

**ACCOUNTANTS ARE
FROM MARS &
LAWYERS ARE FROM
VENUS**

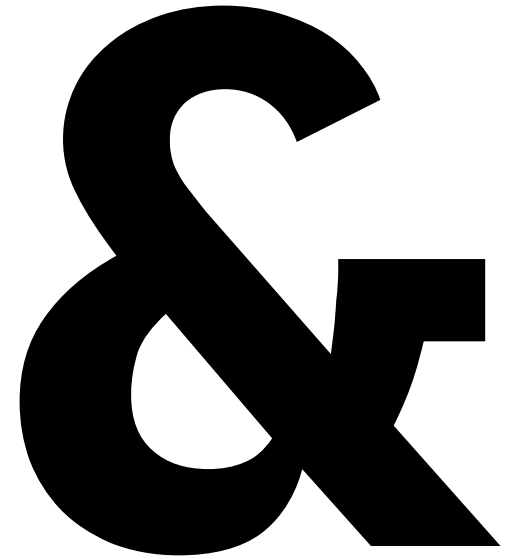
**GETTING TO BETTER
OUTCOMES**

26 November 2021

Genevieve Dee | Partner, Accredited Family Law Specialist

Joseph Box | Partner | Grant Thornton

**LANDER
& ROGERS**



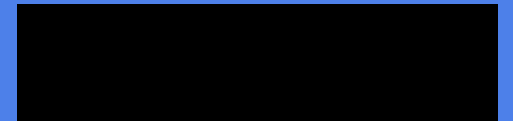
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ACKNOWLEDGEMENT OF COUNTRY

We acknowledge the Traditional Owners and their custodianship of the lands on which we meet today.

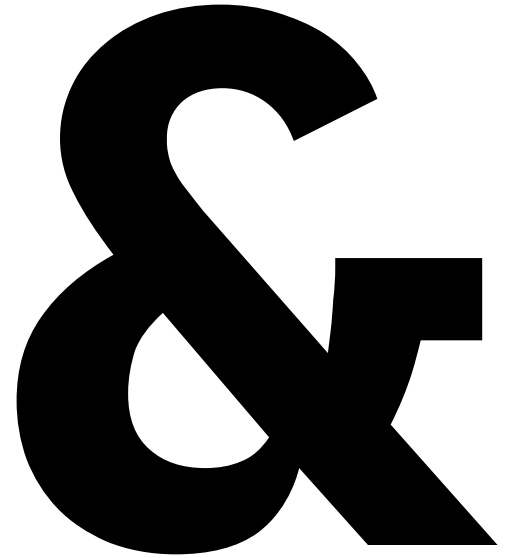
We pay our respects to their Ancestors and their descendants, who continue cultural and spiritual connections to Country.

We recognise their valuable contributions to Australians and global society.

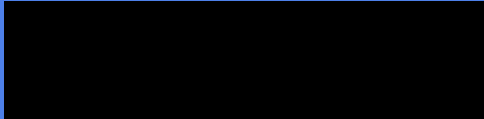


ROADMAP TO A HEALTHY RELATIONSHIP

- Are we on the same page?
- Choosing your Expert: Should you swipe Left or Right?
- Speaking Different Languages
- Discovering our different (emotional) needs
- How to avoid arguments
-and what to do if you need to have one
- How to ask for support and get it
- Keeping the magic alive



ARE WE ON THE SAME PAGE?



ARE WE ON THE SAME PAGE?

Federal Circuit and Family Court of Australia (Family Law) Rules 2021

- Part 7 - Expert and Assessors
- Division 7.1.2 relates to the appointment of a single expert
- A party must not communicate unilaterally with a single expert witness, except as permitted by the Rules 7.03(3).
- Any communication between a party and a single expert witness must, at the same time, also be provided to all other parties engaging that single expert witness, except as permitted by these Rules 7.03(4).
- If the parties cannot agree on the expert to be appointed, there is a process for the Court to then nominate the expert – rule 7.05

ARE WE ON THE SAME PAGE?

Federal Circuit and Family Court of Australia (Family Law) Rules 2021

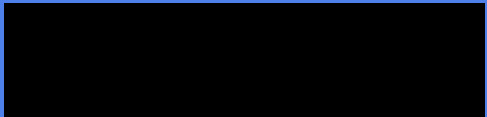
- Division 7.1.4 – Instructions and disclosure of expert’ reports
- Instructions to the expert – rule 7.13
- Division 7.1.5 – Expert witness’s duties and rights
- Form of any report – rule 7.21
- Content of the expert report – rule 7.22
- Consequences of non-compliance (by the expert) – rule 7.23
- Division 7.1.6 – Clarification of single expert witness reports
- Division 7.1.7 – Evidence from 2 or more expert witnesses

ARE WE ON THE SAME PAGE?

What's changed?

- Communication with the expert – rule 7.03
- Report can be provided by electronic means – rule 7.07
- Time in which the expert must respond to questions – rule 7.27

CHOOSING YOUR EXPERT: SHOULD YOU SWIPE LEFT OR RIGHT?

