Monday Briefs | 20 September 2010 | Issue 299
A weekly update on regulatory changes, events and information relevant to the legal profession

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This week: Nominate for District Court Arbitrators' Panel, register for the MCLE Ethics Seminar and be mindful of hoax callers.

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- WLA NSW – 'The contribution of women to Environmental Law in Australia', *29 September*
- LAWASIA Privacy Law Seminar, Brisbane, *1 October*
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NEWS

Nominations Open for District Court Arbitrators' Panel 2011-2012

Nominations are invited for the District Court Arbitrators' Panel 2011-2012.

Practitioners interested in nomination or re-nomination to the Panel must read the Combined Guidelines for Law Society Nominations of NSW Supreme Court, District Court and Local Court Arbitrators and complete a District Court Arbitrators Expression of Interest form.

Applications must be received no later than 31 October 2010.

Hoax Phone Calls

The Law Society has received several notifications from law firms advising that a person, purporting to be from The Law Society of NSW, has phoned them requesting sensitive information on solicitor practitioners in the law practice, e.g. names of solicitors in the law practice, areas of practice etc.

This caller is NOT from the Law Society. Any information that the Law Society may require is sought by way of written request. Information sought by the Society on practitioners in a law practice would not be requested via a phone call.

MCLE Seminar: Ethics and Good Faith in Dispute Resolution

The Law Society's Dispute Resolution Committee is holding an MCLE seminar entitled Ethics and Good Faith in Dispute Resolution, on Wednesday 13 October at Baker & McKenzie from 5.30pm (5.45pm start) to 7.30pm.

An expert panel, chaired by ABC Presenter and former lawyer, James O'Loghlin, will examine the concepts of good faith and 'best efforts', as well as other ethical issues in a stimulating scenario called the *Story of Suzie*, featuring a complex series of commercial negotiations.

Earn your annual mandatory CLE unit for ethics and responsibility (Rule 42.1.6.1).

View more information and register for the seminar

Improvements to Westpac Settlement Booking Process

Westpac has advised that the process for booking consumer purchase loan settlements with Westpac will be improved from Monday September 27 as follows.

- You will receive immediate notification when Westpac is 'ready to book' settlement. Westpac will proactively contact you by phone or fax; you do not need to call them.
- Solicitor's Directions will be faxed directly to you at the beginning of the settlement process, enabling you to complete your settlement tasks much earlier.
- Copy of Transfer of Land is required before settlement can be booked. Please provide this (and COS where requested) to Westpac ASAP at all times.

These changes do not apply to progress draws.

Westpac expects the above changes will result in significant reductions in the time taken to book and complete settlements.

Diary notes

- Daylight saving will start in New South Wales on Sunday 3 October at 2am. (Clocks will be put forward one hour). Daylight saving will end on Sunday 3 April 2011 at 3am.
- Keep this date free: Law Society of NSW Annual Members Dinner, Thursday 28 October, 7pm, Art Gallery of NSW

Judicial Appointments

- Barrister David Day who is based in Orange and Caleb Franklin, Principal Solicitor, Aboriginal Legal Service will be sworn in as Magistrates of the Local Court of NSW on Monday 11 October.
- Principal Registrar of the Supreme Court, Megan Greenwood, will be sworn in as a Magistrate of the Local Court of NSW at 9am on Monday 27 September., Courtroom 5.2, Downing Centre Local Court

Court Updates

Supreme Court of NSW

- MOU Between The Supreme Court of Singapore and The Supreme Court of New South Wales on References of Questions of Law

Land and Environment Court of NSW

- New Heritage webpage
- Law vacation 2010-2011

Media

Law Society of NSW

- Government urged to drop vendor report plans, *16 September* President interviewed on ABC radio and 2SM saying the Government's move to have vendors pay for building and pest reports will not benefit the purchaser.
- President interviewed on ABC radio and 2SM saying the Government's move to have vendors pay for building and pest reports will not benefit the purchaser, *17 September.*
- New magistrate appointed from solicitors' ranks, *13 September*
- Law Access and Coroner's investigator recognised at Awards, *1 September*

Other

- Police pursuits laws - 270 people charged in first six months, *20 September* (NSW Premier)
- Is life in Australia getting better?, *15 September* (ABS)
- The regulation, registration and remuneration of insolvency practitioners in Australia: the case for a new framework, *14 September* (Senate Economics References Committee)
- School Violence Report: Assaults on school premises in NSW, 2005 – 2009, *14 September* (BOSCAR)
- Pilot residential parks mediation service set for takeoff, *13 September* (NSW Premier)
- Ad campaign to help catch itinerant crooks, *12 September* (NSW Premier)
- NSW Recorded Crime Statistics quarterly updates: June 2010, *8 September* (BOSCAR)

LEGAL & POLICY

Proclamation of commencement

- National Parks and Wildlife Amendment (Visitors and Tourists) Act 2010 No 41: 1 October 2010.
- Crimes (Sentencing Legislation) Amendment (Intensive Correction Orders) Act 2010 No 48: 1 October 2010 for most provisions.
- Crimes Amendment (Child Pornography and Abuse Material) Act 2010 No 9: 17 September 2010 for the uncommenced provisions.

