

BY PRESIDENT
TERRY GARDNER

OFF BALANCE

THE NATIONAL LEGAL SERVICES MARKET

On 7 April 1995 the Law Council of Australia sent to the Prime Minister its proposals for the implementation of a national legal services market. The proposals include national model "core" rules of professional conduct and practice, national practising certificates and uniform trust account rules.

The introduction of a national practising certificate raised several problems.

The problem causing the main concern at the moment is nationally acceptable professional indemnity insurance.

The Law Council of Australia is hosting a meeting in Melbourne on May 4 1995 in an endeavour to resolve this major stumbling block to the issuing of a truly national practising certificate.

The meeting will establish the minimum conditions and cover required to enable a practitioner to practise nationally.

Current indications are that Northern Territory and some other States' practitioners will need to increase their cover to more than one million dollars if they intend to practise nationally.

I will keep you informed of the outcome.

Following an approach by the Chief Justice of the Supreme Court concerning the need for a replacement judge for the former Chief Justice and several submissions from members of the profession, I wrote to the Attorney-General supporting the need for the expedi-

ent appointment of a replacement judge.

Recently I received a letter from the Chief Justice indicating the concern of the Judges of the Supreme Court at what appears to be unsatisfactory and inefficient procedures leading up to the fixing of trial dates and the use of time set aside for trials.

The Chief Justice said: "It would be far better if we can all work together with a view to achieving better results in the criminal jurisdiction by way of cutting the time from committal to plea, shortening the time spent in the actual trial process and ensuring that days set aside for trials are utilised for that purpose."

If members have views or ideas on how the above aims can best be achieved I shall be pleased if you will forward them to me at The Society in order that I

can bring them to the attention of the Chief Justice.

The Department of Law is currently reviewing our rather old and outdated Legal Practitioners Act.

Such a review is intended to take into account the move to a national profession.

I have no doubt that practitioners have encountered problems with the current legislation and the Society would be pleased to receive submissions in this regard.

Additionally, the Council of the Society has resolved to establish a Legal Practitioners Act Advisory Committee to liaise with the Department of Law on the content of the new legislation.

If you are interested in being a member of the committee, please telephone Executive Officer Jim Campbell at The Society to register your interest.

AILR wants law books

Australian International Legal Resources Inc. (AILR) is seeking donations of personal expert services as well as legal texts, law reports and other suitable material to support the rule of law in developing countries.

The AILR is registered as a charity and was formally launched last year by Foreign Affairs Minister Senator Gareth Evans.

Thousands of law books have already been donated to Zimbabwe, Kenya, Fiji, Barbados, Indonesia and Papua New Guinea. Arrangements are under way with Russia, the Czech Republic, Laos, Vietnam, South Africa and Zambia.

The AILR is also working with IBM to arrange the donation of serviceable computer equipment and other office machinery.

To date the AILR has been funded entirely by the legal profession. Donations are tax deductible.

If you are interested in donating time, money or any legal materials, contact The Law Society Vice President Diana Elliott at Waters James McCormack on 81 5544.