

Family Law - Advocacy Skills Workshop

28, 29, 31 July 2021



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

Dear Workshop Participant,

The AAI and the Queensland Law Society are 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 1. ONLINE – Wednesday 28 July, 2021
Time: *5.00pm to 6.30pm

Part 2: Introductory Session 2. ONLINE – Thursday 29 July, 2021
Time: *5pm to 6pm

Part 3: Advocacy Performance Skills Workshop ONLINE – Saturday 31 July, 2021
Time: *8.45am to 3.00pm.

All times are Eastern Standard (Brisbane) Time

*Workshop will open 30 minutes early each day for online connection.

Workshop format:

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

On Saturday, Group Performance Sessions and General 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 below and all the case studies and materials for download under the Tab “Workshop Materials for download” in Part 1 of the Workshop webpage.

Once you have finished each performance you will be given a review by the AAI 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.

See the note “Presenting your set tasks and online procedure” overpage.

The Workshop Case Studies:

We acknowledge that the case studies we will use, while relevant to Family Law, 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 are 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 over three 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.

A note on the case study “Wilson v Wilson”:

For the purposes of this workshop, the evidence-in-chief of the witnesses is not on affidavit and their evidence will be adduced orally. (You can assume no procedural or judicial impediment to this). Participants may assume that the witnesses will give evidence in accordance with the instructions contained in the brief.

For the purposes of cross-examination, participants may assume that the witnesses have given all of the evidence in accordance with the instructions.

Preparation before the workshop:

This is a performance-based workshop. **NO** preparation time is included on the workshop day.

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 for this preparation. Please prepare in advance – do not wait until after the Wed/Thurs. introductory sessions.

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. I also recommend you consult the “AAI Advocacy Manual” PDF document provided as part of the workshop materials downloads, which has detailed chapters on all the aspects of advocacy you will be using at this workshop. Unfortunately, copyright restrictions require this version to be ‘read only’ and thus cannot be printed. After the workshop you will have the opportunity to purchase the full hard copy version at a discounted price. You are **not** required to bring a copy to the workshop, rather use this Manual in your preparation and for future reference.

Task Performance:

You will see in the timetable task allocations that a time limit has been set for each task performance. Please prepare as if you were to present the whole of the task. The time allocation means you may not be able to present all the task and you are not expected to be able to finish your performance. Do not rush and try and fit it all into the allocated time. Your review will be on that part of the task you present, not the parts you may not have reached.

Please also note that when your task requires a witness in Evidence in Chief and Cross Examination, another participant from your group has been nominated to act the witness role. When you have been nominated as a witness, please know the facts you will be questioned on. 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.

The Workshop ONLINE Platform:

This workshop will be held using the **ZOOM** platform, with participants required to log-on using their own computer link. Complete log-on instruction and details for connecting to the workshop can be found on the AAI Workshop Webpage. The same log-on details will be used each day and participants should remain logged-on for the full duration of each day’s combined sessions.

Follow this link for automatic log-on:

Click this link: [OPEN WORKSHOP](#) (Password = Advocacy)

If you wish to test your connection, the AAI Coordinator will be available to do a quick test in the week before the workshop. Email: aai@advocacy.com.au.

I look forward to seeing you ‘remotely’ at the workshop.

Regards



Scott Wallace

General Manager, Australian Advocacy Institute.

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FAMILY LAW ADVOCACY SKILLS WORKSHOP - ONLINE

TIMETABLE AND TASK ALLOCATIONS

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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	GREEN GROUP	YELLOW GROUP
1.	Tina Lawrence	Leila Aria	Jessica Shuttleworth	Alexander Field
2.	Tania Young	Rachell Bates	Emily Child	Abby Cone
3.	Gary Tan	Courtney Beveridge	Todd Green	Helena Lange
4.	Karina Andrew	Mitchell Anderson	Kristen Mitchell-Scott	Jill Wolff
5.	Daniel O'Reilly	Paul Cate	Fiona Spencer	Luke Shanahan
6.	Adrian Hawkes	Danielle Booth	Carolyn Guilfoyle	Mairi Kerfoot

DAY ONE - Wednesday 28 July 2021 - ONLINE

	4.30pm – Zoom workshop opens Join Zoom meeting: Click this link: OPEN WORKSHOP (Password = Advocacy)
SESSION 1	5.00 – 6.30pm (90 mins)
General Session ONLINE	<u>INTRODUCTORY SESSION</u> <ul style="list-style-type: none">- The Nature of Advocacy- Case Theory- Argument

DAY TWO - Thursday 29 July 2021 - ONLINE

	4.30pm – Zoom workshop opens Join Zoom meeting: Click this link: OPEN WORKSHOP (Password = Advocacy)
SESSION 2	5.00 – 6.00pm (60 mins)
General Session ONLINE	<u>INTRODUCTORY SESSION</u> <ul style="list-style-type: none">- Techniques in Cross Examination- Communication in Court

