

DVD Program
Day 2



QLS and FLPA Family Law Residential 2016

1 CPD point per hour viewed

Saturday 23 July
Sheraton Grand Mirage Resort, Gold Coast



Major sponsor

svpartners
specialist accountants & advisors

OPENING PLENARY

Disc 1
1hr
9mins



Seven strategies to survive in a world that sometimes feels broken

Session sponsor



The best way to prevent something from breaking is to ensure its individual elements are strong – and stay strong.

Industries have undergone more upheaval and uncertainty in the last decade than in the previous 100 years. Many of us are still playing catch up. We need strategies to help us thrive not just survive, when our industry (and even our world) feels uncertain and perhaps broken. International bestselling author and global speaker Andrew Griffiths will share his strategies for achieving exactly that, based on his own unique extraordinary, life.

Presenter: **Andrew Griffiths**, International speaker, author and presenter of TEDx talk “Imagine if we were 33% less angry”

Chair: **Clarissa Rayward**, Director, Brisbane Family Law Centre, Accredited Specialist (Family Law) and President, Family Law Practitioners’ Association (QLD)

STREAM 3A – PARENTING

Disc 2
1hr



Protecting children is everyone’s responsibility

Families in parenting matters may have or have had involvement with the statutory child protection authority. Perhaps a ‘notification’ was made; or a letter was written by the Department of Communities, Child Safety and Disability Services (the Department); perhaps the Department is doing casework with the family with parental agreement; or perhaps the Department has applied for, or is considering applying for, a child protection order.

What sense do we make of all that when determining the best interests of a child in a parenting matter?

Hear a Judge, a Silk and the Deputy Director-General of the Department pose and answer questions about the Department’s records, and what to do with them.

Panellists: **Her Honour Judge Anne Demack**, Federal Circuit Court of Australia

Cathy Taylor, Deputy Director-General, Department of Communities, Child Safety and Disability Services

Dr Jacoba Brasch QC, Barrister, Queensland Bar

Facilitator: **The Honourable Justice Jenny Hogan**, Family Court of Australia

STREAM 3B – PROPERTY

Disc 3
1hr
2mins



Arbitration: Why, how and why not now?

This session will examine why and when parties should consider arbitration and seek to dispel common myths and concerns of clients and solicitors about arbitration including:

- different formats of arbitration for different matters
- the amendments to the Family Law Rules 2004 (Cth)
- the status of the Federal Circuit Court Rules 2001 (Cth)
- how to draft directions and arbitration agreements
- enforcement of awards and appeals.

Presenter: **The Honourable Brian Jordan**, Retired Family Court of Australia Judge

Presenter and Chair: **Geoffrey Wilson**, Partner, HopgoodGanim Lawyers and Accredited Specialist (Family Law)

Session sponsor

Queensland Arbitrations
A new approach



STREAM 4A – PARENTING

Disc 4
1hr
10mins



Domestic violence applications 202

Hone your preparation and advocacy skills in this practical session specifically tailored to domestic violence applications.



Join our experienced panel of professionals and learn:

- practical tips on running a domestic violence application from start to finish
- what evidence is required and when
- updates on the law including the *Domestic and Family Violence Protection Rules 2014*
- how the domestic violence specialist court in Southport is meeting the increasing demand for services – almost 12 months on from its inception.

Panellists: **Magistrate Colin Strofield**, Magistrates Court
Guy Andrew, Barrister, Queensland Bar
Julia Jasper, Senior Criminal Lawyer, Couper Geysen and Accredited Specialist (Criminal Law) – Qld

Facilitator: **Clare Dart**, Barrister, Queensland Bar

STREAM 4B – PROPERTY

Disc 5
53mins



To join or not to join: Third party proceedings

Third parties are increasingly playing a part in family law litigation. Practitioners need to consider if and when to join other parties to proceedings and the implications of that decision; and third parties need to consider whether to intervene or, if not, why not.

This session will consider a number of scenarios involving third parties including:

- the rules in the Family Court and the Federal Circuit Court
- how to get it right and what are the ramifications of joining or not joining parties
- the big picture: whether to join or intervene
- if you do join, tactically, do you join or do you wait?

