



APLEC Conference 2024

NEXT GEN LAW



Leo Cussen
CENTRE FOR LAW

APLEC Ltd

CONFERENCE INFORMATION

The 2024 APLEC Conference will bring together professional legal educators from Australia, New Zealand, Hong Kong, Papua New Guinea and the Pacific to discuss how post graduate professional legal education can best prepare a new generation of lawyers for a rapidly evolving profession.

Registration Fee:

\$485 (incl. GST) **Early-Bird Rate** including conference dinner (register before 31 October 2024)

\$535 (incl. GST) **Standard Rate**

Conference Venue:

Leo Cussen Centre for Law, Level 16, 15 William Street Melbourne

Conference Dinner:

Pure South, River Level Southgate Precinct, 3 Southgate Ave, Southbank VIC 3006 | Thursday 21 November

CONFERENCE PROGRAM

THURSDAY, 21 NOVEMBER

TIME	SESSION DETAILS	LOCATION
12:30 - 2:00 PM	Registration - with light lunch and refreshments	Foyer
WELCOME 2:00 - 2:15 PM	Shirley Southgate , Executive Director, Leo Cussen Centre for Law	Acacia
SESSION 1 2:15 - 3:00 PM	1.1: Critical thinking in PLT: A lost cause or now more than ever? - Lewis Patrick, College of Law	Acacia
	1.2: Navigating Academic Integrity in the Age of Gen Z: Challenges and Ethical Considerations in Practical Legal Training - Karina Okotel, College of Law	Jarrah
	1.3: The more things change, the more they stay the same (for student feedback)...or do they? - Dr Alan Davis, College of Law	Ironbark

THURSDAY, 21 NOVEMBER - CONTINUED

TIME	SESSION DETAILS	LOCATION
SESSION 2 3.00 - 3.45 PM	2.1: Prompting Supervision: Linking what Gen AI 'knows' and what PLT students know – Anneka Ferguson and Pamela Taylor-Barnett, UNSW	Acacia
	2.2: Beyond Plagiarism/Academic Misconduct in an AI World: Cheating as a Social Construct and Teaching the Ethical Use of AI – Tania Digges, College of Law	Jarrah
	2.3: Who is Gen Z? – Katherine Baldanoff, College of Law	Ironbark
3:45 - 4:15 PM	Afternoon Tea Break	Foyer
PLENARY 4.15 - 4.45 PM	Fiona McLeay , Victorian Legal Services Board CEO and Commissioner Opening Address	Acacia
SESSION 3 4:45 - 5:30 PM	3.1: AI and The Whole Lawyer: Two Futures - Craig Collins, Leo Cussen Centre for Law	Acacia
	3.2: What are the early student perceptions of learning using GenAI in the QUT PLT Course? - Nicole Landy, QUT	Jarrah
	3.3: Practical legal training, conviviality, and other groovy ideas from the 1970s - John Molloy, College of Law	Ironbark
7.00 PM	CONFERENCE DINNER - PURE SOUTH, SOUTHBANK	See Map

FRIDAY, 22 NOVEMBER

TIME	SESSION DETAILS	LOCATION
9:00 - 9:30 AM	Arrival tea and coffee	Foyer
PLENARY 9:30 - 10:30 AM	Keynote Speaker: Jordan Furlong - Legal Sector Analyst & Forecaster The Future of Lawyer Formation: Fundamental Challenges (and Opportunities) for Professional Legal Educators	Acacia
10:30 - 11:00 AM	Morning Tea Break	Foyer
PLENARY 11:00 AM - 12:00 PM	Keynote Speaker: Tania Leiman - Professor & Dean of Law, Flinders University New Challenges? Educating Next Gen lawyers for a Next Gen profession	Acacia
SESSION 4 12.00 - 12.45 PM	4.1: Next Gen legal education: upgrading our connection to Next Gen lawyers – Angela Panuccio-Gray, Leo Cussen Centre for Law	Acacia
	4.2: Positive identity, the neurodiversity movement and the next generation of lawyers – equipping Gen Z to work effectively with neurodiverse clients and colleagues - Rebecca Chisholm and Stephanie Mead, IPLS(NZ)	Jarrah
	4.3: Next Gen Law: the cost of PLT and the value of workplace experience – Maxine Evers, UTS	Ironbark
12:45 PM - 1:30 PM	Lunch	Foyer
SESSION 5 1.30 - 2.15 PM	5.1: Evolution of advocacy training at the Institute of Professional Legal Studies: adapting our program for a new generation of lawyers – Dolly Brennan, Michelle Hall-Collins & Paula Warren, IPLS (NZ)	Acacia
	5.2: The business case for kindness in law and PLT – Deborah Battisson, Michael Appleby & Jonathan Naef, College of Law	Jarrah
	5.3: The character revolution: the Importance of character skills in the Digital Age – Leisa Flatley, College of Law	Ironbark

FRIDAY, 22 NOVEMBER - CONTINUED

TIME	SESSION DETAILS	LOCATION
SESSION 6 2:15 - 3:00 PM	6.1: Training Gen Z PLT candidates in family violence legal practice – Stacy Mallis, Leo Cussen Centre for Law	Acacia
	6.2: Disclosure of mental health issues by Gen Z lawyers in the workplace – should they conceal or reveal? – Diana Mills, College of Law	Jarrah
	6.3: Competition and collaboration - capturing Gen Z learners’ engagement – Keiko Togami Evans, College of Law	Ironbark
PLENARY 3:00 - 4:00 PM	What Next? Next Gen PLT competency standards: APLEC working group review - and closing remarks	Acacia

OPENING ADDRESS: THURSDAY, 21 NOVEMBER 4.15 PM - 4.45 PM



Fiona McLeay
Victorian Legal
Services Board CEO
and Commissioner

In January 2023, the Victorian Attorney General reappointed Fiona McLeay as the Victorian Legal Services Board CEO and Commissioner for a second five-year term.

Since taking up the role in 2018, the VLSB+C has evolved into a best practice regulator – striking the necessary balance between helping lawyers perform at their best and taking firm action to protect consumers when needed.

