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Lawyers on Foreign Ground

Carole Silver, Indiana University - Bloomington

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Lawyers on Foreign Ground
By Carole Silver

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I first became interested in foreign lawyers—those lawyers whose practice is situated outside of their home jurisdiction—when I lived in Singapore in the mid-1980s while my husband was managing the Singapore office of a large U.S. law firm. I was fascinated with the ease of his transition from his role as a large firm lawyer situated in a several-hundred lawyer office in the United States to a lawyer situated in a less-than-five person office in Singapore, as well as with the differences in the nature of the practices in the two locations. His practice in Singapore was both more general and more specialized than in the United States. Nevertheless, the basic large law firm approach was highly valued on both sides of the globe.

Many more U.S. lawyers are working outside of the United States at the beginning of the twenty-first century than before. This increase is directly related to the importance of international activities to the contemporary identity of nearly every elite U.S. law firm. It is insufficient today for the biggest law firms to be national only; they also must have an international reach. Foreign offices help U.S. law firms achieve this international image, and they are the sites of much of the international practice accomplished by the firms. Foreign offices serve as clear evidence of a law firm’s participation in the international legal market.

U.S. lawyers are playing an increasing role in international transactions just as international financial transactions are playing an increasing and critical role in the world economy. U.S. lawyers advise on transactions in which U.S. businesses are involved, and also on deals in which no U.S. business is involved but U.S. law nevertheless governs, a common practice in financial transactions. They also advise on certain types of transactions such as hostile tender offers, in which U.S. expertise provides tactical value.

Changes in the global economy, including both the growing connectedness of national economies and financial markets and the increasingly important role of international financial markets, have expanded the role of law and lawyers. The new global economy favors capital markets and private financing of businesses and public projects alike. Large projects that once were funded by governments now are privatized, which creates increased roles for financial service advisers, bankers, and lawyers. The increasing internationalization of national financial markets has resulted in a growing number of foreign corporations with connections to the U.S. capital markets and a similar growth in the foreign investment opportunities available to U.S. individual and institutional investors. U.S. institutions, including securities exchanges, investment banks, and commercial lenders, participate in financial transactions around the world. They bring with them a preference for U.S. law and lawyers, which has supported the international expansion of U.S. law firms.

This expanding role for U.S. law and lawyers has coincided with two changes in the activities of participants in the international legal market. First, the largest U.S. law firms have substantially increased their penetration of the foreign market. Both the absolute number of foreign offices and the average size of these offices are increasing. Second, large U.S. firms are
utilizing more foreign resources. Foreign-educated and licensed lawyers are being hired in increasing numbers by U.S. law firms for their foreign and domestic offices. These two changes are reshaping the U.S. legal market and, in certain locations, the foreign legal market as well. They are the subject of this chapter.

To examine these changes, I have investigated the largest and most international U.S. law firms that operate foreign offices. These firms provide a venue for the changes discussed here. The work and strategies of these firms provide motivation and justification for both the increases in foreign offices and the integration of foreign lawyers into the firms. I have chronicled the foreign office activities of 71 of the largest and most international U.S. law firms from the late nineteenth century, when the first foreign offices were opened, through January 2000, using Martindale-Hubbell directories to track the opening, closing, and staffing of foreign offices. The 71 firms, listed in Appendix A, were selected because they were included in the 1999 American Lawyer 100 and Global 50 lists or the International Financial Law Review’s selection of the most international law firms for 1999, and they each supported at least one office outside the United States in January 2000.

A. The Firms: A U.S. Perspective

Originally, U.S. law firms established foreign offices in order to practice U.S. law overseas. Foreign offices housed U.S. lawyers, and a careful line was drawn between practicing the law of the nation where the office was located and advising on U.S. law. This separation between advising on the host country’s law and practicing U.S. law was required by local rules governing the activities of foreign lawyers in most foreign office locations. In addition, foreign offices were used by U.S. law firms to follow their clients and would-be clients into foreign markets where they proposed to continue the service already being provided in the United States. Consequently, the best training for a lawyer who wanted to work in an overseas office was essentially the same as that for any other U.S. lawyer.

