

SUCCESSION AND ELDER LAW CONFERENCE

Program

55 mins **Keynote address: Making good decisions, not just lawful decisions**

Lawyers advising about substitute decisions are usually concerned with whether decisions are lawful or unlawful. How to make lawful decisions which are also good decisions for the person of impaired capacity is less often considered. His Honour's address will focus on how to make lawful decisions which are also good decisions. His Honour's address will draw on his own experience over 25 years of supporting his own severely disabled brother in decision making to provide context and content to the General Principles and Health Care Principles in the Guardian and Administration Act 2000 and the Powers of Attorney Act 1998. His Honour hopes thereby to assist solicitors to advise clients acting as substituted decision makers as to how to give substantive effect to those Principles.

Presenter: **His Honour Judge Bernard Porter KC**, District Court of Queensland

Chair: **Rebecca Anderson**, Team Leader, Aged and Disability Advocacy Law; Chair, Queensland Law Society Elder Law Committee



47 mins **Legal Ethics – Protecting privilege**

Issues around Client Legal Privilege have become more nuanced of late. Our special counsel will take you through recent issues that have arisen in Queensland, as well as case scenarios that are relevant to your practice.

Presenter: **Shane Budden**, Special Counsel, QLS Ethics and Practice Centre, Queensland Law Society

Chair: **Jesse Hill**, Senior Professional Development Solicitor, Queensland Law Society



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53 mins **Case law update**

Dissect recent crucial decisions and legislative updates for both succession and elder law, ensuring you stay well informed about the most current developments.

Presenter: **Jon Wiedman**, Director, Hede Byrne & Hall; Councillor, Queensland Law Society, Member, Queensland Law Society Succession Law Committee

Chair: **Chelsea Baker**, Senior Associate, Cornford-Scott Lawyers



51 mins **Operating under capacity frameworks**

Presenter: **Rebecca Anderson**, Team Leader - Solicitor, Aged and Disability Advocacy Law; Chair, Queensland Law Society Elder Law Committee

Chair: **Nicky Mitchell**, Managing Senior Lawyer, Caxton Community Legal Centre Inc.; Member, Queensland Law Society Elder Law Committee



52 mins **Trusts Bill Update – It’s coming, and you must be prepared**

Presenters:

Chelsea Baker, Senior Associate, Cornford-Scott Lawyers

Karen Gaston, Barrister, Queensland Bar; Member, Queensland Law Society Succession Law Committee

Chair: **Patrick Ellwood**, Director, Clover Law; Member, Queensland Law Society Succession Law Committee



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60 mins **Generative A.I and pragmatic implementation**

AI is being used by lawyers and clients alike, as well as the family members supporting them - and scammers are in on the game too. This session will look at where we currently stand with AI, across both estate planning and probate, and how to incorporate it seamlessly into practice while maintaining empathy and the important human touch in this sensitive area of law. We'll also explore how to protect clients where AI may lead them astray, whether through misuse, over-reliance, or exploitation.

Presenter: **Robyna May**, Chief Information Officer, McInnes Wilson Lawyers

Chair: **Sonia Smith**, Special Counsel, Queensland Law Society



60 mins **Drafting Testamentary Trusts – Choosing the right one? – Core Provisions – Common Mistakes**

Presenters: **Bryan Mitchell**, Principal, Mitchells Solicitors; Accredited Specialist (Succession Law) – Qld; Member, Queensland Law Society Succession Law Committee

Chair: **Maree Racki**, Senior Associate, Paxton-Hall Lawyers; Member, Queensland Law Society Succession Law Committee



64 mins **Engaging with Separate Representatives**

This session will consider the statutory role of Representative as described in s 125 Guardianship and Administration Act 2000 and how it may be utilised in guardianship proceedings (including Guardianship, Administration and Enduring Power of Attorney matters). You will receive an overview of the Representative role, especially at the pre-hearing stage, and how you may prepare your clients. A short reflection on the barriers to becoming a Representative, will be considered, as well as factors you may consider in requesting a Representative appointment in your matter.

