



# CORNEY & LIND

## LAWYERS

### **Lawyers Exchange & Development (L.E.A.D) Programme**

These are the reflections for James Tan as an Australian Law Exchange Practitioner with Shekinah Law in Suva, Fiji. These reflections are a combination of James' mid-term and full-term reflections.

#### **1. Experience & exposure to another jurisdiction**

- Working in Shekinah Law has allowed me to:
  - Be a part of client interviews, which has exposed me to a wider range of clients and their problems, and client management styles;
  - Prepare pleadings and submissions, which helped me to get a good understanding of Fijian law and its differences with Australian law;
  - Observe frequent Court appearances. In my time here, Shekinah Law has been in Court between 3 to 5 times in a week, and usually for multiple appearances in a day.
- I was able to obtain a temporary practicing certificate, which gave me further opportunity to be exposed to Fijian Court process.
- Because of the nature of the administrative resources and the practice of law in Fiji, the *"human approach"* is crucial. It is not good enough to be *"book smart"*.

#### **2. Cross-cultural learning**

- Fijians are people of prayer and praise, with beautiful voices. This shows in the way they pray, sing and advocate. They are outspoken about their love and faith and do not hold back in generosity. While we in Australia are very refined in our *"systems"* I believe we can do with more *"soul"*.
- Because of cultural reasons and administrative resources of the Courts and lawyers in Fiji, there are occasional differences from Australia in terms of efficiency and organisation. However, the Fijian lawyers balance that by being excellent advocates, even as surprises and unexpected turns occur in Court appearances. While I have distinguished myself in Court with drafting and organization, in my reflections I have been humbled by a need to improve in the quality my advocacy.
- The cultural importance of the *"human approach"* has helped me improve in an area which I am weak in. I tend to approach matters from a purely legal perspective (i.e. what does the law require). Here in Fiji, it is very important to consider the human element of Judges, ministers, clients, lawyers and the administrative systems. This is an area I can grow in practice in Australia, which can have more impact on my client's case than the letter of the law.

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- The CLEs which Ms Vaurasi and Shekinah Law organized have been very helpful. I was able to share with Fijian lawyers what happens in Australia, and we have had discussions about what Fijian Lawyers do differently. Particularly in my Family Law CLE, some of the legislative differences can assist in improving our practice in Australia.
- Active Love and Generosity - The Shekinah Law team, my hosts, and the hospitality of the wider community were immensely humbly and overpowering. They did not hold back in their invitations to events and activities, generous gifts, food and prayers. The community and family spirit which comes naturally to the Fijian people seems to be less common in the Australian community. This truly inspired me, and I believe will have long lasting effects in my mentoring and encouragement of others.

### **3. Character formation & faith-building**

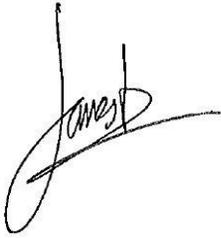
- Travelling through a foreign land, leaving behind the comforts of my home, living in a land with cultural differences and leaving beloved behind, built my faith.
- Personally, I found letting go of my files in Australia to be a real faith challenge at first. However, it was a real blessing, as I was able to rest from the pressures that had been building up on my Australian matters, and focus solely on the L.E.A.D program. I am really grateful to my Directors for giving me their direction on this.
- Ms Vaurasi's leadership style is that she makes an assessment on my ability and talents, and allows me to "*sink or swim*". This resulted in building up courage and faith that I did not know I had before, and opportunities for great laughs after some of my more awkward appearances at Court.
- I have been challenged to spread my prayers for work. In Shekinah Law, the lawyers don't just pray in the isolated structured manner as I have been praying. Prayers are extended to cover the government, leaders, family (partners, children and nannies, by name) and even the Christian members of the Fijian law Society.
- Assertiveness and boldness – Tied together with the "*sink or swim*" supervisory approach of Ms Vaurasi, I developed my assertiveness or boldness (in both a spiritual and legal sense). It would simply not have achieved any good outcomes for the client, the firm, or God if I had accepted, as the defining factor of my performance, my inadequacies or discomfort with my lack of familiarity of the jurisdiction, procedures, people or even where Court rooms were located. I had a task to accomplish, and no matter the embarrassment or perceived personal failures that may arise, if I did not go boldly and assert myself, no outcome would have been attainable (and I would not later discover that my the final outcome was not as dire as I would initially believe).
- Spiritual Leadership with the family – Being invited to daily prayers, devotions and bible memory verses together with my host family was an encouragement to me that I cannot overstate.

### **4. Opportunities for broader Christian Ministry**

- I have had opportunities to be exposed to other Churches, with different cultural inclinations and denomination differences.
- I have also had opportunities to participate in Church activities, and evangelism.
- I have had opportunities to pray and do devotions with Ms Vaurasi's family.

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- I had had opportunities to share my testimony and encouragement through the CLEs.
- Consultancy – The work that I did in Fiji was roughly 50% legal work and 50% business consultancy (improving structures, systems, etc). I found that I was able to offer this kind of assistance to various Christian Fijian firms, for free. It was also done in such a way that God's Word was at the centre of the principles taught.
- Pro-bono Legal Work – In the last week I participated (though very shortly) in a meeting between a Christian Organisation, Native Title Land Owners and the iTaukei Land Board. While my involvement was minimal, it was great to be involved in this important legal process for the Christian Organisation.

A handwritten signature in black ink, appearing to read 'James Tan', with a stylized flourish underneath.

**James Tan**  
**Associate**

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