During the early period of international expansion and until the mid-1980s, foreign offices were established by U.S. firms for one of two reasons. First, foreign offices were opened to serve the foreign operations of a firm’s clients. Firms opened foreign offices in the same cities where their existing clients conducted or planned to conduct business. The second reason for establishing foreign offices was more personal, and related to a firm’s partners. Certain firms attracted lawyers with significant foreign connections or interests, or both. Most firms that claimed an international orientation early in their development followed this second pattern in establishing their first foreign offices; Coudert Brothers is one example, in which the founding partners had preexisting family and business connections in France. In other firms, partners developed strong international ties or were brought into a firm because of those ties. These two reasons for establishing foreign offices are not mutually exclusive; different foreign offices of a single law firm might well have been established for different reasons, so that both patterns may be visible within a particular firm. As a consequence, the foreign offices of most of the Appendix A law firms appear to have been established less because of a law firm’s strategic business plan than as a result of generally opportunistic behavior.

During the 1980s when client loyalties were being tested, foreign offices served as a method of maintaining control over a client’s worldwide business. Firms sought protection from the risk of losing a client’s work because of location, and consequently more firms opened more
foreign offices. At the same time, U.S. law firms began to open foreign offices for the additional reason that they felt the need to present the image of an international law firm. As more firms seek to market themselves as international there has been a shift in the approach to foreign offices, from opportunistic and demand-driven overseas expansion, to strategies that include using overseas expansion as a mechanism for maintaining a firm’s status both among its U.S. competitors and in relation to the pool of potential clients.

This shift from the client-driven and opportunistic foreign expansion of law firms that characterized the early period through the mid-1980s, to the use of foreign offices as a strategy for building an international identity, is evident in the growth of the number of firms with foreign offices and in the increasing number of foreign offices. Nineteen of the 71 firms listed in Appendix A did not enter the foreign office market until 1985 or later. Eighteen of these new entrants were firms based in U.S. cities outside of New York. Skadden Arps was the only New York firm on Appendix A that entered the foreign office market in the post-1985 period. In addition to the participation of new firms in the foreign office market, the number of foreign offices opened between 1985 and 2000 increased. The 1986 Martindale-Hubbell listings for the 71 firms listed in Appendix A (which reports on firms’ 1985 activities) reveal that 43 firms supported 117 foreign offices. Foreign offices belonging to nine additional firms had previously been opened and closed by 1986; these firms again had at least one open foreign office in January 2000. By the beginning of 2000, a total of 343 foreign offices were supported by the 71 Appendix A firms. This growth in the total number of foreign offices corresponds to an increase in the number of foreign offices supported by individual firms. In 1985, 58 percent of those firms with foreign offices had only one foreign office; by January 2000, only 18 percent of the firms supported just a single foreign branch. Clearly, the foreign office market is booming.

B. The Size of Foreign Offices

Until recently, it was common for foreign offices of U.S. law firms to be thinly staffed outposts where a firm’s established clients could find a welcoming American voice. In addition to providing a “meet and greet” function, these foreign offices generated new business for the home office, the traditional “inbound” international work of advising foreign enterprises on their U.S. activities. Foreign-posted lawyers also engaged in general corporate work with an international twist: their clients were multinational companies with operations in the foreign country. The locally based employees of the multinational brought their immigration, estate planning, and other legal issues to the foreign office U.S. lawyer. The corporate entity sought legal advice on structuring relationships with local businesses in accordance with local legal regulations and business practices, which involved issues related to franchise, licensing, joint ventures, partnerships, corporations, and other areas of law. Disputes involving the client were referred to the foreign office for advice in selecting local counsel, when necessary. The client’s financial needs for support of its foreign operations required the foreign office lawyer to advise on transactions involving banking law, securities regulation, and perhaps bankruptcy as well. The variety of work generated by a multinational corporation’s foreign operations is as great as the variety of businesses operated by multinational companies, and the lawyer serving them must be both a generalist and a specialist. The very small number of lawyers in a foreign office required each lawyer to have sufficient expertise in his or her specialty to assume total responsibility for work in that area without support or supervision. At the same time, the variety of work brought to the foreign office lawyer, from estate planning to joint ventures, required a
generalist whose broad experience and big picture understanding enabled him or her to tackle any project that was not clearly within the expertise of another lawyer in the office. This traditional work of a foreign office generally could be and often was accomplished by a small legal staff. The small size of the foreign office was both a consequence of and a cause of the nature of the work performed by its lawyers. Meager staffing policies dictated that foreign offices generally could not engage in a complex and cutting-edge international financial practice.