Fiona was formerly CEO of Justice Connect and has previously held the positions of General Counsel at World Vision Australia and Special Counsel at Clayton Utz. She was appointed Director and Board Chair of Health Justice Australia in 2016 and is Deputy Chair of Equality Australia. Fiona was the inaugural Deputy Chair of the Australian Non-for-Profit and Charities Commission Advisory Board for five years and was on the Board of the Human Rights Law Centre from 2010 to 2017. She has degrees from the Universities of Melbourne, New South Wales and New York and has attended both the Harvard and Stanford Business Schools.

KEYNOTE SPEAKER:

FRIDAY, 22 NOVEMBER 9.30 AM - 10.30 AM



Jordan Furlong
Legal Sector Analyst
| Forecaster

Jordan Furlong is a strategic consultant, adviser, and legal market analyst who studies the impact of the changing legal world on law firms and legal organisations. Based in Canada, he advises legal leaders on business model innovation, professional development, and the impact of Generative AI, among many other issues. A renowned keynote speaker, Jordan has addressed thousands of lawyers and legal professionals at dozens of conferences and retreats, remotely and in-person, in North America, South America, Europe, and Australia over the past 15 years.

THE FUTURE OF LAWYER FORMATION: FUNDAMENTAL CHALLENGES (AND OPPORTUNITIES) FOR PROFESSIONAL LEGAL EDUCATORS

In "The Future of Lawyer Formation: Fundamental Challenges and Opportunities for Professional Legal Educators," Jordan Furlong addresses the widening gap between traditional legal education and the competencies required for future lawyers. Responding to questions about past and anticipated trends affecting lawyer competencies, the paper observes that technological advancements, particularly in automation and artificial intelligence, are reshaping legal tasks, diminishing the need for traditional skills like contract drafting while amplifying the importance of reviewing technology-generated documents and honing interpersonal abilities.

The paper emphasises that the conventional lawyer formation system – comprising law school curricula and bar examinations – fails to prepare new lawyers for these emerging demands. Competencies such as agile thinking, collaborative learning, AI proficiency, and strong ethical grounding are becoming essential. The paper argues that an "ethics renaissance" and a redefinition of lawyer roles are imperative, with lawyers transitioning from task performers to trusted advisors who use technology to deliver value.

Proposing a revamped model for legal education, the paper advocates for a foundational year focused on essential legal knowledge, followed by immersive training in critical competencies like empathy, judgment, and problem-solving, integrated with AI tools. Specialised, modular learning paths would allow lawyers to tailor their expertise to specific fields. The paper concludes that a swift, substantial overhaul of lawyer development systems is crucial to align with the profession's evolving landscape and to prepare lawyers to effectively serve society in the future.

KEYNOTE SPEAKER:

FRIDAY, 22 NOVEMBER 11.00 AM - 12.00 PM



Tania Leiman
Professor | Dean of
Law
Flinders University

I'm the Dean of Law in the College of Business Government and Law.

In a rapidly changing world with lots of complex challenges, I'm committed to educating legal professionals who can identify opportunities for innovation, understand impacts of emerging technologies and use this knowledge and skill to increase access to justice.

I'm a Teaching Specialist (Clinical Practitioner) with a focus on Clinical Legal Education. I've received multiple individual and team national, university and faculty teaching excellence awards. In my capacity as Dean, I sit on the Legal Practitioners Education & Admission Council of SA, The Executive of the Law Society of SA and the Law Foundation of SA. I am the Vice Chair Legal Education of the Council of Australian Law Deans. I am currently facilitator of a conversation with national peak bodies about the future of Australian Legal Education. I also sit on the Law Council of Australia's Future's Committee as the SA nominee.

My current interests are somewhat eclectic & eccentric, yet all connect around one big question: 'What does it mean to be human in a digital world?' I've written and presented nationally & internationally on law and emerging technologies (including sex robots, ovulation apps and neurotechnologies), future mobility (including automated vehicles and advanced driver assistance systems [ADAS]), disruption in the legal profession, artificial intelligence and legal tech, and the future of legal education.

NEW CHALLENGES?

EDUCATING NEXT GEN LAWYERS FOR A NEXT GEN PROFESSION

Gen Z legal professionals, those born 1995-2009 are now the majority of students in our classes. They are encountering a complex and rapidly changing world of work. Profound cultural shifts are underway.

Many changes to legal practice can be characterised as cultural - new ways of working; ever-expanding impacts of technology; gender and age demographics; increasing diversity; and different expectations of, and about, work and workplaces. Agility to adapt effectively is required to bridge the cultural gap between generations, age cohorts, attitudes and increasingly diverse lived experience and flourish professionally (and personally). This cultural agility is not only needed by law students and law graduates. Whether we are in traditional legal practice, legal education or in one of the many other career options open to those with legal training and qualifications, we all need to recognise the benefits of cultural agility in the workplace.

These essentially human skills are not something we learn once and then move on. They are not easy; they can take us out of our comfort zone, and perhaps they have not always been valued as they should. But as we face ever more change in every aspect of our lives, they need to be learnt, re-learnt, un-learnt and learnt again - whatever the stage of our career. The challenge now for both legal educators and the profession is how to teach these skills most effectively!

PRESENTERS AND PAPERS

SESSION 1 - THURSDAY, 21 NOVEMBER 2.15 PM - 3.00 PM

1.1 ACACIA



Lewis Patrick
College of Law

Lewis has a background of private legal practice in Sydney but over the last 28 years his career has been in Australian practical legal training with the College of Law. Lewis taught in the College's PLT program for 18 years as a Lecturer and Senior Lecturer and for the last 10 years has been the College's Chief Academic Officer, responsible for academic quality and standards and chairing the College's Academic Board. Lewis is a past Chair of APLEC and currently serves as a Director of the newly incorporated Australian Professional Legal Education Community Limited.

Lewis holds a Masters of Law from Sydney University, a Graduate Certificate in Tertiary Teaching and Learning from Charles Sturt University and a SoTL Leadership Certificate in Curriculum and Pedagogy from the University of British Columbia. Lewis has a strong interest in the impact of AI on both legal practice and legal education. He has developed the College of Law's policy and approach on the use of generative AI by students and has recently completed an AI Fluency Sprint with the Sydney Executive Plus arm of Sydney University.

CRITICAL THINKING IN PLT: A LOST CAUSE OR NOW MORE THAN EVER?

