



8th Annual Family Law Summit

Delivering more certainty to your clients

8 - 9 June 2011, Stamford Plaza Brisbane

Program highlights

- Hear important updates on **shared time and relocation arrangements**
- Know when to use **binding financial agreements** and when to use **consent orders**
- Gain a strategic knowledge of **initial contributions** in **big money cases**
- Learn about new developments in controversial areas like **surrogacy**
- Understand how to deal with the **settlement challenges of short relationships**

Speakers

- The Hon Justice Rodney K Burr AM, Judge, Family Court of Australia
- Federal Magistrate Margaret Cassidy
- Ian Mawson SC, Barrister, Victorian Bar
- Graeme Page SC, Barrister, Queensland Bar
- Paul Fildes, Partner, Taussig Cherrie Fildes
- Jenny Hogan, Barrister, Queensland Bar
- Peter Sheehy, Principal, Peter J Sheehy Solicitors
- Adam Cooper, Special Counsel, Barry.Nilsson. Lawyers

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8th Annual Family Law Summit

Delivering more certainty to your clients

Day one: 8 June 2011

8:30 Conference registration

8:55 Introduction from the chair

Graeme Page SC, *Barrister, Queensland Bar*

Keynote

9:00 Outlook for family law practitioners in 2011-12

- Emerging trends in parenting cases: alienation and enmeshment; increased recognition of family violence; shared parenting – myth or reality?
- Financial agreements: binding or otherwise?
- Spousal maintenance: lump sum or periodic?
- Continued role of the ‘single expert’ in financial cases
- Alternative dispute resolution – where to from here?
- Interplay between the Federal Magistrates Court and Family Court

Paul Fildes, *Partner, Taussig Cherrie Fildes*

0.75 CPD/MCLE point

Judicial keynote

9:45 Equal time - the current status

- Brief literature overview
- What the social scientists say
- What the cases say
- Practical tips for drafting an affidavit in an equal time case
- Practical tips for drafting a consent order in an equal time case

Federal Magistrate Margaret Cassidy

0.75 CPD/MCLE point

10:30 Identifying the special issues of non-biological parents

Barrister Jenny Hogan has represented clients in a number of cases involving non-biological parents. In this presentation, she looks at some key issues for practitioners:

- Who is a ‘parent’ and what does it mean?
- Standing to seek parenting orders
- Potential financial implications
- Is there an inherent bias in favour of biological parents?
- ‘What happens when...’ – exploring some interesting, complex factual scenarios

Jenny Hogan, *Barrister, Queensland Bar*

0.75 CPD/MCLE point

11:15 Morning tea

11:30 Relocation – latest cases

- Relocation cases since the decision of the High Court in *MR v GRR* (2010) 240 CLR 461
- The legislative pathway
- Balancing the interests of the child with each of the parents
- The ‘happiness’ principle
- The weight to be placed on the Family Report in relocation cases

Tarah Tosh, *Partner, Family Law Accredited Specialist,*

Ryan Kruger Lawyers

0.75 CPD/MCLE point

12:15 Focus on surrogacy

- A working knowledge of the *Surrogacy Act 2010 Qld*
- Limitations to obtaining treatment/parentage orders
- What to do when things go wrong
- Comparison with interstate models

Stephen Page, *Partner, Family Law Accredited Specialist,*

Harrington Family Lawyers

0.75 CPD/MCLE point

1:00 Networking lunch for speakers and delegates

2:00 Spousal maintenance update

- Balancing ongoing economic disadvantage with the ‘clean break’ concept under *Section 81*
- Interim, urgent and partial property settlement – is there now any real difference?
- The four steps in assessing spousal maintenance
- Lump sums, financial agreements, urgent applications

Ian Mawson SC, *Barrister, Victorian Bar*

0.75 CPD/MCLE point

2:45 Dealing with the settlement challenges of short relationships

- The psychology of the short relationship litigant
- Quantification of non-financial contributions
- Quantification of *Section 75(2)* factors
- Spouse maintenance – a different threshold question?