Evidence of the thin staffing policy is visible in the 1986 Martindale-Hubbell listings for London offices of the Appendix A law firms. There were 29 London offices reported open in 1986. At least 20 of these offices (nearly 70 percent) were staffed with five or fewer lawyers. Five offices supported between 6 and 10 lawyers; only one office had more than 10 lawyers—Baker & McKenzie’s London office.

This slim staffing practice now has been discontinued in many foreign office locations. The crucial role played by the capital markets in today’s economy has brought an increased role for law and lawyers generally, and U.S. lawyers have benefited especially because of the role of U.S. securities markets and financial services actors in the global economy. Lawyers in foreign offices today engage in sophisticated financial practices at the same time that they continue to serve the multinationals and their employees. The addition of a sophisticated financial practice requires and supports larger legal staffs as well as more specialized legal expertise. Moreover, in order to be both profitable and competitive, foreign offices must support a sufficient number of lawyers to enable the office to work on several transactions at one time. As a result, foreign offices in many locations are trying to hire more lawyers.

The size of foreign offices also has been influenced by a loosening of national regulations of domestic and foreign lawyers in certain locations. Regulations controlled entry by foreign lawyers into a national market as well as the extent of permissible relations between foreign and local lawyers. It is the second of these types of regulations that is relevant here. England was the first, in 1990, to remove the ban on solicitors practicing with foreign lawyers. Germany followed suit in 1995, and there has been a recent controlled loosening in Singapore. These changes bring foreign law firms into more direct competition with local firms, both for lawyers and for clients.

The impact of these changes on foreign office staffing is perhaps most obvious in the London offices of U.S. firms. The number of lawyers in London offices open in both 1986 and 2000 increased from 148 to 678, an increase of over 450 percent. By 2000, more than 78 percent of the 71 firms in my study supported a London office. More than half of these offices supported legal staffs larger than 10 lawyers, with most of these concentrated in the 11-30-lawyer size range. At least seven firms reported legal staffs larger than 30 lawyers. These larger offices create staffing demands that are difficult to satisfy by rotating U.S. lawyers through foreign offices; at the same time, the increase in demand for lawyers created opportunities for English solicitors, who were new participants in U.S. law firms.

C. Lawyers in Foreign Offices

Who are the lawyers that these foreign offices are attracting? This question raises important issues for any U.S. lawyer considering an overseas assignment, and for many foreign-educated lawyers as well. The hiring patterns of foreign offices changed significantly during the
1990s, as U.S. firms increased the size of their foreign office legal staffs. Historically, U.S. firms detached U.S. lawyers to their foreign offices, and in many locations local lawyers were prohibited from working with U.S. and other foreign lawyers. These restrictions were lifted in the 1990s in several locations, as already described. At the same time, U.S. firms could not satisfy the staffing needs of larger foreign offices by relying exclusively on lawyers sent over from the United States for several years, and very few U.S. lawyers wanted to settle permanently in a foreign location. Moreover, significant dilemmas, discussed below, persistently confront U.S. lawyers considering an overseas assignment. Consequently, firms added foreign educated and licensed lawyers to their foreign legal staffs both to satisfy increased staffing needs and to add local legal expertise. The addition of foreign educated lawyers also is present in the New York offices of many of the Appendix A firms.

