

5 Tips For Aspiring International Arbitration Attys

By **Caroline Simson**

Law360, New York (May 23, 2016, 5:23 PM ET) -- For lawyers who dream of advocating on the global stage, breaking into international arbitration might seem like a daunting task, but it doesn't have to be.

Over the last few years, the trend has been for increased specialization among lawyers, and the situation is no different in international arbitration. Today's law students are far more likely to decide that they want to specialize in international arbitration than they were even five years ago, according to Milbank Tweed Hadley & McCloy LLP partner Michael Nolan, who is also an adjunct law professor at the Georgetown University Law Center.

"If you look at the level of interest in international arbitration as a subject matter in law school, it has just ballooned enormously," he said. "It's not only [due to] the growth of investment treaty arbitration ... but also the fact that there is just more information about commercial arbitration ... so I think people have a lot more imagination now of themselves as potential practitioners in international law than they used to."

Many law students and lawyers pride themselves on their ability to take challenges head on, but even for them, overcoming the cutthroat competition and securing a position as an international arbitration partner, or eventually an arbitrator, may seem like an unlikely proposition. But there are steps that young lawyers, and even law students, can take to break into the world of international arbitration.

Here, Law360 provides five tips for aspiring international arbitration lawyers to put them one step ahead of the competition.

Start Early

Just because a law student is still in school, it doesn't mean that they need to wait for graduation to begin their march toward a successful career in international arbitration. In fact, law students should be sure to take advantage of the opportunities that are right under their noses.

It's possible for law students to begin networking right away by connecting with their professors, according to Neil Popovic, team leader of Sheppard Mullin Richter & Hampton LLP's international arbitration team and lecturer at the University of California, Berkeley School of Law. Many law professors specializing in international arbitration operate at a very high level in the field, and they have not only credibility but also important connections.

Those professors can make the all-important introductions and give students creative ideas about ways to

get involved in international arbitration, he said.

"[Professors may] sit on committees, or on the advisory board of an arbitral institution, and they can make an introduction," Popovic said. "They can also provide practical guidance — if that professor knows your work, [he or she] can give you ideas about what skills you need to develop or where you can make best use of the special skills you have."

But students shouldn't just limit their efforts to the law school campus. Instead, Nolan advises students to go out and actually watch attorneys in court making arguments and examining witnesses.

"It sometimes surprises me how little advantage law students take of the ability to go out and watch lawyers do what they do because once you're in the workplace, you're in the workplace, and the ability to do those things is frankly far, far less," he said.

Be Flexible

Given the popularity of international arbitration as a practice area, it's not surprising that positions at the firms that are well-known for international arbitration are hard to come by. But there's no need to despair if you don't score one of those jobs.

Rather, Popovic advises young attorneys to take a hard look at their finances and personal situation. If there's some wiggle room in those areas, it's possible to score a position at an arbitral institution or as a clerk for a prominent arbitrator, he said.

"If money's no object, and where you live in the world is no object, there are incredible opportunities for junior lawyers to get wonderful experiences in international arbitration," he said. "If you have that flexibility, and you're willing to be creative, there really are a lot of great opportunities out there."

Alternatively, if you're unable to find a position at a firm known for its international arbitration prowess, consider taking an internship there instead. Shearman & Sterling LLP has an internship program for young arbitration attorneys in the firm's Paris office, and WilmerHale offers a similar program.

Find a Niche

Sometimes, as a young lawyer, it may seem as though you're just one in a sea of associates, but it doesn't have to be that way. Chaffetz Lindsey LLP partner James Hosking, who spent several years in Clifford Chance's New York litigation department, said he made himself stand out from the crowd by finding something he could focus on and learning all he could about it.

Hosking decided that he would become a master of interim relief under the Federal Arbitration Act and the New York Civil Practice Law and Rules, a practical issue and "a gray area" that came up frequently at Clifford Chance, he said. For example, someone in the Singapore office would ask whether a New York judge would grant a restraining order to support an arbitration in Singapore.

Eventually, he became the go-to person whenever anyone in the firm had a question on that topic, Hosking said.

"It's something that you can make your own. I'd always pick some practical topic like that because it's a good way of showing your abilities and also something that clients are happy to pay for because it has a

real practical concrete value," he said.

Keep an Open Mind

It can be quite tempting for attorneys hoping to get their foot in the door as an international arbitration attorney to believe that they must secure a position in that particular field right from the get-go. But that's not necessarily true, according to Nolan. In fact, the skills that attorneys learn in other disciplines can come in handy once an opportunity in a more specialized position comes along.

"Although one can talk a lot ... about what is distinctive in international arbitration as opposed to national court litigation or international court litigation, there's a certain sense in which advocacy is advocacy, and good fundamentals and good experience translates into lots of different fora and different kinds of disputes," Nolan said.

That means that inexperienced attorneys itching to dip their toes in the world of international arbitration needn't be narrow-minded when it comes to seeking out advice from more experienced attorneys at the firm. Developing the basic skills in pretty much any field can establish a platform on which an attorney can then build once a more specialized opportunity comes along. And they will eventually, Nolan said.

"I think that too often, really excellent law students of mine who want international arbitration careers will be so laser-focused on trying to find opportunities in that space immediately and as soon as possible that they kind of blind themselves to other things they could be doing that would really help to develop themselves as good advocates," he said.

Get Involved

Striking out as a young lawyer and getting to know all the traditions and people at a new law firm may be somewhat overwhelming at first, but in the arbitration field, it really is about establishing and maintaining a stellar reputation among your peers and superiors. And that's not just at your new firm — it also goes for those in the community at large, according to Raid Abu-Manneh, global co-head of Mayer Brown's international arbitration group.

There are so many opportunities for aspiring international arbitration attorneys to make themselves known in the arbitration community, including groups that cater specifically to those just starting out, such as YoungICCA of the International Council for Commercial Arbitration and the Young Arbitrators Forum of the International Chamber of Commerce. Through these programs, students and young attorneys are able to learn from experienced practitioners about career development and issues of interest in arbitration.

Other opportunities include participating in moot competitions held throughout the world, including one recently held at the American University Washington College of Law's Center on International Commercial Arbitration, and attending arbitration lectures and conferences held throughout the year.

Attending these events and joining such groups "helps not only in gaining know how but also networking and building connections so in that way, when you start practicing at a senior level, then everyone will know you," Abu-Manneh said. "Otherwise, it's much more difficult to build a profile in the arbitration community, which is important in order to become a successful arbitration practitioner."

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