evidence in succession law matters before the Court.

Presenter: **The Honourable Justice Duncan McMeekin**, Supreme Court of Queensland

Chair: **Jeneve Frizzo**, Principal, Jeneve Frizzo – Estate Law and Accredited Specialist (Succession Law) – Qld



Costs issues in contested estate administrations

This panel session will review a range of costs issues that may arise, particularly in the administration of contested estates. Issues considered include:

- time recorded v supreme court fees
- executor's commissions
- executor's responsibility to ensure costs are appropriate
- recovering legal costs incurred.

Panellists: **The Honourable Justice Duncan McMeekin**, Supreme Court of Queensland

Margot de Groot, Director, de Groot's Wills and Estate Lawyers

Gary Lanham, Special Counsel, Minter Ellison and Accredited Specialist (Succession Law) – Qld

Facilitator: **Jeneve Frizzo**, Principal, Jeneve Frizzo – Estate Law and Accredited Specialist (Succession Law) – Qld

BUSINESS

Disc 6
1hr 20mins



Big issues for small business

Our expert presenter is well known to members as a leading authority on the personal property securities and its Register.

In this session he will discuss some case updates and present a live demonstration, showcasing the Register's new software and other regulatory compliance software (called RegTech).

Lawyers will be able to efficiently create more income for themselves and help clients reduce the cost, time and risks involved with personal property securities compliance, by using RegTech to:

- create registration templates with pre-populated fields
- reduce manual data entry time by 90%
- lower the risk for data entry errors
- lessen the time and skill needed to competently train operators
- set automated expiry date reminders and other reports.

Presenter: Peter Mills, Special Counsel, Thomson Geer Lawyers

Chair: Derek Sutherland, Special Counsel, HWL Ebsworth Lawyers



Franchising: A focussed session on the sale of a franchised business

According to the Franchise Council of Australia "Franchising in Australia is amongst the most dynamic and progressive business sectors in the economy". Those of you who work in this area of practice would no doubt agree with this statement and vouch that there has been a substantial growth in the demand for specialist legal advice in this area. This session will therefore focus on practical issues to address when advising a buyer or a seller of a franchised business and discuss the following issues arising out of the sale of a franchised business:

- providing advice to either party - what is the scope of your engagement?
- due diligence on a purchase
- what should be expressly considered and included in the agreement?
- drafting tips
- clauses that franchisors usually require be included in the agreement that are non-negotiable
- is it an assignment of an existing agreement or a new agreement?
- what about business names and leases?
- training – when and where?
- documents and completion.

Presenter: Janice Bywaters, Special Counsel, Rouse Lawyers

Chair: Derek Sutherland, Special Counsel, HWL Ebsworth Lawyers

CORE CPD

Disc 7
1hr 25mins



The neuroscience behind good client outcomes

Class leading neuroscience undertaken by Monash University across a range of disciplines was conjoined with comprehensive case analysis by Lexon to deconstruct examples from recent claim experiences. Dr Sanjay Nandam and Lexon's David Durham will be discussing how cutting edge neuroscience can be the difference between good and bad outcomes for your clients.

Presenters: David Durham, Legal Risk Counsel, Lexon Insurance

Dr Sanjay Nandam, Consultant Psychiatrist, The Prince Charles Hospital

Chair: Mylton Burns, Principal, Commercial Litigation and Insurance, McInnes Wilson Lawyers



Beyond technical legal competence: What value the client of the future will want from you

For decades clients have looked to their lawyer for accurate, timely and risk-free advice. This has served clients and law firms extremely well. With the advent of online services, artificial intelligence and new competitors clients want and expect more value than technical expertise. Our presenter will look at the market, where it is headed and what value looks like for clients. You will gain ideas about how you can provide additional value to clients and thus differentiate your firm from the competition of the future.

Presenter: Keith Dugdale, Managing Director, The Business of Trust and co-author of Smarter Selling

Chair: Mylton Burns, Principal, Commercial Litigation and Insurance, McInnes Wilson Lawyers

SUCCESSION

Disc 8
59mins



Assets in foreign jurisdictions: Beware!

This panel session will consider various issues to watch out for in estate planning and administration where there are assets in foreign jurisdictions. Issues include professional negligence, insurance coverage, how to identify jurisdictional issues and when to check for revocation.

Panellists: **Angela Cornford-Scott**, Director, Cornford-Scott Lawyers and Accredited Specialist (Succession Law) – Qld
Scott Whitla, Partner, McCullough Robertson Lawyers

Facilitator: **Zinta Harris**, Principal, Harris Law; Accredited Specialist (Succession Law) – Qld; Accredited Specialist (Business Law) – Qld and Registered Trust and Estate Practitioner

PROPERTY

STREAM SPONSOR

Disc 9
57mins



Year in review and the future of property law

This session will reflect on the significant decisions and legislation relevant to property law practice over the last twelve months. This session will also look at the evolving legal landscape and provide some observations about the future of property law with the rise of new technologies, outsourcing, e-conveyancing and New Law as well as an update about Queensland University of Technology's Commercial and Property Law Research Centre papers. This session will ensure you remain current as well as give you the opportunity to be prepared for the future.

Presenter: **Kim Teague**, Partner, Cooper Grace Ward Lawyers and Deputy Chair, Queensland Law Society Property and Development Law Committee

Presenter and Chair: **Wendy Devine**, Policy Solicitor, Queensland Law Society



CORE CPD

Disc 10
52mins



The networked lawyer: Conscious, conscientious, connected

Contemporary legal practice would be impossible without digitally mediated networks, but in a profession trained to identify and avoid risk, digital networks have posed a particular problem for lawyers. Social media in particular has been viewed with suspicion although other networks, principally those associated with the running of business, have been less critically embraced – despite their own risks. As network technologies themselves are evolving, lawyers must connect or become redundant. Our presenter draws on the law, professionalism in the law, and the world of digital networks to present an achievable, positive model of conscious and conscientious connection for the networked lawyer.

Presenter: **Kate Galloway**, Assistant Professor, Faculty of Law, Bond University

Chair: **Matt Dunn**, Acting Chief Executive Officer, Queensland Law Society

SYMPOSIUM DEBATE

Disc 11
50mins

'In the future there will be no need for lawyers'

AFFIRMATIVE

Michael Brennan, Councillor, Queensland Law Society and Managing Principal, Offermans Partners

Sarah-Elke Kraal, Legal Professional Development Specialist and Solicitor, Queensland Law Society

Tristan Lockwood, Lawyer, Australian Government Solicitor and Co-Founder and National Board Member, The Legal Forecast

NEGATIVE

Chloe Kopilovic, Councillor, Queensland Law Society and Lawyer, Ferguson Cannon Lawyers

Nola Pearce, Special Counsel, Carter Newell and Chair, Queensland Law Society Ethics Committee

Dan Rogers, Legal Director, Robertson O'Gorman Solicitors and Accredited Specialist (Criminal Law) – Qld

Moderator: **Matt Dunn**, Acting Chief Executive Officer, Queensland Law Society

END OF DAY 1 RECORDED SESSIONS

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Total payment (inc. GST) \$	
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