

ad rem.

Tonkin Drysdale Partners Client Newsletter



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A message from the Partners

Welcome to our Christmas Edition of Ad Rem for 2017.

What a fantastic year it has been on the beautiful Central Coast. With Christmas fast approaching it is a great time to put the feet up, relax a bit and catch up with family and friends.

Some exciting news within the office, with **Davina Borrow-Jones** and her partner Neil announcing the birth of their son Lucas on 12 October. Mother, baby (and father) are all reported to be doing well.

Lee Pawlak was appointed as a Specialist in Family Law through the Law Society Specialist Accreditation in October this year. Well done Lee on a fantastic effort. You can read more about Lee's achievements in this edition.

Our Managing Partner, **Darrell Pannowitz** was presented with a business award by the Peninsula Chamber of Commerce in July this year. Darrell was presented with the President's Award for Community and Business Excellence for his more than

30 years service to the legal profession and his community work with Peninsula Village and Umina Men's Shed. Congratulations Darrell on the well earned recognition.

We have welcomed to the team **Kate Hillard** who is an assistant to Paul Tonkin and **Rill Olsen** who joins us from KR Jones and Healey and will be doing mostly probate work.

We are proud to announce that we are a corporate partner to the Mariners again for the 2017/2018 season. We are the sponsor to the Head Coach, **Paul Okon** and look forward to many successes on the field.

We would like to thank all our staff for the tremendous effort this year often under very busy and stressful conditions. We also thank all our loyal clients for their continued support and welcome the former KR Jones and Healey clients who have joined us.

We wish all of you a **Merry Christmas** and look forward to working with you in 2018.



TDP are proud to be sponsor to the Head Coach Paul Okon

DARRELL PANNOWITZ OAM
Partner



PAUL TONKIN
Partner



PAUL QUINN
Partner



LEE PAWLAK
Partner



Tonkin Drysdale Partners

Lawyers Est. 1958

🕒 60 Seconds with Fiona Stevenson



What is your role at Tonkin Drysdale Partners?

I share reception with Kim and also do work as a legal assistant.

How do you spend your time when you are not at work?

Being a mother to three children, I am very busy looking after my son and 2 daughters. Otherwise, I enjoy getting outdoors and lots of exercise for a healthy lifestyle.

The one person in the world I would like to meet is?

Leonardo DiCaprio because he is gorgeous and is also my age.

What is the best thing about living on the Central Coast?

The relaxed beach-side living, great cafes and very little traffic.

What do you like most about your job?

Meeting clients and helping them with their enquiries.



LEE PAWLAK

Lee Pawlak – Accredited Specialist

Lee Pawlak has obtained his Specialist Accreditation in Family Law. The Law Society confirmed that he had successfully passed to become one of the leading Family Law lawyers in October 2017.

Lee was required to pass a written exam and an interview to be recognised by the Law Society as meeting the requirements to become an Accredited Specialist. Of his achievements Lee said:

“I was thrilled to be appointed by the Law Society of NSW an Accredited Specialist in Family Law in October 2017.

This title helps the public identify solicitors who have demonstrated expertise in their area of law.

In short, it was bloody hard work! Each candidate had to endure the most rigorous of assessment processes laid down by the leading, eminent solicitors in the State.

I am proud that I managed to make the cut. There is a very small handful of Accredited Specialists in Family Law on the Central Coast, and only one other on the Peninsula.

I’m very thankful to my partners at TDP and my family for allowing me to make the substantial time commitment to reach this achievement”.

The Partners and all at TDP are proud of Lee and congratulate him on his dedication.

Changes to Driver Licence Disqualification

Changes have been introduced to the periods of disqualification of drivers' licenses in October 2017. The changes provide that in some cases, drivers who have had their licence disqualified by a court, may apply to the Local Court for the removal of their existing period of disqualification.

Depending on the offence, the driver must have an offence free period of either 2 years or 4 years.

The matters that the Court must take into account include the safety of the public, the overall driving record, conduct since the licence disqualification, the need for a licence and the applicant's health and finances.

Is a Child's Step-Child a Grandchild when making a Will?



If the intention of a testator in making a Will is not clear, it is often necessary to look to other evidence to determine the intention. The Supreme Court was asked to consider this in the Estate of Wright in 2016.

Mr Wright had two sons but one of his sons had two step children. His Will contained a testamentary trust and described the beneficiaries of that trust as "my son who shall be the primary beneficiary of that trust, his spouse, his children and grandchildren and their descendants living prior to the vesting date".

The court was asked to consider whether the references to "descendants" and "children" in the Will should be rectified to make it clear that they include Mr Wright's step grandchildren.

Evidence was presented to the Court about Mr Wright's relationship with his grandchildren, including his

step-grandchildren. In making the decision that Mr Wright intended to include his step-grandchildren as beneficiaries the Judge said:

"In my respectful view, the evidence in this case... makes it clear by application of the armchair principle that, in referring to either "descendants" or "children", Mr Wright intended to include [his step-grandchildren]. He considered them to be an integral part of his extended family and, more importantly perhaps for present purposes, and integral part of his [son's] family."

This case emphasises the importance of being clear about your intentions and tight with language when making your Will. We recommend that you review your Will periodically and call to make an appointment to discuss if required.

Tonkin Drysdale Partners

footy tipping



Another Successful TDP Footy Tipping Comp

This year we hosted for the 16th straight year the TDP NRL Footy Tipping Competition.

A total of 199 punters entered the competition for the top prize of \$2,000.00 plus bragging rights.

Total prizemoney of \$5,440.00 was handed out at our presentation night at Everglades Country Club on Friday 8 September 2017.

We were joined on the night by former Socceroos Captain and current Mariners Coach Paul Okon. Paul was grilled by our very own Darrell Pannowitz and Paul Tonkin regarding his time playing in Europe and the season ahead for the Mariners. We were all provided with some fascinating insights by Paul, including that he is a mad Parramatta Eels fan.

The tipping comp will be run again next year so if you fancy your chances why not join in the fun?



Community engagement

Tonkin Drysdale Partners are proud to be associated and support the following community organisations:

- Central Coast Mariners
- United Way Australia
- Woy Woy Amateur Swim Club
- Bays Community Group Inc
- Umina Beach Men's Shed
- Terrigal Matcham Cricket Club
- Woy Woy Women's Bowling Club
- Woy Woy Hospital
- Woy Woy Peninsula Lion's Club
- Woy Woy Football Club
- Woy Woy Lions Rugby Club
- Woy Woy Roosters Rugby League
- Southern Spirit Cricket Club
- Woy Woy Bowling Club
- Brisbane Water Secondary College – Sporting and Academic
- Everglades Country Club
- Ocean Beach Surf Life Saving Club
- Umina Beach Surf Life Saving Club
- Rotary Club of Woy Woy
- Rotary Club of Umina Beach
- Our Lady Star of the Sea Terrigal
- Peninsula Villages
- Woy Woy Community Aged Care
- Peninsula Chamber of Commerce
- Central Coast Small Business Networking Group
- Central Coast Area Health
- ET Australia

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