

**INTERNATIONAL STRATEGY AND THE INTERNATIONAL BAR ASSOCIATION:
Building and developing an international strategy for young lawyers and its
implementation.**

**Paper Presented by Joyce Oduah, FICMC, Former Council Member, IBA, at the 2022
International Bar Association Conference in Miami.**

Question 1: What steps are in or out in devising international strategy.

International strategy is a term developed from the business sector. It is business plan or strategy created by a company to do its business in international markets. As we know Legal practice is business and as young lawyers you all need to join the international market of legal practice early to enable you succeed.

The question then is how can you as young lawyers join the international market of legal practice?

1. Attend conferences:

Attend Conferences organised by the International Bar Association, Regional Bar Associations and National Bar Association. When you attend these Conferences, make a deliberate attempt to network with lawyers from other jurisdictions. The problem we have most times is that when we attend conferences instead of making new friends we hang on to colleagues we already know or came to the conference with. My advice is that you make friends with colleagues from other jurisdictions and build your international network. By doing so you might be surprised that, opening for international briefs. Note if it does not come today it might come tomorrow.

2. Join in network of law firms:

We have international network of Law Firms and as young it will be great to join same. You can find this by searching through google all you need to do is check their ratings

and join. With this you will get the international visibility you need. You can also join informal networks of friendly law firms.

3. Active usage of the social media:

This is the computer age or should I say jet age. To be relevant in the international space one of the tools that you need is the social media. I will recommend LinkedIn because it is more business like. I have had opportunity to interact with some of our colleagues in other jurisdictions through this tool and it has been quite beneficial. Instagram is for younger clients. Twitter is more for politicians and journalists but need to be there also. I know you young lawyers are more computer savvy than me and it will benefit you more.

4. Publishing articles:

To get the International space, you need to or have to publish or write articles in novel areas of law, write on newly promulgated laws. You will be surprised who reads your materials and calls you to handle complex legal issues based on what you have written.

5. Pursue ratings in various international listing:

This is somehow controversial because some people feel ratings are bought, all the same pursue it and get it on merit.

Why International Strategy:

An international strategy is important because there are some restrictions to doing business internationally as a legal practitioner and the only way to navigate the restriction is to have an action plan. Some of the obvious restrictions are:

- **Cross Border practice:** this is practice beyond a home state where one is licensed to practice. The world is increasingly getting smaller. With the introduction of globalization there has been a move from practicing law in one jurisdiction to increase

in cross border transactions. Cross border practice especially in the business sector is on the rise because clients engage in cross border businesses and transactions. We need to counsel clients on the local and foreign based transactions in connection to transnational deals. Also, working for international organizations like the IBA, Continental Pan African Lawyers Union (PALU) and Regional organisation, we find ourselves needing expertise from practitioners in these jurisdictions.

- **Differences in legal framework:** Different countries; different laws even in countries with similar legal systems i.e. monist/dualist; common law/civil. The International Bar Association provides a platform where you can meet with lawyers across these jurisdictions. Using this network makes work easier. Access to information and expertise and someone on ground.
- **Economic and Cultural factors:** Cost of travel due to present inflation is high; cost of obtaining qualification; time cost; Language barrier and more. If you have a person in the other jurisdiction it will be easier to penetrate that legal system.
- **Limitations by local bars:** Qualification and licensing is different in different countries. As a Nigerian, I won't be able to practice in Ghana, a West African country unless I pass their qualifying examination. Also, differences in legal systems; for example, civil and common law jurisdictions; nationalistic tendencies and protectionism due to fear of domestic practitioners losing out in the long run.
- **Cost of doing business abroad:** there is high cost for an international practitioner in terms of licensing, time, finances, information, skilled labour.

