

## [Webinar] Basic Written Advocacy Workshops 2020

Module 1	2 July 2020, Thursday	6.30 pm – 8.30 pm
Module 2	16 July 2020, Thursday	6.00 pm – 8.00 pm
Module 3	20 July 2020, Monday	6.00 pm – 7.45 pm
Module 4	24 July 2020, Friday	6.00 pm – 7.45 pm
Module 5	30 July 2020, Thursday	6.00 pm – 8.00 pm

*This programme is conducted as a live webinar.*



No. of Public CPD  
Points:

**Module 1:**  
2.0

**Module 2:**  
2.0

**Module 3:**  
1.5

**Module 4:**  
1.5

**Module 5:**  
2.0

Practice Area:  
**Civil Procedure**

Training Level:  
**General**

Registration Fees Per Module	
Category	Fees (Inclusive of 7% GST and course materials)
Law Society Member	<del>\$53.50</del> Free*
SCCA Member	\$96.30
Non-Member	\$107.00

\*From 1 July to 31 December 2020, webinars are free for all LawSoc Members.  
*Terms and conditions apply.*

## About the Workshops

As the caseload of judges and arbitrators increases with the number and complexity of disputes, the time allocated for oral hearings has progressively decreased. Gone are the days where counsel could have free rein to deliver day-long opening and closing arguments. However, this does not diminish the burden on advocates to fully develop their cases – the real change and challenge is a greater emphasis on written arguments.

While judges and arbitrators would prefer less lengthy written arguments, they are not above chiding counsel for extreme brevity that fails to establish a complete case theory. Achieving a good standard and balance in the art of written advocacy is therefore extremely difficult. One must observe the fundamentals without appearing formulaic and, above all, be persuasive without bending or ignoring adverse facts.

This workshop comprises five sessions with each session guiding participants through the gamut of fundamental skills necessary to write persuasively in various filings over the course of a dispute.

## Who Should Attend

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This workshop targets any PQE who are looking to develop or refresh their core skills in written advocacy. Our speakers and trainers are leading luminaries from the bench and bar with the necessary experience to offer advice and techniques for every skill level.

Participants are highly encouraged to attend all five sessions to achieve a more holistic learning experience across the different forms of written advocacy that forms the canvas of modern dispute resolution.

“In times of change, learners inherit the earth, while the learned find themselves beautifully equipped to deal with a world that no longer exists.” – Eric Hoffer

**Module 1 – General Principles of Legal Drafting**

Time	Activity
6:30 pm – 8:00 pm	<b>Lecture: General Principles of Legal Drafting</b> Lim Lei Theng - Former Deputy Director, Legal Skills Programme, NUS Law
8:00 pm – 8.30 pm	<b>Plenary Session</b> Lim Lei Theng - Former Deputy Director, Legal Skills Programme, NUS Law Judge Joseph Yeo – District Judge, The State Courts of Singapore
8.30 pm	End

We must learn to walk before we run. Permeating through all forms of written advocacy is the need to establish and hone a core skill set for presenting evidence and submissions with precision and clarity. Often under-rated, the general principles of legal drafting must be adhered to and applied before counsel considers adding flourish and flair to a legal document. This session will guide participants on what the basic expectations of the recipient of a legal document will be, and correspondingly what general principles counsel should observe. This session forms the foundation upon which subsequent sessions will develop on.

**Speakers' Profile****Lim Lei Theng - Former Deputy Director, Legal Skills Programme, NUS Law**

Lei Theng has been involved in teaching legal skills and developing skills courses since 1993. She has taught Legal Method (a precursor to the current Legal Analysis, Research and Communications course) and Trial Advocacy and launched the first Negotiation and Mediation Workshops at NUS Law. She has also developed new skills courses at NUS Law, including Legal Case Studies (now known as Corporate Deals). In 2009, Lei Theng developed the clinical legal education programme at NUS Law where law students assist her in live cases where she makes appearances at the High Court, Family Courts and the State Courts. A former JLC, she was previously practiced litigation at Drew & Napier LLC. Lei Theng is active in the Law Society's Advocacy courses, and has developed and run a written advocacy course for the SAL. She has been invited by NITA as a trainer in their programme, and has served as a consultant in train-the-trainers programmes for law schools in Taiwan, Hong Kong and Malaysia. She also runs the pro bono programme at NUS Law and constantly engaged in efforts at raising standards of practice in the legal profession.



