

# BALANCE

The Official Publication of the **MAY 1998** Law Society of the Northern Territory

## Making Sense of the Law Law Week 1998

**Law Week 1998 provided a number of activities aimed at supplying information to the general public in keeping with the national theme which this year was *Make Sense of the Law*.**

In addition, the legal profession was given the opportunity to mark the national focus week by attending functions, participating in newspaper features in the *NT News*, the *Darwin/Palmerston Suburban* and the *Centralian Advocate*, and supplying information for public library displays.

In Darwin, NTLAC ran a well-patronised legal information stall in the Mall and with this fulfilled one of the traditionally expected functions of Law Week in its handling of requests for information from the public. Northern Territory Young Lawyers' Association continued the dissemination of information to an interested audience at the Darwin Magistrates' Court during their valuable seminar/workshop on running a small claim.

Law Week was brought to a close with the elegant, well-attended and highly-acclaimed performance of *Trials Through Time* at Brown's Mart which provided a testament to the talent of members of the NT Women Lawyers' Association who scripted, directed, produced and performed the event.

Private firms and public offices alike provided material which made up the public library displays, and Darwin's high schools used Law Week as an opportunity to take advantage of visits from members of the NTU's Faculty of Law.

Unfortunately, the national Law Week Blood Rush was not well supported in the NT, although the response from the Alice Springs legal community far surpassed that of their Darwin colleagues, who were overwhelming in their lack of support.

Part of the Law Week effort was directed to supporting the Arts Law Forum as it moved to the regional centres offering legal advice and information to the arts communities in Katherine, Tennant Creek and Alice Springs.

### Coroners Tug Best

The tug-of-war launch of Law Week took place on Monday 11 May in Raintree Park and competition for the trophy inten-



*NTLAC paralegals assist members of the public during Law Week*

sified as first-time entrants the *Coroners* took out the honours under the leadership of Lyn McDade and with the hefty support of the Coroner himself, Mr Greg Cavanagh, SM. Their victory was not easily come by as they faced the might, determination and experience of the *Prosecutors* from DPP, boasting the skills of at least one football hero, the Australian Securities Commission team who took time away from moving offices to tug, crowd-pleasers the *Spice Boys* from the Attorney-General's Department and their female counterparts the *Agros* as well as sole representatives of the private profession, the *Scummy Dogs* from De Silva Hebron whose consistent support of this event deserves a sportsmanship award.

In the absence of the Attorney-General, Law Society President Steve Southwood took over the role of launching Law Week and ensuring that the tug-of-war reached a clear conclusion.

### Whistleblowing at Lunch

The profession gathered at Law Week lunches in Alice

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# **F**rom the Profession

## California – Bar Split Proposed

USA

(Reprinted from Law Talk, (NZ Law Society) No 497, 11 May 1998)

The Californian State Bar represents around one sixth of all practising lawyers in the United States, and is facing a crisis over moves to separate its regulatory and trade union functions.

Two bills are before the Californian legislature: one would make the bar's trade union function voluntary; the other would abolish the Bar altogether and move the regulatory functions to the state supreme court.

It is hoped that practitioners would still continue to participate in the Bar's voluntary work – but the proposed split could weaken the lobbying power of the Bar.

Californian lawyers are lobbying for the first bill, now before the state

assembly and needing a two thirds majority before it can go to the Senate. The Bar has already laid off 45 of its 700 staff, and further redundancies are likely in the face of a proposed reduction of membership dues from last year's \$458 to \$399 by 1999.

March's *American Bar Journal* reported that the confusion surrounding the future of the Bar was a reflection of the fact that California was the only state where the legislature rather than the supreme court must approve the mandatory Bar's dues request. Many proponents of the Bar were concerned that the upheaval would affect its ability to discipline wayward practitioners. Seventy percent of its budget is spent on disciplinary matters.

## Law Week 1998

### *Making Sense of the Law*

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Springs and Darwin to hear visiting academic Dr Stan Ross deliver the post-lunch address entitled *Whistleblowing for Lawyers*, which in both venues generated volumes of discussion in the question and answer sessions which followed.

Dr Ross began his address by discussing whistleblowing provisions in various jurisdictions and continued on to look at how these were viewed, the degrees of compulsion to report misfeasance and reactions within the profession to both whistleblowing and to dishonest and fraudulent conduct on the part of a lawyer. He referred to examples of the consequences and dilemmas facing whistleblowers, and included among these his own experience as a young lawyer in a neighbourhood legal service in the Berkeley/San Francisco Bay area during President Johnson's 'War on Poverty'.

Reports from the Alice Springs lunch, which was again held at *Ristorante*

*Puccini*, indicate that Dr Ross's address 'touched a professional nerve which engendered interest' and the discussion which resulted went on for several hours.

In addition to an interesting afternoon, enhanced by good food and wine, lunchers at both centres were rewarded for their attendance by the opportunity to win door prizes. In Alice Springs, a dinner at *Ristorante Puccini* was won by Murray Preston, whilst in Darwin magnanimous of champagne were won by James Brohier and Steven Smith of Hunt & Hunt, Danny Masters of Cridlands, Margaret Rischbieth, Registrar at the Supreme Court, Rick Andruszko from AGS and Ned Aughterson from the NTU.

Barrister Tony Young took out the dinner at *Pee Wees at the Point* provided by Law Week sponsors, Sedgwick and Martin Toohey, new CEO of the Office of Courts Administration was fortunate in winning the major prize of a trip for two to Cairns, presented by Qantas.

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