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practical advocacy skills for young practitioners

Queensland

29 February 2008

Stamford Plaza

Brisbane

- **INCREASE YOUR COURTROOM CONFIDENCE** – Do's and Don'ts revealed by **Judge Marshall Irwin**, *Chief Magistrate, Queensland Magistrates' Court*
- **END CONFUSION** over Court procedures and common appearances - Magistrate, Supreme, Federal and Family Courts
- **ELIMINATE EMBARRASSMENT** - What you **MUST** do in callovers, applications, directions or adjournment hearings
- **BEAT YOUR OPPONENT** by mastering cross examination techniques
- **ADD** to your advocacy skill set through the practical workshops.

Convenient 1 Day!

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Don't miss the Queensland Young Lawyers networking event after the conference!

Official Publication

Lawyers Weekly

Expert speakers include:

- **Judge Marshall Irwin**, *Chief Magistrate, Queensland Magistrates' Court*
- **Federal Magistrate Michael Baumann**, *Federal Magistrates Court*
- **Leanne Clare SC**, *Director of Public Prosecutions, ODPP*
- **David Andrews**, *Senior Counsel, Queensland Bar*

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practical advocacy skills for young practitioners

Friday 29 February 2008

8:00

Conference Registration

8:30

Opening Remarks from the Chair

MEET YOUR CHAIR

Justin Twigg, is the of President **Queensland Young Lawyers** an incorporated association that represents young lawyers. He was elected President in September 2007 and is a fifth year solicitor practising in Defendant Insurance with McCabe Terrill. Justin is experienced in Commercial Litigation and Planning and Environmental Law. He is a regular volunteer at Caxton Legal Centre.

TOOLS AND TECHNIQUES FOR COURTROOM APPEARANCES

8:40

Worrying Never Did Anyone Any Good: Be Familiar with Courtroom Decorum and Establish Your Confidence

Understanding precisely what to do and how to conduct oneself in court can be a daunting task for many young practitioners. Do you know how to confidently present yourself in court?

- Recognising the unwritten rules: Protocols and ethics
- Professionalism and courtesy in the court between practitioners
- Responsibilities and duties to court
- Overcoming nerves when presenting or making submissions in court
- Knowing what to say and/or do when you appear in court
- Techniques for effective communication with the judge
- Practical speaking skills
- Answering questions from the bench
- Dealing with confrontations and harsh comments from the bench
- Common mistakes made in courtrooms and how to avoid them

Judge Marshall Irwin, Chief Magistrate, **Queensland Magistrates' Court** was appointed as a District Court Judge and Chief Magistrate in September 2003. He was admitted as a barrister in 1976. After commencing his career as a Crown Prosecutor, he was appointed Deputy Director of Public Prosecutions from 1985-1987. He was subsequently a legal advisor to the National Crime Authority (NCA), General Counsel to the Queensland Criminal Justice Commission, a member of the NCA, and was in private practice as a barrister until his judicial appointment. Judge Irwin is also a co-author of the LexisNexis' Carter's Criminal Law of Queensland.

9:20

Court Procedures and Common Appearances Involving Solicitor Advocates

Practitioners understand that court procedures must be adhered to in bringing a successful case in court. But, the varying court procedures can be confusing and complicating for young practitioners.

- Overview of court procedures: Magistrate, Supreme, Federal and Family courts
- Getting familiar with court procedures
- Understanding the operation of case management and court lists
- Knowing what to do in callovers, applications, directions or adjournment hearings
- Updates on new rules and procedures
- Is it possible to have one uniform procedure for all courts?

Luke Leotta, Barrister, **Queensland Bar**

10:00 Morning Tea

10:20

The Key to Cross-Examination

Cross-examination gives advocates the chance to re-establish their case. Do not miss such an invaluable opportunity simply because you lack the skills and ability to cross-examine effectively.

- Basic rules of cross-examination and their limitations
- Analysing the effective techniques for cross-examining witnesses and/or documents
- Knowing what issues to identify for cross-examination purposes
- Dealing with inconsistent, unexpected or surprising answers

David Andrews, Senior Counsel, **Queensland Bar** was appointed senior counsel in 2001. He has an extensive and broad civil practice. His area of practice primarily involves commercial litigation and commissions of inquiry.

