

# Lawyers Weekly

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## Lawyers are California dreaming

AUSTRALIAN LAWYERS have been given a further chance to mix with the United States' top legal eagles thanks to the introduction of a program that will allow them to prepare for the Californian Bar exam at home.

Spurred on by the success of a similar program for Australian lawyers wanting to head for New York (detailed in *Lawyers Weekly* in April), the California Bar Review Qual-

ity Program (CBRQP) will put Australian participants in the running to pursue work opportunities in California and other US jurisdictions.

The Program will also enable participants to enhance their CVs by making them relevant for American and international clients, or Australian clients with US interests, useful even if they are not interested in working in US jurisdictions.

The CBRQP draws on academics and attorneys who have been training bar candidates in the US for more than 19 years. The Program's organisers said it would mean Australian lawyers could avoid the costly and lengthy relocation to California to prepare to sit the Californian Bar exam. Instead, applicants can study in Australia's capital cities.

Australian expatriate lawyer and director of New

York Bar Review, Beatrice O'Brien, said the CBRQP is a complete training "that specifically caters to Australian legal practitioners, law graduates and students for achieving success on the California Bar exam".

"Not until recently could you qualify as an attorney in LA," O'Brien said. "But there is now an opportunity to be qualified to practise there."

The Program is designed

to ensure students are equipped with all the necessary information and do not have to undertake their own exhaustive research, the organisers said.

Australian lawyers will likely be attracted to California by its similarities to Australia, O'Brien said. "There are generally synergies between LA and Australia in terms of lifestyle."

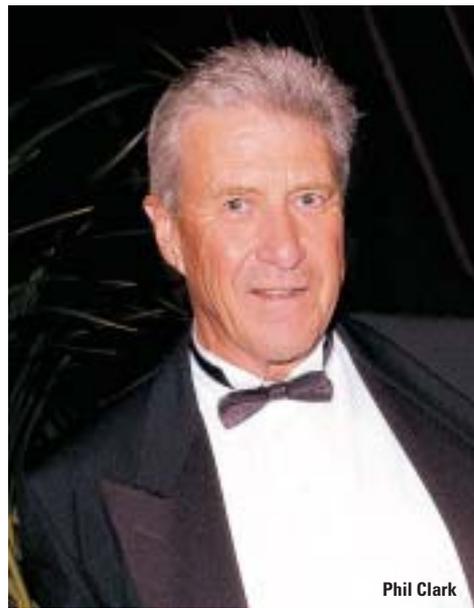
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### Mallesons ties the knot in China

MALLESONS STEPHEN JAQUES, one of the nation's biggest law firms, has merged its Hong Kong practice with Kwok & Yih, thus expanding its presence in China and moving the firm from a top-30 position in the world by size to a top-10 position.

It's a "merger of equals", according to the managing partner of Kwok & Yih, Larry Kwok. "It enables Kwok & Yih to expand the

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Phil Clark

### Growth is offshore for Minter Ellison

By Kate Gibbs

IT WAS a good year for Minter Ellison, and managing partner Phil Clark has put it down to a "blinder" for the firm's Melbourne office, and a whole lot of luck.

But, despite Melbourne's success, there is not much more room in the Australian market for growth and increasingly firms will go offshore to bring in the bigger bucks.

In an interview with *Lawyers Weekly*, Clark said the firm is not

changing the way it runs, but rather shifting somewhat.

Mallesons Stephen Jaques is doing the right thing by merging its Hong Kong office with Kwok & Yih, according to Clark, because the Australian market is mature. It is best to recognise this and expand internationally, he said.

A lot of clients are looking at reducing their legal spend, but are not so much worried about what it costs but what value they're getting, he said.

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# James Hardie inquiry a 'wakeup call' on rights: Law Council of Australia

THE LAW COUNCIL of Australia (LCA) has acknowledged the NSW Government's stern take on the rights of asbestos victims, arguing that James Hardie victims have kept their right to be fully compensated only because the Government has preserved their common law rights. However, the LCA warned, others have failed to seek compensation in the past because of the same Government's failure to protect their rights.

The Jackson inquiry into James Hardie had been a "potent reminder" of the fundamental importance of protecting individuals' rights to sue and recover compensation for personal

injuries, the LCA said in a statement.

Without their common law rights, the LCA claimed, asbestos victims would be in a "far worse position".

Although victims of the Hardie situation and the negligent use of asbestos had lost their health and years of life, compensation would provide them with medical care and allow them to "live the rest of their lives with dignity", the LCA said.

LCA president-elect Steve Southwood QC said in the past the "thresholds" placed on a victim's right to claim damages in public liability cases by the NSW Government had deprived them of their right to sue for compensation.

Speaking as the LCA made its second submission to the Special Commission of Inquiry into the Medical Research and Compensation Foundation last week, Southwood said the Hardie inquiry is a "wakeup call".

"The NSW Government recognised that just compensation should be available for asbestos victims. However, there is no valid reason why other victims of negligence should not have the same right to be compensated," Southwood said.

The inquiry shows that "it is time to review some of the tort law reforms that have been introduced throughout Australia", Southwood said.

## Legal practitioners to address genetics and biotechnology law

Genetics and biotechnology will be the centre of discussions at an upcoming College of Law seminar.

Justice Michael Kirby of the High Court of Australia will address the seminar, to be held on 16 August, on legal issues related to genetics and biotechnology.

Kirby will comment on the preparation of an international declaration on bioethics being developed by UNESCO's International Bioethics Committee, which he chairs.

Guest presentations will also be made by barrister Josephine Thornton, who will comment on gene patents.

Professor Peter Little, head of the school of biotechnology and biomolecular sciences at the University of New South Wales, will discuss genes, determinism and the legal issues surrounding this.

The seminar is being held by the College of Law as part of its continuing professional education program. It will also look at the advances in genetic technology, including genetic testing, ownership of the human genome, and the questions these have raised for legal practitioners.

Visit [www.collaw.edu.au](http://www.collaw.edu.au) for more information.

# Lawyers are California dreaming

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Aligned with high profile attorneys and judges in the US, the California Bar Review Quality Program is supported by some of the largest US law firms.

The firms recognise that program graduates have both the competence and confidence to pass the Bar exam, and achieve admission, as well as having the potential to work in the US, she said.

Also, the possibility of being dually qual-

ified is attracting lawyers who will become more sought after than lawyers who do not have these qualifications, O'Brien said.

The US market is becoming more attractive to Australian firms. There are Australian companies and law firms that, due to the FTA and globalisation, are expanding and investing in the LA market, she said.

Visit [www.nybar.com.au](http://www.nybar.com.au) for more information on the program



Beatrice O'Brien



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### IN-HOUSE

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### PRIVATE PRACTICE

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