This session will explore the role of critical thinking in a PLT program in an environment where generative AI is transforming legal education and legal practice. It will explore issues such as:

- the role of critical thinking in legal practice
- the interplay between AI and critical thinking
- generational differences in attitudes to critical thinking
- whether critical thinking is an innate or acquired ability
- educational strategies to encourage critical thinking
- critical thinking and mental wellbeing
- critical thinking and creativity
- assessing for critical thinking in PLT.

Audience discussion and contribution will be encouraged. The aim is to assist PLT leaders and teachers to take a fresh look at the role of critical thinking in a PLT program and to encourage an innovative engagement with the challenge posed by AI.

1.2 JARRAH



Karina Okotel
College of Law

Karina is a lawyer and lecturer at the College of Law Victoria.

NAVIGATING ACADEMIC INTEGRITY IN THE AGE OF GEN Z: CHALLENGES AND ETHICAL CONSIDERATIONS IN PRACTICAL LEGAL TRAINING

Gen Z live, work and study in a digital world. They have AI, Google and contract cheating sites at their fingertips, and they know how to hide their digital footprint. While universities can, to some extent, rely on plagiarism detection software in efforts to maintain academic integrity, such software is not fit for purpose in the PLT context.

Paradoxically, precedent use is standard in legal practice, and it is necessary to train future lawyers in how to use precedents to ensure they are equipped to meet industry expectations. This has now extended to use of AI in legal practice. Ensuring academic integrity for Gen Z students is an increasing challenge with no single solution.

This paper will explore the pros and cons of both tried and tested and emerging ways of tackling academic integrity in the era of the Gen Z student. It will also look at ethical considerations which sit behind each of these ways and the issue of rising Gen Z student support needs for those required to account for their academic conduct.

1.3 IRONBARK



Dr Alan Davis
College of Law

Dr Alan Davis is a senior lecturer and the Director, Academic Quality at the College of Law. Called to the Bar at Middle Temple in London in 2007, Alan originally practised as a barrister in England and Wales. Alan came to Australia on a scholarship from the Inns of Court in London, spending time with Victoria Legal Aid, the North Australian Aboriginal Justice Agency (NAAJA) and the Children's Court of Victoria. On completing his scholarship, Alan tutored and lectured at Monash University for five years. Alan joined the College of Law in 2018 to focus on vocational legal education. Alan believes that high quality practical legal education is essential to the development of competent legal professionals. Alan holds a PhD in children's rights and restorative justice from Monash University.

THE MORE THINGS CHANGE, THE MORE THEY STAY THE SAME (FOR STUDENT FEEDBACK)... OR DO THEY?

In 1849, French writer Jean-Baptiste Alphonse Karr, made what has become a well-known observation about rapid change: "plus ça change, plus c'est la même chose." Or, to put it in English, the more things change, the more they stay the same. This paper suggests that, were he alive today, Karr could have made the same comment with respect to student feedback in the context of legal education. On the one hand, the purpose of feedback as a fundamental component of legal teaching and learning has remained unchanged for over 700 years, while on the other, there has been an astoundingly rapid evolution of divergent methods and media, including new frontiers in AI capability. This paper explores the utility and potential place of different feedback methods in the context of vocational and postgraduate legal education.

2.1 ACACIA



Aneka Ferguson
UNSW

Aneka Ferguson (Arts/LLB(Hons), GDLP, Grad.Dip.Psych, M.IntLaw(Distinction) is a Senior Lecturer at the University of NSW and a Solicitor. Aneka is a SFHEA, twice Fellow of the National Institute for the Teaching of Professionalism and Ethics, and a member of the NSW Law Society's Ethics, Rural Issues and AI Taskforce committees, as well as the Law Council of Australia's Rural Regional Remote Committee. Aneka's publications focus on the intersection of wellbeing, ethics and professionalism in law students and reflects her passion for adapting and responding to changing education needs of the profession and supporting law graduates to find their own pathway by making progress towards their values.



Pamela Taylor-Barnett
UNSW

Pamela Taylor-Barnett is a Senior Lecturer in the Practical Legal Training program at the University of New South Wales. Pamela has practiced as a lawyer and a community development worker in community legal centres in Melbourne. She has also researched and evaluated integrated justice practice and community development in Community Legal Centres. Pamela aims to develop students' practical legal skills and encourage them to be rigorous in questioning their values and their role in the legal profession, including their impact on a client's situation and broader society.

PROMPTING SUPERVISION: LINKING WHAT GENAI 'KNOWS' AND WHAT PLT STUDENTS KNOW

The next generation of lawyers are told they will need to be creative and adaptable but they also contend with the anxiety of Generative AI challenging their jobs and the uncertainty of what legal practice will look like in future and also whether they have a place in it. Further, some of these 'lawyers of tomorrow' are uncertain about whether they even want to work in this new way. Some have exclaimed to us that they chose to do law because they love the law, not because they love computers and that they see themselves as more than professional prompters.

We have heard these anxieties and met them head-on by providing students with the opportunity to use Generative AI in their assessments so that they develop skills, perspective, values and break down their fears. We are showing the next generation of lawyers that by honing their critical thinking skills and developing astute professional judgement, they are far from redundant in the GenAI-era.

2.2 JARRAH



Tania Digges
College of Law

Tania Digges is a legal practitioner and academic of approximately 20 years standing, covering a significant cross section of legal endeavour, and combining the joint pursuit of private practice and legal education. During that time she has developed a solid understanding of the important work of practical legal education providers, the strategic context of the legal profession, and the public they serve.

She has been involved in the delivery and evolution of all Practical Legal Training programs the College of Law offers, including Online, Campus, Evening, and Co operative. She has also lectured in the College's Masters of Applied Law (Dispute Resolution) program. Tania's specialty in legal practice is in construction law with experience in (contentious and non-contentious) construction, engineering and infrastructure projects in Australia, the UK, Europe, South East Asia, the Middle East and South America.

BEYOND PLAGIARISM/ACADEMIC MISCONDUCT IN AN AI WORLD: CHEATING AS A SOCIAL CONSTRUCT AND TEACHING THE ETHICAL USE OF AI

In the evolving landscape of higher education, the advent of AI technologies has redefined traditional notions of plagiarism and academic misconduct. This presentation explores cheating as a social construct, highlighting how definitions of academic dishonesty have shifted over time and across contexts. It further delves into the challenges and opportunities posed by AI in education, emphasising the need for educators to adapt by teaching the ethical use of AI.