11:10

Making an Appearance

CONCURRENT STEAMS: PRACTICAL AND INTERACTIVE WORKSHOPS

Choose your participation in either the **Civil**, **Criminal** and **Family Stream**. This morning you have heard from leading professionals about court appearances. It is now time for you to test your skills and build your confidence in presenting a case. Take advantage of the small group atmosphere and learning environment to practice your advocacy skills. This workshop focuses on advocacy skills, not the accuracy or technicality of legal arguments.

Delegates will divide into groups to conduct a typical appearance which may be required of a solicitor advocate based on a hypothetical case scenario. Each group will be led by an experienced facilitator who will guide the delegates and act as a "judge". Delegates will be provided with feedback on their performance and given the opportunity to discuss their concerns with the facilitator.

Workshop materials will be provided to delegates prior to the conference for perusal and preparation.

MEET YOUR FACILITATORS

Civil stream:	Gavin Handran , Barrister, Queensland Bar
Criminal stream:	Leanne Clare SC , Director of Public Prosecutions, Office of the Director of Public Prosecutions
Family stream:	Kathryn Cochrane , Barrister, Queensland Bar

12:30 Networking Lunch for Speakers and Delegates

ESSENTIAL SKILLS FOR DEVELOPING CASE THEORY

1:30

How to Effectively Prepare Your Case

The level of your preparation will either make or break your case in court. To what extent is your preparation deemed sufficient?

- Developing a good and strong case theory
- Analysing your client's case and correctly advising your client
- Identifying factual and legal issues
- Adequacy of information and/or materials
- Time management: Efficiently handling deadlines
- Preparing the perfect brief for barristers
- Using plain English in writing submissions, preparing affidavits and drafting letters

Craig Wilkins, Barrister, **Queensland Bar**

2:20

Be Smart in Dealing with Evidence

Strong evidence is vital in building a strong case. So, what is the best practice approach in putting together evidence?

- Fundamental rules of evidence: Admissibility, relevance and reliability
- Assessing your client's evidence thoroughly
- Effectively structuring evidence-in-chief to fit the case theory
- Which evidence to use? Oral, documentary, real, privilege and opinion evidence
- Interviewing and preparing witnesses
- Presenting evidence in court
- Evidence and the Uniform Civil Procedure Rules (UCPR)

Martin Burns, Barrister, **Queensland Bar**

3:10 Afternoon Tea

3:30

Mastering Advocacy Skills

CONCURRENT STREAMS: PRACTICAL AND INTERACTIVE WORKSHOPS

Advocacy skills are not limited to the courtroom. They are vital from the moment you receive instructions from your client. Apply what you have learned about development of case theory, identifying evidence and presenting in court.

Delegates will divide into groups where they will put together a case and present before a "judge" based on a hypothetical scenario. This workshop focuses on advocacy skills, not the accuracy or technicality of legal arguments.

Part A: Overview of Hypothetical Case

Workshops facilitator will present an overview of the hypothetical case and highlight the key points and skills required. Delegates will then put together their case, either as an applicant or a respondent.

Part B: Advocacy Role Play

The facilitator will act as a "judge" whilst delegates present their submissions. Delegates will have to answer questions from the bench, if required.

Part C: Debriefing

Choose your participation in either the **Civil, Criminal and Family Stream Facilitators** will give delegates feedbacks on their presentation and provide a summary of best practice approach. Delegates will have the opportunity to ask questions and to discuss their concerns.

Workshop materials will be provided to delegates prior to the conference for perusal and preparation.

MEET YOUR FACILITATORS

Civil stream:	Richard Morgan , Barrister, Queensland Bar
Criminal stream:	Sarah Thompson , Barrister, Queensland Bar
Family stream:	Federal Magistrate Michael Baumann , Federal Magistrates Court of Australia

5:00

Closing Remarks from the Chair

5:30

Networking Function held in association with Queensland Young Lawyers

Delegates are invited to attend the Queensland Young Lawyers Association Opening Networking Function for 2008. Delegates will receive a **complimentary entry** to the function.

This is an excellent networking opportunity for you to socialise with other young practitioners with common goals and interests.



Join your peers at this popular and well-attended event!

ABOUT QUEENSLAND YOUNG LAWYERS

Queensland Young Lawyers is an association dedicated to encouraging and supporting the personal and professional development of young lawyers. They achieve this through:

- legal and professional skills development,
- social and networking functions and
- community participation.

Queensland Young Lawyers is a non-profit association. Many organisations and law firms provide support by encouraging their employees to take out membership, attend events or join the executive.