Presenters: **Philip Looney QC**, Barrister, Queensland Bar
Rebecca Harding, Barrister, Queensland Bar

Chair: **Alison Ross**, Partner, HoggoodGanim Lawyers, Accredited Specialist (Family Law) and Chair, Queensland Law Society Family Law Committee

STREAM 4C – ESSENTIALS

Disc 6
46mins



Expert accountants' valuations: Building them up and tearing them down

This session provides helpful insights for practitioners in relation to expert accountants' valuations.

Our presenters will discuss:

- what can be done by practitioners to ensure expert accountant valuations are upheld (where appropriate) and challenged (where appropriate)
- personal experiences and examples from case law in relation to disputes regarding expert accounting valuations
- what to do in circumstances where it is asserted that the valuer may have:
 - failed to take into account a materially relevant fact
 - reached conclusions not sufficiently explained in the body of the report
 - made erroneous assumptions.

Presenter: **Brett Goodyer**, Director, SV Partners

Presenter and chair: **Michael Drysdale**, Barrister, Queensland Bar

STREAM 5A – PARENTING

Disc 7
1hr

Not the 1980 Hague abduction convention – The 1996 Hague Convention: What's in its name?



In this comprehensive and practical session, our presenters will discuss and provide commentary on:

- the Convention and how it affects our everyday practice
- the context of the Convention in child abduction cases
- the Convention's use to register foreign orders.

Presenters: **Murray Green**, Barrister, Queensland Bar
Lisa Foley, Partner, DA Family Lawyers

Chair: **The Honourable Justice Diana Bryant AO**,
Chief Justice of the Family Court of Australia

STREAM 5B – PROPERTY

Disc 8
51mins

Child support: Updates and tips on navigating the maze

A mine field for many practitioners, child support is an area that undergoes frequent change.



This session will examine recent updates to legislation including the practical effect of recent changes for practitioners. It will also provide practical tips to assist clients navigating through the Department of Human Services (Child Support) maze including:

- departure orders – process and procedure
- problems with the formula – disparities between real income and assessed income, income capacity vs income
- approach to private school fees and other non-periodic payments
- what advice we should provide to clients about the review process.

Presenter: **Neil McGregor**, Barrister, Queensland Bar

Chair: **Brett Goodyer**, Director, SV Partners

Child maintenance trusts

This part of the session will consider what practitioners need to know about child maintenance trusts, and when they might be suitable for your client. Our presenters will also discuss scenarios regarding provisions of the *Income Tax Assessment Act* in relation to child maintenance trusts.

This session will conclude with a 10-minute presentation from the residential major sponsor, SV Partners.

Presenter: **Dan Bottrell**, Solicitor, Jones Mitchell and Accredited Specialist (Family Law)

Presenter and Chair: **Brett Goodyer**, Director, SV Partners

STREAM 5C – ESSENTIALS

Disc 9
1hr

How to deliver family law service to those who can't afford it



There is no doubt that family law litigation is getting more expensive and fewer clients are able to afford it as a result.

In this session our panel of experienced practitioners will discuss options for the delivery of family law services to those who cannot afford it including fixed fees, unbundled (discrete task) services and other innovative ways to assist parties. Our panellists will also discuss:

- what is 'unbundling' and when is it appropriate
- what other options are available for clients
- the importance of your retainer
- what are the risks for practitioners in adopting different methods of service delivery
- what issues do practitioners need to consider when dealing with the Court.

Panellists: **Cybele Koning**, Team Leader and Coordinating Solicitor, Family and Elder Law, Caxton Legal Centre
Ben Cohen, Partner, Bartley Cohen and Deputy Chair, Queensland Law Society Ethics Committee
Tracy Skellern, Legal Risk Solicitor, Lexon Insurance

Facilitator: **Rachael Murray**, Partner, HopgoodGanim Lawyers

CLOSING PLENARY

Disc 10
1hr
9mins

Case update What's new in family law?

Session sponsor



This session will provide you with a snapshot of recently decided cases in family law.

Presenters: **The Honourable Justice Jenny Hogan**,
Family Court of Australia
The Honourable Justice Catherine Carew,
Family Court of Australia

Chair: **Clarissa Rayward**, Director, Brisbane Family Law Centre, Accredited Specialist (Family Law) and President, Family Law Practitioners' Association (Qld)

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