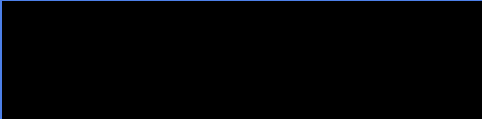
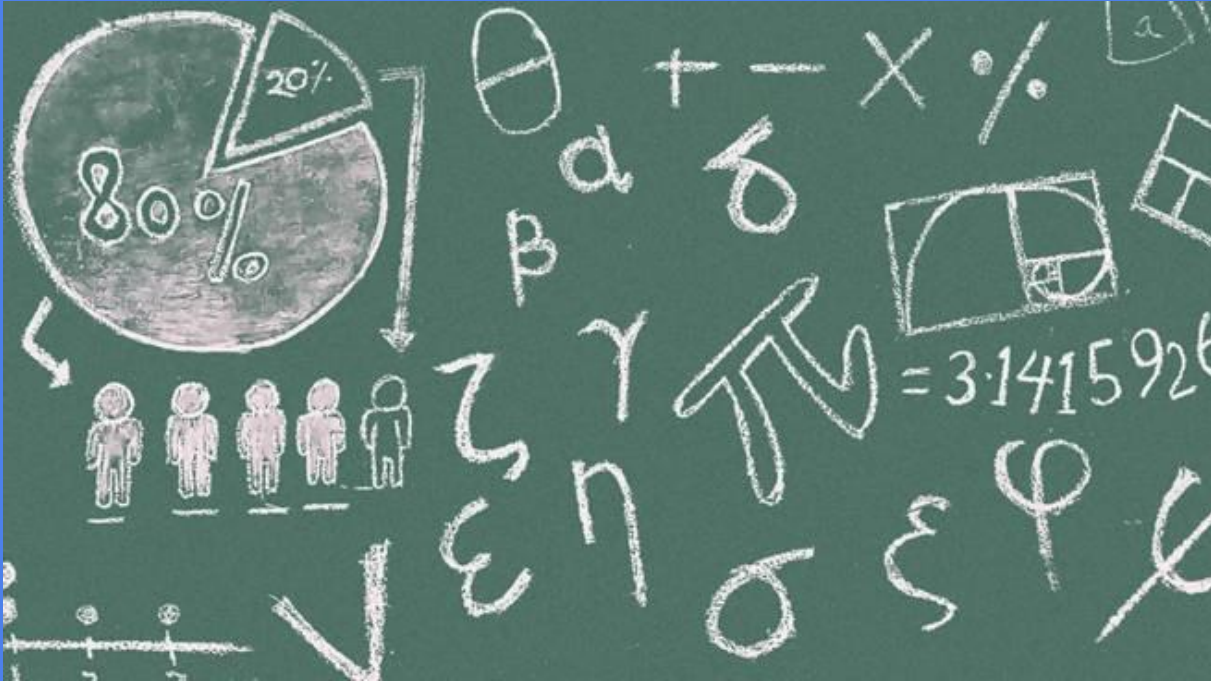


CHOOSING YOUR EXPERT: SWIPE LEFT OR RIGHT?

Areas of expertise that can be relevant family law:

- General Accounting
- Commercial acumen
- Financial Investment / Planning
- Business structures
- Valuation
- Taxation
- Superannuation
- Bankruptcy / Insolvency
- Understanding common commercial legal documents

SPEAKING DIFFERENT LANGUAGES



SPEAKING DIFFERENT LANGUAGES

What accountants do well:

- Interpret financial information
- Identify the relevant financial information
- Analyse large data sets

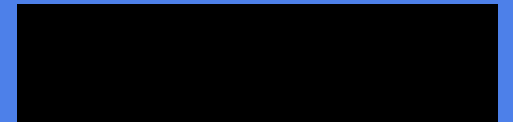
What lawyers do well?

- Critically review the findings of the expert
- Challenging findings
- Asking questions

HOW TO AVOID ARGUMENTS



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HOW TO AVOID ARGUMENTS

Who wants what?

- The Client: Wants their matter resolved
- The Lawyer: Wants a number
- The Expert: Clarity

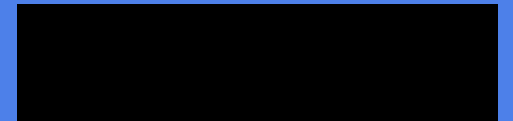
HOW TO AVOID ARGUMENTS

- Identify and advise key dates
- Work with your client on producing the information and requested documents
- Keep the expert informed of changes in the matter
- Don't be afraid to ask questions
- Get the right expert
- Comply with the rules

.....AND WHAT TO DO IF
YOU NEED TO HAVE ONE



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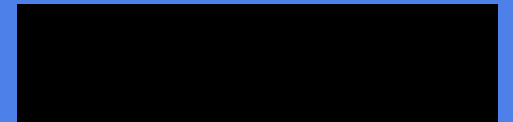


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.....AND WHAT TO DO IF YOU NEED TO HAVE ONE

- Division 7.1.6 – Clarification of single expert witness reports
- Division 7.1.7 – Evidence from 2 or more expert witnesses
- Questions to the expert on their report – rule 7.26
- Conference with the Expert – rule 7.25, rule 7.31
- Mediation – should the expert attend
- Shadow Expert – rule 7.08

HOW TO ASK FOR SUPPORT, AND GET IT



HOW TO ASK FOR SUPPORT, AND GET IT

- Valuation Date
- Loans
- Pool Calculations
- Settlement documents – financial transactions / tax issues / loans
- Attending mediation

KEEPING THE MAGIC ALIVE



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KEEPING THE MAGIC ALIVE

- Communication
- Know and comply with the rules
- Stay in your lane – applies to both lawyers and the experts
- Ask for help

QUESTIONS

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