

# Kluwer Arbitration Blog

## How and How? The two most commonly asked questions

Lisa Bench Nieuwveld (Conway & Partners) · Friday, March 16th, 2012

I am frequently approached by young up and coming lawyers who want to break into the international arbitration arena or seasoned veterans seeking to make a transition into this dynamic and culturally diverse legal field. They all have the same questions – how do we truly enter the field? And how can it truly be different than domestic litigation and arbitration? Both are very good questions.

What it is not is claiming that you work in a field without actually doing so. How many law firm websites – how many lawyers – claim expertise in this area but when you speak with them, you must wonder whether they have ever seen an international arbitration (commercial or investor-state). What they describe sounds like domestic litigation or arbitration instead. In fact, I have been a program panelist for international arbitration and the other panelists expressed confusion to me when I stated that international commercial arbitration was indeed different than its domestic counterparts in arbitration and especially litigation.

One panelist commented to me, “Here, it is the same.” Yikes. Granted, the parties and selected arbitrators ultimately rule the game. This may mean that an arbitration – with parties from different jurisdictions and/or the subject matter being “international” – may run a course with all the hallmarks found in the domestic dispute resolution practices. If that is the comfort zone of the parties, then so be it. I would argue, though, that international arbitration truly has harmonized its own patterns which vary significantly from domestic arbitration and litigation. I guess this answers the second question. No, it is not the same. How it may be similar and how it may differ, of course, varies from jurisdiction to jurisdiction and from panel to panel. But it is not the same.

Now to answer their first question, it is but one key tool: networking. Perhaps other industries would self describe using the same idea, must know the right people to get your hands wet. But that is most certainly true in international arbitration. A small group – although not as small as some tiny circles flatter themselves – but small nonetheless. There are simply only so many of these arbitrations to go around and to claim working on them means to actually work on one. Find those with thriving arbitration practices and get involved. Somehow. Make sure they truly practice international arbitration.

How do you network? Conferences, conferences, conferences. The arbitration world seems to be a steady following of conferences globally, all the while constantly dragging laptop and Blackberries in tow to ensure meeting deadlines on the arbitrations.

Attend the conferences and see who is speaking. Particularly target conferences sponsored by organizations without smaller regional ties (such as those by the global arbitral institutes or

national or international bar associations). Approach the panelists; ask for informational interviews and good resources to help learn more about what distinguishes international arbitration from domestic counterparts. Read this blog and start the hunt for an arbitration team who is willing to let you somehow get involved.

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