**Judge Joseph Yeo – District Judge, The State Courts of Singapore**

Mr Joseph Yeo is a Deputy Registrar with the Centre for Dispute Resolution Division of the State Courts. Mr Yeo obtained his LLB from the National University of Singapore in 1989 and started his career as a litigation lawyer with Messrs Drew & Napier. He joined Messrs Kelvin Chia & Partners in 1997 before moving to Messrs Khattar Wong & Partners to practice litigation and international arbitration. In 2007, he joined the Legal Service and was appointed as a District Judge in the State Courts.

**Module 2 - Drafting of Pleadings**

Time	Activity
6:00 pm – 7:30 pm	<b>Lecture: Drafting of Pleadings</b> Muralli Rajaram – Partner, K&L Gates Straits Law LLC
7:30 pm – 8:00 pm	<b>Plenary Session</b> Muralli Rajaram – Partner, K&L Gates Straits Law LLC Judge Chiah Kok Khun - District Judge, The State Courts of Singapore
8:00 pm	End

You never get a second chance to make a first impression. Pleadings (including memorials in arbitration) are extremely important as they are the very first documents that judges and arbitrators peruse. They need to accurately set-up the case and provide the facts to allow the desired outcome to be justified. The importance of proper pleadings is best, considered in consideration of consequences of poor pleadings. Poor pleadings lead to costly applications for further and better particulars and can also curtail a party’s ability to seek discovery subsequently. Even more dangerous (and embarrassing for counsel) is the risk that weak pleadings are struck out or forced to amend at a striking out application. Proper pleadings must not only comply with the rules but utilise the opportunity to show the reader that counsel possesses a mastery of the facts and law that will develop in the case. This session will guide participants on how to structure and prioritise facts necessary in a case, and also offer guidance on being succinct yet useful.

**Speakers’ Profile**



**Muralli Rajaram – Partner, K&L Gates Straits Law LLC**

Mr Rajaram is involved in Complex Commercial Litigation and Disputes, International Arbitration, Restructuring & Insolvency and Internal Investigations.

Mr Rajaram has represented clients across wide-ranging industries, including aviation, banking, commodities, construction, healthcare, hospitality and joint ventures. He has appeared in all levels of Courts in Singapore and has considerable experience dealing with high-value complex litigation. On the International Arbitration front, Mr Rajaram has broad experience dealing with *ad*

*hoc* and institutional arbitrations as well as seeking redress and intervention from the Courts in relation to such arbitrations.

Mr Rajaram has broad experience over many areas of law. He is comfortable arguing in civil and commercial matters before the High Court and the Court of Appeal and in *ad hoc* and institutional arbitrations. Mr Rajaram also assists clients in the conduct of internal investigations relating to compliance and employee fraud issues. He is also active in the contentious aspect of Restructuring & Insolvency.

In 2016, Mr Rajaram was recognized as one of the top 40 lawyers under the age of 40 by Asian Legal Business. In 2018, he was identified as a Future star in the Commercial disputes space by Benchmark Litigation and a Future Leader by Who's Who Legal where he is described as “a *very sharp and practical litigator*” who “*really stands out*” for his expert handling of complex commercial proceedings, particularly relating to corporate finance disputes.



**Judge Chiah Kok Khun - District Judge, The State Courts of Singapore**

Kok Khun is a district judge in the Civil Justice Division of the State Courts of Singapore.

Prior to his appointment as district judge, Kok Khun was in private practice for 20 years. His practice was in civil and commercial litigation. He had acted in a number of major disputes before the High Court and the Court of Appeal. He had also acted for parties in international commercial arbitrations.

Kok Khun graduated with an LLB from the National University of Singapore. He is a fellow of both the Chartered Institute of Arbitrators and the Singapore Institute of Arbitrators.

