

# One Day intensive – Western Sydney University – Legal Seminars

Date: Sunday 26<sup>th</sup> March 2017

Location: Western Sydney University, 1PSQ , 169 Macquarie Street, Parramatta, NSW 2150

Registration: 8:30am – 8:55am

Seminars: 9:00am – 3:30pm

Time	Topic	Area	Speaker	Overview	Biography
8:30am – 9:00am	Registration				
9:00am	<i>“Restraining client enthusiasm, reasonable prospects of success and the duty to the court”</i>	Ethics and Professional Responsibility	Mr Michael Brogan and Mr Jason Donnelly, Barrister	This seminar will discuss the legal duty and ethical obligation on practitioners in relation to hopeless cases and provide a broad overview on the law and ethical duties of practising lawyers with respect to the legal expression, "reasonable prospects of success". The topic will use a particular case for discussion, and draw upon some of the broader implications of the decision for practitioners.	<p><b>Michael Brogan</b> is a foundation member of the School of Law at Western Sydney University. Michael is a Senior Lecturer and the Director of Engagement for the School of Law. In addition to Western Sydney University Michael has taught law at Macquarie University, the University of Wollongong, the University of Technology Sydney and the University of Sydney. Prior to his academic career Michael was admitted to the Bar, and also worked in tertiary education and the entertainment industry. Michael has spent over a decade on the Professional Conduct Committee for the Law Society of New South Wales, and several years on the Law Society's Disclosures Committee. Michael is interested in and has published books and chapters on professional ethics for lawyers, criminal law, legal education, and dispute resolution.</p> <p><b>Jason Donnelly</b> is a Lecturer at Western Sydney University (WSU), an Adjunct Lecturer at the NSW</p>

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College of Law, a Barrister of the Supreme Court of New South Wales and a Registered Migration Agent (1682742). Jason has formerly worked as a Tipstaff to the Hon. Justice Peter McClellan AM QC (Chief Judge at Common Law) (as his Honour then was), and researcher to the Hon. Michael Kirby AC CMG (former Justice of the High Court of Australia). Jason is the Course Convenor of the Graduate Diploma in Australian Migration Law program in the School of Law at WSU.

**10:00am - 10:15am** **Refreshment Break**

The purpose of this seminar is to provide an analysis of the legal and regulatory frameworks applicable to domain names at the Australian and international levels.

Key topics:

- The international and Australian framework for the protection of domain names.
- the Uniform Domain Name Dispute Resolution Policy (UDRP): scope, advantages and shortcomings in practice.
- the .au Dispute Resolution Policy (auDRP): scope, advantages and shortcomings in practice.

**Dr Alpana Roy** is an expert in intellectual property law, with a particular focus on trade marks and copyright. She has several years of experience in intellectual property law – in both practice and the academy. Alpana has lectured in a wide range of postgraduate and undergraduate intellectual property and commercial law subjects at various universities, including the University of Sydney, the University of Queensland, the University of Technology Sydney, and Western Sydney University where she is currently an Associate Professor in the School of Law. Alpana is widely published in intellectual property law, and is a commissioned author for several major legal publishers, including Thomson Reuters, Federation Press, LexisNexis, Oxford University Press, and CCH.

Alpana is regularly engaged to work as a legal consultant and practitioner in intellectual property and commercial law.

**10:15am** *“Domain Name Law”* Substantive Law Dr Alpana Roy,

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11:10am –  
11:20am

## Refreshment Break

11:20am –  
12:20pm

*"Visa Cancellation of Non-Citizens" under the Migration Act 1958 (Cth).*

Substantive law

Jason Donnelly,  
Barrister

This topic provides an overview of the law and policy with respect to the cancellation of Australian visas of non-citizens on character grounds under the *Migration Act 1958* (Cth) ("the Act"). Practical tips will be provided with respect to advising and acting for clients who have had their Australian visa cancelled under s 501 of the Act.

**Jason Donnelly** is a Lecturer at Western Sydney University (WSU), an Adjunct Lecturer at the NSW College of Law, a Barrister of the Supreme Court of New South Wales and a Registered Migration Agent (1682742). Jason has formerly worked as a Tipstaff to the Hon. Justice Peter McClellan AM QC (Chief Judge at Common Law) (as his Honour then was), and researcher to the Hon. Michael Kirby AC CMG (former Justice of the High Court of Australia). Jason is the Course Convenor of the Graduate Diploma in Australian Migration Law program in the School of Law at WSU.

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12:20am –  
1:00pm

## Lunch

Participants will have a short period of time to obtain lunch from the many food outlets and restaurants surround the seminar venue

1:00pm –  
2:00pm

*"Issues with Informal Wills: Where There's a Will There's a Way"*

Substantive Law

Dr Stephen Janes

This seminar will consider and discuss issues relating to definitions, requirements, provisions and implications of informal wills, informal revocation, lost wills and lost informal wills.

**Dr Stephen Janes** BEc LLB (Hons) PhD (Syd) was admitted as a Barrister in 1991 and practised in Commercial, Equity and Succession law having previously practised as a Solicitor. In 2005 Dr Janes was awarded a PhD by the University of Sydney for a thesis on an aspect of Succession law. He is also Deputy Dean of the School of Law at the University of Western Sydney and lectures in Wills and Succession.

Dr Janes is a co-author of the forthcoming title *Wills, Probate and Administration Law in New South Wales, Second Edition*. He has also authored the chapters on Wills and Probate in *New South Wales Court Forms Precedents and Pleadings*. Dr Janes is a contributor to *Halsbury's Laws of*

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Australia on intestate succession and is consulting editor of CCH's NSW Wills in Practice Handbook.

Dr Janes has since 2009 been a member of the NSW Law Society Specialist Accreditation Committee for Wills and Estates.

2:00pm –  
2:10pm

Refreshment Break

2:10pm –  
3:15pm

*“Practical  
Advocacy”*

Professional  
Skills

The  
Honourable  
David Collier  
AM

Practical advocacy, a (non exhaustive) set  
of do`s and dont`s for practitioners.

**David Collier** was admitted as a solicitor in 1967,  
and was called to the Bar in 1981. His practice  
centred in Parramatta, and he practiced primarily in  
Family Law and Crime.

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