

Introduction to Wills and Estates

Wednesday 24 May 2017 | 8.30am-5pm
Law Society House, Brisbane

Overview

Aimed at legal support staff with less than three years' experience, this introductory course develops delegates' knowledge and skills, offering:

- an overview of succession law
 - practical guidance on estate planning, including preparing wills, general and enduring powers of attorney and deceased estate documentation
 - an overview of estate administration and litigation, including probate, distribution to beneficiaries, and intestacy
- an update on legislative changes.

6 CPD Points



8.15am **Registration**

8.30am **Welcome**

Facilitator: **Dr Rachel Baird**, Manager, Learning and Professional Development, Queensland Law Society

8.45am **Wills and estates: The big picture**



This session will provide you with an overview of the principal legislation and common legal terminology and concepts relevant to succession law and in particular answer the following questions:

- What is succession law?
- What is the role of the attorney?
- What is the role of the trustee?
- What is the role of the executor?
- What is the role of the administrator?
- What is the role of the guardian?

Emma Nisbet, Associate, de Groots Wills and Estates Lawyers

9am



Estate planning: Drafting a general and an enduring power of attorney

This session will include both theory and practical exercises in relation to common scenarios and discuss the following:

- the difference between a General and an Enduring Power of Attorney
- the purpose of an Advance Health Directive
- preparation and execution of documents
- witnessing requirements.

Emma Nisbet, Associate, de Groots Wills and Estates Lawyers

10.15am **Morning tea**

10.30am **Estate planning: Drafting a will**



The session will guide you through common issues that need to be addressed when drafting valid wills and addresses the following important concepts:

- requirements for a valid will
- taking instructions
- testamentary capacity
- common clauses
- what can and can't be disposed in a will
- changing or revoking a will
- codicils.

Angela Cornford-Scott, Director, Cornford-Scott Lawyers and Accredited Specialist (Succession Law) - Qld

12pm **Lunch**

1pm

Estate administration and estate litigation



This session will introduce you to important definitions and focus on the steps taken to administer an estate. Guidance will be offered on what to look out for in order to avoid being the subject of litigation. The session will cover the following:

- Probate (solemn form) and Letters of Administration applications
- distribution to beneficiaries
- intestacy
- maintaining an estate trust account
- interpretation of a will
- Family Provision Applications
- suspicious circumstances surrounding a will.

Bryan Mitchell, Principal, Mitchells Solicitors and Accredited Specialist (Succession Law) - Qld

3pm

Afternoon tea

3.30pm

Advocacy update: Emerging issues in relations to succession law



This session will provide you with a snap shot of the emerging legislation and other developments in the area of succession law including:

- review of the *Trusts Act 1973*
- Court Practice Directions – Family Provision Applications

Vanessa Krulin, Policy Solicitor, Queensland Law Society

3.50pm

Practical tips from the Probate Registry



This practical session will provide you with tips on how to interact with the Probate Registry. It will include both theory and practical exercises in relation to common scenarios in applying for probate, plus discussion on:

- Probate applications
- avoiding requisitions – common mistakes
- update on Court forms.

Leanne McDonnell, Probate Registrar, Supreme, District & Land Courts' Service Queensland

4.20pm

What could possibly go wrong? Practical tips to avoid common mistakes



It is always good to learn from the mistakes of others, so this session will provide you with practical risk management advice and discuss the following:

- overview of disciplinary cases
- risks and common claims
- hints and practical tips
- useful links and resources.

Stafford Shepherd, Director, Ethics Centre, Queensland Law Society

4.55pm

Review

5pm

Close

Event registration form/Tax invoice

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