

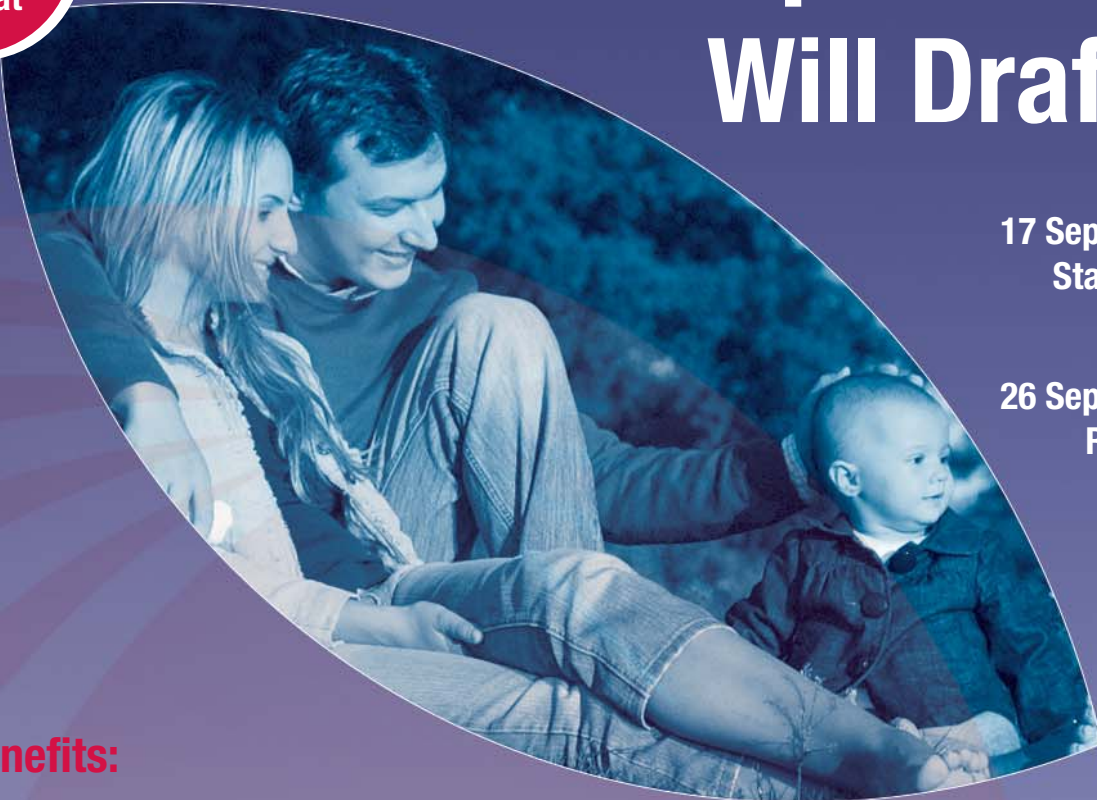
QLD Early bird expires 6 August*

WA Early bird expires 17 August*

CPD Points
may be
applicable

One day
conference
format

Mastering the complexities in Will Drafting



17 September 2008
Stamford Plaza,
Brisbane

26 September 2008
Rydges Hotel,
Perth

Key benefits:

- Make certain that your carefully drafted Wills aren't torn apart by implications under the *Family Provisions Act*
- Avoid allegations of professional negligence with **effective risk management strategies**
- Expand your expertise with important sessions on **blended families and advising charities**
- Take your drafting skills to the next level with tips and strategies for **avoiding adverse tax consequences**

Expert speakers include:

Brisbane

Glenn Dickson, Public Trustee of Queensland
Tina Cockburn and Barbara Hamilton,
Queensland University of Technology
Scott Whittla, McCullough Robertson

Perth

Maree van der Kwast, Dwyer Durack
Susan Fielding, Jackson McDonald
Elizabeth Heenan, Marks & Sands
Craig McKie, Norton Smailes

Register today

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Product of:



LexisNexis[®]
Professional Development

Mastering the complexities

Brisbane - 17 September 2008

8:30 **Registration**

8:50 **Opening remarks from the Chair**

9:00 **Solicitors' duties - Controlling the risk of negligence in the Will drafting process**

- Addressing the fundamentals of your duties to prepare a will
- Explaining the duty to give effect to the client's instructions
- Understanding your duty to ensure that a Will is validly executed and attested
- Meeting the duty to advise against accidental revocation
- What does it mean to retain a Will in "safe custody"
- Minimising the risk of claims against you by addressing your duty to beneficiaries
- Limiting your civil liability risks with measures to prevent undue influence and fraud
- Case examples: Where do solicitors go wrong?

