

CONTENTS

In session order

Subdivisions – best practice and time frames

Subdivisions - best practice and timeframes 1

Kris Gough and Tim Jones

Risk Management

Risk Management 33

Mark Treleaven

Unit Titles – a refresher

Unit Titles – a refresher 51

Jamie Nunns

Government Subsidies and KiwiSaver – what your client needs to know

Government Subsidies and KiwiSaver – what your client needs to know 65

Julius Maskell

Documentation – an update

Subdivision Dealings – tips on how to prepare them 81

Heather Doughty, Mary Gardiner and Mary Gordon

Wills, Probate and Estates – practice and procedure

Common Mistakes that Occur with the Preparation of Probate Applications and
How to Avoid Them 101

Registrar John Earles

Will Drafting, Will Validation and Family Protection Claims 145

Greg Kelly

EPAs – asking the hard questions

The Protection of Personal and Property Rights Act 1988 and Enduring
Powers of Attorney 155

Annette Gray

Competency – red flags and issues to be aware of

Competency – red flags and issues to be aware of 173

Dr Crawford Duncan

Residential Care Subsidies and Loans – current policy and practice

Residential Care Subsidies and Loans – current policy and practice 181

Theresa Donnelly and Denise Hutt

Gifting – being realistic about the future

Gifting – being realistic about the future 247

Chris Kelly

Retirement Villages

Retirement Villages – key practical issues 259

John Greenwood

Stress Management for Legal Executives

Stress Management 289

Nikki Pender

CONTENTS

Alphabetical by author/presenter

Author		Title	Page
Donnelly	Theresa	Residential Care Subsidies and Loans – current policy and practice <i>Joint paper with Denise Hutt</i>	181
Doughty	Heather	Subdivision Dealings – tips on how to prepare them <i>Joint paper with Mary Gardiner and Mary Gordon</i>	81
Duncan	Dr Crawford	Competency – red flags and issues to be aware of	173
Earles	Registrar John	Common Mistakes that Occur with the Preparation of Probate Applications and How to Avoid Them	101
Gardiner	Mary	Subdivision Dealings – tips on how to prepare them <i>Joint paper with Heather Doughty and Mary Gordon</i>	81
Gordon	Mary	Subdivision Dealings – tips on how to prepare them <i>Joint paper with Heather Doughty and Mary Gardiner</i>	81
Gough	Kris	Subdivision Best Practice and Timeframes <i>Joint paper with Tim Jones</i>	1
Gray	Annette	EPAs – asking the hard questions	155
Greenwood	John	Retirement Villages – key practical issues	259
Hutt	Denise	Residential Care Subsidies and Loans – current policy and practice <i>Joint paper with Theresa Donnelly</i>	181

Jones	Tim	Subdivision Best Practice and Timeframes <i>Joint paper with Kris Gough</i>	1
Kelly	Chris	Gifting – being realistic about the future	247
Kelly	Greg	Will Drafting, Will Validation and Family Protection Claims	145
Maskell	Julius	Government Subsidies and KiwiSaver – what your client needs to know	65
Nunns	Jamie	Unit Titles – a refresher	51
Pender	Nikki	Stress Management	289
Treleaven	Mark	Risk Management	33

CHAIR



Pam Harliwich, New Zealand Institute of Legal Executives, Christchurch

Pam is the National President of the NZ Institute of Legal Executives. She attained her NZLS Legal Executive Certificate in 1990 and is a Fellow of the Institute. Pam is employed by Ryman Healthcare Limited in Christchurch to administer the sale and surrender of units at its retirement villages throughout New Zealand. Prior to moving to Christchurch late last year Pam was a Senior Registered Legal Executive at Kensington Swan in Wellington for 14 years.

SPEAKERS



Pip Baldwin, Ministry of Social Development, Wellington

Pip is a Senior Policy Analyst in the Older People's Policy team at the Ministry of Social Development. The team has been leading the Minister of Senior Citizens' review of the 2007 amendments to the Protection of Personal and Property Rights Act 1988.



