

# Essentials of Advocacy & Negotiation



Friday, 20 June 2025  
8.30am – 5.00pm



The Law Society of Western Australia,  
Level 5, 160 St Georges Terrace,  
Perth WA 6000

Total CPD units: 6



4 units, Competency 2, Professional Skills



2 units, Competency 3, Ethics and Professional Responsibility

## About the Event

This course is specifically designed for anyone seeking a refresher or for practitioners new to advocacy. It provides essential information to advance legal knowledge and practical application to improve advocacy and negotiation skills.

Hear from distinguished members of the legal profession on case presentation and theory, opening and closing statements, examination and cross examination of witnesses and what makes a good advocate.

As negotiation skills are valuable for all lawyers and critical to all areas of practice, this year also provides expert guidance on negotiation skills.

## Key Learning Outcomes

- Learn from advocacy experts and embed your knowledge with the provided textbook, *Advocacy: An Introduction*, Curthoys, J; Kendall, C.N., 2006
- Gain a better understanding of the decision-making process and audience expectations
- Understand the importance of content and how case theory is involved in interlocutory argument
- Be across the ethical duties that arise in litigation and in dealings with the court
- Understand the best cross-examination techniques at your disposal
- Maximise the strength of your opening and closing statements
- Advocate effectively in negotiating on behalf of your clients



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# Essentials of Advocacy

## Programme

### Welcome From the Chair

8.30am

### What Makes a Good Advocate?

8.35am

This session provides examples of both good and bad advocates. It aims to help lawyers better understand what they need to know about the decision making process, who their audience is in court, what that audience expects and why integrity, respect, courtesy, preparation and self-confidence are all features central to the advocate's role.

### Examining Your Own Witness

9.15am

How the evidence comes out is almost as important as the evidence itself. Keep your audience (the judge or jury) interested in what the witness is saying by asking good questions which prompt the witness to tell their story in digestible parts.

### Morning Tea

10.00am

### Opening Statements

10.15am

Focuses on giving the judge the best introduction to your case, including what information you want to include in your opening statement and what is better left for your closing. Additionally, examines the perils of opening too high and how to give the judge a good road map for the way in which you intend to lead the court through the evidence.

### Cross Examination

11.00pm

A good cross examiner knows what they want to achieve and has a plan as to how they are going to achieve it. This session will get you thinking about the objectives of cross examination and the tools you can use to achieve them.

### Lunch

11.45am

### Ethics

12.30pm

Examine particular ethical duties that arise in litigation and in dealings with the court, including the specific rules to consider from the time of instructions, to the preparation of pleadings and witness statements, submissions and cross examination and addresses.

### Case Presentation & Case Theory

1.15pm

Examines the importance of content and how it is fundamental to good advocacy. Delve into how case theory shapes performance preparation for trial and how it is involved in interlocutory argument and appellate advocacy.

### Closing Statements

2.00pm

Focus on the art of tying together evidence and legal arguments in a persuasive package that makes sense to the judge. Explore the best ways to explain how the evidence supports your case theory.

### Afternoon Tea

2.45pm

### Negotiation

3.00pm

The ability to negotiate effectively is a core competency for lawyers to help clients achieve their objectives, get better results under pressure, and improve client satisfaction. An effective negotiator can help to reduce the cost and duration of dispute resolution, whilst preserving professional relationships and confidentiality. Learn about the concepts and tools for effective preparation and execution of negotiations.

### Drinks & Networking

5.00pm

Finish the day with relaxing drinks as you network with your fellow delegates.