



It has been well over a year since our last newsletter and we have been very busy over this period.



Blackman Legal has gone through a significant

period of growth and our team has expanded as detailed below.

Our focus on providing “Personal & Professional Service” has not waivered and we always do all we can to minimize the stress being experienced by our clients.

We are honoured and thrilled to have served over 700 clients since we started our practice four and a half years ago. We thank each and every one of you for the trust you have placed in us.

Our core areas of service now include:

- Family Law and Litigation
- Property and Conveyancing
- Wills and Estates
- Guardianship
- Commercial Transactions
- Notary Public Services
- Immigration

Our team also includes a number of trusted associates who specialize in other areas of law. This enables us to provide a wider range of legal services to clients.

We are always available to discuss with clients any of their issues of concern and do all we can to assist in their resolution.

A recent SMH article is included at the end of this newsletter as a timely

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reminder of the importance of keeping wills up-to-date as life circumstances change.

The following form the Blackman Legal team:



Alan Blumberg –

Alan is now the Principal Solicitor Director of Blackman Legal.

Alan acts in all our practice areas however his special interest is in Family Law. He is becoming well known around the North Shore and beyond for his empathy, warmth and kindness towards clients going through a relationship breakdown whilst tirelessly and ferociously fighting for their legal rights and interests.

Amanda Blackman - Amanda, is our firm's founder, and has more than 27 years in continuous legal practice as a Solicitor. She is also a Notary Public.



Amanda's new role in Blackman Legal is as the firm's Consultant. In that role she mentors and gives wise counsel to the rest of our team whilst continuing to provide sound legal advice and assistance to her many longstanding clients. Amanda is excited to announce that in addition to this role she is now a Licensed Real Estate Agent! As such she can utilize her special skills as a negotiator, her knowledge of the law and passion for property to assist clients when buying or selling real estate. Her new boutique north shore real estate agency will be launched shortly and we will keep you updated on this development.



Victoria Hailey –

Victoria started out at Blackman Legal as a part-time paralegal whilst completing her law degree. Victoria was admitted to practice as a Solicitor in February 2014

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and has been employed by Blackman Legal full-time since. Victoria has learnt much about the practice of law since her admission and continues to do so daily. Her unflappable nature and 'can do' attitude is an asset to the firm. Victoria loves nothing more than appearing in court to fight for our clients' rights and she never lets any of her opponents get the better of her, regardless of their greater experience.

Belinda Nixon –

Belinda is an experienced litigation Solicitor with an eye for



detail and a love for drafting the perfect affidavit! Belinda worked for many years in demanding city law firms. Once Belinda had her family she needed to be able to combine her important job as a mum with her legal work. Luckily for us our paths crossed a few years ago and Belinda joined Blackman Legal where

she works in the office three days a week (often further at home) managing complex legal disputes, whether they be commercial or estate matters, as well as acting for many of our Family Law clients.



Tracey Cox –

Tracey is a Licensed Conveyancer, specialising in the sale and purchase

of real estate. Tracey has had more than ten years' experience in this field. Her calm manner, ability to solve problems and to work under a great deal of pressure is much appreciated by our clients as well as Amanda, with whom she works closely. The sale or purchase of a new home is one of the more stressful life events but with Tracey looking after our clients we know they are in safe and capable hands.



Angela Forbes –

Angela's dulcet tones are usually the first

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point of contact when clients telephone us at the office. Angela is an experienced PA who has just obtained a science degree. She has, thankfully, taken control of our front office and all the things that go on 'behind the scenes' of a law firm, ensuring everything is running smoothly. Angela is enjoying learning about working in a law firm and taking over the paralegal position which was previously Victoria's role.

Margaret Cameron

– Margaret assists Alan in Family Law and other areas. After a successful career in marketing and IT and raising her two boys who are now teenagers Margaret decided that she needed a new challenge and studied law as a mature age student. Margaret was admitted as a Solicitor in early 2013 and provides our clients with something younger solicitors cannot – life



experience. Her superior communication skills and empathy are greatly appreciated by our clients and Margaret loves doing something about which she is passionate.

Mark Mahfouz – Mark is a



Solicitor and registered Migration Agent (MARN: 1382887).

Mark has helped many clients to obtain permanent and/or temporary visas. His experience includes, but is not limited to, assisting clients with their employer sponsored and nominated visa applications, business sponsorship / 457 work visas, student visas, onshore and offshore parent and partner visa applications. Mark also assists clients with their applications to obtain Australian citizenship and represents clients at the Migration Review Tribunal (MRT) and the Refugee Review Tribunal (RRT).

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Article of Interest from the SMH

FAMILY BATTLE OF WILLS OVER MISSING SIGNATURE EXPOSES THE LIMITATIONS OF ESTATE LAW

After a three-year marriage and a messy break-up, a young couple was moving on with their separate lives. Now a missing signature is holding them together in death.

In a bitter dispute that exposes the limits of the law, a young man who died without a will has unwittingly left his entire estate to his estranged wife - even though the couple had already split their assets and had new partners.

The man's grieving family has no rights to the assets.

"It still astounds me now," said his father, who described his "total shock" at the sudden death of his 31-year-old son.

Before his death, his son told him he had met the woman who was "the one" and the new couple spent the last 15 months of his life together.

A missing signature is at the heart of the legal battle. The man's estranged wife, who wanted to remarry, had served signed divorce papers on him months before his death but he had not signed them.

If he had been divorced or had left a will, his estranged wife would have no claim on the estate, which includes a house, superannuation and a death benefit. But because they were still legally married and they had no children, the state Succession Act says she is entitled to the whole of the estate.

After the couple split, the man paid his estranged wife \$35,000 under a property settlement which allowed him to keep the matrimonial home. He had built the house on a block of land he bought before he was married.

"She instigated the divorce proceedings - she got her money and moved on," the father said.

The father will be entitled to have funeral costs and potentially some debts paid but he has no further rights to the estate, although the parties may come to an agreement.

The lawyer for the man's father said the estranged wife was "getting a second, uncontested bite of the cherry".

"It's not something you can blame any parliament for, because it probably has not been brought to their attention previously," he said.

"The way that the law should be ... is that if there has been a property settlement between the parties and there has been no reconciliation of the relationship, then clearly the surviving spouse has received her or his fair share of the estate."

But the lawyer for the estranged wife said "there was a lot to this that doesn't seem fair to this girl either" and she had done nothing wrong. He said she had a legal right to the estate and had found herself the subject of a "hatred campaign".

The woman was not legally represented when the property settlement orders were drafted. Her solicitor said the orders could have precluded her from entitlement to his estate, but they did not. Her late husband could also have made a will or signed divorce papers, but he did not.

The man was living with his new partner at the time of his death and they planned to buy a house and have children together. But the Succession Act only gives de facto spouses an automatic right to part of the estate if the couple had lived together for at least two years or had a child together.

The man's new partner said his father was left "heartbroken" over the dispute. In a last-ditch legal bid, she will ask the Supreme Court to grant a "family provision order" to give her a share of the estate.

"I'm not by any means money-driven but I think that [her late partner] would want what's right to take place," she said.

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