**Module 3 - Developing a Case Theory and Taking Instructions**

Time	Activity
6:00pm – 7:30pm	<b>Lecture: Developing a Case Theory and Taking Instructions</b> Abraham Vergis – Managing Director, Providence Law Asia
7:30pm – 7:45pm	<b>Q&amp;A</b>
7:45 pm	End

If a client's desired outcome is a destination, counsel's case theory is the road-map that gets their client there. No advocate will be successful in his written advocacy without first taking proper instructions from his client and then developing a case theory that applies both evidence and law in a structured and sustainable manner. This session will inform participants on how to efficiently take instructions from a client, including offering guidance on formulating appropriate questions that will elicit responses useful to developing the case theory. This session will also guide participants on aspects of case theory development to enhance the overall persuasive value.

## Speaker's Profile



### **Abraham Vergis - Managing Director, Providence Law Asia**

Abraham is an experienced Singapore court advocate and counsel in international arbitrations across Asia. He is also an accredited arbitrator and mediator. Abraham established Providence Law Asia LLC in 2012 as a boutique international arbitration and litigation practice.

### **Module 4 - Drafting of Affidavits**

Time	Activity
6:00 pm – 7:30 pm	<b>Lecture: Drafting of Affidavits</b> Edmund Kronenburg, FCI Arb, FSI Arb – Managing Partner, Braddell Brothers LLP
7:30 pm – 7:45 pm	<b>Q&amp;A</b>
7:45 pm	End

Even the best advocate will have no case without evidence. Good affidavit evidence has long been a requirement for success in interlocutory applications but is more crucial than ever since the introduction of the Affidavit of Evidence-in-Chief in civil proceedings. Proper affidavits contain all the facts necessary to support counsel's submissions without descending into verbose verbiage or employing legalese. One of the principal difficulties when attempting to draft an affidavit lay with presenting the facts and documents in a coherent, comprehensive and logical manner while keeping in mind that the deponent may subsequently be called upon to "defend" the evidence (and perhaps even the style and language or presentation) in cross-examination. This session will offer participants with insights, tips and guides on how to draft affidavits successfully while avoiding potential subsequent difficulties.

## Speaker's Profile



### **Edmund Kronenburg, FCI Arb, FSI Arb - Managing Partner, Braddell Brothers LLP**

Edmund is the Managing Partner of Braddell Brothers LLP, Singapore's second-oldest independent law practice, founded in 1883. He is admitted as an Advocate & Solicitor (Singapore) and Solicitor (England & Wales) and has over 22 years' experience in litigation and arbitration. Edmund's diverse practice includes commercial and corporate disputes, breach of confidence, defamation, energy and natural resources, medical law, media and telecommunications, as well as pre-emptive relief and injunctions.

Edmund also actively sits as an Arbitrator and has conducted arbitrations seated in Singapore, Hong Kong, Indonesia and Vietnam. He is a Fellow of the CI Arb, SI Arb, MI Arb, HKI Arb, AMINZ and PI Arb.

Edmund's accolades include the following: "[O]ne of Singapore's highest-regarded litigators and arbitration counsel" (Who's Who Legal, Litigation); "[A]ggressive", "articulate", "good strategist and communicator" and "best in class" (Legal 500, Asia Pacific); "Master strategist [who] strikes the right balance between being aggressive and going towards mediation and trying to settle. The qualities you'd want in a good litigator - attention to detail and commitment - are played out extremely well. ... He receives praise from clients for his "no-nonsense" and "focused" approach" and "... He has the ability to think beyond the conventional and has brilliant ideas in terms of legal strategy" (Chambers & Partners).

#### Module 5 – Opening and Closing Submissions

Time	Activity
6:00 pm – 7:45 pm	<b>Lecture: Opening and Closing Submissions</b> Kenneth Tan, SC – Partner, Kenneth Tan Partnership
7:45 pm – 8:00 pm	<b>Q&amp;A</b>
8:00 pm	End

Following the tender of affidavits, counsel must prepare for the delivery of a concise opening statement. The opening statement represents a golden opportunity for counsel to briefly signpost what the critical issues and counsel's views on how the judge or arbitrator ought to determine the problems are. The major challenge in the drafting of an opening statement is to be complete without bogging down the reader with unnecessary or irrelevant detail. This session will guide participants with how to craft a compelling opening statement that will aid (and not confuse) the oral advocacy to follow.

