

FAMILY LAW INTENSIVE SYDNEY

4 FEBRUARY 2023 - PROGRAM

08.30 – 09.00	REGISTRATION - GRAND BALLROOM FOYER, SHERATON GRAND SYDNEY HYDE PARK, 161 ELIZABETH STREET
09.00 – 09.30 Grand Ballroom	Welcome Welcome and update on the current state of play in family law in Australia. Chair: Di Simpson, Chair, Family Law Section
09.30 – 11.15 Grand Ballroom	Latest & Greatest 1 An analysis of the leading family law cases of the last 12 months. Chair: Di Simpson, Chair, Family Law Section Speakers: The Hon Justice Rick O'Brien, Family Court of Western Australia The Hon Justice Tom Altobelli, Federal Circuit and Family Court of Australia (Division 1) Competency Area 4 - Substantive Law, 1.5 CPD Points
11.15 – 11.45	Morning Tea - Grand Ballroom Foyer
11.45 – 12.45	 ADVANCED SESSION Parenting Post-Pandemic Grand Ballroom The last three years have seen a seismic shift in how we have lived and continue to live our lives: people ran away from the cities to avoid lockdowns and people coughing on them on the train; we had to work from home (and then we stayed); and as always, people fell in and out of love. And that's before we start talking about vaccines. How does all this fit within parenting arrangements under the <i>Family Law Act</i> ? How does the Court (and parties in the middle of family law litigation) deal with issues such as relocation, if employment is no longer tied to a desk? How do orders for overseas travel work if the borders might close? How does equal shared parental responsibility play out in medical issues? Does that child support agreement still work in a lockdown world? This panel discussion follows the through-lines from the Covid-19 pandemic to today to identify the hot topics in parenting cases, and what we might see in the years to come. Chair: Jamie Burreket, FLS Executive Member Speakers: The Hon Justice Schonell, Federal Circuit and Family Court of Australia (Division 1) Judge Elizabeth Boyle, Federal Circuit and Family Court of Australia (Division 2) Dr Martha Barnett SC, Culwalla Chambers Competency Area 4 - Substantive Law, 1 CPD Points
Hyde Park Room	 JUNIOR SESSION Preparing and Presenting Your Case (applications, affidavits, case outlines, position papers and the like) The role of a practitioner is to take instructions and then put the client's case forward in the best possible way. It is often a balancing act between what the client wants to say and achieve and the evidence the court needs to hear to determine any competing applications. This practical session aims to assist junior lawyers focus on how to best craft their case. The aim is to ensure that the right evidence is before the court for their client to achieve success, and to make certain the judicial officer never has to ask "where is the evidence to support that?" Chair: Nicola Watts, FLS Executive Member Speakers: Jeff Marhinin, Barkus Doolan Winning Dina Lioumis, Waratah Chambers Competency Area 2 - Professional Skills, 1 CPD Point
12.45 – 13.45	Lunch - Feast Restaurant, Level 1
13.45 – 14.45	 ADVANCED SESSION Intergenerational Wealth Grand Ballroom Australia will soon see one of the largest transfers of intergenerational wealth, as the Silent Generation and Baby Boomers gift or bequeath their assets to Gens X, Y, and Alpha. Past governments have even suggested that the property crisis can be solved by the bank of mum and dad. How the Courts will deal with inheritances and gifts is soon to become vitally important in many family law cases. Beyond a simple 'holistic contribution' analysis, this session considers the wide-ranging issues that this area presents. When mum and dad have passed away, questions about how that inheritance is to be characterised, whether a 'two-pool approach' can or should be adopted, and the law of family provision are all relevant. Even before those relatives have passed away, there are arguments about loans and limitation periods, equitable doctrines of resulting and constructive trusts, and even how best to draft a Last Will and Testament to keep their estate out of the hands of that pesky former spouse. Perhaps nothing is certain except for death, taxes, and divorce? Chair: Dr Robin Smith, FLS Executive member Speakers: The Hon Justice Christie, Federal Circuit and Family Court of Australia (Division 1) Cathie Blanchfield, Blanchfield Nicholls Family & Private Advisory Daniel Appleby, Speed and Stracey Lawyers Michael Kearney SC, Waratah Chambers Competency Area 4 - Substantive Law, 1 CPD Points
Hyde Park Room	 JUNIOR SESSION Engaging with the Courts and the Profession (Ethical and Practical Tips) Lawyers are required to interact with the Courts and their opponents regularly. In doing so we are guided and constrained by ethical rules and considerations. Sometimes the application of these rules is unclear and the nature of the interaction, especially with some opponents, is challenging. This session aims to equip junior lawyers with some tools to avoid conflict and make the practical task of dealing with courts and colleagues more streamlined and effective. Chair: Peter Cummings SC, FLS Executive member Speakers: David Dura, Waratah Chambers Kay Huntsman, Uther Webster and Evans Competency Area 2 - Professional Skills, 1 CPD Point
14.45 – 15.10	Afternoon Tea - Grand Ballroom Foyer
15.10 – 16.15 Grand Ballroom	Latest & Greatest 2 An analysis of the leading family law cases of the last 12 months. Chair: Paul Doolan, FLS Executive member Speakers: The Hon Justice Rick O'Brien, Family Court of Western Australia The Hon Justice Tom Altobelli, Federal Circuit and Family Court of Australia (Division 1) Competency Area 4 - Substantive Law, 1 CPD Points
16.15 – 16.45	Informal Networking Drinks - Grand Ballroom Foyer

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