U.S. Lawyers in Foreign Offices

The traditional ideal candidate for a foreign office assignment is easy to imagine. They are young partners and associates with training in a major U.S. office in mergers and acquisitions, banking, securities, capital markets, and related specialties. For associates, the accepted wisdom is that several years working in the United States with experienced partners are necessary to familiarize them with basic practices of the firm and basic issues of their specialty. After this minimal period in a sophisticated practice group, mid-level associates are capable of working with less supervision in a foreign office with fewer lawyers. They will have developed a familiarity with the businesses of the firm’s major clients in their specialty, and will know sufficient individual senior associates and partners to call in help should they need it. In addition, they likely will not have developed significant client responsibilities at so early a stage in their careers, avoiding a significant complication of an overseas assignment.

Lawyers often begin assessing their career options after several years in practice, and as career options for lawyers with several years experience increase, it is more difficult for firms to retain mid-level associates. The potential rewards of business and especially dot.com companies have lured many lawyers away from the practice of law. For those associates who consider pursuing partnership at their law firms, the career implications of an overseas assignment are uncertain. Will they be able to return to their original office if they so choose, and continue on their path towards partnership? Will they be less marketable in the United States should they decide to leave the firm? In many firms, there is insufficient experience to answer these questions. Consequently, lawyers who decide to pursue partnerships in large U.S. firms often do not consider foreign office assignments advisable options.

An overseas assignment presents additional challenges for more senior lawyers. Most firms have or plan to have at least one, and often several, U.S. partners stationed in each overseas office. For these partners, whose early years generally were spent in the United States at a major law firm, how will an overseas assignment affect their careers? Will an overseas move sever client relationships? Will the lawyer be able to return to her or his original office when the foreign tour of duty is completed? How will the firm reintegrate a partner into current clients upon his or her return? These are difficult issues, and most U.S. firms in my study have no strategies for resolving these problems, much less thoughtful plans for reintegration and practice support. Lawyers who return to the United States after several years in a foreign office often struggle with the re-entry to their original or new practice locations.
Certain foreign offices recently began recruiting new U.S. law school graduates. Firms justify this practice by pointing to a foreign office’s larger legal staff, which enables transactions to be staffed by more than one lawyer, thus leading to a greater capacity to train new lawyers. The larger size of a foreign office also enhances its ability to provide a steady diet of challenging legal work. Good training requires a combination of office size, a steady and reliable flow of legal work, and senior staff; the office must have a sufficient cadre of U.S. trained lawyers to offer that training to new graduates. This combination of elements is present in only a few offices in the major business centers overseas, notably in London and Paris. For new graduates, accepting an overseas assignment as the first practice experience may be risky. U.S. lawyers are valued in the foreign market precisely because they are U.S. lawyers. It is their training and approach to business problems that distinguishes them from their foreign educated colleagues, if at all. New graduates who do not receive that training risk diluting their value.

The Roles of Foreign Lawyers

At the same time that the global economy shifted towards financing in the public market, and as foreign offices of U.S. firms began increasing their legal staffs, two developments combined to make foreign lawyers more valuable to U.S. law firms with international practices. First, national restrictions against different nationally licensed lawyers working together in one law firm were lifted or loosened. In England, for example, in 1990, legislation was adopted permitting solicitors to form multi-national partnerships, and U.S. firms began hiring solicitors as partners and associates. The solicitors brought both deal expertise and English law expertise to the U.S. firms. The changes in England’s regulation of the relationship of English and foreign lawyers set the course for similar liberalization in other countries.

