



Symposium

2016 >> Our profession, connected

19 March | Brisbane Convention & Exhibition Centre

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Major sponsor



Program – Day 2



Business Commercial Litigation Core CPD Criminal Succession

Saturday 19 March 2016

Disc 1
37 mins
Welcome
Presenter: **Bill Potts**, President, Queensland Law Society

Attorney-General's Address

Presenter: **The Honourable Yvette D'Ath MP**, Attorney-General and Minister for Justice and Minister for Training and Skills
Chair: **Bill Potts**, President, Queensland Law Society

SUCCESSION

Disc 2
1 hr 19 mins
Succession law case update

This session will provide you with a snapshot of recent Australian and international succession law cases that you need to know.

Presenter: **Naomi de Costa**, Senior Associate, Maurice Blackburn and Accredited Specialist (Succession Law) – Qld
Chair: **Caitie Brewer**, Barrister, Queensland Bar and Accredited Specialist (Succession Law) – Qld

PLE

Solicitors' duties in advising trustees and attorneys: Practical steps to protect yourself

In this session our presenters will explore potential difficulties and professional responsibilities when advising attorneys and trustees, for example where a trustee loses capacity and the attorney wants advice.

PM&BS

Presenters: **Bryan Mitchell**, Principal, Mitchells Solicitors and Accredited Specialist (Succession Law) – Qld
Stafford Shepherd, Director, Ethics Centre, Queensland Law Society

SL

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

CRIMINAL

Disc 3
44 mins
The critical role of the solicitor in a criminal trial

In this session, you will explore the nature and importance of the role of a solicitor in a criminal trial, with reference to relevant case law – including a consideration of *LSC v Bartels*, *MK v Victoria Legal Aid* and *R v Chaouk*.

Presenter: **Saul Holt QC**, Barrister, Queensland Bar

Chair: **Kurt Fowler**, Principal Lawyer, Fowler Lawyers, Accredited Specialist (Criminal Law) – Qld and Deputy Chair, Queensland Law Society Criminal Law Committee

COMMERCIAL LITIGATION

Disc 4
1 hr 14 mins
Recent developments in commercial litigation

This session will provide you with a summary of the most significant decisions in commercial litigation practice in the last year.

Presenter: **The Honourable Justice Roslyn Atkinson AO**, Supreme Court of Queensland

Chair: **Sarah Davies**, Partner, ClarkeKann Lawyers and Accredited Specialist (Commercial Litigation) – Qld

SL

Limitation periods: When does your cause of action start to run?

Determining when a cause of action arises is a common and difficult issue in commercial litigation. This session will address relevant case law and provide you with examples, putting theory into practice. Consideration will be given to an ongoing contract scenario as well as a trade practices scenario.

Presenter: **Catherine Muir**, Barrister, Queensland Bar

Chair: **Sarah Davies**, Partner, ClarkeKann Lawyers and Accredited Specialist (Commercial Litigation) – Qld

SUCCESSION

Disc 5
1 hr 27 mins



Five things you ought to know about... family provision applications, estate planning and estate administration

In this practical session gain tips and guidance from three experts on essential things you need to know about each of the following areas:

- family provision applications
- estate planning
- estate administration.

The session will consist of three half hour presentations addressing each area of practice.

Presenters: **Jeneve Frizzo**, Special Counsel, O'Connor Law and Accredited Specialist (Succession Law) – Qld
Ann Janssen, Special Counsel, Estate First Lawyers and Accredited Specialist (Succession Law) – Qld
Tim Whitney, Consultant, McCullough Robertson Lawyers and Accredited Specialist (Succession Law) – Qld

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

BUSINESS

Disc 6
1 hr 32 mins



Small businesses behaving badly: Consumer law update

In today's competitive world, businesses have to push marketing boundaries in order to gain a customer base, which can expose organisations to breaching consumer laws. Also as the Australian Competition and Consumer Commission continues to flex its muscles, the risk of being subject to enforcement proceedings remains forever constant. This session will therefore focus on areas which continue to be a source of grief for organisations and with reference to recent cases will provide practical guidance to those advising business clients on their consumer obligations and rights.

Presenter: **Michael Hodge**, Barrister, Queensland Bar

Chair: **Peter Mills**, Special Counsel, Thomson Geer



Big gains, small business: Managing CGT issues

Structuring a small business sale to effectively deal with Capital Gains Tax issues is complex. This session will focus specifically on the legal issues that most accountants do not address, so that you can provide your clients with relevant and comprehensive advice. Our experienced presenter will discuss the following:

- brief overview of small business concessions
- small business concessions – the legal aspects
- how to prepare a small business for sale
- what are the legal issues on the sale of a small business that are often overlooked
- whether you can safely delegate everything to accountants, or need to take an active role.

