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"I am huge fan and 'viral disseminator' of the Law & Disorder eZine. Of all the legal information I regularly receive; this is the only one that makes me laugh".

Jideofo Ofole
Account Manager - Legal

Thomson Reuters

Jid receives a copy of the Legal Guide to Dying...Baby Boomer Edition.

If you are a reader and you enjoy this eZine, let us know.

Releasing Hell...the importance of being strategic

Paul Brennan

When Oscar Wilde decided to sue the Marquis of Queensbury for libel, his lawyer made him swear on a bible that the libel, "posing as a sodomite", was not true. The rest is history.

You would need to be very unlucky if your legal dispute resulted in your financial ruin, divorce, two years hard labour and caused you to leave the country in disgrace, quickly followed by your early death.



But what was a disaster for Wilde and regrettable for his own lawyer, must have been a pleasing result for the other lawyer.

So why can't your lawyer guarantee this sort of result for your own enemy? In fact, although your enemy deserves a "Wilde" job, you would be content with any one of these outcomes.

You suspect that your lawyer is more likely to cause your own financial ruin and divorce rather than that of your opponent.

In certain corrupt countries, lawyers can deliver the right result every time. However, in civilized countries they need to go through "due process".

Legal disputes are tedious and hard work, even if you win. Often there is no winner or loser, just a settlement which pleases no one. Legal disputes reach court in a small percentage of cases and keep you up at 3am. Many potential legal cases end on the first visit to your lawyer. Lawyers spend their time advising clients against launching legal actions.

Having said all this, sometimes you have no option but "going legal". Even the most patient of people can be driven to legal action by

opponents misunderstanding their patience for weakness. As the Indian proverb says "Even the rabid dog when cornered will jump up and bite you in the face".

But be strategic and don't just throw yourself up against the wire.

Leaving? What about the kids?



Paul Brennan

Will it be a fast sports car? A momentary loss of control on an Alpine hairpin bend? Or during an argument with your spouse on the way to the DIY store?

Hopefully, your death will be instant and painless but will your last thought be - who will look after the kids?

The downside of traveling with your spouse, apart from the inability to read maps (or even attempt it) is that you may die together.

One of the most difficult things for parents to decide is who they will name in their will as "Guardians".

The wife often wants her sister who loves kids, especially her own. The husband is worried about upsetting his family if they do not get a "look in" and he suggests his "child hating" brother to be joint guardian. Neither suggest their respective parents, in order to avoid all out war.

Dying young and in such tragic circumstances has the advantage of a "sell out" funeral. But after the funeral who will look after your kids?

Your kids will not appreciate the sacrifice that is being made for them by the Guardians and will give them the hard time that should have been reserved for you.

Other people have kids of their own. Your parents don't want to be called out of retirement as they know how much of a trial kids can be.

Here are two suggestions:

1. Choose two guardians. A mother type to deal with the welfare of the children and stop the father type beating them. A father type to keep the mother type honest and stop her sharing your money with her own children.

2. Ensure your kids do not get the insurance money at 18, have the insurance policy go to the estate and not to the children directly. You probably want to hold this until they are 25.

If you die in an accident you may take your spouse with you-this is an added bonus for some people.

Monkeys more popular than lawyers-new research

Paul Brennan

Last month our readers were offered the opportunity to find out about 4 topics by clicking the link to each topic. Here are the selection results:

Cutting your spouse out of your will

24%

Legal articles 4%

IP law 5%

Videos featuring monkeys 64%

What does this tell us lawyers? Well:

- Understandably, you had considerable interest in cutting your spouse out of your will. Any married person would see this as obvious. Why then, do lawyers and their marketing advisers keep pushing under-attended seminars on conveyancing and trusts when the real interest is in useful legal topics such as "How to



murder your spouse ... and get away with it”?

- You are not as interested in Intellectual Property law as we lawyers thought. This will be a big shock for intellectual property lawyers but they are a pretty dull lot and will get over it.
- A low 4% response to legal learning, in general, will ruffle many legal feathers. Lawyers tend to think that people especially their clients are interested in the law's many twists and turns. Could we really be wrong? Could this mean that your lawyer should spend less time explaining the law to you and just get on with it? The effect would be that you would be less informed and lawyers would earn less money. Surely this can't be right. If this is really true why didn't you just say?
- Now I turn to the most groundbreaking result. It suggests that people, if given a choice, prefer to watch a video featuring monkeys rather than learn about the law. This is useful feedback, indeed. I doubt if bankers or accountants would fare any better, however, some financial planners would give them a run for their money.

Young lawyers have complained for years that law firms pay peanuts; this may have been part of a deliberate recruitment strategy, after all.

Law Firm blessed by Pope: It's a miracle

Paul Brennan

The blessing by the Pope of Corrs Chambers Westgarth ("Corrs"), an Australian law firm has caused lawyers to fear a bid by the firm for canonisation.



"It would give them an unfair advantage" said one senior partner "it is the ultimate accreditation". Traditional law firms which frown on promising miracles are rushing to adopt prayer as yet another type of Alternative Dispute Resolution. "It is more satisfying than mediation although we are not sure as a

business model that there is much money in it" said a litigation lawyer at another firm.

Corrs received the blessing for sponsoring the Catholic Church's World Youth Day which was held in Sydney and attended by Pope Benedict XVI.

"As far as I am aware, it is one of the few church initiatives suitable for law firm sponsorship since the Inquisition" said another disappointed lawyer.

Canonisation usually takes years however it can be expedited. Corrs could set up a "Canonisation Group" contacting clients to gain evidence of miracles performed by the firm. Although, no client is known to have stepped forward as yet we can expect to see "set piece" miracle events such as the "suing of the 5,000" and breathing life into hopeless cases. Partners will be challenged to test their belief that they can walk on water.

A vow of silence and retreating to a cave in the mountains seems unlikely. However, a vow of poverty which so many other law firms have been embracing in this current credit crunch could be a winner.

A plate being passed round in reception could yield extra revenue for the firm.

The Senior Partner, named John is said to have referred to one coming after him which has fueled rumours of a new charismatic managing partner of even greater power and ability.

Younger lawyers at the firm have replaced the usual bowing and scraping to partners with a simple genuflection.

"The Catholic Church has been known to reach out and forgive murderers and thieves. However, reaching out to lawyers appears to be breaking new ground. But, we are all God's children" explained one church member. However, on being asked if accountants and bankers could be next he said "Are you kidding?".

The Devil was unavailable for comment.

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