



REGIONAL
LAW SOCIETY
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THE LAW SOCIETY
OF NEW SOUTH WALES

The Blue Mountains Law Society

2017 SUCCESSION CONFERENCE

A two-day conference organised by the Blue Mountains Law Society
at the Hydro Majestic, Medlow Bath NSW

SATURDAY 16 & SUNDAY 17 SEPTEMBER 2017

DAY ONE – SATURDAY 16 SEPTEMBER 2017

8.30-9.00am **REGISTRATION / ARRIVAL TEA & COFFEE**

9.00-10.00am **Opening Remarks**

Sir Anthony Mason

Former Chief Justice of Australia

10.00-11.00am **Informal Wills: evidentiary and other issues**

Justice Kate McMillan

The Hon. Justice McMillan was appointed a Judge of the Supreme Court of Victoria in March 2012. Her Honour primarily hears matters in the Common Law Division and is the judge in charge of the Trusts, Equity and Probate List. Before her appointment, she practised as a barrister in commercial litigation. Justice McMillan is a former Chair of the Victorian Bar. She also served on the Bar Ethics Committee for 10 years, chairing that Committee for four years.

11.00-11.20am **MORNING TEA**

11.20am-12.40pm **Assessing mental capacity from a medical perspective**

Dr. Jane Lonie

Dr Lonie is a neuropsychologist with over 15 years of experience in specialist neuropsychological assessment. Dr Lonie completed an undergraduate psychology honours degree and a Clinical Neuropsychology Masters degree in 1999. In 2010 Dr. Lonie completed a PhD investigating neurocognitive markers of early and pre-clinical Alzheimer's disease. In addition to working in private consulting, Dr. Lonie is an honorary associate of Macquarie Centre for Cognitive Sciences (MACCS) and Macquarie University Psychology Department. Dr Lonie has experience in assessment, report writing and court appearances for the provision of expert opinion relating to capacity.

12.40-1.30pm **LUNCH**

1.30-2.30pm **Disparate topics for estate practitioners**

(including Dependant relative revocation and conditional revocation, Revival and Lord Walpole's Will including mutual wills, Revocation by marriage and Re Park, Proof of death when no body is found, Life estates and Capital Gains Tax)

Bill Windeyer

Retired New South Wales Supreme Court Judge, former Probate List Judge, former President of the Law Society of New South Wales

2.30-3.30pm **Family Provision Claims: latest cases, recent trends**

Dr Stephen Janes

Deputy Dean, School of Law, Chair of the School of Law Academic Committee, Western Sydney University

3.30-3.50pm **AFTERNOON TEA**

3.50-5.20pm **Panel discussion**

Justices McMillan and Lindsay, Bill Windeyer, Dr Stephen Janes and Simon Chapple will discuss a range of topical issues including those submitted by attendees at the conference.

6.30 for 7pm **CONFERENCE DINNER**

DAY TWO – SUNDAY 17 SEPTEMBER 2017

8.30-9.00am

ARRIVAL TEA & COFFEE

9.00-10.00am

Accountability across the spectrum of powers of attorney, financial management and probate administration

Justice Geoff Lindsay

Supreme Court Probate and Protective List Judge, New South Wales Supreme Court. The Judge is known to deeply consider the conceptual, functional and historical foundations of legal principles so that they apply appropriately to a modern Australian society. His honour's judgements in the area of fiduciary accountability include *Parker v Higgins* and *Smith v Smith* [2017] NSWSC408.

10.00-11.00am

Considerations for legal practitioners when taking instructions for a will

Simon Chapple

Simon Chapple commenced practice as a barrister in 2010. Simon graduated from the University of New South Wales with a Bachelor of Arts (Hons) and a Bachelor of Laws. In 2010, Simon was awarded a PhD, also from the University of New South Wales. Prior to going to the Bar, Simon worked at Freehills in its' litigation group from 2006. He has experience in property, equity, succession law, general commercial law, and administrative law. In addition to his work at the Bar, Simon is an Adjunct Fellow in the law faculty at the University of Western Sydney. He lectures in property law, contract law, and equity and has taught at the University of Western Sydney, University of Sydney and the University of New South Wales. Simon has also published a number of academic articles and regularly presents at academic conferences. He is the co-author of the text, *Palgrave Law Principles and Practice Series: Equity and Trusts* (Palgrave Macmillan, 2011) and is currently working on a new edition of Sale of Land in NSW.

11.00-11.20am

MORNING TEA

11.20am-12.20pm

Elder financial abuse: how is this relevant to an estate planning practitioner?

Professor Ros Croucher

Ros Croucher has recently been appointed as President of the Australian Human Rights Commission. Prior to this, Professor Croucher was appointed to the Australian Law Reform Commission in 2007 and was President from 2009 to 2017. Professor Croucher was formerly Dean of Law at Macquarie University, where she continues as an Adjunct Professor. In the Australia Days Honours list, 2015, she was made a Member of the Order of Australia (AM) for significant service to the law as an academic, to legal reform and education, to professional development, and to the arts.

12.20-1.20pm

Superannuation and estate planning: what should a solicitor consider when a client wishes to make inheritance arrangements for their death benefit? Are there particular issues where there's a blended family? Are there particular issues with SMSFs? How are these best addressed?

Michael Hallinan

Special Counsel Superannuation. Michael is a solicitor practising in the areas of superannuation, financial services, trusts and managed investments. He has over 30 years' experience, having practised in both private and corporate practice.

1.20-2.15pm

LUNCH

Registration is simple; complete the form below and fax or post your registration to us:

Blue Mountains Law Society PO Box 418, Katoomba 2780
Phone: (02) 4784 2177 Fax: (02) 4784 2145 Email: slee@browne-link.com.au Enquires: Shani Lee

Please register me for the **2017 Succession Conference** – a 2-day conference to be held at the Hydro Majestic, Medlow Bath on **Saturday 16 & Sunday 17 September 2017**

- Early Bird Registration** – for registrations made on or before 11 August 2017 – \$825.00 (inc. GST)
- Full Price Registration** – \$935.00 (inc. GST)
- Current Blue Mountains Law Society Members' Registration** – \$715.00 (inc. GST)
- I cannot attend the conference, but **wish to purchase the conference papers** – \$165.00 (inc. GST)
(note: the papers will not be available for dispatch until approx. 2 weeks after the conference has been held)
- Dinner** – \$150.00 (inc. GST) per person. (This includes a three course meal, drinks and entertainment)

PERSONAL DETAILS

Mr/Mrs/Miss/Ms First Name

Middle Init Last Name

Preferred Name for nametag (*if different from above*)

Position

Firm Name

Email

Postal Address

Phone Fax

PAYMENT DETAILS

Cheque
I enclose cheque for \$.....
payable to **Blue Mountains Law Society**

Direct or Internet Bank Deposit
Blue Mountains Law Society
Commonwealth Bank of Australia
BSB: 062 559 Account No: 10249336

GENERAL CONFERENCE INFORMATION

Conference Registration Fee: The registration fee includes attendance at the conference, conference papers and refreshment breaks and lunch. The registration fees do not include any travel or accommodation. Delegates are advised to make their own travel arrangements.

The Conference Venue: The Hydro Majestic, Great Western Highway, Medlow Bath

Conference Accommodation: Delegates are advised to make their own accommodation arrangements directly with the Hydro Majestic. **Hotel Reservations:** (02) 4782 6885 Email: reservations@hydromajestic.com.au
Website: www.hydromajestic.com.au

Travelling to the Conference Venue: Delegates are advised to make their own travel arrangements.

Conference Dress: Smart casual attire is suitable.