The second development that contributed to heightened value of foreign lawyers to U.S. law firms was the increased popularity of U.S. law schools’ LL.M. programs for foreign lawyers. The 1990s brought a continually burgeoning number of foreign lawyers to the United States for education and training opportunities. U.S. law schools created and expanded existing postgraduate degree programs for these lawyers. Indeed, the number of LL.M. degree programs increased so substantially during the 1990s that the American Bar Association Section on Legal Education and Admission to the Bar issued a warning letter to state bar examiners explaining that the Section does not separately accredit or evaluate the LL.M. programs of accredited law schools.8

When foreign lawyers begin their U.S. legal studies, they typically explain that they are pursuing the U.S. LL.M. degree in order to expand their opportunities in their home countries. They expect that U.S. legal education will help them in their existing legal practices or enable them to find work new opportunities. Some articulate a desire to work for a foreign law firm in their home country. Others temporarily have left jobs in which they work regularly with U.S. lawyers, such as in-house counsel for multinational corporations. They are unanimous in their view that law and lawyers, specifically lawyers trained in the United States, are playing a central role in the new economy that is reshaping their nations.

After earning the LL.M. degree, many foreign lawyers decide that they want to work in the United States for a limited period of time before returning to their home countries. They look to this possibility as a way to use their new learning, as well as an opportunity to collect the high salaries paid by U.S. law firms. It is difficult for many of these foreign lawyers with LL.M.
degrees to successfully navigate the U.S. legal market. The LL.M. degree is insufficient to allow graduates to sit for the bar exam in many states, which restricts job opportunities in these states to J.D. graduates. New York is the most important exception to this general rule. In July 1998, for example, 1371 foreign lawyers sat for the bar exam in New York; 860 of these lawyers had completed an LL.M. program in the United States.

A number of internationally oriented U.S. law firms have established foreign associate training programs in order to accommodate LL.M. graduates and other foreign lawyers. Some of these programs began as a result of loose affiliations between U.S. and foreign law firms. The duration of the training programs varies from several months to one year, and they are vastly oversubscribed. Training programs occasionally lead to permanent positions in law firms. Apart from the opportunities for foreign lawyers in training programs, there is a small but increasing movement among New York firms and the New York offices of non-New York U.S. firms to hire foreign educated lawyers as regular associates.

Nearly all law schools separate the recruiting activities for LL.M. students from the on-campus interview programs for J.D. students. Many foreign lawyer LL.M. students approach the U.S. job market through participation in one of two annual recruiting conferences for foreign lawyers and individual letter writing campaigns. The recruiting conferences are monopolized by efforts to hire LL.M. graduates to work overseas. The January 2001 International Student Interview Program hosted by New York University School of Law, for example, included 103 potential employers advertising for 547 positions. But only 48 of the 547 jobs were located in the United States, and five of these were temporary internships. Twenty-two of the 71 Appendix A law firms participated in this conference; fourteen of these advertised openings for foreign lawyers in their U.S. offices.

In spite of the intense competition for U.S. jobs, increasing numbers of foreign lawyers are working in the United States, particularly in New York. At least forty-two of the 71 Appendix A firms count foreign lawyer LL.M. graduates among the ranks of their lawyers in their New York offices, either as participants in a foreign lawyer training program or as regular associates or partners. Certain firms, including Morrison & Foerster, Graham & James, and Winston & Strawn, also employ foreign lawyers in domestic offices outside of New York. For most firms, the introduction of foreign lawyer LL.M. graduates has been accomplished on an ad hoc basis and is clearly an exception to the general requirement that lawyers earn a J.D. degree from a U.S. law school. The hiring partner at one of the Appendix A firms recently confided that his firm has absolutely no policy on hiring foreign lawyers with or without a U.S. LL.M. degree, and during the same conversation discovered that his firm employed at least six foreign lawyers in the United States.

The LL.M. degree is crucial for civil law lawyers attempting to secure a position in the United States. The degree enables civil law trained lawyers to take the New York bar examination, and consequently functions almost as a prerequisite for employment in the United States. An example is revealing: Davis Polk & Wardwell’s web site lists among its lawyers in its New York office 25 lawyers who had not earned a J.D degree in the United States. Sixteen of these are common law trained lawyers, ten of whom also have earned an LL.M. or M.C.L. degree at a U.S. law school. In comparison, each of the nine civil law trained lawyers working at Davis Polk has earned an LL.M. in the United States.
For foreign lawyers trained in a common law jurisdiction, the LL.M. is not as important. New York’s bar rules permit these lawyers to take the bar examination without additional U.S. legal education, and lawyers from Canada, the U.K., Australia and New Zealand are becoming an accepted minority in large firm New York offices. In fact, several Wall Street firms have added law schools in these jurisdictions to their annual on-campus interviewing sites.

