

It's law ezine ...but not as you know it!



In This Issue

RAGE IS ALL THE RAGE II

The Legal Secret

A Legal Guide to the Dying

"If lawyers are a little unpopular (which is not quite admitted). What can they do about it?"

Volume 15 - February 2008

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RAGE IS ALL THE RAGE II

A man who shoveled snow for an hour to clear a space for his car during a blizzard in Chicago returned with his vehicle to find a woman had taken the space. Understandably, he shot her.

Extract from Darwin Awards

Ed: received from Mike Capaldi the Director of Marketing of Cable and Wireless in the Seychelles who read the "Law & Disorder" Ezine last month RAGE IS ALL THE RAGE. Mike has been sent a copy of the "Law is an Ass...Make Sure it doesn't bite yours!". I would like to hear from anyone else with suitable material. The Ezine is read in 20+ countries around the world.

To read "Rage is all the Rage" go to the "Law & Disorder" blog

THE FIRST BAIL APPLICATION



...AND HE'S REALLY QUITE NICE
WHEN YOU GET TO KNOW HIM

The Legal Secret

Paul Brennan



A DYING JUDGE REGRETS

Lawyers must face the fact that the Gay Rights Movement appears to have made more progress in the last thirty years, in the acceptance stakes, than lawyers have made in the last three millennia.

They have attempted change. The "Plain English" push in the 1970's was a call for lawyers to discard legalese and Latin. Since then lawyers have been demystifying the law only to find their clients have since adopted the "3 figure acronym" and text messaging.

Clients have not really appreciated the move to "Plain English" especially as financial institutions now insist on documents being read. So lawyers are understandably careful about what they try next.

Clients seem to want change. But what? Here are 5 suggestions to consider:

- A community focus. An unhealthy focus on "conflict of interest" e.g. Lessor/lessee, seller/buyer can double the legal costs and create a negative "us and them" culture? A Legal Community of lawyers, judges, police, victims and criminals could work together to foster compromise solutions. Under this inclusive approach even Axe-murderers would be stakeholders and surely that would be far safer for everyone.
- Improved listening? On the face of it this would drive fees up. Large firms could create Dispute Listening Departments and bring in specialist "listeners", especially to cover for younger lawyers, who find this so difficult. Sole practitioners may delegate this to their secretaries.
- A value based pricing structure? Lawyers resist this but what firm would not gain valuable customer service points if they discontinued bills and just sought donations.
- More government funded legal programs? For instance, disputes between neighbours could be resolved by encouraging one party to move, using stamp duty concessions and assistance with estate agents'

commission.

- A new paradigm. Could legal issues be resolved by using visualization and meditative techniques? Well, could they? It is now generally accepted that in any journey, the universe can conspire to assist in achieving a goal. For instance, the stressful conveyancing process could be avoided if the seller died and unexpectedly left the property to the purchaser in his will. Rather than suing adversaries a client could just wait for them to die.

A visit to a lawyer could be a more holistic experience combining legal advice and group client discussions. This could be followed by "add value" services such as massage, colonic irrigation and finished off with a Tarot reading. A visit to a lawyer, now so often rushed by the pressure of billable hours, may take up to a day and leave clients feeling refreshed.

Lawyers may argue that Shakespeare only wrote "Let's kill all the lawyers" as there were no Financial Planners around at that time. They may compare themselves favourably to other professions. After all, unlike banker/money lenders, they have never been declared illegal or thrown out of the temple. However, the "writing has been on the wall" for a considerable period of time and change may be long overdue.

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For Brennan publications

A Legal Guide to the Dying

Paul Brennan

My next publication "A Legal Guide to the Dying" has been predicted to disappear without trace. There are few books which boast such a large potential target audience but which have no apparent market appeal whatsoever.

Basically you hate being reminded about your own upcoming death. Even when you are at death's door you look for books that take your mind off things rather than getting yourself sorted out.

Nor would you give this book as a gift to someone else as you fear being considered insensitive or morbid rather than thoughtful and timely. Therefore no one is going to buy it for you either.

So, amid all the other things that they must do, why should the Dying read this book?

Well, it is mercifully short.

However, mainly because when you are dying many subjects become taboo e.g. what are you doing for Christmas? Law can help bridge those awkward lulls in the conversation. You will be amazed at how fascinated your adult children are in finding out about the legal impact of your demise.

There is a certain pressure on the Dying to deal with the big picture; to say something profound and memorable. Read the book yourself and captivate your audience with fact after interesting fact. Alternatively, you can just leave it by your bedside for them to read while they wait.

It is tempting to use your deathbed to give your children last minute advice. However after a lifetime of ignoring your advice it is unrealistic to expect a last minute burst. As for your aches and pains-why not give them a break.

PRODIGAL LAWYERS RETURN AFTER
CRASH CAUSES THEIR LUCRATIVE
OVERSEAS JOBS TO DRY UP.



YES, WE GAVE THEM THEIR
OLD JOBS BACK AND THEY
ARE AS HAPPY AS EVER

Some of you will worry that the Guide may deal a little too light heartedly with your own particular death. As an alternative, there are plenty of miserable, stony faced lawyers who will delight in treating your impending death with gravity and solemnity. Who says lawyers don't do customer service?

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For other publications

"If lawyers are a little unpopular (which is not quite admitted). What can they do about it?".

Despite efforts of the legal profession worldwide, "lawyer jokes" abound. Is the criticism justified?

Why should lawyers be unpopular?

What is the future of lawyers and law firms?

What could clients really want?

Should lawyers give it to them?



Paul Brennan will be speaking about this at the University of Queensland Law Graduates Association breakfast on Wednesday 5 March 2008 at 7.30am at The Art Gallery at Customs House, Brisbane.

Contact laura.pound@brennanlaw.com.au by email or on (07) 5444 2166 for more information or if you want Paul to speak on this or other legal topics at your conference or event.

Other speeches given by Paul:

The 10 Greatest Legal Mistakes...and how to avoid them.

Intellectual Property...what you need to know.

101 Reasons to Kill all the lawyers.

[click here for more information on Paul as a speaker](#)

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