

Advocacy Skills Workshop

Sydney, 26-27 October 2018



Please read the information below immediately and thoroughly as it is important to your preparation and contribution to learning at this workshop.

Dear Workshop Participant,

The AAI is pleased to be able to provide this advocacy workshop for you and we are sure that you will find this course helpful in improving your advocacy skills.

Workshop Program:

Part 1: Introductory Session – Friday 26 October, 2018

Time: 5.00pm to 7.00pm

Location: **The Family Court of Australia, Level 7, 99 Goulburn Street, Sydney.**

This session will finish by 7.00pm.

Part 2: Advocacy Performance Skills Workshop – Saturday 27 October, 2018

Time: 9.00am to 5.15pm.

Location: **The Family Court of Australia, Level 6, 99 Goulburn Street, Sydney.**

Workshop Format:

The following “**Timetable and Task Allocation**” details the format for this workshop. On page 4 you will find a table that allocates a GROUP and PARTICIPANT NUMBER for each participant.

On Saturday, Group Performance Sessions and Technique Sessions have been scheduled through the day. In the Group Sessions, you will break into smaller groups to individually **present your allocated advocacy tasks** before a Judge/Instructor in the same manner that you would present in court. You will find your allocated advocacy tasks set out within each session of the timetable.

Once you have finished each performance you will be given a review by the instructor. This review is designed to be positive, not critical. You will be given advice on ways that your individual performance can be improved using various advocacy skills, including a demonstration and explanation of the particular skills relevant to your performance.

The Workshop Case Studies:

Why are we using applications and a case study?

We acknowledge that for some of you, the case studies we will use may not be of the type you generally deal with. We use these case studies deliberately as we believe them to be very good for the teaching of advocacy, demonstrating skills that can be applied in any jurisdiction. The advocacy skills you will learn will be of universal application – the same skills apply regardless of the type of case, the jurisdiction you appear in or the side you appear on. This has been proven in over two decades of advocacy instruction by the AAI.

Please don't get bogged down in your preparation with any legal technicalities within the case studies. Don't research or bring statutes or precedents. Do not be distracted with “the law”. Evidence is restricted to **only** that contained within each case study so you do not need to look outside the immediate information provided. The purpose of this workshop is to help you with how to structure a case, how to prepare, how to ask purposive relevant questions, how to argue, how to be persuasive in court. We will not be concerned with jurisdictional procedure.

Preparation before the workshop:

This is a performance-based workshop. **NO** preparation time is included during the actual workshop.

You are required to prepare each of your set tasks between now and the commencement of the workshop. Please **allow yourself time to prepare properly** – it is anticipated that you should allocate 4 to 5 hours to this preparation.

Please also note that in the workshop group sessions, participants will be called upon to act as the witness when other participants are presenting tasks in Evidence in Chief and Cross Examination. A thorough knowledge and understanding of the facts of each case study will help both you and your colleagues get the most out of the workshop.

If you are not totally familiar with the requirements of any particular advocacy task, you may find it helpful to refer to the “Specific Advocacy Tasks” summary at the end of the Course Materials document.

You have also been provided with a hard copy of the “AAI Advocacy Manual”, which contains detailed chapters on each of the advocacy tasks you will be presenting. You are not required to bring this to the workshop, rather use this Manual in your preparation and for future reference.

Presenting your set tasks:

You will see in the timetable task allocations that a time limit has been set to present each task. Please prepare the whole of the task, even though the time allocation means you may not finish your presentation. Your review will be on that part of the task you present, not the parts you may not have reached.

At the close of the workshop the evaluation sheet provided with these materials will be collected. Please fill out this form before leaving as your (anonymous) comments help us structure future courses.

Dress is casual. Refreshments and lunch will be provided on Saturday.

Regards



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**Australian
Advocacy
Institute**

Advocacy Skills in Family Law WORKSHOP

SYDNEY

26-27 October 2018

Moderator –

**The Hon Justice Ann Ainslie-Wallace,
Appeals Division, Family Court of Australia,
Chair, Australian Advocacy Institute**

TIMETABLE AND TASK ALLOCATIONS

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DAY ONE

FRIDAY 26 October 2018

At the Family Court, Sydney

Combined Session – RED, BLUE Groups

SESSION 1	5.00 – 7.00 (120 mins)
General Session	<u>INTRODUCTORY SESSION</u> – The Nature of Advocacy <u>Moderator</u> – The Hon Justice Ann Ainslie-Wallace

Day TWO – SATURDAY 27 October 2018

At the Family Court, Sydney

PARTICIPANT NUMBER

This is your participant number and is used to determine which **TASKS** you will be performing in the timetable that follows.

