

Assisting people who bring so much love into the world

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In July this year the Society's Pro Bono Clearing House (PBCH) received a request from Mary Hawkins, Community Solicitor at Darwin Community Legal Service (DCLS) to assist a group of parents of disabled children that required expert advice around estate planning. Although this was not a standard application, the PBCH was happy to help and put a call out to lawyers on the pro bono register to seek out an experienced lawyer who practices in the area. Fortunately, the PBCH was given the name of Paul Maher. We contacted Paul and without hesitation he agreed to offer his services pro bono. Mary Hawkins provides a snapshot of the successful event hosted by DCLS below.

Among the many issues facing parents of children with disabilities is how to make sure their children are looked after when they are gone. It's not hard to imagine the concerns that beset parents with children who lack capacity to make decisions.

On 14 July 2015 DCLS facilitated a workshop presented by Paul Maher on estate planning.

Paul spoke engagingly about the development of trust law including as a way of holding property for monks who had taken a vow of poverty.

Paul explained how trusts are created, types of trusts and the nature of the trust relationship. He explained that the trustee must act in good faith with strict honesty and due regard to protect and serve the interests of the beneficiaries.

Audience members had many questions for Paul around such issues as whether parents are required

to distribute their estate equally among their children, whether they can and should favour one child over another, how many trustees should be appointed, what happens if one or both dies and so on. It's clear from the feedback from the workshop that the audience received the information they so urgently needed:

"Extremely well presented in understandable terms"

"...could have listened for hours"

"Very clear and easy to understand, especially for a topic that I have been terrified of"

DCLS thanks Paul Maher for his kind assistance. Thanks also to Pastor Geoff Kuchel, Chair of the Family Transition Network for proposing and promoting the workshop and thanks to Steve Vitone of Carers NT for the use of its training room.