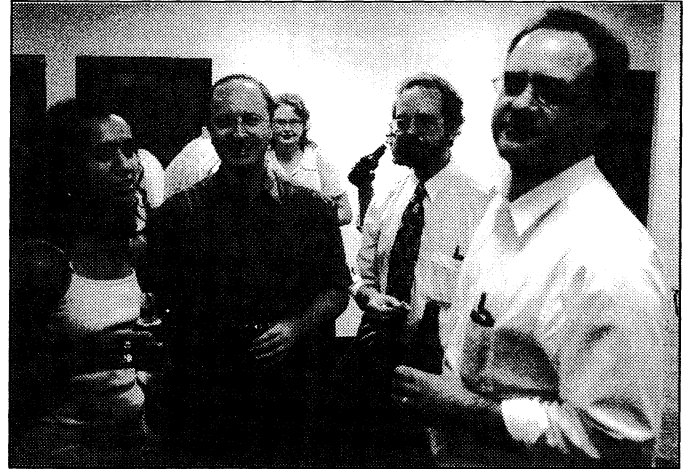


# CASES BOOK LAUNCHED AT DARWIN & ALICE COURT HOUSES

A collection of previously unpublished early judgements of the Northern Territory Supreme Court was launched at functions in Darwin and Alice Springs. Titled *Northern Territory Judgements 1918 - 1950* the book was compiled by Supreme Court judge and Adjunct Professor of Law at NT University, Justice Dean Mildren. See page 10 of *Balance* for an order form.



*Elizabeth Leahy and Justice Dean Mildren at the Darwin launch which was held on 8 March 2001*



*Ragni Mathur, George Georgiou, Chris Roberts and Mark O'Reilly*



*John Kelly, John Stirk, James Wardern and Katrina Budrikis*



*Janet Neville, Paul Ewens and Melanie Little in Darwin*

## ADVOCACY: OBJECTIVE COUNSEL Continued from page 17

that is in the best interests of the client, often includes concessions that the client is reluctant to make. They may involve abandoning arguments that the client wishes to air. Settlement will mean that the client does not have that desired "day in Court". Counsel needs to be sufficiently removed from the emotional aspects of the matter to permit the provision of appropriate advice to the client at a time when the emotional stress on the client is at its greatest.

Joseph A. Ball, a former president of the American College of Trial Lawyers, is reported to have said that:

"The more I become involved emotionally in my client's cause the less I am able to (do) for him".

In my view that is generally so.

What I have said above does not mean that you should not feel compassion for your client. It does not mean that you should not, after proper assessment, accept fully the version of events provided by your client and the witnesses. It does not prevent you from conveying those impressions to the tribunal in an appropriate way. I do not suggest that you should go so far as Marshall Hall who is

reputed to have, on occasions, allowed tears to stream down his cheeks whilst addressing a jury. However sometimes such emotions cannot be avoided. I clearly recall two cases of my own where tears have welled in my eyes whilst I have led plaintiffs through their evidence in chief. However the sadness or injustice of the circumstances of your client and the impact those matters have upon you as an advocate must be kept in proper check. Your most important function is to provide your client with an objective, unemotional and professional source of advice throughout the trial.