Through a re-examination of academic integrity, the presentation will propose strategies for integrating AI as a legitimate learning tool while safeguarding against misuse. By fostering critical thinking and transparent policies, we can prepare students to engage with AI responsibly, ensuring that academic values are upheld in this new era". (Text generated by Chat GPT <https://chagpt.com>, 23 August 2024)

This is a laptop led session where it is preferable (not essential) for participants to have access to a laptop with WiFi capability and Chat GPT, to actively participate.

The first half of the session will be a live demonstration of AI to identify and address the ethical issues around its use. It will also explore the challenges in translating these issues into a malleable PLT competency standard, capable of effectively guiding teaching staff in the education of PLT students.

The second half of the session will involve participants in a group activity using Chat GPT to draft a new PLT competency standard relating to AI skills, based on the above ChatGPT abstract content

2.3 IRONBARK



Katherine Baldanoff
College of Law

Katherine is a Lecturer with the College of Law, where she has worked for the past 4 years. Prior to joining the College, Katherine lived and worked in Asia (predominantly in Singapore) where she practised in shipping/maritime law, insurance law as well as international arbitration. Katherine has worked both in private practice and as in-house counsel advising on legal regulatory compliance. Upon returning to Australia in 2019, Katherine joined the College of Law as an Adjunct lecturer, becoming a full-time lecturer in 2021. Katherine has been able to use her experience in both Australia and overseas to bring a depth of knowledge to her work and is committed to providing students at the College of Law with the best possible learning and practical experience before they begin their legal careers. Katherine maintains her practicing certificate as an Australian Lawyer, is an accredited mediator and has qualifications in Arts (Monash University), Law (Macquarie University) and a GDLP (College of Law, NSW)

WHO IS GEN Z?

In order to be able to teach Gen Z you have to understand who they are and how they think. Only then can you develop and deliver meaningful legal education. The characteristics, values and the way they think gives Gen Z a unique perspective on the world. Their digital upbringing is integral to shaping the way they think and will ultimately work and engage in society. Teaching strategies within the legal profession must take these unique attributes into account so that we can prepare Gen Z for the practice of law.

This presentation will explore:

- Who Gen Z is;
- How do they think;
- How have they grown up and events that have shaped their world;
- Their priorities;
- Their attitude to the future; and
- How all of the above will influence how they learn and shape how we teach them to become lawyers of the future

A better understanding of Gen Z will influence and shape how we deliver legal education and how we might have to adapt our approach to teaching in order to better prepare this particular generation

SESSION 3 - THURSDAY, 21 NOVEMBER 4.45 PM - 5.30 PM

3.1 ACACIA



Craig Collins
Leo Cussen

Craig is Deputy Director, Education Delivery at Leo Cussen Centre for Law. He is a former litigation partner with Gadens Lawyers Melbourne, Deputy Head of the ANU School of Legal Practice, Director of the PEARL Centre (Profession, Education and Regulation in Law) at ANU and Senior Lecturer at the University of New England. He has performed roles as Lawyer Development Advisor with the Australian Government Solicitor (AGS), PLT Consultant at UNSW and Board Secretary & Public Officer for the North & North-West Community Legal Centre (NSW). He has presented at conferences in the United Kingdom, the United States, Italy and New Zealand and authored books, chapters and articles on intellectual property, defamation, legal education, legal history and the legal profession. He is collaborating on The Andrew Bent project - the story of his ancestor's struggles to initiate the free press in Australia in 1824.

AI AND THE WHOLE LAWYER: TWO FUTURES

The 'Whole Lawyer' is perhaps one way to express the goal of legal education and the process of professional development as a lawyer. This process cultivates the bicameral human brain and embodied performance - integrating left-brained focus and abstraction with right-brained context and wisdom. How might AI assist or threaten The Whole Lawyer? Answering this question sharpens focus upon the role and essential contributions PLT can make to Australian legal education and the profession. Specifically, the 5 'essentials' proposed for PLT operating in an AI world are the centrality of courts, judgment, negotiation skills, writing proficiency and trust/character.

Further, for so long as the 'mindset' constraints underlying AI remain (though becoming ever less obvious), the question is: will lawyers, educators and the law all contort themselves to fit within the limits of rubrics and algorithms - or insist and persist on the basis that there is something critically more? When AI is seen and understood as an extension of a left-brained orientation to the world which lacks right-brained wisdom, any failure of lawyers and educators to preserve an integrated balance - to grow wholeness - represents a threat to the rule of law as we know it today.

3.2 JARRAH



Nicole Landy
QUT

I am a law lecturer with over 17 years' experience in the Legal Practice Course at the Queensland University of Technology (QUT). I have a special interest in Generative AI (GenAI) and I create meaningful learning experiences for students to engage with GenAI to prepare them for the evolving legal landscape.

I am a PhD Candidate researching law students' perceptions of the integration of GenAI tools for learning for the practice of law. I was admitted as a solicitor of the Supreme Court of Queensland in 1999 and as a solicitor of the Supreme Court of England and Wales in 2001. Prior to working at QUT, I worked as a legal practitioner in a range of legal areas in private practice, government and in-house corporate for over 10 years.

WHAT ARE THE EARLY STUDENT PERCEPTIONS OF LEARNING USING GEN AI IN THE QUT PLT COURSE?

The advent of Generative Artificial Intelligence (GenAI) presents a transformative potential for legal education, particularly within Practical Legal Training (PLT) courses. This paper explores the early perceptions of QUT PLT students regarding the integration of GenAI into PLT curriculum. By understanding PLT student perceptions of GenAI in PLT curriculum, educators can integrate GenAI tools in PLT courses in a more effective, informed, and balanced way, which will improve the GenAI literacy of future legal practitioners.

This paper draws on the results of online surveys of 2024 QUT PLT students who engaged with four use cases of GenAI in two PLT subjects between April and October 2024. Feedback was requested on the use of GenAI for legal research, letter writing and for feedback on a recorded answer to a mock interview question. Students were also asked to rate an assessment task that required an investigation into the pros and cons of using GenAI in legal practice. Student feedback indicates an enhanced understanding of the ability of GenAI to augment the work of legal practitioners and a willingness to use GenAI in future legal practice. Feedback also suggests a deeper comprehension of the ethical considerations of using GenAI and the value of human input. Given the infancy of the integration of GenAI in PLT curriculum, ongoing review is critical, and the student voice is an integral part of that review. Student perceptions of the use of GenAI in the QUT PLT course, provides useful evidence to interpret the effectiveness of curriculum design and teaching using GenAI. This, in turn, can inform future curriculum development to better prepare PLT students for future legal practice utilising GenAI technologies.

