

A country practice Articles outside Melbourne

Pauline Pyers

Ah... the joys of Melbourne - noise, traffic, people scurrying to get to their destinations, shopping, theatre, Lygon Street, clubbing and the all important ability to obtain a pizza (and other miscellaneous take-aways) at ridiculous hours of the morning. In 1995, I exchanged these delights for the Wimmera plains as I commenced the arduous journey towards success in the legal profession.



I completed my articles with the firm Brown & Proudfoot, in Horsham (for the uninitiated - and believe me there are some! - Horsham is about 300 kilometers from Melbourne on the way to Adelaide,

and has a population of about 13,000.) Brown & Proudfoot has been in existence for over 100 years. The firm consists of 3 partners, an employee solicitor who handles court appearances and family law matters, a conveyancing clerk, a probate clerk (until her recent retirement), together with 3 secretaries and the receptionist/accounts manager.

The country legal practice handles a broad range of matters, and this diversity makes articles in the country a truly interesting educational experience. On my second day on the job, I was presented with two adverse possession applications and expected to handle these matters to completion. The applications concerned pieces of the land at Dimboola which had a delightful history of events involving Chinese market gardeners amongst other things.

Here is just a brief list of the work I completed during my year of service:

- numerous conveyancing matters (with variations such as terms contract of sale and the effect of a mortgage, general law land)
- probate files (large and small estates including questions over the testator's capacity)
- Testator's Family Maintenance applications
- drafted lots of wills including a few testamentary trusts
- drafted many commercial agreements including licences, leases and sale agreements
- issued civil proceedings in the Magistrates' Court
- deregistration of companies, incorporation of associations and amendments to rules of association
- instructed counsel in County Court trials and appeals
- matrimonial property settlements
- dissolution of marriage (including an appearance in the Family Court prior to admission)
- minor criminal matters (including appearances in the Horsham Magistrates' Court prior to admission)
- family discretionary trusts, unit trusts, and partnership agreements

- administrative law matters - including the loss of a special licence.

Apart from the range of work, I also had a lot of client contact, so I was able to enhance my interview technique and people skills. The beauty of this is that people in the country are generally pleasant to deal with (real estate agents and a few clients I have named cacti after excepted!). The clients are mostly faithful to the firm and generations of the family have sought its services. This is an aspect my principal finds very gratifying. Other benefits of country practice include:-

- a 5 minute walk to work (extra sleeping time!)
- a 9 to 5 day (generally)
- close dealings with other firms, the court staff, bank staff etc which can make your court matters or settlements much easier (eg penalty interest is usually not charged if settlement is delayed by a few days)
- you won't get lost trying to find the court!

Like everything in life, there are also a few disadvantages to completing your articles in the country:

- the isolation from Melbourne professionally and personally (it's a bit difficult to nick down to the "Snail 'n' Bottle" for a lecture at 6.00pm if you live 3 hours away). On the personal side you have to get involved with the community to adjust to the country - I played night netball, joined the Horsham film Society (alternative films), was a board member of the Wimmera & Grampians Group Training Co. and became friendly with the court staff and teachers at Horsham College.
- there aren't many other articulated clerks you can share your excitement with when you come across an example of the *in personam* exception to immediate indefeasibility!
- whilst some firms look on your country experience favourably, there are also some which patronise you and question your desire to return to Melbourne.
- in the country your life is not your own (think Halls of Residence, College!) - the local grapevine is pretty impressive and you shouldn't start complaining about someone to a friend because they're likely to turn around and say "Oh, he's my cousin".

Overall, I found articles in the country a fulfilling and positive experience. I received tremendous support and encouragement from my principal, and the staff were only too willing to help with any problems. The broad scope of work has given me a taste of many areas of legal work and I feel competent to handle any matter I undertake regardless of my experience in the area. My people skills have been enhanced and my drafting skills nurtured. And you know, when I started my new job in Melbourne recently, I felt very nostalgic and a little sad about the people I had left behind who were not only friends, but people who had given me such a great start to my legal career.

Pauline Pyers is a solicitor at Davies Moloney.