

# Legal Firms Look for Russians With Experience Working Abroad

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Legal firms are looking for lawyers with experience in more than one jurisdiction, and increasingly that means a Russian who has worked abroad, or a foreign lawyer with Russian skills — rather than the traditional expat in Moscow or St. Petersburg.

The globalization of the economy means that deals are increasingly taking place across borders and through offshore corporate entities, said William Partlett, a postdoctoral research fellow at Columbia Law School.

"As a result, in Russia, many deals take place under foreign law, in order to avoid the problems associated with Russian legal regulation or to avoid taxation. This requires lawyers who are comfortable in more than one language and who are familiar with, if not qualified in, different jurisdictions," he said.

Partlett studied Russian language and politics at Princeton University, Russian history

and politics at Oxford, and earned his law degree from Stanford Law School. He is also a participant in the IREX Yegor Gaidar Fellowship Program, which expanded its support for collaborative work from economic problems to legal questions. Partlett will be a visitor to the St. Petersburg International Legal Forum.

"There are now many more highly sophisticated Russian lawyers who work in large, international law firms in Moscow and who have earned law degrees abroad, and speak fluent English, than in past years," Partlett said. Yet it is clear that some companies and even some individuals still have to be persuaded of the value of a secondment or training abroad.

Dentons is "very open" to secondment, which usually last from six months to a year, said Florian Schneider, managing partner at Dentons Moscow: "It is a way for our lawyers to gain the experience necessary to advise on various matters in cross-border deals."

Russian lawyers usually return to their home country following secondment, although Dentons has a number of specialists who work from two offices on a regular basis, for example, spending two weeks in Moscow and two weeks in another office such as Paris, Berlin, New York or London.

As part of the Gaidar Program, Partlett is one lawyer alongside three economists visiting Russia. Four Russian fellows are in the U.S. — again, one lawyer and three economists. All are PhDs or working on their doctorates, though the threshold for this particular program is a master's with five years' work experience.

Partlett says there are strong arguments for individuals and companies to gain experience abroad: "I would say that modern law practice follows the global economy and increasingly takes place across borders. Companies demand lawyers and law firms who have the skills to carry out complex deals and who have knowledge of other jurisdictions, so secondment is critical to remaining competitive."

Many Russian corporate entities make use of the stability and predictability of foreign law and judicial practice, particularly British law — as well as the tax benefits and the possibility of less transparency. Russian lawyers can do some deals while in London — though not necessarily New York — given the demand for deal structures that involve parts of Britain, such as Jersey, the British Virgin Islands, and others. In general though they need to return to Russia to provide consistent benefits and service to Russian companies, said Partlett, because most of the companies' organizational leadership is based in Russia.

Partlett's own special interest is the abolition of Russia's Supreme Arbitration Court, which, he said, will increase the use by Russian companies of foreign law. He argued that the abolition creates uncertainty about the future of Russian commercial law.

"It looks like the Supreme Court will not be taking on the additional role of the Arbitration Court but instead that they will create an economic branch of the new united court system. This is likely to have new leadership — Oleg Sviridenko has been tipped to take charge. As a former judge in the Moscow arbitration court system, Sviridenko's leadership will provide continuity but will be unlikely to continue the highly experimental and innovative leadership of Anton Ivanov."

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