Sarah Clark, Ministry of Social Development, Wellington

Sarah is the Director of the Office for Senior Citizens, one of the population offices within the Ministry of Social Development. The Office for Senior Citizens has a primary focus on building strong social sector relationships to inform the Minister for Senior Citizens about issues affecting older people. The Office seeks to identify opportunities and challenges, and facilitate the flow of information between agencies and people.



Theresa Donnelly, Ministry of Social Development, Auckland

Theresa is a Senior Solicitor with the Ministry of Social Development and is a specialist in Social Security law. She graduated from Auckland University in 1991, was admitted in 1992 and has worked in several private practice litigation areas as well as in-house counsel within the public sector. Theresa was a solicitor for Land Information New Zealand before taking employment as a senior solicitor for the Ministry of Social Policy in 2000 (subsequently MSD). Theresa has presented webinars and seminars for a variety of professional groups including NZLS CLE and ADLS.



Heather Doughty, Land Information New Zealand, Wellington

Heather is a Senior Landonline Application Specialist at LINZ and has been involved with Landonline since its onset. Prior to that she worked in the Land Titles office in New Plymouth for many years. Heather is involved with ensuring the screens and views used by customers work correctly, responding to questions and issues arising from day to day processing and also involved with developing changes including enhancements and bug fixes.

SPEAKERS



Dr Crawford Duncan, Capital and Coast DHB, Wellington

Crawford has been employed as a psychiatrist since December 1986 by the Wellington Hospital Board and its successors, and has worked entirely in Psychiatry of the Elderly since May 1987.



John Earles, High Court & Ministry of Justice, Wellington

John, Registrar and Sheriff of the High Court of New Zealand and Specialist Technical Advisor to the Ministry of Justice is located at the High Court in Wellington where he has been for the past 28 years. Since the filing of probates was centralised in Wellington in 2013 John has been engaged in training staff who work in the probate unit as well as dealing with applications. Much of his work involves being consulted by solicitors, legal executives and their staff who encounter difficult or unusual circumstances and providing assistance on how to proceed with their applications. John is also a co-author of the 5th and 6th edition of the text book *Dobbie's Probate and Administration Practice*.



Mary Gardiner, Land Information New Zealand, Wellington

With a 35-year background in property titles, Mary is a Technical Advisor with the Business and Regulatory Assurance Team at Land Information New Zealand (LINZ). She works closely with law firms and practitioners to audit and review compliance with e-dealing practices, processes and controls on behalf of the Registrar General of Land.



Mary Gordon, Land Information New Zealand, Wellington

Mary qualified as a lawyer in 1995. Prior to joining the Office of the Registrar-General of Land in 2005 she worked in the property teams of law firms in both New Zealand and overseas.



Kris Gough, Cuttriss Consultants Ltd, Wellington

Kris graduated from Otago University in 2001 and worked for Cuttriss in the Lower Hutt office for the following four years, becoming a Licensed Cadastral Surveyor during that time. After spending two years working in the UK as a senior surveyor, Kris returned to Cuttriss in 2007 where he is now involved in a wide range of projects, including small to large scale urban and rural subdivisions, topographical surveys, and setting out of construction works.

SPEAKERS



Annette Gray, Buchanan Gray, Wellington

Annette is a Family Court practitioner with 25 years' experience. She has broad Family Court experience in all aspects of family law but has a particular interest in rights based law. Annette has been counsel for subject person for many years and is currently a District Inspector of Mental Health. She has an interest in inter-country adoptions and is also lawyer for child and acts for parties in family court matters. Annette spent a year doing volunteer service abroad acting as legal counsel for the Family Support Centre, an NGO, providing education and legal support mainly to women in domestic violence and child custody cases.



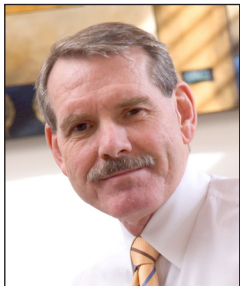
John Greenwood, Greenwood Roche Chisnall, Wellington

John is editor of the New Zealand Property Lawyer, and moderator for the New Zealand Council of Legal Education for property law, and equity and succession law, university papers. He has a long involvement in property law reform and has presented at Select Committee hearings and at numerous NZLS CLE seminars. These include NZLS seminars on the retirement village industry and as an advisor to the Retirement Commissioner.



