



The Law Society
of New South Wales

THE PROFESSIONAL'S CHOICE

THE WALGET TITLE

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The Law Society of New South Wales

***Hunter Valley Family Law Conference
29 October 2005***



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The Law Society Scheme

- Guidelines
- Major increase in last 12 months
 - 50% increase in applications & referrals
 - 12% from solicitors
- The Scheme offers genuine benefits to solicitors taking on pro bono matters
- Referral issues



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Family Law

- Only residence and contact issues are within guidelines
- The Scheme's greatest volume
 - 20% of all applications
- Some referral problems
 - Family Court Hubs eg. Parramatta



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Problems with Family Law

- Time consuming = expensive
- CLCs can't meet the demand
- Not enough 'Public Interest'
- Not a substitute for Legal Aid
- Legal Aid increasingly difficult
- Self funded litigants fare badly



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Pilot unearthed

- CLCs passed a resolution in 2003
- Special meeting followed
- Objections by large firms noted
- Two projects unearthed
 - Child Support
 - The Walgett Pilot



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Child Support

- Two large firms have formed strategic relationships with CLCs
- Support by assessing financial documents



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Pilot Beginnings

- 2 seminars at Freehills:
 - April 2004
 - October 2004
- Presented by:
 - Garry Watts, Watts McCray (now FCA)
 - Catherine Carney, Principal, Women's Legal Service



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It was at this point the Law
Society's Pro Bono
Scheme became involved



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Why this project?

- Family is 20% of all our applications
- The matters were within guidelines
- These women would be clients of the Scheme if they knew to apply
- Why adopt the Legal Aid policy
- There would be no possibility of referral should they somehow find us



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Why Walgett?

- The Women's Legal Service Stats
 - Outreach service at Walgett
 - 1,500 applications per year
 - 750 applications in family law
 - A genuine need had been found to exist



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Typical Scenario

- The woman goes to Local Court with a Family Law problem
- Chamber Magistrate drafts orders and files the application
- Is unable to assist in drafting the affidavit
- The woman goes to Local Court with no evidence in support of her application
- She is unlikely to be successful



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The Solution

- A superior affidavit is crucial to success
- Volunteers are sourced and trained to draft superior Family Law affidavits
- They are in large law firms in Sydney
- They will draft the affidavit remotely
- Their insurance and mentoring is covered by the Women's Legal Service



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Promotion

- Law Society Journal article 3 weeks prior
- Launched on the Website
- 'Monday Morning Briefs' (led to this talk)
- Young Lawyers committees promotion
- PIAC E-Bulletin & Women's Lawyers Group
- CCH & Findlaw daily updates
- Specific targeted approach to four large firms



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The Results

- There were 75 in attendance, standing room only, with a further 15 interested
- Almost all young women 2-3 year out
- Four firms sent significant delegations
- Many other large firms and Gov Depts
- Extremely professional presentation



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**All the volunteers were
extremely keen**



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Coordinator

- A proposal was written and sent to the Law & Justice Foundation for funding
- The Scheme successfully obtained funding for a 3 day a week coordinator
- The position is temporary for 6 months
- Recruitment is progressing with an announcement expected soon



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Results

- There would appear, then that there is no reason why the pilot should not be an unprecedented success
- Various bodies are watching the success of the pilot



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**There has been a
disappointing lack of
clients in response**



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Reasons Why?

- Extremely difficult to accurately assess
- The securing of clients was to be the Women's Legal Service' responsibility
- They have offered no explanations
- They have been through some changes
- No Coordinator as yet



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Indigenous People

- “Naturally wary”
- All projects take time to get established
 - Hawkesbury CLC
 - Homeless Persons Legal Service



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What needs to happen

- Get the Coordinator appointed
- Change the job description from one of coordination to more marketing of the Pilot
- Time