

Curriculum Vitae

TIM MCFARLANE

Barrister and Solicitor

A.S.L.I.V. Mediation



McFarlane Legal

dispute resolution

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Principal Tim McFarlane

ADMISSION

Admitted Barrister and Solicitor of the Supreme Court of Victoria and of the High Court of Australia in 1981.

PROFESSIONAL BACKGROUND

SOLE PRACTITIONER <i>McFarlane Legal</i> _____dispute resolution	YEARS EMPLOYED (2001 TO DATE) <i>Melbourne & Geelong</i>
MEMBER <i>Victorian Civil & Administrative Tribunal</i> <i>(Guardianship List)</i>	YEARS EMPLOYED (1998 TO DATE) <i>Melbourne</i>
MEMBER <i>Archdiocese of Melbourne Compensation Panel</i>	YEARS EMPLOYED (1996 TO DATE) <i>Melbourne</i>
PARTNER <i>Perillo McFarlane Pty</i>	YEARS EMPLOYED (1995 - 01) <i>Melbourne</i>
MEMBER <i>Guardianship and Administration Board</i>	YEARS EMPLOYED (1995 - 98) <i>Melbourne</i>
SOLICITOR <i>Professional Standards Department of</i> <i>the Law Institute of Victoria</i>	YEARS EMPLOYED (1993 - 95) <i>Melbourne</i>
SENIOR ASSOCIATE <i>Minter Ellison</i>	YEARS EMPLOYED (1989 - 93) <i>Melbourne</i>
PARTNER <i>Perillo Adami & Frank</i>	YEARS EMPLOYED (1982 - 89) <i>Footscray</i>
SOLICITOR <i>Perillo Adami & Co</i>	YEARS EMPLOYED (1981 - 82) <i>Footscray</i>

ARTICLES

YEARS EMPLOYED (1976 - 81)

Perillo Adami & Co

Footscray

PRIMARY AREAS OF LEGAL PRACTICE AND EXPERIENCE

Litigation

Primary experience and practice is in commercial litigation involving appearances and instructing in all jurisdictions (including court, various tribunals and disciplinary boards) acting for both plaintiffs and defendants in extensive and complex issues in a wide range of matters and more recently specialising in alternative dispute resolution.

Previous experience in practice also includes:-

- Wills and Probate
- Family Law
- Crime
- Commercial/Insurance/Banking
- Solicitor/Client disputes - investigations, professional ethics and conduct.
- Administrative Law

PROFESSIONAL INVOLVEMENT

2001	Certificate of Service for significant contribution to the legal profession and the Law Institute of Victoria
1995 - 1997	Deputy Chairman Litigation Lawyers Section of Law Institute of Victoria.
1995 to date	Member Australian Institute of Judicial Administration.
1995 - 1997	Member of Solicitor/Conciliators Panel for the Solicitors Board.
1990 to 2005	Editor of "The Litigation Lawyer".
1990 to 2005	Chairman of Litigation Education Committee

1990 to 2008	Member of Executive of Litigation Lawyers Section of Law Institute
1985 to 1987	Council Member Law Institute of Victoria
2011	Member of ADR Committee for the Law Council of Australia

MEDIATION EXPERIENCE

2011	Nominated and listed as the only Victorian mediator of the 9 Australians in the international publication of Who's Who Legal – Commercial Mediation 2011
2011	Member of ADR Committee for the Law Council of Australia
2010	Director of the national Mediators Standards Board
2008	Accredited under National Mediator Accreditation System
2011	Conducted in excess of 5,500 mediations and facilitations in the following areas:- <ul style="list-style-type: none"> • Testators family maintenance • Finance/mortgage disputes • Contractual disputes • Will disputes • Partnership disputes • Defacto claims • Insurance • Class actions and multi party claims • Claims against the Crown and enforcement agencies including quasi criminal • Intellectual property, copyright and technology • Conveyancing and property transactions • Personal injuries

- Professional negligence including accountants, solicitors, barristers, doctors, dentists, surgeons, architects, engineers and hospitals
- Defamation
- Aviation
- Maritime/shipping
- Employment and work place relations
- Sexual Abuse Claims for Religious and Non- Religious Organisations

2006 to 2008	Member of Mediate Connect conducted by the Australian Institute of Company Directors
2004 to date	Member of CEDR, United Kingdom
2001 to date	Panel mediator for the NSW Agricultural Tenancies Act 1990
2000 to date	Panel mediator for Franchising Code of Conduct
2000 to 2004	Panel mediator for Financial Industry Complaints Service
2000 to date	Panel mediator for the NSW Farm Debt Mediation Act 1994
1999	Panel mediator for Financial Services Complaints Resolution Scheme
1998 to 2009	Chairman Mediation Advisory Committee, Specialisation Board
1997 to date	Australian member on list of Mediators for World Intellectual Property Organisation, Geneva, Switzerland.
1995 - 1997	Member of Mediation Advisory Committee to LIV Specialisation Board.
1995 to date	LEADR Mediators training course Evaluator/Coach.
1993 to date	Accredited specialist in Alternative Dispute Resolution (Mediation) L.I.V.
1992 to date	Member of Advance Panel of Mediators maintained by LEADR.

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| 1992 - 1996 | Member of Mediation Association of Victoria. |
| 1991 to date | Member of LEADR. |
| 1990 to date | Member of Alternative Dispute Resolution Committee L.I.V. |

INVOLVEMENT IN CONFLICT MANAGEMENT AND RESOLUTION

A unique aspect of Tim McFarlane's practice has been to develop conflict management roles in addition to mediation. He has been involved in quasi judicial functions, early neutral evaluations, facilitation and proactive co-mediation roles. In a number of situations he has been engaged as an independent decision maker and claims reviewer acted as a consultant to semi government and corporations and assisted in the development and establishment of specific schemes or processes designed to resolve disputes without the formality of court proceedings both external and within the various courts and tribunals.

PAPERS, ARTICLES, COACHING AND TRAINING

Tim McFarlane has presented numerous papers in Victoria, interstate and internationally and has written extensively on litigation matters. Over the past eleven years he has developed a speciality practice in alternative dispute resolution with a strong emphasis on mediation. He has conducted private training and has coached and assessed in mediation training courses for law firms, universities, LEADR and Global Mediation Services Ltd in Malaysia. He was sub-editor and a contributor for "Mediation - A Guide for Victorian Solicitors", a manual published by the Law Institute of Victoria.