

LCA UPDATE

A weekly glance at the activities of the Law Council of Australia

Online Dispute Resolution Trial Extended



The Law Council is extending its six-month trial of an online chatroom-style mediation facility on its website.

The system provides separate 'rooms' to which password-protected access is available to various combinations of parties and lawyers. There are rooms for private sessions with the mediator and separate rooms for each side, which even the mediator has no access.

This enables lawyers to confer with their clients without the need to meet face-to-face, either before or during the mediation.

Developed by TheClaimRoom.com (TCR), the ODR software has been described by Colin Rule, author of 'Online Dispute Resolution for Business', as "The best dedicated ODR communication environment currently available anywhere in the world".

Lawyers for disputants wishing to use the system will click a link on the welcome page and complete a brief enquiry form. A TCR representative will contact the enquirer to explain the system, open the case and invite the other participants to log in.

The only cost is a case fee of \$70 per party, which includes all its representatives and which will be shared equally by TCR and the Law Council. TCR will provide a Helpdesk to users.

The technology can also be seen at www.themediationroom.com

The Law Council is encouraging lawyers to consider using this system during the trial period and will seek feedback to determine whether to continue after the six month trial.

For further information email hendryk.flaegel@lawcouncil.asn.au

Federal Inquiries Update



The latest issue of the Law Council's online Fortnightly Federal Inquiries Update is available on the Council's website.

The Federal Inquiries Update is designed to alert Constituent Bodies, Directors, the Executive and Section Chairs to important inquiries and reviews being undertaken at the Federal level which are of interest to and/or may require submissions to be made by the Law Council.

The latest online Federal Inquiries Update is available at <http://www.lawcouncil.asn.au/fedinquiries.html>

Trade Practices Law Seminar - Perth



The Law Society of Western Australia will host a seminar on "Trade Practices Law – new developments, new challenges" on 26 September 2007 at the Law Society offices on St Georges Terrace in Perth.

The seminar is a joint initiative of the Law Society of Western Australia and the Business Law Section of the Law Council.

Federal Court Judge RS French will open the seminar and there will be presentations by lawyers from Freehills and Blake Dawson Waldron.

The afternoon seminar will run from 4.15pm to 6pm.

For details on how to register, visit www.lawsocietywa.asn.au and follow the links to Professional Development and Continuing Legal Education. Alternatively, email cle@lawsocietywa.asn.au

2007 National Indigenous Legal Conference - Brisbane

Updated!

The 2007 National Indigenous Legal Conference will be held at the Supreme Court of Brisbane, 304 George Street, on 14 and 15 September 2007.

Highlights of the conference will include an address on "40 Years Since the Referendum" by Sir Gerard Brennan, an update on the UN and Human Rights Developments, and a panel discussion.

Other sessions will consider issues such as intellectual property, governance in Indigenous communities and running a successful native title case.

For full program details and registration information, email shaynegoodwin@qldbar.asn.au or visit www.qldbar.asn.au for conference updates

LCA Proposal to Improve Housing Affordability

The Law Council's Australian Property Law Group has put forward a proposal to the Federal Government which it believes may help improve housing affordability in Australia.

In a letter to Federal Treasurer Peter Costello, the Law Council proposed that GST be removed from all residential properties, including vacant land that is zoned for residential purposes.

According to the Property Law Group, imposing GST on the supply of new residential properties has a significant impact because the tax is passed on to the buyer. The buyer is generally not registered for GST and cannot claim GST back. Therefore, the price paid for the new property is increased by 10 per cent.

The GST, the Law Council said, is a significant tax that is within the control of the Government. It has urged the Government to look at its proposal to ensure the great Australian dream of owning one's own home remains attainable for the average Australian.

To read the Law Council's proposal, visit www.lawcouncil.asn.au/shared/2440698074.pdf

Rule of Law Conference – registration brochure out now

The registration brochure for the Law Council's inaugural conference on the rule of law is now available on the LCA's website.

Former Queensland Premier Wayne Goss, Tax Commissioner Michael D'Ascenzo and Commonwealth Director of Public Prosecutions Damian Bugg are just some of the prominent speakers who will address the conference, to be held in Brisbane in August. They will be joined by Chief Justice James Spigelman, NSW Director of Public Prosecutions Nicholas Cowdery QC and Federal Shadow Attorney-General Joe Ludwig.

Titled *Rule of Law: Challenges of a Changing World*, the conference will revolve around the central theme of “Defending and preserving the rule of law in the current climate of global and domestic uncertainty”.

The conference will coincide with the South Pacific Forum which will bring together representatives from 11 South Pacific nations to discuss issues relevant to the region.

Rule of Law: Challenges of a Changing World will be held at the Banco Court (Second Floor of Supreme Court) in George Street, Brisbane on 31 August and 1 September 2007.

For more information, visit http://www.lawcouncil.asn.au/ROL_Conference.pdf

World Masters of Law Firm Management

The Melbourne Cricket Ground will play host to the legal profession’s best as the World Masters of Law firm Management seminar returns after a two-year hiatus.

Organised by the Law Council’s Australian Law Management Group, the popular World Masters of Law Firm Management seminars provide managers with effective strategies to promote growth and development in law practice. World renowned speakers shed light on how managers can unlock the potential of their practice to achieve greater success in business, planning productivity and profitability.

This year’s keynote speaker, UK lawyer Professor Stephen Mayson, will deliver a half-day seminar on *Beyond Herding Cats: Leading and Motivating a Team of Talented Individuals*. Topics will include: *linking talent, culture, structure and strategy; motivating and rewarding clever people; and, how to manage the non-conforming yet highly talented partner*.

The World Masters of Law Firm Management will be held on Thursday, 25 October 2007 in the HCA Harrison Room at the MCG in Melbourne.

Registration begins at 1.30pm, with the keynote address commencing at 2pm.

For more information and details of registration, visit www.lawcouncil.asn.au/lps/worldmasters.html

Basic Family Law Mediation Workshop – Gold Coast

Bond University Dispute Resolution Centre is running the following short (four day) courses in 2007.

- 13-16 September – Advanced Mediation* – Marriott, Gold Coast
- 18-21 October – Basic Mediation – Melbourne
- 29 November – 2 December – Basic Mediation* – Marriott, Gold Coast

*Courses with an asterisk have a Foundation Family Mediation Stream, run in conjunction with AIFLAM (Australian Institute of Family Law Arbitrators and Mediators).

For details, contact Kate Bolas – email kate.bolas@lawcouncil.asn.au

Submissions Register

Recent Law Council submissions (available on the LCA's website)

3/8/2007	The Treasury	Tax Laws Amendment (2007 Measures No. 4) Bill 2007
30/7/2007	The Productivity Commission	Productivity Commission Inquiry into the market for retail tenancy leases in Australia
24/7/2007	Consumer Affairs Victoria	Application of unfair contract terms legislation to consumer credit contracts – Consultation Paper
24/7/2007	Senate Economics Committee	Financial Sector Legislation Amendment (Simplifying Regulation and Review) Bill 2007
18/7/2007	Attorney-General's Department	Review of the Law on Personal Property Securities

Key Dates

- 31 August - 1 September - Rule of Law Conference - Brisbane
 - Friday, 28 September 2007 - Law Council Executive Meeting - Canberra
 - Saturday, 29 September 2007 - Law Council Meeting of Directors and AGM - Canberra
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