Adam Cooper, *Special Counsel, Family Law Accredited Specialist,*

Barry Nilsson. Lawyers

0.75 CPD/MCLE point

3:30 Afternoon tea

3:45 ‘What’s mine is mine:’ Arguing the initial contributions to a relationship

- Treatment of initial contributions in property settlement matters
- Addressing competing arguments in relation to initial contributions
- Impact of subsequent losses during the marriage on an initial contribution
- Initial contributions in big money cases – do the principles differ?

Alison Ross, *Special Counsel, Family Law Accredited Specialist,*

HopgoodGanim Lawyers

Shauna Foley, *Associate, HopgoodGanim Lawyers*

0.75 CPD/MCLE point

4:30 Understanding the importance of earning capacity in child support cases

- The concepts in the administrative formula
- Levels and costs of care
- Age of children
- Variations to the formula without using the departure process
- The departure process
- The appeal process
- Decisions

Kay Feeney, *Special Counsel, Family Law Accredited Specialist,*

Cooper Grace Ward

0.75 CPD/MCLE point

5:15 Close of day one

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8 - 9 June 2011, Stamford Plaza Brisbane

Day two: 9 June 2011

8:30 Conference registration

8:55 Introduction from the chair

Graeme Page SC, Barrister, Queensland Bar

9:00 Mediation – the dos and don'ts

- Understanding the process and your role – tension between litigating and settling
- The importance of preparation
- Developing a settlement focus
- Problems and pitfalls

Michael Emerson, Principal, Family Law Accredited Specialist, Emerson Family Law, Co-Principal, Brisbane Mediations
0.75 CPD/MCLE point

9:45 The new family violence provisions

- Why were the changes made?
- What do the changes entail?
- What effect will the changes have?
- Will they change the way we practice?

Tedd Jordan, Barrister, Queensland Bar
0.75 CPD/MCLE point

10:30 Walking the s69ZK Tightrope

Your client wants an order in the Family Court. However there is, or is likely to be, an order in the Childrens Court. Under what circumstances can you successfully apply? Can you get legal aid? And what then happens, if anything, in the Childrens Court?

Robin Slade Jones, Barrister, Queensland Bar
0.75 CPD/MCLE point

11:15 Morning tea

Family Court of Australia presentation

11:30 Improving outcomes for children and families under the Magellan Program

- Why the Family Court of Australia established the Magellan program
- Balancing the child's right to have a meaningful relationship with parents against the need to be protected
- Understanding the judge-led case management process under Magellan
- The importance of early reporting from child protection departments and other agencies
- Measuring the success of the Magellan Program and identifying possible areas for improvement

The Hon Justice Rodney K Burr AM, Judge, Family Court of Australia
0.75 CPD/MCLE point

12:15 S79A Applications: practical considerations

- The application: content of the affidavit in support; consideration of the need for a statement of facts and contentions
- Conduct of the case: type of evidence required; use of subpoena; use of notices to admit fact & documents
- The need for particularity: prospect of summary dismissal hearing

Peter Baston, Barrister, Queensland Bar
0.75 CPD/MCLE point

1:00 Networking lunch for speakers and delegates

2:00 Disclosure issues and property settlements

- Getting the most value for your client's dollar: what documents should be provided to the expert?
- Third party disclosure – the process, the traps and the costs
- Party disclosure – what do the Rules oblige you to disclose?
- When does the duty of disclosure end?