U.S. law firms find foreign lawyers with LL.M. degrees particularly desirable for their foreign offices. They bring a thorough understanding of their home country legal systems, an appreciation of U.S. law, and perhaps helpful contacts in the host country as well. And they solve one of the persistent difficulties of staffing foreign offices because they will remain in the foreign location indefinitely, thus alleviating the need to periodically rotate additional lawyers through the foreign office.

Foreign licensed lawyers play a more significant role in the foreign offices of U.S. law firms now than they did 25 years ago. In 1986, English solicitors were not permitted to work as partners or employees of foreign lawyers. Nevertheless, two U.S. law firms listed English solicitors as counsel and one firm listed an English solicitor as an associate lawyer in their London offices. Three additional firms employed lawyers admitted in the U.S. and also as English solicitors. In each of these six offices, the English solicitors worked along side of U.S. licensed lawyers. More than 60 percent of the London offices were staffed solely by U.S. licensed lawyers in 1986. Only one office, that of Baker & McKenzie, employed a greater number of foreign licensed lawyers than U.S. licensed lawyers in 1986.

By 2000, the number of London offices where the entire legal staff is comprised of lawyers admitted only in the United States had decreased from more than 60 percent to 21 percent. Twenty-one of the 56 London offices open in 2000, or nearly 38 percent, employ more lawyers admitted to practice in England than U.S. licensed lawyers, and one firm’s London office employs only lawyers admitted in England. Twenty-three of the 56 firms employ lawyers who are licensed both in England and the United States. An additional 11 firms employ lawyers who were educated in the United States or England and licensed in the other country.

These changes reflect the liberalization of regulations of solicitors and foreign lawyers, as well as the added breadth of advisory expertise in these London offices. In 1986, U.S. firms were advising on U.S. law from their London offices; today, they offer expertise in both U.S. and English law. Similarly, lawyers with U.S. and English law expertise staff English law firms with New York offices. As a result, the competition between the U.S. and English firms has increased considerably. They compete for business, for lawyers, and for their law to be adopted as governing particular transactions.

Germany provides a more extreme picture of the role of foreign lawyers in U.S. firms’ foreign offices. Fourteen of the Appendix A firms supported 20 offices in Germany, nineteen of which were established between 1989 and 1999. Only two of these offices (10 percent), both located in Frankfurt, are staffed by lawyers who were educated and admitted to practice only in the United States; this is half the proportion of English offices that were staffed solely by U.S. lawyers. All of the lawyers in eight offices are German Rechtsanwalt; in six of these offices many of the Rechtsanwalt also are admitted in the United States or England. In seven additional offices, German Rechtsanwalt outnumber the lawyers who are licensed in only the United States, Canada, or England. Thus, 65 percent of the offices are dominated by German-educated and -
licensed lawyers, compared to 38 percent of the English offices, as noted above. Seventy-five percent of the offices in Germany host lawyers who are either dual educated or licensed, or both, in the United States and Germany.

This information reveals the importance of German law expertise in the work of the German offices of U.S. law firms. German offices are more dominated by German lawyers than are English offices dominated by English lawyers. The differences between staffing in London and Germany may decrease as the German offices mature, and the mergers of German and English law firms also may impact staffing in U.S. firms’ German offices. Current office staffing in Germany clearly reveals that the U.S. firms are doing more than advising on U.S. law.

