

## 10th Annual Wills & Estates QLD

Reviews, expert advice and practical strategies

11 & 12 July 2012, Stamford Plaza Brisbane

### Program highlights

- Gain an in-depth understanding of **recent case law**
- Find out about the variety of legal implications of **same sex union succession**
- Gain a better understanding of the executors' and claimants' perspectives in **family provision**
- Explore issues relating to the **modern use of wills** and changing interpretations of wills
- Broaden your knowledge of **tax, superannuation** and **diversification** of testamentary trusts

### Speakers

- **Bryan Mitchell**, Principal, **Mitchells Solicitors & Business Advisors**
- **Byron Cannon**, Director, **Ferguson Cannon Lawyers**
- **Renee Bennett**, Partner, **Wilson/Ryan/Grose Lawyers**
- **Neal Dallas**, Principal, **McInnes Wilson Lawyers**
- **Dominic Festa**, Principal, **Cleary Hoare Solicitors**
- **Dean Morzone**, Barrister and Mediator, **Queensland Bar**

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# 10th Annual Wills & Estates QLD

## Reviews, expert advice and practical strategies

Wednesday, 11 July 2012

8:30 Registration

8:50 Welcome from the Chair

**James O'Neill, Barrister, Queensland Bar**

9:00 Queensland wills and estates update

- Uniform succession law project
- New legislation on final disposal of human remains
- Recent case law reviews
- Uniform Civil Procedures Reform

**Sue McLeod, Barrister, Queensland Bar**

■ 1 CPD point in Professional Skills

10:00 Same sex union succession and the new definition of spouse

- Overview of *Civil Partnership Act 2011*
- Comparing civil partnerships with de facto relationships and marriage
- Implications for will drafting and other aspects of succession law

**Kym-Marie Bush, Solicitor, Quinn & Scattini Lawyers**

■ 0.75 CPD points in Professional Skills

10:45 Morning tea

11:00 Family provision: executor's and claimant's perspectives

- Practical litigation realities and strategies for family provision proceedings
- Entitlements for adult children and costs issues
- Issues and consequences of a family succession plan
- Understanding statutory declarations

**Geoff Cameron, Associate, Rostron Carlyle Solicitors**

■ 1 CPD point in Professional Skills

12:00 Lunch

1:00 Modern use of mutual wills

- Blended families in estate planning
- Understanding other types of applications
- Overview and analysis of recent cases
- Advantages and disadvantages of mutual wills

**Bryan Mitchell, Principal, Mitchells Solicitors & Business Advisors**

■ 1 CPD point in Professional Skills

2:00 Changing interpretations of wills

- New amendments to the *Queensland Succession Act* – sections 18 (admitting unsigned Wills to Probate) and 21 (*Frizzo Case*)
- Electronic wills: The importance of signing your will (*Mahlo vs. Hehir case*)
- Informal wills applications and proving informal wills

**Byron Cannon, Director, Ferguson Cannon Lawyers**

■ 1 CPD point in Professional Skills

3:00 Financial considerations in estate planning

- Financial agreements under the *Family Law Act 1975* – what they are and how to get them right
- What impact can the *Family Law Act* have on estate planning
- Inheritances under the *Family Law Act*: How the court deals with an inheritance when making property orders under the *Family Law Act*
- Family financial agreements

**Genevieve Dee, Senior Associate, Cooper Grace Ward**

■ 0.75 CPD points in Professional Skills

3:45 Afternoon tea

4:00 Estate administration dilemmas

- Claims against estates (perspective of executor)
- Claims in equity against deceased estates
- Jointly owned assets
- Administering an estate where a beneficiary is responsible for the death of the deceased

**Margaret McNamara, Partner, Thyne & Macartney**

■ 1 CPD point in Professional Skills

5:00 Close of day one



Be the first to register and receive a copy of **Estate Planning**

A Practical Guide for Estate and Financial Service Professionals, 3rd edition by, Michael Perkins & Robert Monahan

A highly practical guide that will assist you in the planning, administration, management and succession of your client's affairs. It will enable you to develop an understanding of the legal and practical challenges of estate planning in a contemporary context.

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# 11 & 12 July 2012, Stamford Plaza Brisbane

