

family law
RETREAT

25-27 NOVEMBER 2021
PEPPERS NOOSA RESORT & VILLAS



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THURSDAY

25th November 2021

5:30 PM to 7:30 PM	Registration Desk Open
5:30 PM to 7:30 PM	Welcome Drinks

26th November 2021

8:00 AM to 4:30 PM	Registration Desk Open
9:00 AM to 9:30 AM	Opening Plenary Session On behalf of the court Judge Steve Middleton National Case Manager, Federal Circuit and Family Court of Australia
9:30 AM to 10:30 AM	Plenary Session 2 The ethical lawyer Megan Mahon Legal Services Commissioner of Queensland The Legal Services Commissioner of Queensland, Megan Mahon, delivers a lecture on what it is to be an ethical lawyer. <i>Session Proudly Sponsored By</i> 
10:30 AM to 11:00 AM	Morning Tea
11:00 AM to 1:00 PM	Concurrent Sessions
11:00 AM to 12:00 PM	Concurrent Session 1A Trauma and implications in the practice of the family law Leanne Bamford Social Worker, Bamford Family Services An exposé of trauma: what is it, how the brain responds to it, and its impact on persons experiencing divorce and separation. The presentation will address what to expect if your client has been impacted by trauma and delve into the issue of vicarious trauma. Understanding how these issues can impact on you, your clients, and your colleagues in this highly emotive area, will enable you to adopt a trauma informed approach to client-care and self-care in all facets of your day to day practice. <i>Session Proudly Sponsored By</i> 

<p>11:00 AM to 12:00 PM</p>	<p>Concurrent Session 1B</p> <p>Shutting the gate BEFORE the horse has bolted: how to get the most out of the preservative options</p> <p>The Honourable Colin Forrest SC</p> <p>Dan Bottrell, Director, BGM Family Lawyers</p> <p>Where Court resources mean that prevention is better than cure, this session will traverse the options in the family lawyer’s toolkit to preserve items of property – caveats, injunctions, and more – the Hon. Colin Forrest SC, provides his tips as to using these tools to best effect. This session, co-presented with FLPA Committee member, Dan Bottrell, is for practitioners who want to know where to focus their evidence, how to side-step common pitfalls, and how to walk away from Court with the preservative orders they need.</p> <p><i>Session Proudly Sponsored By</i></p> 
<p>12:00 PM to 1:00 PM</p>	<p>Concurrent Session 2A</p> <p>Tips from a tech enhanced lawyer</p> <p>Fiona McLay Principal Lawyer, McLay Legal</p> <p>Not sure if you are doing enough to stay competitive in an increasingly digital world? If you want to improve how you work and sharpen your ability to adapt to the changes reshaping the legal services market, this session holds value for you.</p> <p>Topics covered include:</p> <ul style="list-style-type: none"> • Options for running a tech enabled family law practice • Explanations of some common tech tools - for family law practices, for employed lawyers and barristers - what they do and why you might want to use them • How to decide what best suits how you work and your practice, and avoid wasting time and money with random "shiny" tech How to make the most out of the software you already have • Questions to ask when talking to software vendors (before you buy) • An overview of what family law practices of all sizes and shapes, are doing differently.
<p>12:00 PM to 1:00 PM</p>	<p>Concurrent Session 2B</p> <p>Working together towards better outcomes: Accountants & Lawyers</p> <p>Joseph Box Partner - Financial Advisory, Grant Thornton</p> <p>Genevieve Dee Partner - Lander & Rodgers</p>
<p>1:00 PM to 1:45 PM</p>	<p>Lunch & Exhibition</p>
<p>1:45 PM to 2:45 PM</p>	<p>Concurrent Sessions</p>

1:45 PM
to 2:45 PM

Concurrent Session 3A

Top tips to sharpen your child support practice

Matt Black

Barrister

Matt Hempstead

Solicitor, Barry Nilsson Lawyers

Have you ever advanced a child support case, and then gotten the sensation that you're missing something? Well, Barrister, Matt Black, and solicitor, Matthew Hempstead, are here to tell you about that something. Matt and Matthew will take you through 10 child support areas where things are commonly missed, errors are made, and things go wrong. From departure applications, to departure prohibition orders, and everything in between, after this session you'll know exactly what to do next time around

1:45 PM
to 2:45 PM

Concurrent Session 3B

"I did not see that coming..." - understanding the process of judicial decision-making

The Honourable Justice Michael Jarrett

Federal Circuit and Family Court of Australia (Division 1)

Ever wondered how judges decide cases? His Honour Justice Jarrett will, using some practical examples, talk about the judicial decision making process and how what we, as practitioners, do (whether in our written or oral advocacy, or through the preparation and collation of the evidence itself) factors into that process.

