## Michael Locke BARRISTER

Family Law Civil Litigation BA LLB MComLaw

#### SUMMARY

- As of 2022 | am 62 years old
- I live in Auckland
- I was admitted to the bar in December 1989
- I have practised in family law and civil and family litigation for 33 years
- I have been a barrister sole since 1998
- My areas of practice are primarily civil litigation, family law, and trust and relationship property

# Qualifications

- Bachelor of Arts degree in political science (Canterbury University, 1982)
- LLB degree (Victoria University, 1988)
- Master of Commercial Law degree (Auckland University, 1995)
- Institute of Professional Studies skills course
- Admission as a Solicitor of the High Court of New Zealand (Admission to the Bar)
- Current holder of a practising certificate from the New Zealand Law Society
- LEADR Accredited and Fairway Resolution mediator (FDR, relationship property, and general matters)

# **Employment/self-employment**

- I was employed as a staff solicitor by Martelli McKegg Wells & Cormack solicitors between 1989 and 1991
- I was employed as a staff solicitor by Jespersen Johnston & Askelund solicitors between 1991 and 1995
- I was a partner of Jespersen Locke solicitors between 1995 and 1998
- I commenced practised as a barrister sole in 1998 and have practised as such since that time

#### Contact details

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# CREDENTIALS

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## Areas of practice

- My practice has always comprised approximately equal number of briefs in the areas of civil proceedings on the one hand, and family law and relationship property on the other
- Civil briefs I have handled have spanned a wide range of subject matters, including:
  - estate claims (Family Protection Act, Law Reform (Testamentary Promises) Act, undue influence, lack of capacity
  - contract disputes
  - insurance disputes
  - agreements for sale and purchase of land
  - lease disputes
  - constructive trust claims
  - Fair Trading Act/misrepresentation claims
  - injunctions
  - defamation
  - application for partition and sale of joint tenancies
  - insolvency
  - creditors' remedies
  - debtor protection
  - company disputes
  - liquidations and bankruptcy, schemes of arrangement, applications to annul bankruptcy
  - leaky building litigation
  - tort claims
  - quasi-contract proceedings
- Family and relationship property briefs I have handled cover the usual range of:
  - matrimonial and relationship property
  - spousal maintenance
  - child support reviews

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#### Areas of practice continued

- care of children
- guardianship
- domestic violence
- paternity
- Family Protection/Testamentary Promises claims

#### Miscellaneous

- I am on the counsel for child list of, and have received briefs from, the Waitakere, Manukau, Auckland, and Nelson Family Courts. I have been qualified as counsel for child for over 20 years
- I have a full-time junior, Allanah Leerdam, will be admitted to the Bar in late 2022.

#### **Funding arrangements**

- The Lawyers and Conveyancers Act requires contracts of retainer to be entered into between solicitor and client; I have a precedent appropriate for the appointment of counsel
- My usual charge out rate is \$300 per hour plus GST, however this is subject to review depending upon the nature of the brief and the particular client's circumstances

## Professional liability insurance

I carry professional liability insurance to a maximum cover of \$1,000,000 in claims in any one year (a maximum of two claims, to a maximum of \$500,000 each). No claims have been made against my professional liability insurance or that of any firm I have been employed by in respect of any matter I have handled in my 23 years of practice.