Greg Shoebridge, Barrister, Queensland Bar
0.75 CPD/MCLE point

2:50 Binding financial agreements and consent orders – knowing which to use when

- Relevant categories of financial agreements – 90C, 90D, 90UC and 90UD
- Risks, limitations and perceived problems with financial agreements – are they real?
- Advantages of financial agreements
- Limitations of consent orders
- Advantages of using consent orders
- Creativity with financial agreements versus inflexibility of consent orders

Peter Sheehy, Principal, Family Law Accredited Specialist, Peter J Sheehy Solicitors
0.75 CPD/MCLE point

3:40 Afternoon tea

Discussion panel

4:00 Bankruptcy and insolvency – what family lawyers need to know

- Identifying the status of the bankruptcy or insolvency proceedings
- Pre-insolvency strategising
- Balancing the priorities on the creditors' side
- Resolving issues with the clash of two statutory regimes
- Trustees' approach to Family Court proceedings
- Liquidators and external controllers' approach to Family Court proceedings

Facilitator:
Jim Johnson, Barrister, NSW Bar

Panellists:
Morgan Lane, Partner, Worrells Solvency and Forensic Accountants
Peter Sheehy, Principal, Family Law Accredited Specialist,
Peter J Sheehy Solicitors

Andrew Wiltshire, Principal, Wiltshire Lawyers
0.75 CPD/MCLE point

4:45 Closing remarks from the Chair

4:50 Close of conference

Priority registration form

8th Annual Family Law Summit

4 easy ways
to register

Online: www.lexisnexis.com.au/pd
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Fax: (02) 9422 2338
Mail: Conference Co-ordinator, LexisNexis
Locked Bag 2222,
Chatswood Delivery Centre, Chatswood NSW 2067
or: DX 29590 Chatswood

Please complete sections A, B, C, D

TAX INVOICE

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A Delegate 1 details

Mr/Ms/Dr: _____
First name Last name

Position: _____

Organisation: _____

Postal address: _____

Suburb Postcode State

Telephone: _____

Fax: _____

Email (required**): _____

Delegate 2 details

Mr/Ms/Dr: _____
First name Last name

Position: _____

Telephone: _____

Fax: _____

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Position: _____

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Earn up to 13.5 CPD/MCLE points for this conference

PROGRAM CHANGES

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CANCELLATION

Your registration will be confirmed in writing when full payment has been received. LexisNexis' cancellation policy applies as follows. If cancellation is notified in writing:

1. One calendar month or more prior to the first day of event: LexisNexis will refund your registration fee less \$165.00 administration cost.
2. Between one calendar month plus one day and 14 days prior to the first day of event: LexisNexis will refund 50% of the fee paid by you and provide you with a copy of event papers.
3. 13 days or less prior to the first day of the event: LexisNexis will not refund any part of your fee. However, you may nominate a replacement delegate to attend in your place.

C Event pricing (please tick your selection)

EXAMPLE

<input checked="" type="checkbox"/>	One day conference	I	\$900 + GST = \$990	\$990
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Advance price (register and pay before 15 April 2011)
or Group Booking Price (per person, available anytime)

Please Select	Options	Qty	Price	Subtotal
	Two day conference		\$1800 + GST = \$1980	
	One day conference#		\$900 + GST = \$990	

Early bird price (register and pay after 15 April 2011 and before 29 April 2011)

	Two day conference		\$1950 + GST = \$2145	
	One day conference#		\$1050 + GST = \$1155	

Standard price (register and pay after 29 April 2011)

	Two day conference		\$2050 + GST = \$2255	
	One day conference#		\$1150 + GST = \$1265	

TOTAL

* Early Bird, team discounts and any other discount cannot be taken concurrently

I would like to attend: Day 1 or Day 2

Where did you hear about this event? _____

Please add me to the LexisNexis Monthly Professional Development email list

CONFERENCE RESOURCES

I am unable to attend but would like to purchase a set of the 8th Annual Family Law Summit conference papers for \$360 + GST = \$396

GROUP BOOKING

Register 3 or more people from the same organisation at the same time and book at the advanced price per person.

D Payment details

Payment is due upon registration. This document will be a Tax Invoice/Receipt for GST upon completion of payment.

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