Session Proudly Sponsored By



**CATTON &
TONDELSTRAND**
LAWYERS

2:45 PM
to 3:00 PM

Afternoon Tea

3:00 PM
to 4:30 PM

Plenary Session 3

Steve van Aperen is affectionately referred to as the **“The Human Lie Detector”** and known as an expert in the field of behavioural interviewing, reading body language, detecting deception and changing behaviours through rapid induction hypnosis.

Can you read what your clients and colleagues are really thinking? Imagine having the ability & skill sets to read people like a book during meetings, interviews and negotiations, and knowing how to detect deception. Steve will show attendees how to read micro expressions, distress signals and how to analyse the content and structure of words to determine whether or not they are being lied to. Steve will also discuss how to use his unique 60 second profiling technique to look for deviations from baseline observations. Having assisted police in 82 homicide cases Steve knows how to read behavioural cues of deception.

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6:30 PM
to 9:30 PM

FLPA Summer Soiree

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SATURDAY

27th November 2021

<p>7:00 AM to 8:00 AM</p>	<p>Yoga on the Beach <i>Proudly Sponsored By</i></p> 
<p>8:00 AM to 5:00 PM</p>	<p>Registration Desk Open</p>
<p>9:00 AM to 10:00 AM</p>	<p>Plenary Session 4 Bernard Salt</p> <p>How are demographic megatrends shaping Australian society?</p> <p>In his highly engaging and data-driven presentation Bernard Salt explores the decade ahead. The social composition of Australia is changing. We become an ever more diverse society. While our economy keeps growing, the Australian workforce is hollowing out. We will see a shrinking middle class and growing upper and lower classes. What challenges will family law practices face in a socially segregated society? How will changes in partnership patterns and a more highly educated female workforce change the way relationships work? In the 2020s Baby Boomers' social and political influence shrinks rapidly as the family-focussed Gen Xers take over most important leadership positions in Australia. Join us for this exciting journey into the 2020s.</p> <p><i>Session Proudly Sponsored By</i></p> 
<p>10:05 AM to 10:30 AM</p>	<p>Morning Tea and Exhibition</p>
<p>10:30 AM to 11:30 AM</p>	<p>Concurrent Session 4A Capacity and litigation guardians - what you need to know!</p> <p>Dianne Pendergast Barrister, Mediator, formerly Adult Guardian (Q)</p> <p>Penny Feil Mediator, Member of QCAT, former legal Member, Mental Health Review Tribunal</p> <p>Ever had concerns that your client or another party lacks capacity? What are your options, if you do? How does it impact the running of the case, if a party does lack capacity? The speakers in this session will talk about the statutory tests for capacity, how evidence is given by or on behalf of a person who lacks decision making capacity, how to deal with clients whose capacity may fluctuate and the role of litigation guardians.</p> <p><i>Session Proudly Sponsored By</i></p> 