For further information about membership, events and projects please visit the Queensland Young Lawyers website at www.qldyounglawyers.com.au

LexisNexis publications relevant to advocacy:

Advocacy: An Introduction (1st edition), Curthoys J; Kendall C N

Advocacy: An Introduction is the modern guide to advocacy by two recognised experts. Covering both criminal and civil styles, it concentrates predominately on the 'how to' as opposed to the 'why' aspects of advocacy. Adopting a practical approach, the book provides many learning tools to help the reader develop the practical understanding and key skills required for successful legal practice. The practical information is presented within a solid theoretical framework. Written in plain English, this book is suitable for undergraduates, graduate students and practitioners who would like a practical reference on advocacy.

Advocacy in Practice (4th edition), Glissan J QC

Now in its 20th year of publication, the fourth edition of *Advocacy in Practice* is an authoritative and reliable guide for professionals to the art of advocacy. This highly esteemed work has once again been written by the authoritative and well-respected author James Glissan QC and provides useful and practical checklists for examination, cross and address. It also details when and what objections may be taken, and constructive hints and techniques for dealing with difficult witnesses, opponents and judges. Restored to this edition are the "classic cross-examinations" from great advocates of the past, as well as a new chapter on general techniques of advocacy, which enlarge the scope of the work beyond the practising lawyer to encompass all areas of practical advocacy.

Nemes and Coss' – Effective Legal Research (3rd edition), Bott B; Cowley J; Falconer L

A practical introductory guide to legal research which identifies the sources and explains how to use them. It includes worked examples, flow charts, diagrams and exercises to illustrate both hard copy and electronic research methods. By applying a variety of research methods to several hypothetical legal problems, the authors offer a step-by-step guide which is ideal for first year law students and anyone who needs a working introduction to legal research. Citation advice in the 3rd edition is more consistent with the widely adopted Australian Guide to Legal Citation (AGLC), which is now standard at many Australian universities.

Please refer to the registration page or call 1800 772 772 to purchase your copy today.

WHO SHOULD ATTEND?

- Practitioners of all levels who are interested in developing their advocacy skills and knowledge
- Practitioners with up to 5 years post admission experience
- Junior Practitioners
- Trainee Practitioners
- Government Young Lawyers
- Articled Clerk / Paralegal
- Law Graduates
- Law students seeking an edge by developing their legal skills prior to joining the profession

practical advocacy skills for young practitioners Queensland

ABOUT THE PRESENTERS

Federal Magistrate Michael Baumann, Federal Magistrates Court of Australia was appointed as Brisbane's first Federal Magistrate in June 2000. Prior to his appointment, Mr Baumann was in private practice as a solicitor since admission in 1979. Mr Baumann was recognised as Australian Young Lawyer of the Year in 1991.

Martin Burns, Barrister, Queensland Bar has extensive experience in criminal, civil and commercial litigation works. He has appeared as counsel for numerous leading cases representing Queensland Law Society, Legal Practitioners Admission Board, United Medical Protection and the Board of Professional Engineers. He has also represented judicial figures in inquiries and judicial review proceedings. Martin is counsel for the National Rugby League (NRL) and has drafted a new code of procedure for the handling of disciplinary proceedings against players: the NRL Judiciary Code of Procedure.

Leanne Clare SC, Director of Public Prosecutions, Office of the Director of Public Prosecutions was admitted to the bar in 1985 and in 1986 began prosecuting sexual offences against children. She was appointed as senior crown prosecutor in 1990 and from 1994 specialised in appellate work. In recent years, she has appeared in the High Court on most of the criminal appeals from QLD. She has acted as judge of the District Court and assumed the role of the DPP in July 2000. Leanne is a member of the National Committee for Reform of Child Sexual Offences Laws and a committee member of the Heads of Prosecuting Agencies for Commonwealth Countries.

Kathryn Cochrane, Barrister, Queensland Bar has a diverse practice which includes Family Law. Prior to being called to the bar, she was the Director of Litigation in the Defence Legal Division, Department of Defence in Canberra. Kathryn also served as a Legal Officer with the Permanent Air Force at the rank of Squadron Leader. She is currently a member of the Royal Australian Air Force High Readiness Specialist Legal Reserve.

Gavin Handran, Barrister, Queensland Bar commenced a broad general practice at the Bar in 2003. He appears substantially for clients in commercial disputes, although he also appears for clients in family law, maritime law and administrative law matters. Gavin previously worked as associate to Judge Dodds of the District Court in 2001, before completing a graduate clerkship at Blake Dawson Waldron in 2002.

