

Topic 2 The long lunch and how to get away with it

During articles I became an expert at getting away with the long lunch. The tip is bring a file with you. When you come back go straight into the gents and leave your suit coat on the back of one of the cubicle doors. Roll up your sleeves take some papers out of the file and walk calmly back into the office. First, stop into the library and grab a volume of the ALRs or VLRs. Then stroll calmly back into the office.

"Where have you been?" I'd often be asked.

"In the library", I'd say.

Topic 3 Office Politics - gossip & rumours

I loved this topic. If there's one thing I like its a nice rumour or something or someone to gossip about.

Which partner is having an affair with his secretary. Which senior associate was pregnant.

Who was going to be retrenched in the latest round of debt-cutting and cut backs.

Which clerk was sacked for misappropriation of funds.

Which secretary had made a sexual harassment complaint about one of the partners.

Who was on the way up and who was on the way out.

Then something awful happened. There was a rumour circulating about me. And the rumour was that I was on the way out.

The final thing they should have taught students at Law School was how to drive a Mercedes. Now, you're probably wondering "Why do you need to drive a Mercedes to work at a law firm?"

On my very first day they said: "Someone needs to drive old Mr Brackman to court". We were only round the corner from the courts but he always had to be driven. He was about 85. So we went down to the basement and they gave me the keys to this long blue Benz. I opened up the front passenger seat for Mr Brackman, and he got in the back. Off we drove down William Street - very nervous shaking. It began to rain. I started looking for the buttons. "What are you doing, boy?" said Mr Brackman. "Can't you see it's bloody raining? Turn on the windscreen wipers". I was looking again.

What was this button? ZZZZZZZZZZZZZZZZZZZZZ. It opened the sun roof. It was now pouring with rain. When we arrived at the court, Mr Brackman got out, his white hair was flopped over his face, he swept it aside, came to the driver's side and opened the door. "Boy, you are bloody useless!"

Renato Marasco

The author has based this article on what he has heard about others' experiences. The firm of McKenzie Brackman is fictional and is not intended to represent any firm or legal practice. The author counts himself most fortunate that his year of articles was spent under the supervision of Ian Purbrick (in the Commonwealth Bank's Legal Department) and is very grateful to Mr Purbrick for all of his assistance.

Education

New County Court Procedures



IMAGE BY VIZ

Are you aware that the County Court Rules have been overhauled as of 1 January 1996? Make sure you have obtained and read a copy of the new Order 34A (which replaces the former Miscellaneous Causes Rules Order 14A)

The Court has been broken into four lists:

1. Damages List

This list is made up of 2 divisions being general and defamation.

2. Business List

The constitutes 3 divisions: the Commercial List, Building Cases, and Miscellaneous Lists

3. Workcover List

4. Long Causes List

Other changes include:

- Parties no longer have automatic rights to discovery or to serve interrogatories (Rule 34A 17).
- To facilitate Applications for Discovery, a Directions Hearings will be listed 35 days after the date of filing of an Appearance (Rule 34A 24).

At these Direction Hearings, Judges are likely to refer matters to Mediation, Arbitration or a Special Referee.

As it will be compulsory to attend these Direction Hearings it could result in a bonanza for junior barristers, and young solicitors should be encouraged to appear at these Direction Hearings and exercise their advocacy skills.

BEWARE! You can not rely on what you learnt in Civil Procedure if you practice in the County Court jurisdiction.