## Thursday, 12 July 2012

- 8:30 **Registration**
- 8:50 **Welcome from the Chair**  
**James O'Neill, Barrister, Queensland Bar**
- 9:00 **Growing prominence of statutory wills**
  - Statutory overview – a brief review of ss20-31 of the *Succession Act*
  - Practice and procedure – tips and tricks on how to run a s21 case from go to 'whoa'
  - A review of recent Queensland cases**Renee Bennett, Partner, Wilson/Ryan/Grose Lawyers**  
**Caite Brewer, Barrister, Queensland Bar, Chair, Society of Trust and Estate Practitioners Queensland**  
■ 1 CPD point in Professional Skills
- 10:00 **Applications to court and QCAT on attorney issues**
  - Correct procedure when preparing and witnessing an enduring power of attorney
  - Inappropriate transactions by attorneys – what to do before and after death of the principal
  - Applications to court and QCAT**Frances Fredriksen, Senior Associate, McCullough Robertson Lawyers**  
■ 0.75 CPD points in Professional Skills
- 10:45 **Morning tea**
- 11:00 **Practicalities of business succession agreements**
  - Operation of business by executors and trustees
  - Solutions to covering the costs of buy-outs and deaths
  - Drafting considerations for buy/sell agreements
  - Trigger events – more than just death**Neal Dallas, Principal, McInnes Wilson Lawyers**  
■ 1 CPD point in Professional Skills
- 12:00 **Lunch**
- 1:00 **Recent developments in superannuation and tax in estate planning**
  - Capital Gains Tax
  - Disposal of principal places of residence
  - Superannuation death benefits and superannuation death benefits trusts
  - Self managed superannuation funds**Domenic Festa, Principal, Cleary Hoare Solicitors**  
■ 1 CPD point in Professional Skills
- 2:00 **Increasing diversification of testamentary trusts**
  - Formation of separate testamentary trusts
  - Discretionary testamentary trusts – when they start and end and how trustees can be briefed about not benefiting a beneficiary
  - Trustee applications for directions
  - The significance of the Family Court decision in *Harris v Harris* with respect to structuring of trusts to achieve the greatest asset protection**Peter Whitehead, National Manager, Fiduciary Solutions**  
■ 1 CPD point in Professional Skills
- 3:00 **Best practice in foreign beneficiary distribution**
  - Foreign beneficiaries and making distribution to them
  - International property considerations
  - Overseas wills and the tax implications in an estate where overseas residents are beneficiaries**Bill McMillan, Managing Partner, McMillan Legal**  
■ 0.75 CPD points in Professional Skills
- 3:45 **Afternoon tea**
- 4:00 **Workshop: Mediating estate litigation matters**

This case-study based workshop will enable delegates to gain a greater understanding of mediating estate litigation matters. It will specifically focus on the following issues:

  - Party perspectives – readiness; interest and position based negotiation
  - Challenges for lawyers – client management, objectivity and costs
  - Compromise – conditions and role of court**Dean Morzone, Barrister and Mediator, Queensland Bar**  
■ 1 CPD point in Professional Skills
- 4:50 **Close of conference**

### Who should attend?

- Wills and Probate Lawyers
- Estate Planning Lawyers
- Succession Law Practitioners
- Barristers
- Trustee companies
- Financial Planners
- Tax Advisors Specialising in Estate Planning
- Accountants
- Academics

# Priority registration form

## 10th Annual Wills & Estates QLD

11 & 12 July 2012

Stamford Plaza Brisbane

Cnr Edward and Margaret Streets

Brisbane QLD 4000

# 5 easy ways to register

Online: [www.lexisnexis.com.au/pd](http://www.lexisnexis.com.au/pd)

Email: [registration@lexisnexis.com.au](mailto:registration@lexisnexis.com.au)

Phone: 1800 772 772

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

Conference code: PD2812

ABN: 70 001 002 357

### A Delegate 1 details

Mr/Ms/Dr: \_\_\_\_\_  
First name Last name

Organisation: \_\_\_\_\_

Address: \_\_\_\_\_

Position: \_\_\_\_\_

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

Email (required\*\*): \_\_\_\_\_

### Delegate 2 details

Mr/Ms/Dr: \_\_\_\_\_  
First name Last name

Organisation: \_\_\_\_\_

Address: \_\_\_\_\_

Position: \_\_\_\_\_

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

Email (required\*\*): \_\_\_\_\_

### Delegate 3 details

Mr/Ms/Dr: \_\_\_\_\_  
First name Last name

Organisation: \_\_\_\_\_

Address: \_\_\_\_\_

Position: \_\_\_\_\_

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

Email (required\*\*): \_\_\_\_\_

\*\* to send conference confirmation

### B Please send me more information on:

- Government Contract Drafting and Tendering – 27 March 2012
  - Australia's Credit Law Regime: Comprehensive Workshop – 28 March 2012
  - Personal Injuries – 2 May 2012
  - Employment Law for HR Practitioners QLD – 3 May 2012
  - Conveyancing QLD 2012 – 3 May 2012
  - Responsible Manager Training Workshops – 16 May 2012
  - National Mining Law 2012 – 16 May 2012
  - Practice Management NSW 2012 – 24 May 2012
  - Personal Property Securities 2012 – 14 June 2012 (NSW)
  - Australian Women Lawyers 4th National Conference – 10-12 August 2012 (ACT)
- For more information on these products call 1800 772 772

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Lawyers can earn 13 CPD points.

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### C Event pricing (please tick your selection)

WEB

#### GROUP BOOKING

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

#### EXAMPLE

<input checked="" type="checkbox"/>	Conference	7	\$ 900 + GST = \$ 990	\$ 990
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#### Advanced price (register and pay before 18 May 2012)

Please Select	Options	Qty	Price	Subtotal
<input type="checkbox"/>	Two day conference		\$1800 + GST=\$1980	
<input type="checkbox"/>	One day conference only*		\$ 900 + GST=\$ 990	

#### Standard price (register and pay after 18 May 2012)

Please Select	Options	Qty	Price	Subtotal
<input type="checkbox"/>	Two day conference		\$2050 + GST=\$2255	
<input type="checkbox"/>	One day conference only*		\$1150 + GST=\$ 1265	



#### Conference Resources

I am unable to attend but please send me the 10th Annual Wills & Estates QLD conference papers

Qty	Price	Subtotal
	\$360 + GST = \$396	

#### \* I would like to attend:

Day one     Day two

I am a STEP member, please apply my 10% discount

6 digit membership number: \_\_\_\_\_

I am a WLAQ member, please apply my 10% discount

\* Advanced price, team discounts and any other discount cannot be taken concurrently

TOTAL

### D Payment details

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

Enclosed is my cheque for: \$ \_\_\_\_\_ made payable to LexisNexis

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- 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.
- 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.

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