D. Conclusion

Historically, lawyers working in the foreign offices of U.S. law firms practiced U.S. law. That fact dictated that the best preparation for a foreign office assignment was a basic U.S. legal education along with several years of experience at a large U.S. law firm. Many U.S. law firms today offer expertise in U.S. and foreign law, and foreign offices reflect this change. In addition, foreign offices are involved in more sophisticated and substantive practices.

These changes have required U.S. firms to revise their foreign office staffing practices. U.S. lawyers continue to be valued and critical members of the foreign office team, and the demand for them should motivate firms to address the uncertainties attached to an overseas assignment. But in addition to U.S. lawyers, foreign-trained lawyers populate foreign offices. Some of these foreign lawyers have earned U.S. LL.M. degrees; English legal education, too, is quite common among lawyers in civil law and other common law countries. Foreign offices also house a small number of lawyers who were educated and licensed in a third country apart from the United States and the foreign office location.

Of course the most common foreign lawyer actors in U.S. law firms in any particular location are those at home in that location, and their familiarity with the host country benefits the firm and its clients. The success of commercial and legal activities is intimately tied to local history and the local economic and political system. Ben Heineman of General Electric eloquently articulated this point:

So much of practicing law these days outside of the United States is understanding the economic and political system, not just the legal system. I think we should not confine ourselves to a narrow view of the law. You simply can’t practice law in a country unless you have people there who understand the history and the culture. If we look around the world, legal arrangements are fine, but most of the countries don’t have legal systems that are very durable, that provide much certainty. That is probably one of the greatest challenges we face: How do we structure arrangements in countries where the legal system is, to a great extent, undeveloped? It is for that reason that you have to have people who are skilled in the culture and the history of the society.¹³

Globalization may encourage the harmonization of national legal systems, but it does not erase all local differences that have the potential to impact business and commercial interests; it simply makes the differences subtler. Foreign trained lawyers’ understanding of these subtleties adds a valuable element to the advisory capacities of U.S. law firms.
Appendix A
(Home office location is indicated in parenthesis)

1. Akin, Gump, Strauss, Hauer & Feld (Dallas)
   1700 Pacific Ave, Suite 4100, Dallas, TX 75201, www.akingump.com

2. Altheimer & Gray (Chicago)
   10 S Wacker Dr, Suite 4000, Chicago, IL 60606, www.altheimer.com

3. Arnold & Porter (Washington, D.C.)
   555 12th St NW, Washington, DC  20004, www.aporter.com

4. Baker Botts (Houston)
   One Shell Plaza, 910 Louisiana St, Houston, TX 77002, www.bakerbotts.com

5. Baker & McKenzie (Chicago)
   One Prudential Plaza, 130 E Randolph Drive, Chicago, IL 60601, www.bakernet.com

6. Bingham Dana (Boston)
   150 Federal St, Boston, MA 02110, www.bingham.com

7. Brobeck, Phleger & Harrison (San Francisco)
   One Market, Spear Street Tower, San Francisco, CA 94105, www.brobeck.com

8. Brown & Wood (New York)
   One World Trade Center, New York, NY  10048, www.brownwoodlaw.com

9. Bryan Cave (St. Louis)
   211 North Broadway, St. Louis, MO 63102, www.Bryancavellp.com

10. Cadwalader, Wickersham & Taft (New York)
    100 Maiden Ln, New York NY 10038, cadwalader.com

11. Cahill, Gordon & Reindel (New York)
    80 Pine St, New York, NY 10005, www.cahill.com

12. Chadbourne & Parke (New York)
    30 Rockefeller Plaza, New York, NY 10112, www.chadbourne.com

13. Cleary, Gottlieb, Steen & Hamilton (New York)
    One Liberty Plaza, New York, NY 10006, www.cgsh.com

14. Coudert Brothers (New York)
    1114 Ave of the Americas, New York, NY  10036, www.coudert.com

15. Covington & Burling (Washington, D.C.)
16. Cravath, Swaine & Moore (New York)  

17. Curtis Mallet-Prevost Colt & Mosle (New York)  

18. Davis Polk & Wardwell (New York)  
   450 Lexington Ave, New York, NY 10017, www.dpw.com

19. Debevoise & Plimpton (New York)  
   875 Third Ave, 25th Floor, New York, NY 10022, www.debevoise.com

20. Dechert Price & Rhoads (Philadelphia)  
   (recently merged with Titmuss Sainer Dechert)  
   4000 Bell Atlantic Tower, 1717 Arch St, Philadelphia, PA 19103-2793,  
   www.dechert.com

