

ALBERT MONICHINO

Albert practises as a barrister, arbitrator and mediator practicing in Australia. He has over 20 years experience. He is a graded arbitrator and is accredited as an advanced mediator.

Areas of Practice

He has a general commercial litigation practice in the Supreme Court of Victoria and the Federal Court of Australia, and also in commercial arbitrations (domestic and international). Types of matters handled include:

- construction and engineering disputes (e.g. acting as senior junior counsel for Fluor in the *Flour v Anaconda* arbitration, 2001 – 2003, involving claims exceeding \$A1billion);
- financial services and investment disputes;
- contractual disputes;
- minority shareholder disputes; and
- intellectual property disputes.

Qualifications

He holds the degrees of B.Ec, LLB (Hons) from Monash University, an LLM from the University of Cambridge and a Grad Dip Intell Prop Law from the University of Melbourne.

He is a fellow of ACICA, the Chartered Institute of Arbitrators ('**CIArb**') and the Institute of Arbitrators and Mediators Australia ('**IAMA**'). He is also a Senior Fellow of the Financial Services Institute of Australasia.

He is the Vice President (Convenor) of the Commercial Bar Association of the Victorian Bar ('**COMMBAR**') and Co-Chair of its Arbitration and ADR Section. He is the Vice-President: Arbitration of the Australian Branch of CIArb.

Academic/Publications

Albert has lectured and/or tutored in the CIArb Diploma Course in International Commercial Arbitration for the past 3 years. He has published and presented widely in the areas of commercial law, arbitration and ADR, including:

- "When reasons aren't enough", commentary on *BHP Billiton v Oil Basins*, published in the Australian ADR Reporter (April 2007).

- “The management of expert witnesses in arbitrations – fortune favours the bold” presented to the Institute of Arbitrators & Mediators Australia National Conference, 1 June 2007.
- “Mediation: An Honesty-free Zone?”, published in the Australian ADR Reporter (December 2007).
- “Alternative Dispute Resolution Clauses: How to Get the Most Out of Them” presented at the Legalwise Litigating Contract Disputes conference on 20 November 2008, Sydney.
- “The Changing Landscape of International Commercial Arbitration in Australia” presented at the ACICA/Legalwise International Commercial Arbitration conference on 21 November 2008, Sydney.
- “Stop clock hearing procedures in arbitration”, Asian Dispute Review (July 2009) pp 76 – 81.
- “Reform of the Australian Domestic Arbitration Acts – It’s Time”, The Arbitrator & Mediator, (October 2009) Vol 28 No. 1, pp 83 - 102

Other

He participated in drafting IAMA’s Fast-Track Arbitration Rules and Practice Note (published in June 2007). He is currently participating in drafting CIArb’s proposed hybrid dispute resolution rules and practice note in respect of a combined mediation and arbitration process (expected to be published in 2010).