Tina Cockburn, Senior Lecturer, and Barbara Hamilton, Lecturer, Queensland University of Technology

9:50 **Challenging the Will under the provisions of the Inheritance Act - The legislative regime, case law and the practice and procedure**

- Defining the context of the Will: your client's family dynamics
- Avoiding ambiguity in future identification and location of possible beneficiaries
- Examining the crucial terms: "adequate provision", "dependant" and "reasonableness"
- Assessing the costs of making a claim vs the potential gain
- Intestacy and entitlements in 2008

10:40 **Morning tea**

11:00 **Critical steps in taking instructions from clients**

- Recognising the signs of incapacity
- Properly identifying assets and liabilities
- Ascertaining the client's desires and needs and managing your client's expectations
- Advising on the function, choice and appointment of the executor
- Receiving instruction- oral/ written/ third party

Kylie Costigan, Associate, McMahon Clarke Legal

11:50 **Dealing with complex situations - blended families and mutual Wills**

- Assessing the impact of potential Family Provisions Applications
- Options for ownership of assets - joint tenancy and family trusts
- Dealing with testamentary discretionary trusts and life interests
- Considering the practical aspects of drafting mutual Wills - purpose and characteristics

Scott Whittla, Senior Associate, McCullough Robertson

12:40 **Networking lunch for speakers and delegates**

1:30 **Ethics of Wills and bequests to charities**

- The ethics of providing pro bono Will drafting services to charities
- Approaching the topic of making a charitable bequest- the fine line of suggestion
- Examining the promotional activities of charities to law firms
- The role of the solicitor in preventing undue influence or fraud

Glenn Dickson, Special Counsel, Public Trustee of Queensland

2:20 **Will drafting strategies to avoid adverse tax consequences**

- Understanding the impact of tax liabilities on assets which pass under the estate
- Spotlight on Capital Gains Tax issues
- Utilising trusts to get better outcomes for your client
- Particular strategies for superannuation and binding death nominations

Craig Spink, Senior Associate, Thynne & McCartney Lawyers

3:10 **Afternoon tea**

3:30 **Workshop: Best practice in Will drafting**

- Structuring the Will
- How to best classify assets into gift categories: specific, pecuniary, conditional and residual
- Assessing standard clauses
- Considering the basics of testamentary trusts
- Mastering the technique of plain English
- Scrutinising common characteristics of effective Will structures

5:00 **Close of conference**

Who should attend?

Young lawyers
Articled Clerks
Junior Practitioners

To register now ph: 1800 772 772 or fax: 02 9422 2338 or visit: www.lexisnexis.com.au/pd

Perth - 26 September 2008

- 8:30 **Registration**
- 8:50 **Opening remarks from the Chair**
John Hockley, Barrister, Francis Burt Chambers
- 9:00 **Solicitors' duties - Controlling the risk of negligence in the Will drafting process**
- Addressing the fundamentals of your duties to prepare a will
 - Explaining the duty to give effect to the client's instructions
 - Understanding your duty to ensure that a Will is validly executed and attested
 - Meeting the duty to advise against accidental revocation
 - What does it mean to retain a Will in "safe custody"
 - Minimising the risk of claims against you by addressing your duty to beneficiaries
 - Limiting your civil liability risks with measures to prevent undue influence and fraud
 - Case examples: Where do solicitors go wrong?
- Maree van der Kwast, Director, Dwyer Durack Lawyers*
- 9:50 **Challenging the Will under the provisions of the Inheritance Act - The legislative regime, case law and the practice and procedure**
- Defining the context of the Will: your client's family dynamics
 - Avoiding ambiguity in future identification and location of possible beneficiaries
 - Examining the crucial terms: "adequate provision", "dependant" and "reasonableness"
 - Assessing the costs of making a claim vs the potential gain
 - Intestacy and entitlements in 2008
- Leo Tsaknis, Barrister, Francis Burt Chambers*
- 10:40 **Morning tea**
- 11:00 **Critical steps in taking instructions from clients**
- Recognising the signs of incapacity
 - Properly identifying assets and liabilities
 - Ascertaining the client's desires and needs and managing your client's expectations
 - Advising on the function, choice and appointment of the executor
 - Receiving instruction- oral/ written/ third party
- Susan Fielding, Special Counsel, Jackson McDonald*
- 11:50 **Dealing with complex situations - blended families and mutual Wills**
- Assessing the impact of potential Family Provisions Applications
 - Options for ownership of assets - joint tenancy and family trusts
 - Dealing with testamentary discretionary trusts and life interests
 - Considering the practical aspects of drafting mutual Wills - purpose and characteristics
- Elizabeth Heenan, Consultant, Marks & Sands*
- 12:40 **Networking lunch for speakers and delegates**
- 1:30 **Ethics of Wills and bequests to charities**
- The ethics of providing pro bono Will drafting services to charities
 - Approaching the topic of making a charitable bequest- the fine line of suggestion
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 - Spotlight on Capital Gains Tax issues
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 - Particular strategies for superannuation and binding death nominations
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 - How to best classify assets into gift categories: specific, pecuniary, conditional and residual
 - Assessing standard clauses
 - Considering the basics of testamentary trusts
 - Mastering the technique of plain English
 - Scrutinising common characteristics of effective Will structures
- Craig McKie, Partner, Norton Smailes*
- 5:00 **Close of conference**