Luke Leotta, Barrister, Queensland Bar practices predominantly in family and de-facto relationship litigation as well as various criminal and administrative matters. He has appeared before the Federal Magistrates, Family, District and Supreme courts. Prior to being called to the bar in 2006, he practiced as a solicitor in family law, focusing on solicitor advocacy with Schultz Toomey O'Brien. Luke is currently completing his LLM at the Queensland University of Technology.

Richard Morgan, Barrister, Queensland Bar was admitted to the bar in 1984 after serving as associate to a Supreme Court judge. He has appeared as counsel in courts in QLD, NSW and NT as well as the High Court across a wide range of civil and criminal litigation. Alternative Dispute Resolution is also now a large part of his practice.

Sarah Thompson, Barrister, Queensland Bar was admitted to the bar in 1994. She practices primarily in criminal matters, with a small amount of Child Protection and Domestic Violence matters. Sarah previously worked with the Office of the Director of Public Prosecutions of QLD and NSW and has experience practising as a crown prosecutor. She subsequently commenced practice at private bar. She also lectured and tutored criminal law subjects at Bond University.

Craig Wilkins, Barrister, Queensland Bar was first called to the bar in 2000. He has a wide commercial practice in the areas of banking, bankruptcy/insolvency, property and general contract law. Prior to joining the Queensland Bar, he practised as a Senior Associate in one of the top tier national law firms.

CONFERENCE DATE AND VENUE

29 February 2008
Stamford Plaza Brisbane
Cnr Edward & Margaret Streets
Brisbane QLD 4000
Tel: (07) 3221 1999 Fax: (07) 3221 6895
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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 1 February 2008. If we receive written notification between 2 February 2008 and 15 February 2008 you will receive a 50% refund and conference documents. No cancellation requests will be accepted after 15 February 2008. You may nominate a replacement, however no refund will be issued.

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Tick here if you DO NOT wish to receive information about upcoming events

Four easy ways to register

Phone 1800 772 772
Fax (02) 9422 2338
Online www.lexisnexis.com.au

Mail Conference Co-ordinator, LexisNexis
Locked Bag 2222,
Chatswood Delivery Centre, Chatswood NSW 2067

PLEASE COMPLETE SECTIONS A, B AND C

CONFERENCE CODE: PD0708 ABN: 70 001 002 357

A I would like to register for the Practical Advocacy Skills for Young Practitioners QLD

EARLY BIRD PRICE* (expires on 31 January 2008)

One-Day Conference \$850 + GST = \$ 935

STANDARD PRICES

One-Day Conference \$950 + GST = \$1045

PLEASE SELECT WHICH STREAMS YOU WISH TO ATTEND FOR:

Morning Workshop: Civil Stream Criminal Stream Family Stream

Afternoon Workshop: Civil Stream Criminal Stream Family Stream

NETWORKING FUNCTION

WILL WILL NOT be attending the Queensland Young Lawyers Networking Function

ENDORISING ASSOCIATION MEMBER DISCOUNT*

I claim my 10% discount as a member of Queensland Young Lawyers. Membership no.: _____

CONFERENCE RESOURCES

I am unable to attend but would like to purchase a set of conference papers for Practical Advocacy Skills for Young Practitioners QLD \$270 + GST = \$297

I WOULD LIKE TO PURCHASE A COPY OF#:

Advocacy: An Introduction (1st edition), Curthoys J; Kendall C N for \$70 inc GST (ISBN: 9780409322064 – softcover)

Advocacy in Practice (4th edition), Glissan J QC for \$225 inc GST (ISBN: 9780409322354 – hardcover)

Nemes and Coss' – Effective Legal Research (3rd edition), Bott B; Cowley J; Falconer L for \$89.00 inc GST (ISBN: 9780409321647 – softcover)

#Prices of books were correct at the time of printing. LexisNexis reserves the rights to amend the prices at any time if required.

TEAM DISCOUNTS*

Register a team of 3 for the Practical Advocacy Skills for Young Practitioners QLD at the same time, from the same organisation and receive a free pass for the 4th delegate.

*Early Bird, team discounts and any other discount cannot be taken concurrently and apply only to delegate registrations.

B Payment Details Payment Is Due Upon Registration

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C Delegate Details (For Additional Delegates Please Photocopy Form)

Mr/Ms/Dr _____
FIRST NAME SURNAME

Organisation _____

Postal Address _____

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Telephone _____ Fax _____

Email _____

Mobile _____

Yes! I Would Like To Review Information On Upcoming Events Via Email