Presenter: **Karen Williams**, Principal Solicitor, Aged and Disability Advocacy Law; Chair, Queensland Law Society Health and Disability Law Committee

Chair: **Jesse Hill**, Senior Professional Development Solicitor, Queensland Law Society



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57 mins **Contentious estates: The role of the Independent Administrator**

This session will consider the strategic use of an Independent Administrator. Prue will consider different circumstances in which the appointment of an IA can be beneficial and what orders you might consider seeking together with the appointment of an IA. You will receive an overview of different ways in which an IA may be appointed and insights into the post appointment process. Prue will outline what your clients can expect when working with an IA and leave time at the end for a quick Q & A session.

Presenter: **Prue Poole**, Director, Cornford-Scott Lawyers; Accredited Specialist (Succession Law) – Qld

Chair: **Karen Gaston**, Barrister, Queensland Bar; Member, Queensland Law Society Succession Law Committee



55 mins **Critical Update – the New Aged Care Act**

The new Aged Care Act is due to commence on 1 November 2025. The new act will introduce a rights based approach and a new regulatory framework. This session will consider key new rights and obligations for providers and individuals receiving funded aged care services.

Presenters:

Madeline Walsh, Partner, Thomson Geer; Deputy Chair, Queensland Law Society Elder Law Committee

Dr John Chesterman, Public Advocate, Office of the Public Advocate; Member, Queensland Law Society Elder Law Committee

Chair: **Rebecca Anderson**, Team Leader, Aged and Disability Advocacy Law; Chair, Queensland Law Society Elder Law Committee



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64 mins **Questions On Notice**

This session closes out our conference and brings together practitioners that are at different stages of their legal career. We explore issues that arise in practice and how to navigate them.

Presenters:

Megan Mahon, Commissioner, Legal Services Commission

Angela Cornford-Scott TEP, Director, Cornford-Scott Lawyers; Accredited Specialist (Succession Law) – Qld; Chair, Queensland Law Society Succession Law Committee

Karen Williams, Principal Solicitor, Aged and Disability Advocacy Law; Chair, Queensland Law Society Health and Disability Committee

Chair: **The Honourable Margaret McMurdo AC**, Chair Board of Governors, Queensland Community Foundation



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Presenters



Rebecca Anderson

Rebecca Anderson, Team Leader Solicitor at ADA Law, and Chair of the Qld Law Society Elder Law Committee

As a human rights community legal service, we assist adults with questioned capacity, in relation to Enduring Powers of Attorney, QCAT Guardianship and MHRT matters.



Chelsea Baker

Chelsea Baker is a Senior Associate at Cornford-Scott Lawyers specialising in complex estate administration and litigation matters. Her experience extends to independent administrator and statutory trustee appointments, claims for further provision, complex grants of representation and the administration of trusts. Chelsea also acts in guardianship and administration matters before QCAT and has been successful in investigating breaches of duties by attorneys, declarations for capacity and the removal of appointed decision makers. In 2023, and again in 2024, Chelsea was recognised as a Rising Star in the Doyle's Guide category of Wills, Estates & Succession Planning. In 2024, Chelsea was also a Finalist for Senior Associate of the Year in the LawyersWeekly Women in Law Awards. Chelsea is a Committee Member of the QLS Succession Law Committee and a Board Member of The Society of Trust and Estate Practitioners (STEP Queensland)

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Shane Budden

As a Special Counsel in the QLS Ethics and Practice Centre/QLS Solicitor Support Pty Ltd, Shane provides ethical guidance and instruction to practitioners. He contributes significantly to the QLS journal Proctor, both through his regular column and by authoring feature articles. He is also a member of the QUT University Animal Ethics Committee.

Shane was admitted in 1992 and worked in general practice with a focus on Criminal Law, before moving to in-house work, initially with the Ipswich City Council internal legal team.

Prior to joining QLS he headed up the internal legal team at the Queensland Building Construction Commission/Queensland Building Services Authority and was Chair of the Society's Government Lawyers Committee.



Dr John Chesterman

John Chesterman is the Queensland Public Advocate. A lawyer and historian by training, John was previously Victoria's Deputy Public Advocate, and before that he was an academic. Among other things, John undertook a Churchill Fellowship on the topic of adult safeguarding, and his books include, as co-author, The politics of human rights in Australia (CUP).

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Angela Cornford-Scott TEP

Angela Cornford-Scott is the director of Cornford-Scott Lawyers Pty Ltd and an accredited specialist in succession law.

She has worked in the area of succession law for over 25 years and has a particular interest in estate planning, trust matters and estate administration issues.

