

Legal Profession Act gains pace

The main efforts of the Secretariat at the moment relate to the Legal Profession Act commencement of which is heading towards the Law Society at a rapid pace.

Most of the provisions commence on 31 March 2007. However:

- * the trust account provisions in Part 3.1 of the Legal Profession Act commence on 1 July 2007 and the current Legal Practitioners Act provisions apply to the 2005-2006 audit.
- * The correct costs provisions will apply where the client first instructed the practitioner before commencement of the LPA, with special requirements where a law practice retains another law practice whilst compliance with the current provisions generally will be satisfactory until 31 December 2007.

There are a number of issues that are receiving particular attention from the Secretariat at the moment.

At the time of writing we are currently commenting, with members of relevant committees and Council, on the draft Legal Profession Regulations. These include regulations necessary to set up the CPD Scheme.

Effective education of the legal profession is also a priority. In this regard I would urge those involved with legal practitioners trust accounts to closely consider attending the information seminars being held in Darwin on 9 March 2007 and 12 March 2007. Flyers have been sent out. The new, very detailed trust account provisions will represent a major challenge with requirements set out in both the Legal Profession Act and Regulations.

The sessions, to be delivered by John Mitchell and Ray Collins of the NSW Law Society, will include a detailed session for bookkeepers and accountants. Those attending the sessions will receive a detailed handbook, based on the NSW guide but adapted to the Northern Territory.

The Law Society Secretariat has also been very busy with the establishment of the Funds Management Committee which will replace the Legal Practitioners Fidelity Fund and Legal Practitioners Trust Committee and the new arrangements involved.

This will have an impact on the Law Society Public Purposes Trust Arrangements.



Barbara Bradshaw, Chief Executive Officer

A further *Balance* will include detail on the work of the two Committees (current membership consists of the Master, George Cridland, Eileen Terrill, Richard Giles and Kevin Stephens) and their work on the Committees, voluntary in the case of the representatives from the firms, has been exemplary.

The new Funds Management Committee, consisting of Alastair Shields (Chairperson), Rodney McComskie (Treasury nominee), Donald Hudson (consumer representative), Allison Robertson and myself, has already started meeting. Julie Davis will be Secretary and is already fulfilling this role.

The Secretariat is also working on administrative arrangements, such as developing explanatory material and updating forms. There is further information on the transition arrangements on page 18 of this edition of *Balance*.

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Finally, it is with regret that I report the resignation of *Balance* Editor and Public Relations Officer Zoe Malone. Zoe is not leaving because of fear of the Legal Profession Act, but instead to go backpacking in Europe.

Zoe has made an immense contribution not only to the Society, but to the legal community as a whole with her work on pro bono and other issues. We will miss her drive and ability to nag both the Council and Secretariat into doing what is required. She obviously has a stellar career ahead and hope she will return to the NT in some capacity one day.

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