

SOLICITORS SHOULD BE PROACTIVE RATHER THAN REACTIVE

Proactive	Reactive
Check wills in the strong room and send letters to all clients whose wills are more than five years old, suggesting that they organise a free consultation to update their will.	Wait until a client contacts you to update their will.
Advise clients that you would be prepared to meet them on-farm during hours that were convenient. It has been my experience that if you can meet people on the farm with all family members you have a greater opportunity of considering all issues and it can result in additional work. A farm visit to discuss will with mum and dad and other family members resulted in wills for the parents and the purchase of a house.	People should be prepared to see me during my working hours.
Free wills with any conveyance or major matter.	We should rely on our reputation and we should not have to offer free wills.
When people have travelled some distance for wills or other important matters, see if hand-written wills or detailed instructions can be signed in an enforceable form. Often clients travel more than 100km and it can take some time for them to get back. A hand-written will or instructions executed in an enforceable way should be organised in case the unforeseen happens.	Receive instructions, have them typed, then have the client come in.
When discussing matters with clients, why not inquire as to whether they have considered updating their: wills; a power of attorney; insurance issues such as term insurance.	Wait for the client to ask.
Letter to client asking a number of questions including wills, power of attorney, transfer of the farm and setting out that if their answer to any of these questions is yes, that they should organise a free consultation to discuss the issues.	Too costly! Why do we have to offer anything for nothing? Deal with these issues when they arise (sometimes too late for the clients concerned).
Write articles for local papers and speak at meetings of community organisations.	People should come to see us during normal business hours.
When dealing with conveyancing matters such as the transfer of the family farm, raise with the clients the following issues — Rural Assistance Entitlement, different types of available loans, have information available concerning stamp duty, pre-auction meetings with clients and agents for rural matters.	We are only here to do the mechanics and we will answer those queries that are raised but will not offer suggestions.

This is the first of two parts of a table reproduced from The Law Society Journal, The Law Society of NSW, (July 1994). Its author Bill Thompson — a partner of Commins Hendriks in Coolamon and Ganmain — believes solicitors can play a proactive role in assisting their farmer clients to obtain finance. He links the survival of family farms with the survival of country law firms. The issue is highly relevant for the Territory's many out-of-town lawyers.