No	RED GROUP	BLUE GROUP
1.	Claire Nielsen	Nick Ellis
2.	Antonella Sanderson	Louisa Stewart
3.	Neeska Waters	Lorne Havenstein
4.	Millicent Enbom-Goad	Lance Rundle
5.	Hannah Kreiselmaier	Veronica Phillips
6.	Sharon Payne	Ivy Tran
7.	Rosetta Leo	Tom Mainwaring
8.	Chris Ambas	Kavina Mistry

SESSION 2		9.00 – 10.15 (75 mins)	
Group Session	<u>APPLICATIONS</u>		
	<u>Case Study 1: Wood v. Simpson</u>		
PERFORMANCE SESSION 1	TASK:	Present application for injunction	PARTICIPANT: 1
	TASK:	Present application for injunction	PARTICIPANT: 2
	TASK:	Present application for injunction	PARTICIPANT: 3
	TASK:	Present application for injunction	PARTICIPANT: 4
	<u>Case Study 2: Davies v. Riverside Grammar</u>		
	TASK:	Present application	PARTICIPANT: 5
	TASK:	Oppose application	PARTICIPANT: 6
	TASK:	Present application	PARTICIPANT: 7
	TASK:	Oppose application	PARTICIPANT: 8
	Order of Performances:	1, 2, 3, 4, 5, 6, 7, 8	
	Performances	4 minutes per task	
	Instructor Review	4 minutes per participant	

MORNING TEA 10.15 – 10.30

SESSION 3 10.30 – 11.45 (75 mins)

Group Session

PERFORMANCE SESSION 2

EVIDENCE-IN-CHIEF and CROSS EXAMINATION

Case Study 3: Wilson v Wilson

- TASK:** PARTICIPANT: 1 Evidence in Chief - Margaret Wilson (The Applicant) (**Witness:** PARTICIPANT: 7)
- TASK:** PARTICIPANT: 2 For the Respondent, Cross Examine Margaret Wilson (**Witness:** PARTICIPANT: 5)
- TASK:** PARTICIPANT: 4 For the Respondent, Cross Examine Margaret Wilson (**Witness:** PARTICIPANT: 3)
- TASK:** PARTICIPANT: 6 Evidence in Chief - Julie Wilson (The Respondent) (**Witness:** PARTICIPANT: 8)
- TASK:** PARTICIPANT: 3 For the Applicant, Cross Examine Julie Wilson (**Witness:** PARTICIPANT: 2)
- TASK:** PARTICIPANT: 5 For the Applicant, Cross Examine Julie Wilson (**Witness:** PARTICIPANT: 4)
- TASK:** PARTICIPANT: 8 For the Respondent, Cross Examine Dr Gloucester (**Witness:** PARTICIPANT: 1)
- TASK:** PARTICIPANT: 7 For the Applicant, Cross Examine Dr Foster (**Witness:** PARTICIPANT: 6)

Performances in Group **4 minutes per task**
Review in Group **5 minutes per participant**

SESSION 4 11.45 – 12.45 (60 mins)

General Session

Techniques in Questioning
Communication in the Courtroom

LUNCH 12.45 – 1.30

SESSION 5		1.30 – 2.45 (75 mins)	
Group Session	<u>CROSS EXAMINATION</u>		
PERFORMANCE SESSION 3	<u>Case Study 3: Wilson v Wilson</u>		
	TASK:	PARTICIPANT: 8	For the Respondent, Cross Examine Margaret Wilson (Witness: PARTICIPANT: 5)
	TASK:	PARTICIPANT: 7	For the Applicant, Cross Examine Julie Wilson (Witness: PARTICIPANT: 4)
	TASK:	PARTICIPANT: 6	For the Respondent, Cross Examine Dr Gloucester (Witness: PARTICIPANT: 3)
	TASK:	PARTICIPANT: 5	For the Applicant, Cross Examine Dr Foster (Witness: PARTICIPANT: 8)
	TASK:	PARTICIPANT: 2	For the Respondent, Cross Examine Dr Gloucester (Witness: PARTICIPANT: 7)
	TASK:	PARTICIPANT: 1	For the Applicant, Cross Examine Dr Foster (Witness: PARTICIPANT: 2)
	TASK:	PARTICIPANT: 4	For the Respondent, Cross Examine Dr Gloucester (Witness: PARTICIPANT: 1)
	TASK:	PARTICIPANT: 3	For the Applicant, Cross Examine Dr Foster (Witness: PARTICIPANT: 6)
		Performances in Group	4 minutes per task
		Review in Group	5 minutes per participant
SESSION 6		2.45 – 3.45 (60 mins)	
General Session	<u>Case Theory</u>		
	<u>The Closing Argument</u>		
SESSION 7		3.45 – 5.00 (75 mins)	
Group Session	<u>THE CLOSING ARGUMENT</u>		
PERFORMANCE SESSION 4	<u>Case Study 3: Wilson v Wilson</u>		
	TASK:	PARTICIPANT: 1	Present closing argument for the Applicant
	TASK:	PARTICIPANT: 2	Present closing argument for the Respondent
	TASK:	PARTICIPANT: 3	Present closing argument for the Applicant
	TASK:	PARTICIPANT: 4	Present closing argument for the Respondent
	TASK:	PARTICIPANT: 5	Present closing argument for the Applicant
	TASK:	PARTICIPANT: 6	Present closing argument for the Respondent
	TASK:	PARTICIPANT: 7	Present closing argument for the Applicant
	TASK:	PARTICIPANT: 8	Present closing argument for the Respondent
		Performances in Group	4 minutes per task
		Review in Group	5 minutes per participant
SESSION 8		5.00 – 5.15 (15 mins)	
General Session	<u>DEBRIEF and DISCUSSION</u>		