

## **Key mindset:**

You are not trying to be perfect — you are trying to be:

- Clear
  - Relevant
  - Applied
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## **2. EXAM STRATEGY & TIME MANAGEMENT**

### **How to approach the exam:**

- Read question → identify issue immediately
  - Do NOT write long intros
  - Start applying law within first few lines
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### **Time allocation guide:**

#### **5 mark question**

- Identify issue
- State rule
- Quick application
- Short conclusion

#### **10 mark question**

- Proper IRAC
- Clear reasoning
- One or two strong arguments

#### **15 mark question**

- Full analysis
  - Consider BOTH sides
  - Strong conclusion
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## **Biggest mistake:**

Students **describe the law instead of applying it**

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## **3. CORE TOPICS OVERVIEW**

You must be able to apply:

- Lawyer–client relationship
  - Fiduciary duties
  - Conflicts of interest
  - Confidentiality
  - Legal professional privilege
  - Independence
  - Duty to the court
  - Trust accounting
  - Costs
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## **4. LAWYER–CLIENT RELATIONSHIP**

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### **THE RETAINER**

The retainer is the foundation of everything.

It:

- Creates the relationship
  - Defines what the lawyer is allowed to do
  - Determines who the lawyer owes duties to
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### **WHAT TO LOOK FOR IN A QUESTION**

- Who is the client?

- Was the relationship clearly formed?
  - Is the lawyer acting within scope?
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## COMMON EXAM SCENARIOS

- Informal advice → still a retainer?
  - Multiple people involved → who is the actual client?
  - Lawyer continues acting after termination
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## HOW TO WRITE IT

“The key issue is whether a retainer exists between the lawyer and the client. If a retainer exists, the lawyer owes contractual, fiduciary, and professional duties...”

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# 5. FIDUCIARY DUTIES

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## CORE IDEA

Lawyers are in a position of **trust and power**.

Because of that, they must:

- Act in the client’s best interests
  - Avoid any situation where loyalty is divided
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## TWO MAIN RULES

### 1. No Conflict

- Cannot act where interests clash