<p>10:30 AM to 11:30 AM</p>	<p>Concurrent Session 4B</p> <p>Spouse maintenance: get the numbers right, identify the source and don't overegg it!</p> <p>Rob Gordon Barrister</p> <p>Lisa Foley Managing Director, DA Family Lawyers</p> <p>You need to know the law, for sure, but there is so much more to it. The session will provide a refresher on the recent case law on spouse maintenance but also give you VERY practical guidance about what you can do in your day to day practice to improve. Are you advising your clients adequately about their spousal maintenance entitlement? Is there a way to avoid an interim application and save your client, who needs the money, from spending the money to ask for the money? What do you say to your clients on the receiving end of an application?</p> <p><i>Session Proudly Sponsored By</i></p> 
<p>11:30 AM to 12:30 PM</p>	<p>Concurrent Session 5A</p> <p>Evidential issues in cases involving allegations of abuse</p> <p>Joshua Treviño QC, Barrister</p> <p>The session will provide a practical guidance in relation to the preparation of a case when seeking or opposing a finding of unacceptable risk. Our speaker will outline how to approach the preparation of affidavit evidence which deals with allegations of abuse so as to ensure that it is presented in an admissible and persuasive way, as well as identify the common difficulties encountered in these complex matters. What should you expect if the Court applies provisions of the Evidence Act 1995 (Cth) which do not ordinarily apply in parenting proceedings, as a result of s69ZT?</p>
<p>11:30 AM to 12:30 PM</p>	<p>Concurrent Session 5B</p> <p>Third parties in family law disputes: to join or not to join - that is the question!</p> <p>Chair: The Honourable Justice Catherine Carew, Federal Circuit and Family Court of Australia (Division 1)</p> <p>Presenters:</p> <p>Tony Phillips Managing Director, Phillips Family Law</p> <p>Jeff Bunning Barrister</p> <p>The joinder of third parties to a family law dispute is often a vexed question for you and your clients in the prosecution of their case. This presentation will provide an overview of the applicable law in relation to the joining of third parties with a review of recent case law. On a practical level, the presentation shall discuss the advantages and disadvantages of joining third parties, the risks that improperly joining a third party may bring to your client and what to do if your client has been joined to a proceedings, but asserts that they should not be part of the proceedings.</p>
<p>12:30 PM to 1:15 PM</p>	<p>Lunch & Exhibition</p>

<p>1:15 PM to 2:15 PM</p>	<p>Concurrent Session 6A</p> <p>The diagnosis of a psychiatric illness: what does it actually mean for parenting capacity?</p> <p>Chair: Her Honour Judge Anne Demack, Federal Circuit and Family Court of Australia (Division 2)</p> <p>Presenters:</p> <p>Dr Daniel Varghese Psychiatrist</p> <p>Emma Rzoska Psychologist, Pysch Resolutions</p> <p>An exploration of the impacts of psychiatric illness on parenting capacity. Which of the more common diagnoses should practitioners be alive to? What useful information or documentation can you obtain and provide to an assessing psychiatrist or a family report writer where the existence of a psychiatric illness is an issue in dispute? How can a person's mental illness impact on their ability to communicate with children, another parent, a legal practitioner or from the witness box? Should you alter your communication style when involved in a matter where a litigant suffers from a mental illness?</p> <p><i>Session Proudly Sponsored By</i></p> 
<p>1:15 PM to 2:15 PM</p>	<p>Concurrent Session 6B</p> <p>Relief in the State Courts - outside our comfort zone!</p> <p>Philip Looney QC Barrister</p> <p>Jane FitzGerald Barrister-at-Law</p> <p>This session explores various scenarios in which family lawyers might find themselves with a choice of Court - State or Federal - and the advantages and disadvantages of each option. The types of matters explored will include applications for the appointment of receivers/administrators, relief sought under the Corporations Act 2001 (including injunctions and mandatory injunctions), applications for the vesting of trusts and/or replacement of trustees, applications for the winding up of companies and applications with regard to lodgement of caveats.</p>
<p>2:15 PM to 2:30 PM</p>	<p>Afternoon Tea</p>

<p>2:30 PM to 3:30 PM</p>	<p>Closing Plenary Session</p> <p>The Honourable Justice Catherine Carew Federal Circuit and Family Court of Australia (Division 1)</p> <p>The Honourable Justice Michael Jarrett Federal Circuit and Family Court of Australia (Division 1)</p> <p>Her Honour Judge Anne Demack Federal Circuit and Family Court of Australia (Division 2)</p> <p>Cases every family lawyer should have up their sleeve</p> <p>Rounding out a conference, delegates want practical content. So we give you the Judicial Officers who have spoken at this year's Retreat- the Hon. Justice Catherine Carew; Judge Anne Demack; and His Honour Justice Michael Jarrett - who will each be giving you 'Cases every family lawyer should have up their sleeve'. These are the cases which, in the eyes of these decision-makers, best illustrate legal principle, address technical compliance, set out traps to avoid, and are otherwise 'go tos' for family law litigators. You'll leave this session with 10 cases, and an understanding of why they should be in your armoury of litigation tools.</p>
<p>3:30 PM to 5:30 PM</p>	<p>Closing Remarks and Post Retreat Drinks</p> <p><i>Proudly Sponsored By</i></p> <p> Grant Thornton</p>

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