

News on elder law and succession

By PAM SUTTON



Pam Suttor is Chair of the Law Society's Elder Law and Succession Committee and principal of L. Rundle & Co in Sydney.

New intestacy provisions to commence in March 2010

The *Succession Amendment (Intestacy) Act* will commence on 1 March 2010, with many new concepts that it will be important for all practitioners to be familiar with.

The Law Society's CLE roadshow on the changes has commenced touring the state, and members will be kept up to date with the details of forthcoming seminars through *Monday Briefs*. The profession is indebted to committee mem-

bers, councillors and accredited specialists for the excellent presentations they have made, and for the considerable trouble they have put themselves to in travelling around the regions.

Probate Registry discussions continue

Law Society is involved in ongoing discussions over practitioners' concerns with the Probate Registry. What must not be forgotten in the streamlining process is that probate practice is not a mere matter of efficient paper shuffling.

In making a grant, the court is effectively certifying that the will has been properly proved as the last valid will of the testator, so that practitioners, financial organisations and the public can safely deal with the person to whom the grant has been made and with the disclosed estate assets. Similar considerations arise when

dealing with commission and passing of accounts.

Advance-care directives

The recent West Australian Supreme Court decision of Chief Justice Wayne Martin that a nursing home should follow the wishes of a quadriplegic man who wants to die, and stop feeding him, is a high-water mark in the matter of autonomy for persons wishing to control their medical and other treatment. I look forward to the continuing debate.

Section 93, Succession Act

Representations have been made to the Supreme Court for the preparation of a prescribed form of notice.

Administration of estates: the next reform

Administration of estates is the final stage of the four-part national harmonised succession reform. A Queensland

Law Reform Commission report has been released. We await advice from the Attorney-General's Department concerning consultation with the local profession.

National births, deaths and marriages registry

This matter has been taken up by the National Elder Law Working Group.

Australian Succession and Trusts Law Reports

The Lawbook Co has launched this new specialist service that includes cases and commentary on decisions relevant to succession, estates law, and trusts. *Australian Succession and Trusts Law Reports* is offered in print and online formats.

The new resource comes from editors David Haines QC, David Wright and honorary editorial adviser Professor Rosalind Croucher. □

Technology breakthrough captures billable time on mobiles

In a world first, Australian software innovator Stratatel has developed mobile phone technology that captures and records billable time which is fully integrated with the firm's back end billing and client processes when lawyers talk to clients on mobile phones.

This new technology is fully automated and integrated with the firm's back end systems, and individual client and case information is updated regularly.

A survey conducted at one legal practice, revealed that with mobile phone records from nine lawyers taken into account, a total of \$21,888 additional revenue could be captured per month using softlog.mobile.

This would result in a total of \$262,656 a year for the firm, a significant amount of revenue, which without the tracking of mobile

"For the first time any lawyer who spends time away from the office can effectively record their time and ensure that working on the move doesn't necessarily mean losing money,"

**Matt Parry, CEO
softlog.mobile**

phone calls would not have been billed.

In addition to softlog.mobile, Stratatel Softlog has over 20 years experience with cost recovery in legal firms of every size around Australia.



**For more information about softlog.
mobile phone 1800 773 391
or visit www.stratatel.com.au**