3.3 IRONBARK



John Molloy
College of Law

John Molloy is a lecturer at the College of Law Victoria. He has worked as a legal practitioner and judge's associate in Melbourne, Sydney, Hobart and Phnom Penh. John's interests include privacy, technology, human rights and administrative law.

PRACTICAL LEGAL TRAINING, CONVIVIALITY, AND OTHER GROOVY IDEAS FROM THE 1970S

Galloway argues that legal education “is no longer equipped to provide the kinds of solutions needed in a super complex world” and challenges us “to step outside the boundaries of our juristic thinking and to imagine the futures of our role in society, and how we bring that about including through legal education”. This paper proposes Ivan Illich’s concept of conviviality as one answer to Galloway’s challenge.

Scathingly critical of both education and lawyers, Illich may seem an unlikely source of ideas for the future of practical legal training. Interest in Illich’s theories of technology and the role of professionals in society peaked during the 1970s, though one can find occasional references to Illich in the practical legal education literature.

In more recent years, the digitisation of society, and the advent of artificial intelligence, have led to renewed interest in Illich’s ideas. Illich anticipated other prominent thinkers around the future of professions and technology, such as Susskind. Illich pioneered heutagogy (self-directed learning), and encouraged deep reflection on the responsible use of technology.

Galloway et al observe that “the challenge of technology requires lawyers’ education to enable at least some critical engagement with... the values, material relations and social effects of law and technology on the institutional arrangements of our society”. Travelling back to the 1970s to read Illich is a productive, though unorthodox, path to the possible futures of practical legal training in a world of rapid technological and social change.

4.1 ACACIA



**Angela Panuccio-
Gray**
Leo Cussen

Angela entered the legal profession after a successful career in music performance and education. She began her legal careers at the Australian Competition and Consumer Commission, focussing on investigations, enforcement and Federal Court litigation. Ange subsequently practised in criminal law as a solicitor advocate, appearing in all Victorian courts. This included representing clients in contested hearings, bail applications, pleas and appeals. Ange also instructed in trials and interlocutory applications as well as handling quasi-criminal matters such as infringements, regulatory and intervention orders.

In addition to private practice, Ange worked at Victoria Legal Aid in Civil Justice, Access and Equity and for many years, volunteered her expertise to assist vulnerable and disadvantaged clients through community legal centres. These roles were especially satisfying in that Ange was able to assist many clients, with complex needs and issues and from linguistic and culturally diverse backgrounds, to navigate the legal system.

Ange is the Head of Learning Development at Leo Cussen and is responsible for course design, including designing and delivering live workshops in the Graduate Diploma of Legal Practice and in the Practice Management Course. She continues to consult in criminal law and has particular interest in court advocacy and lawyers' skills.

NEXT GEN LEGAL EDUCATION: UPGRADING OUR CONNECTION TO NEXT GEN LAWYERS

This presentation discusses how legal educators and practitioners can guide the next generation of lawyers to become ethical and professionally effective lawyers in this digital age.

It considers why generational distinctions can be helpful and why our approach may need to shift when it comes to Gen Z, in a simple, practical and achievable way.

This presentation further contemplates how graduates are using AI and the pitfalls of which we need to advise them. It suggests adopting a harm minimisation approach rather than complete avoidance, in order to foster responsible and ethical use of AI through a critical lawyerly and humane lens.

It looks at what it means to be the 'Whole Lawyer', why we should encourage this in the next generation of new lawyers and what technology cannot and should not replace.

It also reflects on how bringing your authentic self to work can improve health and well-being outcomes, where Gen Z might be outperforming other generations in this regard, and how this is intrinsically connected to ethical and professional conduct.

Drawing from anecdotal legal education experiences, this presentation aims to encourage educators to find ways to connect with new lawyers and to embrace what lies ahead while imparting what has come before.

4.2 JARRAH



Rebecca Chisholm
IPLS(NZ)

Rebecca is a Profs instructor at the Institute of Professional Legal Studies in New Zealand. She has an LLB from the University of Otago, New Zealand and is also a qualified mediator. Her legal background is in litigation, primarily in family law. As an instructor, Rebecca enjoys working alongside trainees to build their practical legal skills and confidence for practice.



Dr Stephanie Mead
IPLS(NZ)

Stephanie practices as a barrister sole and is a Profs instructor at the Institute of Professional Legal Studies in New Zealand. Stephanie has a PhD in Law from the University of Auckland in environmental health law and sits as an Independent Hearings Commissioner for various Councils. As a barrister Stephanie focusses on civil disputes in property, resource management and planning law. As a qualified mediator she has a particular interest in dispute resolution in business, environmental matters and property issues, particularly in the rural setting.

POSITIVE IDENTITY, THE NEURODIVERSITY MOVEMENT AND THE NEXT GENERATION OF LAWYERS – EQUIPPING GEN Z TO WORK EFFECTIVELY WITH NEURODIVERSE CLIENTS AND COLLEAGUES

The neurodiversity movement involves a shift from deficit based language to a positive identity. Gen Z in particular, have embraced self-identification and positive awareness of their mental health. This includes an increase in both self-diagnosis and clinical diagnosis of neurodiversity conditions including Autism Spectrum Disorder, ADHD, Dyslexia, Dyscalculia, Dyspraxia and Tourettes. As a result our PLT students are entering the legal profession at a time when they, their colleagues and/or their clients need adaption and inclusion for effective participation in legal processes.

Our presentation will focus on how we can prepare our PLT students to work effectively with neurodiverse clients and colleagues. This includes how we can use our PLT courses to foster a respectful environment for open discussion of communication barriers, sensory sensitivities and differing cognitive processing styles. We will share examples from our IPLS course which focus on teaching practical skills for effective communication with all clients. In regards to neurodiversity we will explore a range of teaching points, including the importance of establishing trust and rapport, using clear communication, being aware of sensory needs and accommodation, working within a broader support network, using patience, demonstrating flexibility and respecting autonomy and selfdetermination. By empowering our students with the knowledge and tools to effectively engage with neurodiverse clients and colleagues, we aim to improve access to justice and enhance client outcomes. Having these conversations in PLT training will transition our students from being academically capable, to being ready to enter the profession with social empathy, awareness and effectiveness in practice.

