



BALANCE

DEC '94
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1994 - a perspective

As 1994 draws to a close, reflection on issues which arose seems appropriate.

The pressure to move to a truly national legal profession became obvious to all in the profession. The Law Council of Australia developed its blueprint. It appears that the remaining areas of contention are uniform professional conduct rules and uniform practices and procedures for the disciplinary process. At its meeting on 10 December 1994 agreement was reached that a disciplinary system of 3 tiers (similar to that in the Territory) ought be developed.

The placement of graduating law students as articled clerks remained a problem and may well deteriorate next year. In addition the remuneration of articled clerks became a subject of debate in Council. I pause to wonder whether a post-graduate practical legal training centre might be established at the NTU, rather than a Centre for South East Asian Law, where funds are suggested to come from the Fidelity Fund.

The somewhat vexed question of advertising by practitioners by use of the terms "expert" and "specialist" remains unresolved, with strong views expressed for the retention and abolition of the current rule. However a motion for the removal of these restrictions is to be debated at the first meeting of Council next year.

The Legal Practitioner Rules made by the Judges of the Supreme Court which came into operation in October 1993 had some teething problems. In respect of Australian practitioners the problems have for the most part been resolved.

In respect of overseas (other than New Zealand) practitioners, orders made recently by the Supreme Court in the matters of Liang Lu Kar Lucas and Ng Mi Ling (unreported, 2 December 1994) give guidance on directions the Court will give as to the requirements which such practitioners must fulfil in order to satisfy Rule 8 to enable the Court to admit the practitioners.

The Court ordered that applicants obtain and file in court and serve on the Law Society an assessment from a professional body qualified to do so as to the academic qualifications held by the application relative to those prescribed for admission as a practitioner of this court. The Court indicated it would accept such an assessment from the Faculty of Law at the Northern Territory University or any professional body nominated by the NTU Faculty of Law.

We also had the benefit of visits to the Territory by the Chief Justice of the High Court, Mr Justice Mason, the Chief Justice of New South Wales, Mr Justice Gleeson who gave the Martin Kriewaldt Memorial Address and Mr Rod Burr, now the immediate past Chairman of the Family Law Section of the Law Council of Australia, during Law Week. I look forward to the first 1995 eminent visitor Mr B O'Keefe AM QC, the head of ICAC who will be guest speaker at the 1995 Legal Year opening.

May I take this opportunity to wish the compliments of the season to all in the profession and to wish them well for the new year.