

HOW TO BE A SUCCESSFUL LAWYER & NEW HORIZONS IN LAW

**- ADV. DR. SANTOSH SHAH,
KOLHAPUR**



LAWYER'S PROFESSION

- Is it a business?
- Is it a profession?
- Is it employment?

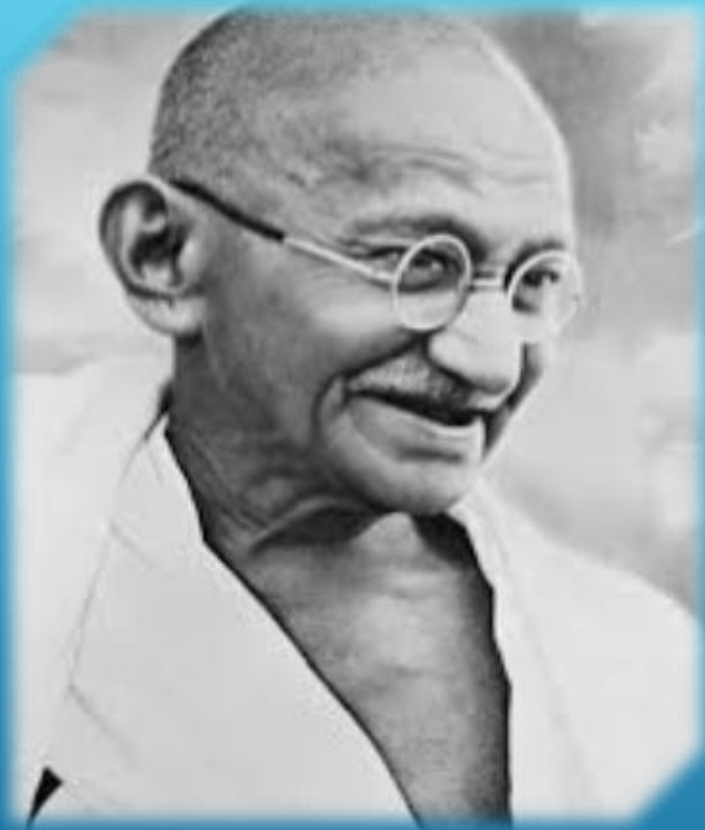


LAWYER'S PROFESSION



- **Business :- Money / Wealth**
- **Employment :- Service**
- **Profession :- Work Character and Image
Job satisfaction.**
- **Profession and not a business or service :-
To be judged on the basis of work,
character, job satisfaction and not
wealth.**

Mahatma Gandhi



"It is not the end alone but the means, which are as important as the end".



Shakespeare

"Kill all the Lawyers".



Palkhiwala

"Perhaps more uncharitable things have been said about the lawyers than about any other professionals of even half the lawyer's utility to society".

Freedom Movement / Legacy of Profession



- Mahatma Gandhi
- Pandit Jawaharlal Nehru
- Motilal Nehru
- Dr. B.R. Ambedkar
- Vallabhbhai Patel
- Lokmanya Tilak

Story of Black Coat and Gown.




भारतीय वैदिक अनुसंधान संस्था
09022029933 www.vedicera.com

POST INDEPENDENCE

- Till Emergency (1975) :Lawyers and Judges conservative and pro-government.
- After Emergency: Lawyers and Judges pro-active giving rise to judicial activism through public interest litigation.
- Challenge to Executive and Legislative.
- Innovativeness and Creativity of Lawyers and Judges.
- Opportunity to do social service.



REQUIREMENTS

1. Proficiency in Marathi & English.
 2. Use of Technology
 3. Time Management.
 4. Hard Work (First Bed of Roses then Roses but no bed!)
 5. Preparation Equivalent to the Senior
 6. Role of Seniors
 7. Disclose the Weaknesses and Strengths of the Case
 8. Master of Facts
 9. Ethics
 10. Specialization.
 11. Versatile Personality
 12. Common Sense and Alertness.
 13. Continuous Update
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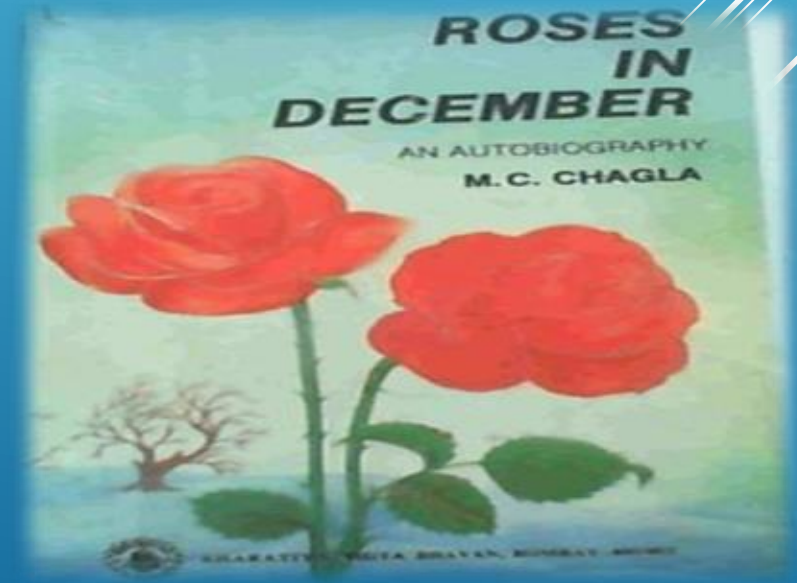
SKILLS OF ADVOCAYE