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LexisNexis is a leading, quality provider of professional development solutions with a practical legal focus.

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Upcoming events

Estate Planning Seminar Series, Perth, 5 August

Contracts Conference, Perth 6-8 August 2008

Contract Law Masterclass, Brisbane 20-22 August 2008

Legal EA and PA Conference, Brisbane 20 - 21 August 2008

Conveyancing Essentials and Masterclass, Brisbane 20-22 August 2008

Legal Drafting Training Series, Brisbane August to October 2008

Estate Planning Toolkit, Brisbane 22 October & 12 November

Wills, Succession and Estate Planning, Perth 11-12 November

Priority registration form

Mastering the complexities in Will Drafting

4 easy ways to register

Phone: 1800 772 772
Fax: (02) 9422 2338
Online: www.lexisnexis.com.au/pd
Mail: Conference Co-ordinator, LexisNexis
 Locked Bag 2222,
 Chatswood Delivery Centre, Chatswood NSW 2067

Please complete sections A, B, C, D

Conference code: QLD - PD 1118, WA - PD 1218 ABN: 70 001 002 357

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: _____

Email (required**): _____

Delegate 3 details

Mr/Ms/Dr: _____
First name Last name

Position: _____

Telephone: _____

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** to send conference confirmation

3rd Delegate FREE!

B Please tick as many practice areas you work in which apply:

- Banking & finance
- Commercial litigation & ADR
- Corporate and commercial law
- Criminal law
- Energy and resources
- Environment and planning
- Family law
- Insolvency & restructuring
- Insurance and risk
- Property
- Wills & estates
- Workplace relations, employment & safety
- Other: _____

This will help us keep you informed about topics relevant to your business needs.

C Brisbane Event Pricing (please tick your selection)

Early Bird Special* (register & pay before 6 August 2008)

One day conference \$850.00 + GST = \$935.00

Standard Price (register & pay after 6 August 2008)

One day conference \$950.00 + GST = \$1045.00

Perth Event Pricing (please tick your selection)

Early Bird Special* (register & pay before 17 August 2008)

One day conference \$850.00 + GST = \$935.00

Standard Price (register & pay after 17 August 2008)

One day conference \$950.00 + GST = \$1045.00

CONFERENCE RESOURCES

- I am unable to attend but would like to purchase a set of conference papers for the Will Drafting Conference \$300.00 + GST = \$330.00

TEAM DISCOUNTS*

- Register a team of 2 for the Will Drafting Conference at the same time, from the same organisation and receive a free pass for the 3rd delegate.

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

D Payment details Payment is due upon registration

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

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PROGRAM CHANGES

Details regarding this conference were confirmed and correct at the time of printing. LexisNexis reserves the right to cancel or amend the conference details at any time if required.

CANCELLATION

Your registration will be confirmed in writing when full payment is received. We will refund your registration in full less a \$165 administration fee if notification is received in writing by 20 August 2008. If we receive written notification between 21 August 2008 and 3 September 2008 you will receive a 50% refund and conference documents. No cancellation requests will be accepted after 3 September 2008. You may nominate a replacement, however no refund will be issued.

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