Day Three – SATURDAY 31 JULY - ONLINE

	<p>8.30 to 9.45am - Join Zoom meeting:</p> <p>8.45 – Workshop Opens – AAI Instructor Introductions</p> <p>9.00 – AAI coordinator will move all participants into allocated groups.</p>
SESSION 3 9.00 – 10.00 (60 mins)	
<p>Group Performance Session</p> <p>Task Performances in Group: 4 minutes per task</p> <p>Instructor Review: 4 minutes per participant</p>	<p><u>APPLICATIONS</u></p> <p><u>Case Study 1: Wood v. Simpson</u></p> <p>TASK: PARTICIPANT: 1 Present application for injunction by Ms SIMPSON</p> <p>TASK: PARTICIPANT: 2 Present application for injunction by Ms SIMPSON</p> <p>TASK: PARTICIPANT: 3 Present application for injunction by Ms SIMPSON</p> <p><u>Case Study 2: Davies v. Riverside Grammar</u></p> <p>TASK: PARTICIPANT: 4 Present application for DAVIES</p> <p>TASK: PARTICIPANT: 5 Oppose application for RIVERSIDE GRAMMAR</p> <p>TASK: PARTICIPANT: 6 Present application for DAVIES</p>
<p><i>Morning Tea 9.10 to 10.10 Participants stay online</i></p>	
SESSION 4 10.10 – 11.20 (70 mins)	
<p>Group Performance Session</p> <p>Task Performances in Group: 5 minutes per task</p> <p>Instructor Review: 5 minutes per participant</p>	<p><u>EVIDENCE-IN-CHIEF and CROSS EXAMINATION</u></p> <p><u>Case Study 3: Wilson v Wilson</u></p> <p>TASK: PARTICIPANT: 3 (Witness role: PARTICIPANT: 1) For Applicant, present Evidence in Chief of Margaret Wilson</p> <p>TASK: PARTICIPANT: 4 (Witness role: PARTICIPANT: 1) For Respondent, Cross Examine Margaret Wilson (Applicant)</p> <p>TASK: PARTICIPANT: 5 (Witness role: PARTICIPANT: 3) For Applicant, present Evidence in Chief of Julie Wilson</p> <p>TASK: PARTICIPANT: 6 (Witness role: PARTICIPANT: 3) For Respondent, Cross Examine Julie Wilson</p> <p>TASK: PARTICIPANT: 1 (Witness role: PARTICIPANT: 6) For the Applicant, Cross Examine Dr Foster</p> <p>TASK: PARTICIPANT: 2 (Witness role: PARTICIPANT: 5) For the Respondent, Cross Examine Dr Gloucester</p>
<p><i>AAI Coordinator will move participants into the General Session room.</i></p>	

SESSION 5 11.20 – 12.00 (40 mins)			
General Session	Applying the CASE THEORY		
<i>LUNCH 12.00 – 12.30 Participants stay online</i>			
<i>AAI Coordinator will move participants into Group rooms</i>			
SESSION 6 12.30 – 1.40 (70 mins)			
Group Performance Session Task Performances in Group: 5 minutes per task Instructor Review: 5 minutes per participant	<u>CROSS EXAMINATION</u> <u>Case Study 3: Wilson v Wilson</u> TASK: PARTICIPANT: 2 (Witness role: PARTICIPANT: 3) For the Respondent, Cross Examine Margaret Wilson TASK: PARTICIPANT: 1 (Witness role: PARTICIPANT: 4) For the Applicant, Cross Examine Julie Wilson TASK: PARTICIPANT: 6 (Witness role: PARTICIPANT: 5) For the Respondent, Cross Examine Dr Gloucester TASK: PARTICIPANT: 3 (Witness role: PARTICIPANT: 6) For the Applicant, Cross Examine Dr Foster TASK: PARTICIPANT: 4 (Witness role: PARTICIPANT: 1) For the Respondent, Cross Examine Dr Gloucester TASK: PARTICIPANT: 5 (Witness role: PARTICIPANT: 2) For the Applicant, Cross Examine Dr Foster		
	<i>Short break 1.40 – 1.45 Participants stay online.</i>		
	SESSION 7 1.45 – 2.45 (60 mins)		
	Task Performances in Group: 5 minutes per task Instructor Review: 4 minutes per participant	<u>THE CLOSING ARGUMENT</u> <u>Case Study 3: Wilson v Wilson</u> TASK: PARTICIPANT: 1 Present closing argument for Applicant TASK: PARTICIPANT: 2 Present closing argument for Respondent TASK: PARTICIPANT: 3 Present closing argument for Applicant TASK: PARTICIPANT: 4 Present closing argument for Respondent TASK: PARTICIPANT: 5 Present closing argument for Applicant TASK: PARTICIPANT: 6 Present closing argument for Respondent	
		<i>AAI Coordinator will move participants into the General Session room.</i>	
		SESSION 8 2.45 – 3.00 (15 mins)	
General Session		Debrief and Discussion	