



By Ben Cochrane

This edition focuses on two issues that are less than sexy – even for lawyers – but are of perennial use and import. Following the new format introduced in the last edition, these state-by-state wrap-ups of costs and limitations law are presented in a central lift-out section.

Costs is a topical theme at present, with a national model code for legal professional regulation driving reform of both costs disclosure and recovery. Some states have yet to implement the changes prompted by the unifying national code, but the editorial committee felt that enough proclaimed statute and relevant case law was available to make a review of this changing area useful. We will, however, need to revisit the issue as regards those states yet to enact legislation based on the code. Given this edition's focus on costs law, we have omitted the regular costs column and thank Phillipa Alexander for her help in putting the state-by-state review together.

Limitations law is another dry area of law that is nonetheless important to all lawyers, but particularly those practising in torts. As an area that has also changed in recent

years as states update their statutes of limitations, a review is timely. While the changes have not been prompted by the federalist fervour that has driven change in costs, readers will detect some themes emerging around the country, with special rules for asbestos and codified discoverability, and long-stop provisions enshrined in legislation in many jurisdictions.

Andrew Combe's paper on accrual also relates to limitations, and while based on NSW legislation, offers a review of the case law that is relevant to practitioners nationwide.

And we are happy to offer some good news for personal injuries lawyers on life expectancy! Andrew Stone's case note points to a useful NSW precedent – arguably applicable elsewhere – that will result in more generous assessments of life expectancy for calculation of future economic loss.

This is the last edition of *Precedent* that I will help to shape. I am looking to move west and focus more on the criminal law. I'd like to thank Renée Harris for all her excellent work in putting *Precedent* together, Jonathan Tyne for his editorial assistance, to Tian, our designer, and of course all the members of the editorial committee who give of their time as the brains trust that ensures that *Precedent* is the leading journal for practising plaintiff lawyers in Australia. ■

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