Opening submissions are tendered on the doorstep of trial and typically are subject to harsh page restrictions. The timing of its tender reveals its real purpose; it is a summary of factual and legal issues that "set the stage" for the ensuing taking of oral evidence. Good opening submissions will not merely rehash pleadings but instead summarily merge fact, evidence and law to signpost for the trier of fact what to focus on when witnesses subsequently take the stand.

This session will guide participants on how to best structure and prioritise arguments to draft successful opening submissions.

## Speaker's Profile

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### **Kenneth Tan, SC – Partner, Kenneth Tan Partnership**

Kenneth Tan runs a niche dispute resolution firm. He graduated with an LLB, First Class Honors from the National University of Singapore. He was appointed Senior Counsel in January 1997, the youngest Senior Counsel when the first batch of Senior Counsel was named. His areas of practice are Civil and Commercial Litigation, Arbitration and Mediation. He has acted as an expert witness in England, Malaysia, Hong Kong and Indonesia on Singapore Law in respect of civil and commercial matters. His publications include the Chapter on Pleadings in “Modern Advocacy-Perspectives from Singapore (2008)”.

### **Admin Note to Singapore Practitioners and s36B Foreign Lawyers in relation to the Mandatory CPD Scheme:**

No of Public CPD Points:

Module 1 2.0

Module 2 2.0

Module 3 1.5

Module 4 1.5

Module 5 2.0

Practice Area: Civil Procedure

Training Level: General

Participants who wish to obtain CPD Points are reminded that they must comply strictly with the Attendance Policy set out in the CPD Guidelines. For this activity, this includes logging in at the start of the webinar and logging out at the conclusion of the webinar in the manner required by the organiser, and not being away from the entire activity for more than 15 minutes. Participants who do not comply with the Attendance Policy will not be able to obtain CPD Points for attending the activity. Please refer to <http://www.sileCPDcentre.sg> for more information.

Note: In the course of the event, photographs/videos/interviews of participants could be taken/conducted by the Law Society or parties appointed by the Law Society for the purpose of post event publicity, either in the Law Society's official publication/website, social media platforms or any third party's publication/website/social media platforms approved by the Law Society.



## Registration

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To register, please visit our website at: <https://www.lawsociety.org.sg/CPD-Portal/Law-Society-Events>.

For enquiries, please contact us at [cpd@lawsoc.org.sg](mailto:cpd@lawsoc.org.sg) or 6530-0225.

### 1. Terms and Conditions

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- 1.1. **"Free" registration tickets are extended only to Law Society of Singapore Members under the "Extraordinary Relief Package". Note: Other employees of law firms are not eligible**
- 1.2. **"Free" Registration tickets are strictly non-transferable.**
- 1.3. **If a Member is found to have lapsed in attendance of 3 free webinars, without cancellation of registration at least 3 working days prior to the event, their subsequent free registrations will be rejected and the usual registration fee will apply. Strictly no exemptions will be considered.**
- 1.4. Registration closes on the date as stipulated on the registration page or when all seats are filled.
- 1.5. Allocation of seats is on a first-come-first-served basis and there are limited seats for each programme.
- 1.6. The registration fee is due and payable upon registration and must be received prior to the programme.
- 1.7. Payment must be made by the closing date stated. Registration will only be confirmed upon receipt of full payment.
- 1.8. The Law Society reserves the right to refuse to register or admit any participant, and to cancel or postpone the programme.
- 1.9. For paid registrations, a substitute delegate is welcome, provided that The Law Society is notified in writing of the substitute delegate's name and particulars at least 3 working days before the programme. Substitution of registrant is not applicable for "Free" registration tickets.

### 2. Cancellation and Refund of Fees

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- 2.1. Participants who cancel their registration before the commencement date shall be liable to pay the percentage of the registration fee set out as follows:
  - i. 20 calendar days before commencement date: 25% of registration fee.
  - ii. 8 to 19 calendar days before commencement date: 50% of registration fee.
  - iii. 7 calendar days or less before commencement date: 100% of registration fee.
- 2.2. Participants who cancel their registration without prior payment shall also be liable to the cancellation fee set out in 2.1. In the event that the payment for cancellation fee is not received despite multiple chasers, a tax invoice will be issued and mailed to your law practice/organisation.
- 2.3. Participants who are unable to attend the programme due to medical exigencies will be subject to a cancellation fee of 50% of the registration fee.