Denise Hutt, Ministry of Social Development, Wellington

Denise is a Senior Legal Executive with the Ministry of Social Development and is a specialist in Residential Care Loans, and has worked in this area since 1999. She is responsible for the Ministry's team of legal executives. Denise has worked for the Ministry of Social Development (then Department of Social Welfare) since 1979 in a number of diverse areas including accounts, liable parent contribution, maintenance and benefit debts as well as several main benefit areas. She obtained her Legal Executive Diploma from the Open Polytechnic in 2006.



Tim Jones, Glaister Ennor, Auckland

Tim heads the firm's Land Development and Property team and as a partner at Glaister Ennor for over 30 years he has extensive experience advising clients in residential and commercial property transactions. This includes major land development projects in the Auckland area and nationally. Tim is frequently called to give expert evidence in relation to property and conveyancing issues.



Chris Kelly, Greg Kelly Law, Wellington

Chris had a lengthy career with trustee organisations – holding positions such as District Public Trustee for Wellington and General Counsel at Guardian Trust – before moving to private practice. He is co-author of two leading legal texts: Garrow & Kelly Law of Trusts and Trustees (now in its 7th edition) and the 6th edition of *Dobbie's Probate and Administration*. In addition to other publications, Chris has presented numerous papers at legal conferences and has chaired Elder Law conferences. He completed a Master of Laws with a thesis on Trustee Accountability and is a member of the Society of Trust and Estate Practitioners (STEP).

SPEAKERS



Greg Kelly, Greg Kelly Law, Wellington

Greg has over 30 years' experience in the wills, trusts and estate area. He is one of the authors of the 6th and the 7th edition, of *Garrow & Kelly Law of Trusts and Trustees*, the Probate and Administration author of *McGechan on Procedure*, and a contributor to LexisNexis' *Law of Trusts*. Greg is co-author of the 5th, and recently published 6th edition, of *Dobbie's Probate and Administration Practice*. He has presented at numerous NZLS CLE conferences, seminars and webinars and has chaired several NZLS CLE Trust conferences. Greg is also one of a small group of lawyers in New Zealand who appear in the US-based Best Lawyers listing as a Trust and Estate Lawyer.



Julius Maskell, Tripe Matthews Feist, Wellington

Julius specialises in private client work including conveyancing, trusts, unit titles, building and construction, commercial property, and civil litigation. As well as private clients he also acts for several national not for profit community organisations. He is an member accredited member of the Property Law Section and is on the Wellington Branch Council of the NZLS.



Jamie Nunns, Morrison Kent, Wellington

Jamie has been a member of Morrison Kent since 2001 and has specialised in property law throughout his legal career. Jamie's property law experience has seen him acting for some of New Zealand's largest and most respected organisations in relation to a vast range of property related matters of varying degrees of complexity. Jamie has been involved with some of New Zealand's best known property developments and projects, and he enjoys working with organisations of all different sizes from multi-nationals to individually owned and run small businesses.



Nikki Pender, Franks Ogilvie, Wellington

Nikki is a principal at Franks Ogilvie and runs the firm's litigation and other disputes work. She is admitted in NZ, NSW and the Commonwealth of Australia. Nikki has more than 25 years' experience representing private sector clients and regulatory agencies in general civil, competition and public law cases. She is also a facilitator, trainer and certified NLP practitioner.



Mark Treleaven, New Zealand Law Society, Auckland

Mark manages all the disciplinary prosecutions of lawyers and employees of lawyers from standards committees throughout New Zealand. He has nearly 20 years' experience as a prosecutor, either as a Crown Prosecutor prosecuting serious criminal charges or an in-house prosecutor prosecuting disciplinary offences. Mark has worked at the Serious Fraud Office and assisted senior counsel in investigating and prosecuting complex fraud cases. In addition he has practised civil and commercial litigation at law firm Morrison Kent for four years.