



NEW SOUTH WALES
BAR ASSOCIATION®



NSW Bar Association – overviews and learning objectives

Module One:

Establishing & maintaining a successful practice

Workshop one

4 November, 5-7pm

Facilitators: **Lester Fernandez**, Barrister, Forbes Chambers, **Sean Docker**, Barrister, University Chambers, **Paul Taylor**, Principal, Pattison Hardman & **Charles Ackroyd**, Principal, Pattison Hardman

Part one - The business of being a Barrister

Practice at the Bar comes with the independence, excitement, and sometimes, terror, of running your own business. Developing the business side of your practise is as important developing as an advocate.

This session will discuss: business challenges of developing and growing your practice , essential aspects maintaining a successful practice, developing your reputation, your relationships and sources of work, enhancing opportunities to diversify your practice, core concepts of business planning and knowing where to go and who can help.

Learning objectives:

- Identify business fundamentals that will enhance your practice at the Bar, including business planning, the different flows and their impacts on your bottom line and your reputation;
- Enable you to navigate the first few years at the Bar when everything needs your attention yet doesn't always get your focus;
- Understand core concepts (including business planning, risk, marketing, communications) that streamline the business aspects of your practice so that you can concentrate on the Law.

Part two - Current billing and cost practices

A barrister is not immune to costs disputes in respect of the legal work performed. An understanding of the technical issues surrounding the *Legal Profession Uniform Law* is important to ensure management of disclosure, contracting with solicitors, invoicing and ultimately payment of fees. Best practices will limit unsavoury disputes with instructing solicitors, avoid failures to comply with obligations under the Uniform Law and in turn facilitate the recovery of legal fees. Ultimately keeping a good relationship with instructing solicitors will avoid costs disputes and likely result in return work.

Monday, 28 September 2020

This session will discuss the application of the *Uniform Law* to barristers, using examples of good management and billing practices in respect of costs for professional fees, as well as understanding the different roles of instructing solicitors and barristers under the *Uniform Law*.

Learning objectives:

- Understand technical costing issues surrounding the *Legal Profession Uniform Law*,
- Identify and understand Disclosure obligations,
- Gain the skills to manage Costs agreements well,
- Utilise tools and systems for payment obligations, and recovery of fees,
- Identify and understand the issues for barristers in respect to costing.

Workshop two

11 November, 5-7pm

Facilitator: **Adjunct Associate Professor Peter Dombkins**, UNSW Law, and Director, PwC Australia – New Law

Legal Project Management for Junior Barristers – critical management skills that underpin a successful practice

Barristers should understand that every brief is a project with competing time, cost and professional pressures. The discipline of 'legal project management' helps you address these competing pressures - such as by:

- understanding your client's priorities - we will show you how to apply foundational concepts such as the 'triple constraint' to your work as barristers;
- clarifying and managing the roles of solicitors and clients, to avoid gaps or overlaps in responsibilities;
- improving the accuracy of your time and cost estimates, with improved court and client satisfaction.

Working through practical scenarios and building-upon practice management concepts introduced in previous sessions, this will walk you through the practical application of legal project management to resolve the most common day-to-day challenges for Junior Barristers when managing their briefs.

These extend beyond meeting your professional obligations, and include the avoidance or mitigation of risks, the management of difficult clients and solicitors, and the delivery of your services in an effective yet sustainable manner.

Learning objectives:

- Gain an overview of Legal Project Management (LPM), and
- How LPM is embedded into the Uniform Barristers Rules, and helps you manage common operational risks,
- How to use planning and estimating to provide clarity and accountability,
- Who are your stakeholders, and how to manage their expectations,
- Understand effective delegation and quality assurance.