What are the steps to take in creating an international strategy:

- **Understand your purpose:** The first step is to understand the purpose of seeking an international practice. This is because all strategies are not the same. Your strategy is determined by the goal you intend to achieve. If your desire is to work abroad for a law firm, your strategy would be different from one who seeks to maintain practice in their home country whilst also servicing their international clients. Like everything else in life, your objective or goal determines your course of action.
- **Resource Identification:** Understand the resources available to you as this will help in building an effective strategy. These include; financial resources, people resources, intellectual resources, information resources

- **Analysis of Legal Framework of Target Country and Client Base:**
- **Determine the strategy:** The market entry mode as well as service/value offerings.

What are the advantages of being part of multi jurisdictional Lawyers:

1. One can design effective and comprehensive strategies for ones clients.
2. Understand international trends.
3. Provide international support for his/her clients

The benefit of being a member of an international organization like IBA is captured on its website homepage *‘you get to meet lawyers and legal professionals from all over the world and you are always learning at the IBA.’* You get to

- Build and maintain a public profile on your My IBA to enhance your recognition, status and improve your visibility online
- Gain new business and build your international referral network
- Attend IBA conferences at a discounted member rate
- Get an international perspective to legal practice. Develop expertise in your chosen specialism
- Expand your international network
- Gain new business
- Making new friends

QUESTION 2: What are the tools available to the IBA to effectively cooperate with international practitioners

IBA tools for cooperating with international practitioners:

The IBA as the foremost international organization for legal practitioners worldwide has a role to play in assisting international legal practitioners and so far, the body has performed its function in an outstanding manner. There are several tools which the IBA have put in place to effectively cooperate with legal practitioners. They include:

1. access to reports,
2. surveys,

3. publications,
4. research;
5. professional development opportunities
6. networking opportunities like conferences, seminars;
7. continuing legal development on various aspects of law.; training programmes and materials
8. guidance documents like the practical guide, bar association guidance and the reference annex
9. opportunity to become officers
10. mentorship for example IBA Women Lawyers' Committee Mentorship Toolkit launched on the 23rd of September.
11. I need to add this because it touches my heart, it is the reduction of membership fees and Conference fees for young lawyers from all jurisdiction and reduction of same for lawyers of the developing Countries. The young lawyers more particularly in developing countries are financially constrained. Most are unable to afford the membership fees of the IBA. There is thus, a need for reduction in membership fees and conference fees for young lawyers by 50% for them to be able to take advantage of these opportunities. I mean those who are less than 10 years' post call. Also, the IBA should identify talents through competitions like essay writing and give them opportunities to work or participate actively. The IBA should also provide visa assistance for persons desirous of travelling for IBA events.

Utilizing these tools will enable international lawyers to develop long-lasting business relationships; build lifelong friendships; Increase your profile and create new contacts share experiences and issues with lawyers from all practice areas in over 130 jurisdictions. The IBA is an Investment worth considering as it enables you save time and money by meeting all contacts under one roof.

QUESTION 3: How can a young lawyer effectively contribute and be part of this International community?

Effective Participation

Making the IBA part of your International Strategy should not be merely about joining the community. While this is a starting point, this should not be the end. Make it a part of the plan

to effectively contribute to the organization. This way, you build traction and visibility whilst adding value to other members of the IBA and the body as a whole. It should not just be about what you take but also what you give.

Let me give you some examples of myself, my first contribution to my local bar was as a rapporteur during my Youth Service days in 1992. When I joined the Local Bar of my Country Nigeria, the Nigerian Bar Association, my aim was that I bring value to the Association and its members. It was all about service. In 2000 to 2002, I served as the Assistant Secretary, later in 2007 to 2009, I became the Publicity Secretary, during my tenure as PS I brought lasting changes to my Branch with the introduction of lasting innovation which led to the growth in membership. I later served in the National body of our Association as the Treasurer 2012 to 2014, and there again made a lasting contribution by introducing the Bar Code which changed the fortune of the Branches of the NBA. When I became the first female General Secretary of the NBA after 38 years, 2020 to 2022, I also made lasting contributions by introducing the NBA APP and USSD CODE. I am saying all these to let you know that you need to contribute to the IBA to build traction and visibility. All of us on this Panel have made and are still making contributions to the IBA and this is/has given us visibility, without this you would not have known us. You need to make yourself available to be members of Panels in the near future.