Presenter: **David Hughes**, Partner, Small Myers Hughes

Chair: **Peter Mills**, Special Counsel, Thomson Geer

CORE CPD

Disc 7
1 hr 30 mins



Sitting is the new smoking, it's just a different butt

Your work should not endanger your health, but extended hours of sitting at work are now regarded as being as harmful to your health as smoking. Recent studies indicate that prolonged sitting can result in diabetes, heart disease, back, neck and shoulder pain, increased weight and a general reduction in health and mental alertness.

In this session you will learn simple exercises that can be done at work to reduce back and neck pain and increase your mental alertness. You might also flatten your belly, give your butt a lift and look better in your clothes with these exercises.

Presenter: John Bawden, Personal Trainer, Everybody Personal Fitness

Chair: Kali Astill, Practice Management Course Executive and Solicitor, Queensland Law Society



Contractors and casuals: Tips for law practices in adopting flexible staffing practices

Gone are the days of the traditional employer/employee relationship. Law firms now have a range of more flexible staffing options open to them. This session will provide practical guidance for law practices interested in exploring flexible staffing arrangements including:

- contractors vs casuals
- compliance with the *Fair Work Act 2009* and relevant awards
- drafting employee and contractor agreements
- what to avoid.

Presenters: Luke Forsyth, Principal, Hall Payne Lawyers

Chair: Kali Astill, Practice Management Course Executive and Solicitor, Queensland Law Society

CRIMINAL

Disc 8
57 mins



The Moynihan legacy: For better or worse?

Our panel of experts will lead a discussion on the Moynihan legacy, and will include a consideration of:

- the impact of the amendments on both the Magistrates Court and the superior courts
- concern with the response by the profession to the changes to the committal laws
- how to better prepare applications to cross-examine
- the state of play with prosecution disclosure.

Panellists: The Honourable Justice John Byrne AO RFD, Senior Judge Administrator, Supreme Court of Queensland
His Honour Chief Judge Kerry O'Brien, District Court of Queensland
His Honour Judge Ray Rinaudo, Chief Magistrate, Magistrates Court of Queensland

Facilitator: Glen Cranny, Partner, Gilshenan & Luton Legal Practice and Accredited Specialist (Criminal Law) – Qld



Snapshot view of QLS Criminal Law Committee

Join Peter Shields, Chair of Queensland Law Society Criminal Law Committee, for a brief snapshot of the QLS Criminal Law Committee.

Commonly asked questions will be answered, including:

- What is the QLS Criminal Law Committee?
- What does the Committee do?
- What is the Committee trying to achieve on behalf of the profession?
- How can you have your say?
- How can you join?

Presenter: Peter Shields, Partner, Peter Shields Lawyers, Accredited Specialist (Criminal Law) – Qld and Chair, Queensland Law Society Criminal Law Committee

Chair: Glen Cranny, Partner, Gilshenan & Luton Legal Practice and Accredited Specialist (Criminal Law) – Qld

COMMERCIAL LITIGATION

Disc 9
52 mins


Protecting the integrity of evidence

Solicitors play an important role in the administration of justice and have a particular responsibility to protect the integrity of evidence. This session will review the ethical principles in connection with dealing with witnesses. It will consider rules for:

- conferring with witnesses
- witness preparation
- communicating with a witness while under cross-examination
- evidence which is the subject of a pre-existing confidentiality obligation.

Each of these rules will be set in the context of the paramount duty and other fundamental ethical duties.

Case studies and interactive technology will be used.

Presenter: **Stafford Shepherd**, Senior Ethics Solicitor, Queensland Law Society

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

CORE CPD

Disc 10
1 hr 2 mins


Improving client satisfaction through pricing

Pricing has a greater impact on profitability than any other lever, yet many firms lack confidence in their approach to pricing. Strong pricing practices help strengthen client relationships and build trust while ensuring the firm is appropriately rewarded for the work performed.

The session will draw upon leading pricing theory and recent research in the legal market, in order to provide practical strategies that can be implemented in your firm tomorrow.

Presenter: **Colin Jasper**, Director, Jasper Consulting

Chair: **David Goener**, Partner, Beaton

END OF DAY 2 FILMED SESSIONS

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Events policy: Visit qls.com.au/events_policy to view the policy or for more information please contact the Society at conferences@qls.com.au