4.3 IRONBARK



Maxine Evers
UTS

Maxine Evers is an Associate Professor. Her commitment to legal education and the student experience is reflected in her roles as Program Head for the Practical Legal Training program, Director of Students, First Year Experience Coordinator, Student Ombud and Associate Dean (Education). Her teaching areas are varied and include foundation first year subjects and Civil Practice through to the professional Practical Legal Training (PLT) program with a focused interest in ethics, the legal profession and legal education. Maxine's background in legal practice enabled her to take up a clinical practitioner position in the Faculty's Practical Legal Training (PLT) program

NEXT GEN LAW: THE COST OF PLT AND THE VALUE OF WORKPLACE EXPERIENCE

The 'cost of living' crisis is a much-used phrase, to the extent that its real impact may be lost. We know that many sectors in the community endlessly struggle to meet the cost of essentials. For today's students, a law degree is an expensive program, either as a HECS debt or a postgraduate Juris Doctor degree. At the conclusion of several years of study, resulting in the fulfilment of the academic requirement for admission, students move to the practical requirement for admission.

Understandably, given that most students are both studying and working, many are exhausted – financially and otherwise. PLT has been described as a 'grudge purchase'. A possible reason for this negative view is students' mixed experience with their placement: often unpaid, largely unregulated with little support for supervisors and students. The minimum 15 days workplace experience, and in many cases, more days than 15, is the forgotten space in PLT programs. How can we improve the workplace component of PLT for current and future students for whom an unpaid and mixed learning experience may be restricting their ability to be competent and ethical practitioners? This presentation addresses the urgent need to reform workplace experience.

5.1 ACACIA



Dolly Brennan
IPLS(NZ)

Dolly graduated with LLB(Hons) from the University of Canterbury in 1988. She has worked as a commercial litigation solicitor with Chapman Tripp, Wellington and Linklaters, London. She has also tutored at the University of Canterbury. Dolly is an experienced instructor and joined IPLS in 2010.



Michelle Hall Collins
IPLS(NZ)

Michelle is an Instructor at the Institute of Professional Legal Studies (IPLS), teaching all IPLS course seminars. At IPLS she also facilitates the training of instructors, contributes to special projects and is Seminar Leader for the Drafting for Advocacy seminar. She was previously the Learning and Programme Development Manager at IPLS and continues to be involved in course development and design. Michelle is an employment law specialist, and she has also worked as a prosecutor for a New Zealand government department and a London local authority. Michelle has served on the law society's Continuing Professional Development Committee, and she has had articles on employment law topics published in a range of publications.



Paula Warren
IPLS(NZ)

Paula joined IPLS as an instructor in 2001 while practising as a senior lawyer at Minter Ellison in Auckland. She has an LLB from the University of Otago and practiced law in commercial litigation in both NZ and London. Paula teaches the IPLS course seminars, is a Seminar Leader and the Well-being support advisor for students at IPLS. She enjoys coaching and mentoring in both the onsite and online learning environment and welcomes the opportunity to contribute in a practical sense to law graduates' continuing education and well-being.

EVOLUTION OF ADVOCACY TRAINING AT THE INSTITUTE OF PROFESSIONAL LEGAL STUDIES: ADAPTING OUR PROGRAM FOR A NEW GENERATION OF LAWYERS

Training in Advocacy must be at the heart of a practical legal training course. As PLT trainers, we need to ensure our trainees are competent in fundamental advocacy skills. Our course is an essential step in new lawyers being licensed to stand up in court and present a case. They need to be able to examine witnesses, deliver submissions, observe court protocols and understand what the 'theory of the case' means. Whether our trainees ever become litigators matters not: we're a key step in allowing them to be admitted to the bar, so they need to know the basics of how to operate if they ever find themselves working in a courtroom.

As a skill area with a high level of interaction between counsel and the Judge, witnesses, counsel and client, and with set rules about everything from when to stand to how to produce an exhibit, what happens when a pandemic strikes and you can no longer conduct training in a face-to-face environment? This paper discusses IPLS's pivot from in-person Advocacy training to training via the Zoom platform. It discusses how IPLS continues to strive to create collegiality and collaboration at a distance, such as through the development of the 'cocounsel' model. We explore ideas for further development, accommodating the postpandemic generation's needs and ensuring the 'Gen Z' trainee can operate in a 'Boomer-esque' environment, with its associated demands on their concentration and interpersonal skills.

5.2 JARRAH



Deborah Battison
College of Law

Deborah Battison leads and represents the College of Law in the Canberra legal community. She is committed to excellence and innovation in the delivery of practical legal education and to developing and supporting new lawyers as they transition from law school to legal practice. Motivated by collaboration and innovation, Deborah keeps a keen eye on developments informing how we can best support the next generation of lawyers to build sustainable and rewarding careers. She seeks to empower new lawyers to practice law in a way that optimises the experience and outcomes for all stakeholders and creates a better and more compassionate legal industry.



Michael Appleby
College of Law

Michael has been a lawyer for more than 40 years. He has enjoyed practicing in a variety of areas with a great deal of his work being litigious. He has been teaching skills in PLT at the College of Law for about 20 years. He is also a coach and consultant in the legal profession. Michael's research interest is in Mental Health and Wellbeing in the profession and has been active for 15 years in this area as a teacher, speaker, and curriculum designer. He is currently investigating the place of kindness and compassion in the legal profession.



Jonathan Naef
College of Law

Jonathon is committed to transforming family law practices through his innovative work at Balance Family Law and The Kind Lawyers. As an adjunct lecturer at the College of Law, he shares his extensive knowledge and emphasises the importance of empathetic legal service in his teaching. Jonathon's approach integrates kindness and respect within legal practice, creating a supportive environment for both clients and practitioners. By fostering this ethos, Jonathon aims to empower future lawyers to navigate the complexities of legal practice with compassion, ultimately enhancing the overall experience and outcomes for everyone involved.