Assents

- Crimes Amendment (Terrorism) Act 2010 No 64; Assent 10 September 2010.
- Criminal Assets Recovery Amendment (Unexplained Wealth) Act 2010 No 65; Assent 10 September 2010.

EDUCATION & EVENTS

Final Wills and Probate Online Course for 2010

Enrolments for the final 2010 online course for Wills and Probate Procedures will close on 5 October. The four week online course starts 11 October and costs $300 for Law Society members.

Aimed at legal support staff or solicitors who are new to the area of wills and estates, the course covers procedures such as drafting, filing fees and administration of estates.

For further information download the course information sheet. To enrol, complete an Application for Enrolment.

Young Lawyers CLEs

September CLE Seminars

- Foolkit: Legal Research and Online Tools, Tues 21, 1pm
- How to Cope When the ACCC Comes Knocking, Wed 22, 5:30pm
- Drafting International Arbitration Clauses and Observations, Tues 28, 1pm

October CLE Seminars

- Migration Law: Perspectives from both Sides of the Bar Table, Tues 12, 5:30pm
- Using International Law Effectively in Australian Courts, Wed 13, 5:30pm
- Essentials of Child Support: What you Need to Know, Thurs 14, 5:30pm
- Land and Environment Court of NSW, Tues 19, 1pm
- The Use of Trusts for Business & Investment Restructuring, Tues 26, 1pm
- The Fair Work Act in Review and How to Effect a Fair Dismissal, Wed 27, 1pm
- Evidence Act One Day Seminar, Sat 30, 9am

CLE DVDs Available (July/August)

- Developments in Discrimination Law in the Workplace – DVD and Paper (HR21/1186)
- An Introduction to the New Australian Consumer Law – DVD and Paper (L87/1187)
- Evidence Act Updates and Hypotheticals – DVD and Paper (CR92/1188)
- The Cross Border Protection of Children in a Changing World: The Hague Children Conventions – DVD and Paper (FL64/1189)
- Coastal Planning and Development in New South Wales – DVD and Paper (EN34/1190)
- Intellectual Property Law Update - Domestic and International Perspectives – DVD and Paper (PRO75/1191)
- What is the State of Play for Modern Awards: Compliance and Transitional Issues – DVD and Paper (EM71/1192)

For more information please contact Young Lawyers on 9926 0270, fax 9926 0282 or email ylgeneral@lawsociety.com.au or purchase online.

The College of Law Seminars & Programs

- Mandatory Rule 42 Seminars: Tuesday 21 September
  Ethics & Professional Responsibility, 2pm to 3pm,
  Practice Management & Business Skills, 3.15pm to 4.15pm,
  Professional Skills, 4.30pm to 5.30pm.
- Live Webconference: Ethical Issues for In-House Counsel, Tuesday 21 September, 12noon to 1pm (AEST)
- The Essential Guide to Family Law Practice and Procedure, Wednesday 22 September, 9am to 4.30pm
- National Consumer Credit Reforms – Next Steps – Part 2, Wednesday 22 September, 5pm to 6pm
- Land and Environment Update, Thursday 23 September, 9am to 12.30pm

Legal Practice Management Courses 2010

Unrestricted Practising Certificate Partners Course (2-9 and 10-34 partner firms) – Friday 22, Saturday 23 and Saturday 30 October

Applications are now being accepted for all remaining 2010 courses. Enrol now.

Events

Event	Date and Location
University of Sydney Graduate Options Expo – Juris Doctor. University of Sydney Graduate Options Expo	Wednesday 22 September, 6pm

Presentation by the Dean of the University of Sydney Law School, Professor Gillian Triggs, on the Law School's new Juris Doctor (JD), a graduate entry law degree to be introduced in 2011.	Law School Lecture Theatre 101 Eastern Avenue, Camperdown Campus, The University of Sydney
The Women Lawyers Association of NSW presents 'The contribution of women to Environmental Law in Australia'. Guest speaker: The Honourable Justice Rachel Ann Pepper. For further information and registration, download the flyer.	Wednesday, 29 September, 5.30pm Martin Place Chambers, Level 6 Reserve Bank Building, 65 Martin Place, Sydney
LAWASIA Privacy Law Seminar, Brisbane Leading Australian privacy law experts will discuss the current state of Australia's privacy regulation and experts from Asia will share their knowledge of privacy in their respective jurisdictions. View the Registration Brochure. Enquiries: lawasia@lawasia.asn.au or ph 07 3222 5888.	Friday 1 October, 9.30am Law Society House, 179 Ann St, Brisbane

