

[Webinar] Basic Written Advocacy Workshops 2022



No. of Public CPD
Points:

Module 1:
2.0

Module 2:
1.5

Module 3:
2.0

Module 4:
1.5

Module 5:
1.5

Practice Area:
Civil Procedure

Training Level:
General



Module 1	30 May 2022, Monday	5.00 pm – 6.45 pm
Module 2	6 June 2022, Monday	5.00 pm – 6.30 pm
Module 3	13 June 2022, Monday	5.00 pm – 6.45 pm
Module 4	4 July 2022, Monday	5.00 pm – 6.30 pm
Module 5	28 June 2022, Tuesday	5.00 pm – 6.45 pm

This programme will be conducted as a webinar.

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. This, however, 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

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	Programme
5.00pm – 6.15pm	Lecture: General Principles of Legal Drafting Lim Lei Theng – Partner, Allen & Gledhill
6.15pm – 6.45pm	Plenary Session Lim Lei Theng – Partner, Allen & Gledhill Judge Carolyn Woo – District Judge, The State Courts of Singapore
6.45pm	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 – Partner, Allen & Gledhill LLP**

Lei Theng joined Allen & Gledhill in January 2021 to head their Knowledge Management Team and Co-Head the Pro Bono Programme. In her new role, she continues to take on pro bono and other litigation matters, while running one of the oldest and most established KM and training departments in Singapore.

Lei Theng has been developing and delivering legal skills courses and workshops for NUS Law, government agencies and private entities since 1993. She pioneered a number of modules at NUS including Corporate Deals, Negotiation and Mediation Workshops, and cross-faculty modules with other departments in NUS. 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, Lei Theng was in practice in another Big 4 law firm before returning to teaching at NUS Law. Lei Theng is active in teaching the Law Society's Advocacy courses, and has developed and run written advocacy courses for 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.



Judge Carolyn Woo – District Judge, The State Courts of Singapore

Carolyn graduated from the National University of Singapore in 1999 and joined the Legal Service after a short stint in private practice, starting as an Assistant Director in the Legal Aid Bureau. Since joining the then-Subordinate Courts in 2005, she has presided over a wide range of legal issues during her postings to the Family and Juvenile Court (now Family Justice Courts) and the Civil Division of the then-Subordinate Courts. Carolyn is currently a District Judge with the State Courts’ Court Dispute Resolution Cluster, as well as the Deputy Chairman of the Ministry of Finance Valuation Review Board and hears appeals in property tax matters. She is also a SMC accredited mediator and a certified SIMI mediator.

Module 2 – Developing a Case Theory and Taking Instructions

Time	Programme
5.00pm – 6.15pm	Lecture: Developing a Case Theory and Taking Instructions Abraham Vergis, SC – Managing Director, Providence Law Asia
6.15pm – 6.30pm	Q&A
6.30pm	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, SC - 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 3 – Drafting of Pleadings

Time	Programme
5.00pm – 6.15pm	Lecture: Drafting of Pleadings Muralli Rajaram – Partner, K&L Gates Straits Law LLC
6.15pm – 6.45pm	Plenary Session Muralli Rajaram – Partner, K&L Gates Straits Law LLC Judge Chiah Kok Khun - District Judge, The State Courts of Singapore
6.45pm	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 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 4 - Drafting of Affidavits

Time	Programme
5.00pm – 6.15pm	Lecture: Drafting of Affidavits Edmund Kronenburg, FCIArb, FSIArb – Managing Partner, Braddell Brothers LLP
6.15pm – 6.30pm	Q&A
6.30pm	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, FCIArb, FSIArb – 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 24 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, Malaysia, 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	Programme
5.00pm – 6.30pm	Lecture: Opening and Closing Submissions Kenneth Tan, SC – Partner, Kenneth Tan Partnership
6.30pm – 6.45pm	Q&A
6.45pm	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



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.

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: 1.5

Module 3: 2.0

Module 4: 1.5

Module 5: 1.5

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 on each day of the activity, and not being away from any part of the webinar for more than 15 minutes on each day of the activity. Participants may obtain Public CPD Points for each day of the event on which they comply strictly with the Attendance Policy. 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

Membership Category	Fees (Inclusive of 7% GST and course materials)
Law Society Member (per module)	\$53.50
[BUNDLE] Law Society Member <i>*Special price for Law Society members only when you sign up for all 5 modules!</i>	\$240.75
SCCA Member	\$96.30
Non-Member	\$107.00

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 or 6530-0255.

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- 1.3 Payment must be made by the closing date stated. Registration will only be confirmed upon receipt of full payment. An email confirming your registration will be sent to the email address provided in your registration, and/or a message confirming your registration will be displayed on the Website. If you do not receive confirmation of your registration within twenty-four (24) hours of your registration, please contact the Law Society CPD team at cpd@lawsoc.org.sg.
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- 2.1 Allocation of seats is on a first-come-first-served basis and limited seats for each programme.
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 - 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.
- 2.3 Participants who cancel their registration without prior payment made shall also be liable to the cancellation fee set out in 2.2. 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.
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- 4.2 By submitting this registration form, you consent that the Law Society may collect, use and disclose the personal data you provide in this form to administer your registration for this event and for statistical, analysis and planning purposes, solely related to this programme. You consent that we may disclose: (i) aggregate participant data to speakers to tailor their presentations for this event; (ii) aggregate participant data for publicity purposes.
- 4.3 You agree that any personal information you submit as part of your registration for the programme is accurate and that you have all necessary permissions to submit such personal information.