THE BUSINESS CASE FOR KINDNESS IN LAW AND PLT

The Kind Lawyers (TKL) and the College of Law have joined forces to consider an important question for Next Gen lawyers (and PLT providers); 'How might I practice law to optimise the experience and outcome for all involved?'. TKL observe that law is traditionally and commonly practiced with hostility, competitiveness and aggression and question whether this truly serves the best interests of clients or lawyers. Together, we aim to educate and train Next Gen lawyers in a kinder approach, rooted in reflective practice.

This presentation will unpack the impetus and business case for kindness in law and practical legal training (PLT), emphasising that kindness does not connote agreeableness or weakness. Lawyers can assert their clients' interests with strength and professionalism without hostility. What then does asserting a client's interests with strength, vigour and kindness look like?

The impetus for change sometimes comes from within the profession and at other times by way of regulation. The evolution of Collaborative Law, trauma informed practice and the Kind Lawyer movement reflects shifting expectations from within the profession on how lawyers relate to clients and each other, with a focus on improving workplace culture and supporting well-being. We have a great opportunity now because of recent complimentary regulatory changes seeing employers also motivated to change. We are at an inflection point which we embrace as an opportunity to re-think habitual 'unkind' approaches to lawyering.

We propose kindness as a framework for teaching fundamental legal obligations, such as courtesy, client interests, and self-care. We will also share research connecting kinder legal practices to lawyer well-being.

5.3 IRONBARK



Leisa Flatley
College of Law

Leisa Flatley is a lecturer at The College of Law in Qld. She has been a lecturer at the College for the past ten years. Leisa lectures across all subjects in PLT and also in risk management and cyber risk and management of self, wellbeing and resilience in the Legal Practice Management Course.

Leisa is an experienced insurance litigator with extensive experience at the Qld Professional Indemnity Insurer, in house insurance teams and in private practice specialising in insurance litigation and professional indemnity. Leisa is also a qualified coach and mentor and is the Program Coordinator of the Mentoring Program at the College.

Leisa has a keen interest in risk management and in particular cyber risk and security having recently completed studies in Cyber Security Risk and Strategy at RMIT University. She is also a Mental Health First Aid Officer and is keen to support students to become more knowledgeable about how to look after themselves and succeed in the legal profession.

THE CHARACTER REVOLUTION: THE IMPORTANCE OF CHARACTER SKILLS IN THE DIGITAL AGE

In a post covid reality and a rapidly evolving digital landscape, are legal educators prioritising the development of cognitive skills over the development of social and character skills at a profound expense to both students and the legal profession? As technology continues to shape our world, character skills and virtues such as resilience, adaptability, imperfectionism, perseverance, empathy, integrity, and critical thinking are increasingly vital skills.

Historically university was an immersive experience where character formation happened organically and implicitly within the environment. With the advent of e-learning (online education) many of these developmental skills (or secondary competencies or virtues) have fallen away. In this article we dissect how legal educators are dealing with a more complex demographic - increasingly neurodivergent, time poor, box ticking students intent on gaining the necessary qualification. We argue it is incumbent on legal educators to incorporate the development of character skills and virtues into its program rather than focusing solely on the learning of technical and cognitive skills or run the risk of failing to deliver newly admitted graduates who are not 'ready' for practice. We further explore how such character development can be achieved in an online environment.

We conclude that becoming character educators and moral exemplars by incorporating moral reminders of what the legal profession expects of its members, and the development of strategies to develop character skills, we can have a profound impact on students understanding and cultivation of these virtues. By integrating character development into online education, we can equip students with the skills they need to succeed in a technology-driven world and a competitive professional environment.

SESSION 6 - FRIDAY, 22 NOVEMBER 2.45 PM - 3.00 PM

6.1 ACACIA



Stacy Mallis
Leo Cussen

Stacy is Mentor in the Practical Legal Training program and part of the family law topic team at Leo Cussen Centre for Law

Stacy commenced his legal career in a general practice law firm where working in both litigious and non-litigious matters before focusing on Family Law, Criminal Law, Wills & Estates. Stacy has previously worked as a Senior Lawyer with Victoria Police appearing in family violence matters and prosecuting summary criminal matters. Stacy has also previously sat as a Deputy Judicial Registrar of the Federal Circuit and Family Court of Australia. In 2019 he launched his own firm which he operates concurrently while working at Leos.

TRAINING GEN Z PLT CANDIDATES IN FAMILY VIOLENCE LEGAL PRACTICE

Given the widespread and increasing rates of family violence (FV) reports, lawyers will encounter clients who have exposed to, been subjected to or perpetrated family violence. Generation Z (Gen Z) is a “generation of law students who have been impacted by shared factors” FV being amongst these factors. They are a generation who did not have the same support structure growing up as did the previous generation (Millennials) and in addition they have grown up exposed to FV as children and now possible exposed to it in their adult relationships. Even if FV is not a factor in their individual lives it is prevalent in their community and it is therefore argued that FV Legal Practice should form part of a GDLP regardless of the graduates chose or eventual practice area.

6.2 JARRAH



Diana Mills
College of Law

Diana is a Lecturer at the College of Law (NSW) in the Co-operative course PLT Program. Before joining the College in 2015, she worked in private practice in litigation, in-house in corporate legal teams and as a lecturer at Hong Kong University in the Department of Professional and Legal Education. Diana is admitted to practice in Australia, the United Kingdom and Hong Kong.

Diana has a particular interest in mental health. She is an accredited Mental Health First Aid Instructor and has provided Mental Health First Aid training to the legal profession for the last six years. Diana regularly teaches the Wellbeing Workshop in PLT for the Co-operative and General courses. Diana will complete her Master's in Mental Health in early 2025 and has recently received a Recognition of Academic Excellence for her coursework.

Through her role as a Lecturer in PLT, Diana sees first-hand the debilitating effects of poor mental health in the legal profession and the increasing need for mental fitness. Diana is committed to being a mental health advocate and educator in the legal profession.

DISCLOSURE OF MENTAL HEALTH ISSUES BY GEN Z LAWYERS IN THE WORKPLACE- SHOULD THEY CONCEAL OR REVEAL?

The decision to disclose or not to disclose a mental illness or mental health issue in the work environment is a complex and sensitive dilemma influenced by a variety of factors. This paper will focus on Gen Z lawyers and the decision to conceal or reveal their mental health to their employers.