Angela is the current Chair of the QLS Succession Law Committee. Angela is a member of STEP and a previous Chair of the Queensland Branch. She has lectured for QUT, the College of Law and is a regular presenter of seminars. She also co-authors the Lexis Nexis practical guidance publications in Succession law and Elder law for Queensland.

She was awarded the STEP Australia Masters Award in 2025.

Angela has been named in the Doyles Guide as the market leader in the areas of both Wills and Estates and Estate Litigation in Queensland and was the only Queensland lawyer named as pre eminent in both categories in the years from 2018 to 2025 Doyles Guide Australia.

Angela was also named the Lawyer of the Year for 2020, 2022, 2025 and 2026 in Succession Planning by Best Lawyers.



Patrick Ellwood

Patrick Ellwood is a lawyer with almost two decades of experience assisting high net worth individuals and family business owners with their tax, estate planning and asset protection needs.

He has acted for a wide variety of family businesses, farming families, entrepreneurs and startup businesses, located across Australia.

He is a regular speaker for a range of private and professional bodies and is a published author of a number of legal textbooks. He has presented for organisations including the Taxation Institute of Australia, Institute of Public Accountants and Queensland Law Society.

Patrick is passionate about helping business owners grow their business and ultimately achieve maximum value upon their retirement.

Patrick is listed in the prestigious Doyle's Guide as a recommended Wills, Estates & Succession Planning lawyer and appears in the 'Best Lawyers' guide for Trusts and Estates and Wealth Management/Succession Planning.

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Karen Gaston

Karen is a barrister in private practice specialising in litigation involving equity, trusts, wills and estates. Prior to her call to the Bar, she was a Queensland Law Society Accredited Specialist in succession law, attaining accreditation in 2013.

Karen is particularly interested in estate litigation with a broader commercial focus, such as those concerning rural partnerships, trusts, and equitable remedies, such as undue influence and unconscionable conduct.

She has conducted many family provision applications (FPAs), solemn form probate applications, will construction and interpretation applications, cy pres, and statutory will applications and other “classical” succession law actions.

In the conduct of litigation which often involves complex law and which is factually dense, Karen is known both for her strategic approach and her attention to detail.



Jesse Hill

Jesse comes to the QLS from private practice, where he worked exclusively in commercial litigation. Prior to his time in litigation, he worked in the Queensland Public Service in highly pressurised roles.

Jesse is acutely aware of many of the challenges faced by the legal profession both in the private and public sphere. He now seeks to equip legal practitioners with the tools and knowledge they need to thrive in practice.

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Commissioner Megan Mahon

Megan Mahon was appointed the Legal Services Commissioner for Queensland in October 2019.

Megan has a Bachelor of Laws with Honours and was admitted as a solicitor of the Supreme Court of Queensland in 1996 after completing the five-year articled clerk scheme. Megan is a Past President of the Queensland Law Society and a former Executive Director of the Law Council of Australia.

Having had a distinguished career in private practice for more than 20 years, Megan's contribution to the profession has often been recognised. She was awarded the QLS 2017 President's Medal, the WLAQ 2009 Woman Lawyer of the Year and appointed as a Fellow of the Australian Academy of Law.



Robyna May

Robyna May is the Chief Information Officer at McInnes Wilson Lawyers. With a background spanning both law and technology, she brings strategic insight into how legal organisations can adopt and implement emerging technologies such as AI. Robyna focuses on data, design, people-centred change, and embedding innovation across legal operations. She has held leadership roles in IT, knowledge management, project delivery, and digital strategy. Robyna is currently leading her firm's AI and digital transformation with a strong emphasis on practical implementation, cultural alignment, and long-term value creation to ensure innovation is meaningful, sustainable, and human-centred.



The Honourable Margaret McMurdo AC

Margaret McMurdo was President of the Court of Appeal Supreme Court of Queensland from 1991 until 2017. She has since chaired The Victorian Royal Commission into the Management of Police Informers, the Queensland Women's Safety and Justice Taskforce and is currently chairing the ADF Inspector General's Inquiry into the 2023 Crash of an MRH-90 Helicopter off Lindeman Island. She was Chair of the Board of Legal Aid Queensland from 2017 until earlier this year and is currently the Chair of the Board of Governors of Queensland Community Foundation.