- Basic Civility
- Command of Language
- Reading & Comprehension skills
- Writing or drafting skills
- Speaking skills
- Analytical skills
- Critical and Logical Thinking
- Research Skills
- Problem Solving Ability
- Attention to details
- Interpersonal skills
- Perseverance
- Teamwork
- Confidence
- Ability to Judge Critically
- Prepare well when in Job
- Habit of Keeping deadlines

J. CHAGALA : ROSES IN DECEMBER



“Opportunity comes to every one and when the opportunity comes nobody should be found wanting”



NEW HORIZONS IN LAW

LITIGATION



- Litigation – Civil, Criminal, Labour/Industrial/Service
- Co-operative
- Consumer
- Debt Recovery Tribunal
- Green Tribunal
- School Tribunal
- University Tribunal
- Revenue Department
- Family Court

LITIGATION

- Cast Scrutiny Committee
 - Land Acquisition Proceeding
 - Local Govt Authorities like Municipalities
 - Grampanchayat, Zilla Parishad etc.
 - Election Officers
 - Commercial Court,
 - Juvenile Court
 - Motor Vehicle Claims
 - Legal Aid – Pre Litigation, Lok Nayalaya.
 - Charity Commissioner
- 

NON LITIGATION

- Conveyancing
- Intellectual Property Rights
- Revenue Department
- Police Department
- Legal Opinions
- Search and title
- Due Diligence
- Legal audit and compliances
- legal research
- teaching
- consultancy
- counseling and advise



NEW HORIZONS



- Globalization : Corporate Law
- Legal Process Outsourcing : LPO
- Law Firms
- Companies
- Government, Semi- Government,
- Public Sector, Universities etc

CYBER LAWS AND CYBER CRIMES.

- Cyber audit and compliances of companies
- Cyber crimes
- Forensic Science




ALTERNATIVE DISPUTE RESOLUTION : ADR

- Arbitration ; Arbitration and Conciliation Act, 1996 (Amendments 2016) – To act as Arbitrator, Lawyer for a party in arbitration, Lawyer in Sec. 9 Petition, Lawyer in Sec. 34 application, drafting arbitration agreement and advising clients.
- Mediation and Conciliation (Court annexed and out of court)



ALTERNATIVE DISPUTE RESOLUTION

- A dispute is a problem to be solved, together, rather than a combat to be won.
 - 21st Century India needs effective and multi door Dispute Resolution System.
 - Alternatives to litigation :
 - Arbitration
 - Mediation
 - Conciliation
 - Lok-Adalat
 - Judicial Settlement
- 

CLIENT'S EXPECTATIONS :



ROBERT FROST



"Two roads diverged in a wood, and I - I
took the one less travelled by, and that
has made all the difference."



LORD DENNING : PACKER VS PACKER

Denning L J in Packer v Packer [1954] P 15 at 22.

“What is the argument on the other side? Only this, that no case has been found in which it has been done before. That argument does not appeal to me in the least. If we never do anything which has not been done before, we shall never get anywhere. The law will stand still whilst the rest of the world goes on: and that will be bad for both,”

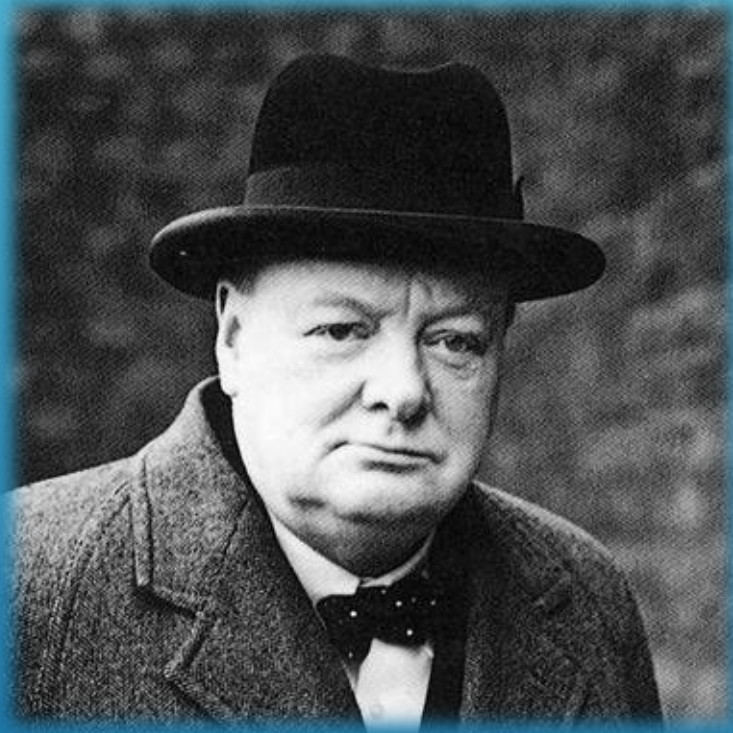




A New Beginning

The Gujarat High Court Mediation Centre

WINSTON CHURCHILL:



Courage is what it takes to stand up and speak. Courage is also what it takes to sit down and listen.



Thank You...