Below is a threefold cord which I have put in place to enable you effectively participate in the IBA and in fact, any community you find yourself in. I call it **the ISI model**.

Intentionality: Be intentional about your desire to serve and add value. Make yourself valuable.

Strategy/Plan: Your strategy is dependent on what you hope to achieve. Participate in programs organized to discuss areas of law relevant to your practice area.

Implementation: Network; build friendships and trusts; keep in touch after conferences and do not fail to use your contacts. Your motivation for meeting people should not only be business.

There should be a human touch to your engagements.

My IBA journey would be incomplete without my effective contribution in my local bar. As I have said, finance and lack of access could be a hindrance to joining the IBA. As a young lawyer opportunities will come as you make yourself available to serve from the state to the

national and make lasting contributions. Now I am Vice President, West Africa of Pan African Lawyers Union (PALU); Immediate Past General Secretary of the Nigerian Bar Association, NBA, the largest bar in Africa; Member of the Commonwealth Lawyers Association and more. I have participated in IBA conferences and now I am talking to you as a panelist. This has enabled me build connections and relationships and has enriched my legal practice greatly.

QUESTION 4: What are the biggest trends or challenges in the legal market after the Covid 19 pandemic?

International Strategy post Covid 19:

Covid 19 brought about major disruption to our way of life and work in particular. However, there are benefits to International practitioners especially with the prevalence of virtual technologies and artificial intelligence which places the world at our finger tips. Lawyers can now do business from anywhere in the world and communicate with contemporaries thousands of miles away just at the click of a button and to succeed we must take advantage of the disruption and use it to our benefit. Some of these benefits include: *Virtual Law Practice* in terms of high presence of legal practitioners and law offices on the internet; sourcing clients; increased access to *CLE Courses and legal Conferences* and ability to track and report same and share it with the world and potential clients and employers; access to *New Opportunities*; Greater *connectivity* with practitioners worldwide; *Remote working creating room for flexibility in work schedules*; Development in *technology and artificial intelligence*. The fact that everything can be done online can be of great benefit to the international legal practitioner. This is also cost effective.

It is argued that the inflation and economic recession facing most countries in the aftermath of the Covid pandemic may hinder physical participation in networking, social and learning events due to high cost of participation including travel cost. However, use of technology may bridge the gap as members can participate from the comfort of their homes having paid conference fees and with internet access. And as we know these technologies should be utilized in a way that would allow for active participation i.e. breakout rooms, committee rooms, interactive channels, etc.

Conclusion

There is no one size fit all international strategy; each lawyer must create a plan tailored to suit his/her unique objectives for penetrating the international legal market. One plan is however accessible to all; membership of an International organization with as much clout and tools as the International Bar Association. The IBA if utilized has more than enough resources and platform to position you in the international legal scenery despite the restrictions that exists. It is pertinent to note that to survive as an international lawyer, you need to be able to provide intelligent and smart solutions to business legal challenges faced by businesses, governments and individuals depending on your client base and so you must be abreast with the latest trends and happenings in the international legal ecosystem. To grow, your international strategy is not to be a one off-plan. But a continuous process that is flexible and adaptable to the changing world. The legal practice is increasingly becoming a competitive one and so you must set yourself to stand out; this is where continuous learning and developing expertise comes in. The Covid 19 pandemic has occasioned a rise in cross-border practice and to succeed you need to collaborate. On a final note your international strategy should thus encompass building competence, expertise, collaborations; adaptability, flexibility and the ability to serve clients across different location. The International Bar Association is your sure bet.

Thank You

JOYCE ODUAH, FICMC

Former Council Member, IBA

Vice President, West Africa of Pan African Lawyers Union

Immediate Past General Secretary, NBA