Firstly, the high levels of anxiety, depression and burnout in the legal profession will be identified and examined. Research has consistently found that rates of psychological distress are relatively high across the legal profession, with rates of depression particularly high among law students and younger lawyers.

Next, this paper will consider the pros and cons of disclosure by Gen Z lawyers in the workplace. The advantages of disclosing will be considered based on recognised research, including improving relationships, allowing for reasonable adjustments, and normalising mental health. The disadvantages of disclosing will also be addressed, including discrimination, stigma, and self-stigma.

Next, the reasons why Gen Z lawyers choose to remain silent will be discussed with reference to recent feedback from PLT graduates with whom conversations about disclosure have taken place.

Finally, this paper will address the impact of non-disclosure on Gen Z lawyers, their employers, and the legal profession and how PLT providers can assist in deciding whether or not to disclose.

6.3 IRONBARK



Keiko Togami Evans
College of Law

Keiko Togami Evans, LLM, BA has been a Practical Legal Training (PLT) lecturer at the College of Law in New South Wales since 2016. She is dedicated to creating engaging and motivating learning environments for students preparing to enter legal practice. With extensive experience in both online and in-person teaching, she focuses on fostering a safe and inclusive classroom where students can learn individually and collaboratively, enjoying a dynamic and supportive environment. Keiko is committed to exploring innovative teaching methods that resonate with Gen Z learners, such as gamification, interactive platforms, and AI-driven tools.

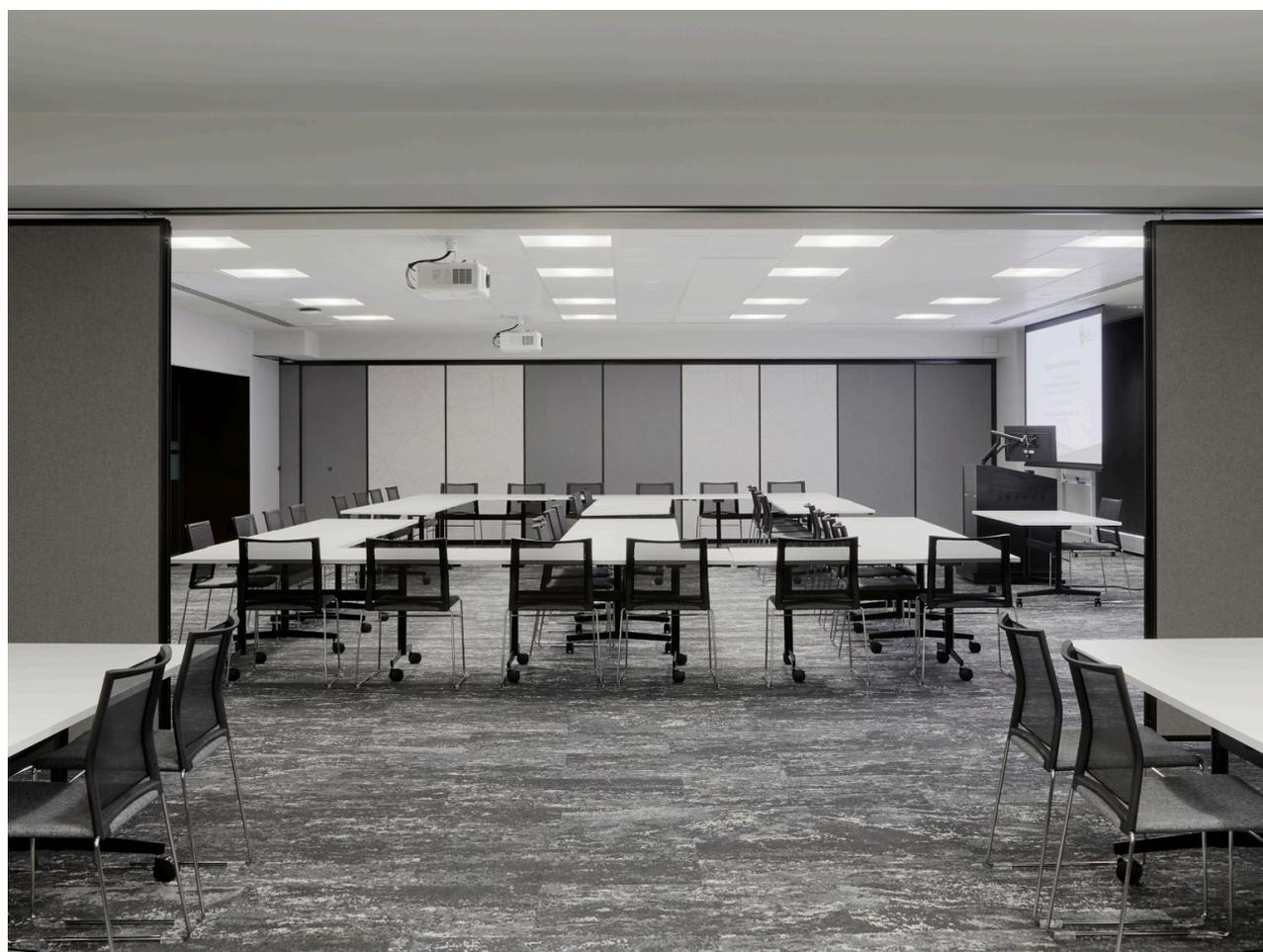
COMPETITION AND COLLABORATION – CAPTURING GEN Z LEARNERS’ ENGAGEMENT

The use of gamification techniques in education is increasingly recognised for its ability to boost learner engagement across various educational stages. This paper investigates the potential of applying gamification theory to the learning structure within a Practical Legal Training (PLT) Program to enhance student motivation, deepen engagement, and improve knowledge retention.

Gamified techniques, often based on competition, can be mediated by integrating collaborative learning strategies to foster teamwork and resilience as well as to maintain student well-being.

The paper will discuss initial findings and observations from a 2024 pilot study conducted in a synchronous learning environment where a multiple-choice test was enhanced with interactive techniques such as real-time competition and peer collaboration. The paper will then explore future strategies for engaging Gen Z students known for their preference for interactive and tech-driven learning environments.

CONFERENCE DINNER AT PURE SOUTH, SOUTHGATE THURSDAY, 21 NOVEMBER 7.00 PM



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