REMINDERS,

- Family Law Pathways Network Sydney CLE & Dinner - Pathways Through Separation, Wed 22 September, 6.30pm, Log Cabin Penrith
- Mediation: the philosophy of consensus; advanced negotiation techniques in dispute management; achieving a successful outcome, Fri 24 September, 12.30pm, Coles Room, Mitchell Wing, NSW State Library
- STEP address by Robert Angyal SC on 'Fiduciary relationships in commercial arrangements following the High Court's White City decision', Wed 22 September, 5.30pm, Banco Court, Supreme Court of NSW. Enquiries: Neil Wickenden ph. 9020 4000, nwickenden@hlbnsw.com.au.
- Newcastle v Sydney golf tournament: Bill Clarke's Mug, Fri 24 Sept,11.30am, Newcastle Golf Club. Newcastle members $70; Non members $125. Contact: Robyn Cross, ph 9926 0253.
- Sydney Opera House presents The Festival of Dangerous Ideas, opening with The Sins of the Father: Should the Pope be held to account?, Sat 2 October, 8pm, Concert Hall, Sydney Opera House
- 2010 Diploma in International Commercial Arbitration, Australian Branch of the Chartered Institute of Arbitrators, 2-10 October, Penang.
- 2010 Sydney Law School Postgraduate Information Evening, Thurs 14 October, 5.30-7pm. Register online. Information pack: ph 9351 0351/9351 0267 or email law.postgrad@sydney.edu.au.
- Financial Review International Dispute Resolution Conference 2010, Fri 15 October, Four Seasons Hotel, Sydney. Register online (NB 25% discount for Law Society members).
- Toongabbie Legal Centre Inc. fundraising dinner and dance, Fri 15 October, 6.45pm for 7.15pm, Bowman Hall, Campbell Street Blacktown. For information email coordinator@tlc.asn.au ph.1300 373 353.
- Future of Law and Development Studies, International Trade Law and Developing Countries, Sat 16 October, Sydney Convention and Exhibition Centre, Darling Harbour. Complete an online registration.
- NSW Supreme Court Annual Concert, Mon 18 October, 5.15pm drinks, 6.15pm concert, Level 13 Banco Court. Tickets $55. Bookings essential with cheques payable to 'Supreme Court Concert' and sent to: Ms M. Finter, Justice Palmer's Chambers, Supreme Court of NSW, GPO Box 3, Sydney NSW 2001.
- 14th National Family Law Conference, 18 to 22 October, Canberra.

Regional events and CLEs

View the online CLE & Events Calendar for all regional listings.

NEW LISTINGS

- North Metropolitan:

  Dinner Meeting, Tuesday 21 September, 6.30pm, Chatswood Golf Club, Beaconsfield Rd, Chatswood

  Practice Forum, Monday 11 October, 6pm, Mezzanine Level, Chatswood Club, 11 Help St, Chatswood

  Date for Diary – Christmas Function and AGM, Tuesday 23 November, Royal Sydney Yacht Squadron, Kirribilli
- Macarthur: CLE Dinner Meeting, Thursday 23 September, 6.30pm, Eschol Park House, Eschol Park

REMINDERS

- City of Sydney:

Immigration Law – Recent Developments, Wed 22 September, 5:30pm, Level 3, 115 Pitt St Sydney
Reading and Understanding a Balance Sheet, Wed 29 September, 5:30pm, Level 3, 115 Pitt St Sydney

- Central Coast: Dinner Meeting, Wed 22 September, 6pm, Ocean Restaurant, 102 Ocean Pde, Blue Bay, The Entrance
- Newcastle: Civil Practice in the Local Court, Wed 6 October, 2pm, Newcastle Room, City Hall, King St, Newcastle
- St George Sutherland: Free MCLE Seminar: The Lawyers Guide to Sanity, Profitability & Wellbeing, 28 October, 9am.

Also see Rural Regional and Remote vacancies.< SPAN>

SERVICES & SUPPORT

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Carpac Automotive – Personalised vehicle purchase and delivery service

Law Society members can access a vehicle purchase and delivery service when buying their next new or pre-owned car.

With over 20 years experience in the motor vehicle industry, Carpac will arrange all aspects of your purchase such as obtaining obligation free quotes, negotiating a trade-in (if applicable), arranging all paperwork including financing (if required) and the final delivery of your new vehicle.

More information on Carpac, for members only.

Law Society Precedents Update

The following suite has been updated:

- Bankruptcy & Insolvency Forms

Precedents Licensees can download the updates by going to precedents.lawsociety.com.au. Alternatively, please contact the Precedents Administrator on 9926 0278.

The Law Society's Ethics Advice Line

The Law Society's Ethics Advice Line provides solicitors with practical and confidential advice to resolve ethical dilemmas and to help avoid complaints from clients or colleagues.

This free service provided by the Society's Professional Standards Department is available to all solicitors from Monday to Friday, 9am to 5pm.

To contact an ethics solicitor phone 9926 0114 or email ethics@lawsociety.com.au.