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Those with power win

This is an open letter to the lawyer/executor of my mother's estate. It is the first and last correspondence that I will ever have with this man.

Dear Lawyer/executor of my late mother's estate.

I would like to tell you why I am writing to you, why I have written to the Law Institute, the Legal Ombudsman's office, the Attorney Generals of Victoria and Australia, and made submissions to the Queensland Law Reform Commission who are looking into uniform ascendancy laws within Australia.

In the first instance I would like to explain to you what you have achieved.

1 You have split my mother's family by using traditional instead of contemporary skills in managing her estate.

In the traditional model, notionally the client 'instructs' the lawyer. However the model assumes that the client generally only determines the broad ends of the relationship. It is the lawyer who truly understands what is in the client's legal interests and how to go about advocating those interests. In practice, lawyers frequently assume that the client's interest requires the lawyer to maximise and exercise all the client's legal rights and financial interests. It is not the lawyer's role to concern himself or herself with preserving relationships, caring about the impact of the client's actions (or the lawyer's actions as the client's agent) on other people or things (such as the environment, or even common human decency).⁵³