



Précis Paper

A Discussion with the Law Society of NSW's Longest Serving Practitioner

Mr Nick Cassim, the longest serving practitioner in NSW, joins BenchTV for a discussion about his life, the law, and the changing shape of legal practice.

Discussion Includes

- Changes that have occurred in legal practice
- Personal interests
- The divided profession
- Legal costs
- Client base of small practices

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A Discussion with the Law Society of NSW's Longest Serving Practitioner

1. In this edition of BenchTV, Nick Cassim (Consultant, Gary Cassim and Associates, North Sydney) and Alan Conolly (Senior Partner, AR Conolly & Company) reflect on Mr Cassim's career and changes in the law and legal practice.

Personal Life and History

2. Mr Cassim is a lawyer with a long history of practice in NSW and is now the NSW Law Society's longest serving practitioner. His family immigrated to Australia from Greece. Nick started his involvement in the law in 1947 as an articled clerk after graduating from Fort Street High School. After articling for five years, he studied with the equivalent of the Legal Practitioners Admission Board, and was admitted in 1952.
3. His first major area of practice was in mercantile work and debt collecting, and he used this as a way in which to build up a broader practice. He secured premises in Oxford Street, Sydney and provided legal services to many immigrants who lived in Paddington and Redfern at the time. His early work focused on Local Court work, such as motor vehicle accidents and some criminal law. As a general practitioner, he has practiced across a broad variety of areas of law, including estates and probate, criminal law, conveyancing, and partnership and corporations law, and has worked for individuals, small entities and large companies.
4. Mr Cassim has until today maintained work from some of the families of his original clients. As his client base grew, so did his staff, and he employed as many as 17 law clerks and secretaries at one point in time.
5. Outside of the law, Mr Cassim has always had a range of interests, including long distance bushwalking, sailing and skiing. Today, he still sails, both competitively and recreationally and has participated in the Sydney to Hobart race.

Changes in Legal Practice

6. Mr Cassim noted that in the 1950s, the population of Australia was around 8 million people. The number of practitioners in Sydney was around 1,200. There was therefore not the level of competition in the legal market that exists today, and Mr Cassim considered that there was always plenty of opportunity for business.

7. Although Mr Cassim employed many law clerks and secretaries over the years, he has only ever employed one other solicitor. Many law practices today would not be structured in this way, however Mr Cassim commented that with modern technology, there is opportunity to run practices virtually without the necessity of having to employ many staff, including even law clerks or paralegals.
8. Other key differences include jurisdictional changes, as family law, for example, used to be part of the Supreme Court's jurisdiction. In addition, city firms often acted as agents for country firms, doing a variety of work including mentions, attendances upon settlement, and registration work, particularly in relation to old system title.
9. In relation to legal costing, Mr Cassim noted the prevalence today of the system of charging by the hour. However, for small practices, it is often necessary to charge what the job is worth, rather than the work actually done, because of the competitive pressures on them.
10. In litigation, as technology has proliferated, the complexity of cases has increased, and it can sometimes be very difficult to assess what the heart of the matter is, because of the complexity involved. Mediation plays an increasing role, and is an aid to settlement, however Mr Cassim did not consider that most matters settle prior to trial. He believed that there is today a tendency to hide behind the written word, in the form of written correspondence and emails, and the practical considerations tend to be put aside. There is a little too much confrontation in the legal world now, but mediators played an important role in getting the parties together.
11. There has always been a problem with the cost of litigation, and historically, lawyers have attracted criticism for overcharging. This means that the costs of litigation can be too much for ordinary people, and for small law firms, this can translate into a difficulty in getting paid even a moderate fee. Mr Cassim indicated that he has completed significant amounts of work for free over the years.
12. The character of clients has also changed. Clients are increasingly well-researched, and come in with greater knowledge and decided views about their legal position.
13. Finally, the costs of running a practice are always increasing, and so legal practices must find ways to manage costs. Mr Cassim indicated that his firm finds itself working with casual staff more often in order to save on staff overheads.

BIOGRAPHY

Nick Cassim

Consultant, Gary Cassim and Associates, North Sydney

Nick Cassim has been practicing as a solicitor for 64 years, making him NSW Law Society's longest serving practitioner. Nick was admitted in 1952 and received his full practicing licence in 1953. Nick worked as a sole practitioner up until 2000. He currently works as a consultant for Gary Cassim and Associates, still with his own clients.

Alan Conolly

Senior Partner, AR Conolly & Company

Alan Conolly founded the legal firm AR Conolly and Company Lawyers in 1968, where he remains a partner in full-time practice. He has chaired companies in diverse industries including oil, IT, dance, agrochemicals and film. Life member of the Law Society of New South Wales.