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Bryan Mitchell



Nicky Mitchell

Nicky is a Managing Senior Lawyer at Caxton Community Legal Centre. In this role, she is responsible for day-to-day supervision and management of the Seniors Legal and Support Service (SLASS). SLASS is a specialist, multi-disciplinary service which assists older persons who are at risk of or are experiencing elder abuse. Within community and Health Justice Partnerships based services, SLASS provides legal advice and representation, and social support across various areas of law. As a member of the Queensland Law Society Elder Law Committee and Co Convener of the National Older Persons Legal Service Network, Nicky is regularly contributing to and assisting with submissions to law reform and policies for issues concerning older people. She has worked in Community Legal Centres in Queensland since her admission in 2015.



Prue Poole

Prue is a director of Cornford-Scott Lawyers and an accredited specialist in Succession Law. Before joining Cornford-Scott Lawyers, Prue was a partner of a big city firm. Prue spends most of her workdays helping executors and beneficiaries through the minefields of estate administration and litigation and is regularly herself appointed as the independent administrator of deceased estates.

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His Honour Judge Bernard Porter KC

Judge Bernard Porter KC holds the degrees of Bachelor of Arts majoring in economics and politics from the University of Queensland, Bachelor of Laws with first class honours from the Queensland University of Technology and Bachelor of Civil Law with first class honours from the University of Oxford. At Oxford, he was also awarded the Dacey & Morris prize in Conflict of Laws.

Judge Porter was associate to Justice Spender of the Federal Court of Australia and worked for Feez Ruthning (now Allens) before being called to the Bar in 1999. At the Bar, his Honour practised in all areas of commercial litigation and in succession litigation. His Honour was appointed Queen's Counsel in 2016. He was appointed a Judge of the District Court of Queensland on 28 August 2017 and of the Childrens Court of Queensland on 2 February 2018. He is a Commercial List Judge and is responsible for civil listing in the Brisbane registry of the Court.

In November 2022, his Honour became a Judicial Member of the Society of Trust and Estate Practitioners.



Maree Racki

Maree is a senior associate at Paxton-Hall Lawyers in the wills and estates team where she assists clients across all areas of succession law.

Maree has a special interest in helping clients with estate planning and estate administration matters.

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Sonia Smith

Sonia works closely with the Queensland Law Society's Legal Policy Committees to address legal and policy reform issues to further the Society's purpose of good law, good lawyers and the public good.

Prior to joining Queensland Law Society, Sonia worked for over 20 years as a solicitor in Brisbane, Dubai and regional Queensland. She has worked in private practice, government and the community sector with experience in property law, commercial law, local government law, infrastructure projects and elder abuse.

Sonia holds tertiary qualifications in law, arts and psychology including a Master of Commercial Law from the University of Melbourne.



Madeline Walsh

Madeline is a Partner in the Health, Aged Care and Retirement Living team at Thomson Geer and the Deputy Chair of the Queensland Law Society Elder Law Committee.

Madeline's expertise encompasses a broad spectrum of legal issues in the health, aged care, and retirement sectors, including regulatory compliance, risk management, governance, disputes and transactional matters.

Madeline provides advice to aged care providers on managing complex regulatory issues and responding to administrative decisions. She assists providers with critical incident investigations and acts for providers in coronial investigations and inquests. Madeline advises providers in relation to corporate and commercial matters including drafting and negotiating commercial agreements, advising in relation to governance arrangements and assisting providers with managing disputes including complex consumer complaints and fee recoveries.

In the retirement village context, Madeline advises on operational contracts, compliance matters, regulatory issues including closures and redevelopments and commercial and resident disputes.

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Councillor Jon Wiedman

Jon is a director at Hede Byrne and Hall in Toowoomba on the Darling Downs. Jon joined the firm as an article clerk in 1992, becoming a director in 2000. Jon now practices almost exclusively in succession law and related areas including drafting wills and powers of attorney, estate administration, trusts and related litigation. Jon is currently the Secretary of the Downs and South West Queensland Law Association and sits on the QLS Succession Law Committee. Outside of law, Jon has qualifications in sports medicine and sports massage and is active as a trainer with the Coolaroo Australian Football Club in Toowoomba.



Karen Williams

Karen has been Principal Solicitor at ADA Law for 5 years. One of our Key services provides for QCAT advice and representation for adults who are likely to be subject to a Tribunal application or Order.

Karen is the Queensland Representative for National Elder & Succession Law Committee. Her professional interests also include: responding to Elder Abuse and interface between Hospital and Aged Care.