

David De Alwis



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Summary

I practice exclusively in the areas of Family Law and Migration (MARN 1683083).

I specialize in dealing with the most complex Family Law and Migration matters.

I am sensitive to people's special needs and backgrounds and my own Sri Lankan heritage gives me a special understanding of issues facing Sri Lankan clients. I also have a working knowledge of Sinhalese.

Experience



Principal

Hope Earle Lawyers

Feb 2020 - Present (3 years 5 months)

I have specific expertise and experience acting in matters involving:

1. Appeals of decisions from a Judge at first instance;
2. The appointment of a Litigation Guardian;
3. Parties having complex financial structures with high value asset pools;
4. Complex superannuation issues such as dealing with non compliant Self-Managed Super Funds (SMSF's), Defined Benefit Schemes and the Military Superannuation and Benefits Scheme and Police Super Scheme;
5. The Hague Convention on the Civil Aspects of International Child Abduction;
6. Sensitive parenting matters;
7. Complex financial agreements (or what are colloquially called 'pre-nuptial' agreements);
8. High net worth property cases;
9. Matters with cross border or international elements (having dealt with cases involving property and matrimonial interests in the United Kingdom, the United States of America, Switzerland, Israel, India, Hong Kong, the Kingdom of Saudi Arabia, United Arab Emirates, the Philippines, Thailand, Sri Lanka, New Zealand, South Africa and Germany).
10. Children's Court matters - SL v Department of Families, Fairness and Housing [2021] VSC 523 (25 August 2021)



Senior Associate

Aitken Partners

Jul 2018 - Present (5 years)



Associate

Aitken Partners

Feb 2016 - Jun 2018 (2 years 5 months)

I am able to deal with a wide range of family law matters:

1. Property settlements following breakdown of marriage;
2. Children's matters (including relocation, matters under the Hague Convention, parenting orders);
3. Financial Agreements (prior to marriage, during marriage, after divorce and cohabitation agreements);
4. Trustees in bankruptcy and their rights following a breakdown of marriage.

I provide information that is accurate, pragmatic and cost effective for my clients.

I can also deal with Migration matters as I am a registered Migration Agent (MARN 1683083). As a Registered Migration Agent I am bound by the Code of Conduct which can be found at https://www.mara.gov.au/media/553229/Code_of_Conduct_April_2017.pdf



Associate

Forte Family Lawyers

Mar 2014 - Jan 2016 (1 year 11 months)



Solicitor

Leanne Cain and Associates

Feb 2012 - Feb 2014 (2 years 1 month)



Family Law Team

Slater and Gordon

Aug 2011 - Jan 2012 (6 months)

- Interviewed new clients
- Prepared and filed divorce applications
- Prepared and filed service documents
- Assisted in the preparation of affidavits and interim and final orders
- Attended settlement conferences under senior practitioners
- Liaised with existing clients for more instructions
- Participated in the inspection of discoverable documents
- Prepared bills to be sent to clients
- Collected outstanding client debts



Intern

Russell Kennedy

Jun 2011 - Jul 2011 (2 months)

During my time with Russell Kennedy I:

- Attended commercial property settlements
- Researched on foreclosures, mortgages, leases and licenses
- Drafted letters of advice
- Worked on the draft of a superannuation trust deed
- Wrote an article for the firm's internal newsletter on whether a letter of intent is binding
- Worked on a pro bono file which involved Judicial Review of an administrative action



Trainee

Leo Cussen Centre for Law

Jan 2011 - Jul 2011 (7 months)



Paralegal

Norton Rose Fulbright

Apr 2010 - Jun 2011 (1 year 3 months)

During my time at Norton Rose Australia I:

- Undertook the preparation of a court book.
- Assisted with the drafting of witness statements.
- Assisted with the preparation of charts and explanatory props to be used in the arbitration.
- Assisted with the preparation of documents for counsel.
- Assisted with discovery.
- Loaded and coded documents on 'Ringtail'.
- Worked with the software 'Filemaker'
- Worked closely with lawyers across the team.
- Undertook the preparation of case notes on a number of topics for lawyers in the group.

Education



University of Melbourne

LLB, Law

2007 - 2010



The British School in Colombo

High School, Advanced Level

2004 - 2006

Licenses & Certifications



Member - Law Institute of Victoria



Member - LAWASIA (The Law Association for Asia and the Pacific)



Member - Asian Australian Lawyers Association

Skills

Courts • Legal Writing • Dispute Resolution • Family Law • Property Law

Honors & Awards



Kevin Folley Memorial Award for Advocacy - Leo Cussen

Aug 2011