



JUSTICENET SA PRESENTS

Summer CPD Intensive February 26, 2016

EVENT DETAILS

Date: Friday, 26 February 2016**Time:** 9.30am – 5.00pm**Venue:** Flinders University
182 Victoria Square, Adelaide**Cost:****Members:** \$80 per session**Non-members:** \$110 per session**Concession:** \$40 per session**Special Offer**

Buy a 6-ticket bundle for the price of 4.

Bundled tickets are transferrable between colleagues but cannot be used for the same session.

Lunch can be purchased for \$10. Please indicate when booking.

Tea, coffee and biscuits are available for all participants.

REGISTRATION

[Click here to register or visit www.justicenet.org.au](http://www.justicenet.org.au)

All funds raised from the Summer CPD Intensive support JusticeNet's pro bono legal services for low income and disadvantaged South Australians.

It's easy to complete your CPD points for 2015/2016

The JusticeNet Summer CPD Intensive has the three mandatory CPD units covered, as well as five additional sessions. As well as knocking your CPD points on the head, you get the "feel good" factor of knowing that you are helping JusticeNet to provide access to justice for disadvantaged and marginalised South Australians.

Time	Room	Session
9.30am	1.1	Legal Aspects of Critical Incidents <i>Practice Management</i> Darren McGeachie, ACCESS Programs
10.30am		Morning Tea
10.45am	1.1	Tax issues for trustee clients Julie Van der Velde, DW Fox Tucker Lawyers
10.45am	1.2	Litigation Funding and Your Legal Practice <i>Practice Management</i> Susanna Khouri, IMF Bentham
11.50am	1.1	Ethical issues in pro bono representation <i>Practical Ethics</i> Tim Graham, JusticeNet
12.50pm		Lunch
1.45pm	1.1	Legal Research: how to make the most of electronic resources (and not rely on Wikipedia) <i>Professional Skills</i> Josephine Battiste, Griffins Lawyers
2.50pm	1.1	The fate of statutory interpretation's second class passengers Chad Jacobi and Anna Wells, Crown Solicitor's Office
2.50pm	1.2	Valuations of equity in business including professional practices and goodwill Peter Holmes, Ferrier Hodgson
3.50pm		Afternoon Tea
4.00pm	1.1	Apprehended bias – 2015 in review Enzo Belperio, Bar Chambers
5.00pm		Close

Further information: Please contact JusticeNet if you require additional information or assistance with registration.**Phone:** (08) 8313 5005 **Email:** admin@justicenet.org.au **Web:** www.justicenet.org.au/events

Legal Aspects of Critical Incidents

Practice Management

[Darren McGeachie, Access Programs](#)

This presentation will examine an employer's legal duty of care towards its employees after those employees have been exposed to a critical incident. A 'critical incident' is defined as a traumatic event which may give rise to psychological injury, most commonly post-traumatic stress disorder (PTSD).

Critical incidents are outside the range of usual human experience. Examples include: armed holdups, bushfires, industrial accidents, client or patient aggression and railway accidents. The focus of the presentation will be on employment settings where such confronting experiences are not inherent (ie outside the military, police and emergency services).

The presentation will discuss the organisational policy and procedural framework regarding critical incidents which is suggested by the case law. Reference will be made to the therapeutic approaches used in the field including group and individual debriefing, as well as ways to provide appropriate support for managers.

Tax issues for trustee clients

[Julie Van der Velde, DW Fox Tucker Lawyers](#)

A practical look at some key tax issues that arise when we advise trustee clients and how they should be affecting the advice you give; including:

- Tax consequences of income distributions
- Streaming different categories of income
- Distributing franked dividends
- Distributions of corpus
- Capital gains tax impacts on Trustees and Beneficiaries

This is aimed at lawyers with some experience dealing with trust structures but relatively little tax knowledge or for those who need a refresher on how it all works. The seminar aims to give a practical outline of where the issues arise, what they involve and how to approach them without in depth exploration of any one issue.

Litigation Funding and Your Legal Practice

Practice Management

[Susanna Khouri, IMF Bentham](#)

This presentation will analyse the use of litigation funding as a business tool by innovative legal practices and as an important offering to clients. Litigation funding can be offered as a risk management tool (to lay off the risk of adverse costs), as a cash management tool (to manage monthly legal expenses) and a time management tool (litigation funders can assist with the management of the litigation). Litigation funding also allows firms to take on strong cases that they might not otherwise be capable of being pursued.

Topic will include:

- What is litigation funding?
- What types of cases are suitable for litigation funding?
- What is the process of applying for litigation funding and having a case funded?
- The benefits to law firms and lawyers who use litigation funding for their clients (or to finance their own activities).

Ethical legal issues in pro bono representation

Practical Ethics

[Tim Graham, JusticeNet](#)

The ethical obligations owed by a lawyer acting pro bono are generally no different than those of a commercial legal practice. However, there are practical issues that can create uncertainty in the minds of some lawyers and barriers to engaging in pro bono legal practice. This seminar aims to encourage lawyers to engage in this rewarding aspect of legal practice by answering frequently asked questions regarding the ethical and professional responsibility obligations of pro bono legal practice, including:

- the solicitor-client relationship
- what duties do I owe to pro bono clients?
- what is my entitlement to costs, if any?
- how do I deal with challenging clients?
- what is limited scope service provision (aka unbundling)?

Legal Research: how to make the most of electronic resources (and not rely on wikipedia)

Professional Skills

[Josephine Battiste, Griffins Lawyers](#)

This one hour seminar will discuss the use of electronic resources in legal research, suitable for all levels of experience and all practice areas.

The fate of statutory interpretation's second class passengers

[Chad Jacobi and Anna Wells, Crown Solicitor's Office](#)

A sequence of High Court decisions have confirmed that purpose and context are the primary principles guiding the interpretation of statutes. Context and purpose have displaced a number of former rules – golden, literal and mischief. What then is left of a number of the secondary or subordinate rules – often mentioned - concerned specifically with the reading of criminal statutes, conferrals of power and jurisdiction and like issues?

This session addresses the fate in Australia of the statutory interpretation's second class passengers.

Valuations of equity in business including professional practices and goodwill

[Peter Holmes, Ferrier Hodgson](#)

This seminar will provide attendees an understanding of the principles used in valuing equity interests, including underlying business assets and any goodwill component, is fundamental to understanding expert valuer's reports. This is particularly so in partnership and minority shareholder disputes and matrimonial property disputes.

The presentation will cover some basics about valuation principles, equity versus business valuations, differences between value and price, and how goodwill is derived.

Apprehended bias – 2015 in review

[Enzo Belperio, Bar Chambers](#)

This seminar will take a look at three main cases from 2015 and provide a review and update on the current law in relation to apprehended bias. Cases discussed will include:

- *Eastman v The Queen* [2015] ACTCA 24;
- *Isbester v Knox City Council* [2015] HCA 20
- *Trade Union Royal Commission* (Dyson Heydon)