

PACIFIC RIM

*Sister City*

INITIATIVE

**Nina Schuyler**

BASF President Joan Haratani is reenergizing BASF's Sister City Initiative with the help of Joseph Malkin, Edwin Prather, and V. Paul Fimigan.

A client phones and wants to establish an office in Shanghai. If you're a solo practitioner or an attorney at a small firm, it's unlikely you maintain a satellite office in Shanghai or have contacts in that city. You could ask your colleagues to refer a Shanghai practitioner or pick someone from the phone book.

Or you can ask The Bar Association of San Francisco.

Since taking office, President Joan Mei Haratani has launched a handful of new initiatives, one of which is the Pacific Rim Sister City Initiative, the

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goal of which is to open cultural, educational, and economic channels between BASF and other bar associations.

“We live in a shrinking world,” says Haratani, a partner at Morgan, Lewis & Bockius. “Like the writer Tom Friedman says, the world is flat. BASF has a lot to offer other bar associations, and the Pacific Rim is a major source of commerce.”

BASF is currently looking to form alliances with bar associations in Tokyo, Hong Kong, Seoul, Beijing, Shanghai, and Sydney. If all goes well, the committee might expand its efforts to Europe. The Icelandic Bar Association will be sending a delegation to BASF in September to establish contacts with colleagues in San Francisco.

“With all of the megamergers going on, is it fair to have only a handful of law firms doing business in Beijing?” asks Edwin Prather, the president-



elect of the Asian American Bar Association, a BASF board member, and a partner at Rogers Joseph O'Donnell & Phillips. "BASF's program will help all law firms—large firms, small to midsize firms, and solo practitioners—develop contacts in Asia and get business." Prather adds that when Asian-based lawyers are looking to do business in the Bay Area, BASF will be able to help them. "Given the language capabilities of our lawyers, BASF and the Asian American Bar Association can provide the expertise," he says.

The concept of a sister city relationship is not new to BASF. In 1986, then-President David M. Balabanian established a sister city relationship with the bar association in Shanghai. The relationship was a follow-on to the sister city alliance between Shanghai and the City and County of San Francisco established in 1980 by then-Mayor Dianne Feinstein. Over the years, the relationship faded into disuse, says Joseph M. Malkin, cochair of the BASF Pacific Rim Sister City Bar Association Committee and managing partner of the U.S. offices of Orrick, Herrington & Sutcliffe. Back then, the relation between China and the United States was still fairly new, says Malkin.

Today, there's little chance that such a relationship would fall by the wayside. "There's no question in anyone's mind that China is one of the economic superpowers that will continue only to grow economically and be more important to the world," says Malkin. "There is a lot more commerce between the U.S. and China now compared to 1986, and a lot more opportunity and need for lawyers and the legal systems of the two countries to intersect."

The first step in forging relations with Pacific Rim bar associations has already begun. In November 2005, a BASF representative accompanied San Francisco Mayor Gavin Newsom to Shanghai to begin discussions of forming such an alliance. Newsom signed a memorandum of understanding with the mayor of Shanghai that included, among other things, plans for short-term exchanges between the two cities involving police officers, attorneys, and judges. Since then, Malkin has been in contact with bar associations in Hong Kong, Beijing, Shanghai, and Seoul with the goal of establishing a connection and finding common ground.

"We're optimistic," says V. Paul Finigan, cochair of the committee and a partner at Morgan, Lewis & Bockius. "The associations are saying, 'This sounds interesting. How do we go about doing this?'"

Already, Finigan says, BASF has learned a lot. "Not everyone has the same bar association structure as in San Francisco or the United States, and there are distinct associations that serve different purposes in different jurisdictions. For example, in Hong Kong and Sydney there are significant differences between barristers and solicitors."

According to Malkin, the Chinese bar associations will need the approval of the Minister of Justice and Bureau of Justice to participate in the relationship.

The next step could involve visits between the jurisdictions. "These visits could result in the exchange of information regarding the practice of law, the training of lawyers, areas of



*Joe Malkin and Paul Finigan are cochairs of the BASF Sister City Initiative.*

interest and expertise, and lists of members,” says Finigan.

The exchange of information between the bars is of vital importance to forging business relations, says Haratani. “What we consider polite behavior in the United States is not necessarily so in Tokyo.” For instance, in Tokyo, the business card is considered a special representation of the individual. “It’s handled with great respect,” says Haratani. “It’s handed to the individual, who then typically places the card on the table. What you don’t do is put the card in your pocket. You can offend someone unknowingly if you follow the American definition of politeness.”



This kind of cultural information is what interests Joshua A. Ridless, president of the Barristers Club and a member of the committee. “In addition to being a resource for overseas legal contacts for my clients, a sister city relationship in place could create a unique opportunity to see the Chinese court system,” says Ridless. “That would be very difficult to do without good support from the Chinese legal community.”

BASF is not the only bar association forging global relations. With globalization, more U.S.-based bars are turning their gaze internationally. In September, the Chicago Bar Association will be hosting the World Conference of Bar Leaders as part of its effort to cultivate international connections.

Since 2001, the Bar Association of Erie County in New York has had a sister city agreement with the bar association in Lille, France. Similar to BASF’s situation, the relation between the Erie bar and the Lille bar was forged shortly after the city of Buffalo and Lille established such a connection. These two

bars have agreed to encourage international relationships and cultural exchanges. Recently, the Erie bar formed another relationship with the Kent, England, bar association.

The Nashville Bar Association formed such an agreement in 1996 with the Caen Bar Association in Normandy, France. Each year, these two bars take turns sending delegations.

Every other year, the Icelandic Bar Association organizes educational and culture visits to other bar associations to study other law systems and establish contacts. In 2004, sixty Icelandic attorneys visited colleagues in Rome, Italy.

For six years, the Philadelphia Bar Association has had a

relation with the bar in Lyon, France. There is an ongoing exchange of first-year associates and third-year law students between the two bars. Moreover, both cities have a large pharmaceutical industry, and as a result, “there has been a significant exchange in terms of economic development,” says Ken Shear, executive director of the Philadelphia Bar Association. “Have lawyers gotten business from all this? I’d say so.”

With any luck, BASF members and sponsor firms will have the same success. At BASF, once relations are established with Pacific Rim bars, there will be much more work to do and the committee will be looking to add more members. “Everyone can see what is happening in Asia,” says Finigan. “The prospects going forward are remarkable.”

*Nina Schuyler is a lawyer whose first novel, The Painting, was published in 2004. She is currently working on her second novel.*