

Best Practices

The International Law Firm: A Global Marketing Approach

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U.S. lawyers are no longer tethered to one jurisdiction. The practice of law has truly become international. A real-estate lawyer in Florida may be asked to advise a Chinese investor regarding potential investment opportunities in South Florida. Lawyers in Chicago may be retained to negotiate the acquisition of a privately held company in Bogota, Colombia. Counsel in Iowa may be asked to review a series of forum selection clauses in their international distribution agreements and advise as to the merits of arbitrating potential disputes before the London Court of International Arbitration or through the Stockholm Chamber of Commerce.

Law firms must be ready to advise clients entering the global marketplace – which is now open to more than just large-cap companies. Today, even the smallest business owner may find him or herself involved in complex negotiations with potential partners, investors, and customers around the world. To stay competitive, U.S. law firms, large and small alike, must be prepared to “go global.”

In a recent article, David Van Zandt, Dean of Northwestern University’s School of Law, acknowledged the effect of the global marketplace on legal education.¹ Today, students at Northwestern are taught that the ability to negotiate against different cultural backdrops and offer advice on the intricacies of foreign law is critical to successfully representing clients. At a bare minimum, the 21st century lawyer must have some basic

knowledge of one or more languages, along with an appreciation for the manner in which business is conducted around the world. Although these new market realities will require attorneys to change the way they practice law, they also bring new opportunities. Now that the door is open to the world, we offer the following advice for thriving in a global legal marketplace.

At the outset of entering the international market, a law firm must decide whether to practice “globally” from a domestic locale or enter a foreign jurisdiction through a branch office or joint venture. As marketing strategies and law firm alliances like Primerus shift toward an international model, it becomes possible to practice international law from one location. Law firms that seek to expand their global footprint, however, may be forced to take the necessary steps to open in a foreign locale.

Law firms opting to develop an international reach through foreign offices must be cautious of the risks involved and take necessary steps to avoid them. Location is just one of the many factors that must be considered.

A “global” law firm does not require having offices in all of the world’s financial capitals. Although there are many advantages to having a bricks and mortar presence in key cities around the world, the fact remains that an office in China or Dubai is not a precondition to building a global practice. Today, many law firms enter into working relationships – including non-exclusive cooperation agreements and more traditional joint ventures – to provide their clients with legal support in key markets.

Notably, organizations like Primerus offer their members the ability to join forces with law firms around the world to provide clients with global legal services without having to take on the perils of physically venturing abroad. Primerus has members in the United States, as well as Canada, Europe, and Mexico.

Regardless of whether a U.S.-based law firm decides to team up with a foreign law firm, open up a branch office, or simply build an “international” caseload, it must carefully plan its strategy by studying each potential foreign market. If a firm chooses to enter a locale through a joint venture, members of the firm should travel to the jurisdiction and spend several days with potential law firms to become familiar with their working style and client base. In addition, a U.S. law firm must ensure that the quality of the services offered abroad, whether through a partnership or by opening another office, will be comparable to that of the home base.

If a law firm simply takes on “international cases” without entering a foreign jurisdiction, Primerus can fulfill foreign aspirations without the legwork of finding a reputable foreign firm as a partner. The stringent pre-screening of its member law firms and strict admissions standards ensures that a partnering Primerus firm will submit to a high standard of quality. All Primerus firms are required to have the maximum Martindale-Hubbell rating of AV and must submit an evaluation

completed by a number of parties, including clients and malpractice insurance carriers. Furthermore, all firms that become members of the Primerus network must uphold the Six Pillars: Integrity, Excellent Work Product, Reasonable Fees, Continuing Legal Education, Civility and Community Service. All of these aspects of Primerus firms ensures that a partnership with a Primerus member will provide international clients with top-notch legal services.

No matter how a law firm chooses to practice internationally – whether from a domestic locale or through foreign offices – knowledge of local customs is exceedingly important. In China, for example, business cards are exchanged with two hands, with a moment or two spent studying the card before putting it away. The work week in Dubai runs from Sunday to Thursday, and most meetings begin with tea or coffee, and a discussion about each other’s family, health, etc. In Latin America, a great deal of business is done over meals that can take several hours. Business may or may not be discussed during these meals, but an aspiring international lawyer cannot lose sight of the fact that his or her foreign counterpart will be assessing the compatibility of the two parties. The same holds true in China, where business lunches and dinners follow a very organized pattern, from seating arrangements, to toasts.

Primerus member firms can reap immeasurable benefits from a foreign member firms’ local knowledge. Overseas Primerus firms can provide their U.S. counterparts with useful information on the intricacies of foreign practice, including

cultural customs and typical business practices in the relevant jurisdiction.

The decision to market on an international scale can be complex. International markets offer opportunity, but can be risky for the uninitiated. Just as clients worry about security and political and economic stability, so should their counsel. Whether marketing a new office in Shanghai or entering a referral relationship with a Canadian-based Primerus member, the new global firm must tailor its marketing strategy to meet the needs of international business.

The best forms of marketing, however, will differ by jurisdiction. Some regions may be more receptive to electronic media while others require more in-person contact. All marketing, regardless of the country, should focus on the following three aspects of a law firm: an understanding of domestic law, an appreciation of the local culture, and an ability to adapt to the local business environment. Entrance into a foreign jurisdiction is not always the most cost-effective or opportune way to expand a firm’s business. Primerus, as a strong coalition of foreign law firms, still gives an internationally aspiring firm the ability to market on the global level.

In the ever-increasing global marketplace, the expansion of a law firm is inevitable. Choosing the proper marketing technique to reach a law firm’s objectives will pay off tremendously. ■

¹David E. Van Zandt, *Client-Ready Law Graduates*, LITIGATION, Vol. 36, Number 1, Fall 2009, 11.