21. Dewey Ballantine (New York)  

22. Dorsey & Whitney (Minneapolis)  
   220 S 6th St, Minneapolis, MN 55402, www.dorseylaw.com

23. Faegre & Benson (Minneapolis)  
   90 S Seventh St, Minneapolis, MN 55402, www.faegre.com

24. Foley & Lardner (Milwaukee)  
   Firstar Center, 777 E Wisconsin Ave, Milwaukee, WI 53202, www.foleylardner.com

25. Fried, Frank, Harris, Shriver & Jacobson (New York)  

26. Fulbright & Jaworski (Houston)  
   1301 McKinney St, Suite 5100, Houston, TX 77010, www.fulbright.com

27. Gibson, Dunn & Crutcher (Los Angeles)  
   333 S Grand Ave, Los Angeles, CA 90071, gibsondunn.com

28. Graham & James (San Francisco)  
   (now merged with Squire, Sanders & Dempsey LLP)  
   One Maritime Plaza, Suite 300, San Francisco, CA 94111, www.ssd.com

29. Heller Ehrman White & McAuliffe (San Francisco)  
   333 Bush St, San Francisco, CA 94104, www.hewm.com

30. Hogan & Hartson (Washington, D.C.)  
   Columbia Square, 555 13th St NW, Washington, DC 20004, www.hhlaw.com
31. Hughes Hubbard & Reed (New York)
   One Battery Park Plaza, New York, NY 10004, www.hugheshubbard.com

32. Hunton & Williams (Richmond)
   Riverfront Plaza, East Tower, 951 E Byrd St, Richmond, VA 23219, www.hunton.com

33. Jones, Day, Reavis & Pogue (Cleveland)
   901 Lakeside Ave, Cleveland, OH 44114, www.jonesday.com

34. Kaye, Scholer, Fierman, Hays & Handler (New York)
   425 Park Ave, New York, NY 10022, www.kayescholer.com

35. Kelley Drye & Warren (New York)

36. Kilpatrick Stockton (Atlanta)
   1100 Peachtree St NE, Suite 2800, Atlanta, GA 30309, www.kilstock.com

37. Kirkland & Ellis (Chicago)
   Aon Center, 200 E Randolph Dr, Chicago, IL 60601, www.kirkland.com

38. Latham & Watkins (Los Angeles)
   633 W Fifth St, Suite 4000, Los Angeles, CA 90071, www.lw.com

39. LeBoeuf, Lamb, Greene & MacRae (New York)
   125 W 55th St, New York, NY 10019, www.llgm.com

40. Mayer, Brown & Platt (Chicago)
   190 S LaSalle Street Chicago, IL 60603, www.mayerbrown.com

41. McCutchen, Doyle, Brown & Enersen (San Francisco)
   Three Embarcadero Center, San Francisco, CA 94111, www.mccutchen.com

42. McDermott, Will & Emery (Chicago)
   227 W Monroe St, Chicago, IL 60606, www.mwe.com

43. McGuire Woods Battle & Boothe (Richmond)
   One James Center, 901 E Cary St, Richmond, VA 23219, www.mwbb.com

44. Milbank, Tweed, Hadley &McCloy (New York)
   One Chase Manhattan Plaza, New York, NY 10005, www.milbank.com

45. Morgan, Lewis & Bockius (Philadelphia)
   1701 Market St, Philadelphia, PA 19103-2921, www.morganlewis.com

46. Morrison & Foerster (San Francisco)
   425 Market St, San Francisco CA 94105, www.mofo.com
47. O’Melveny & Myers (Los Angeles)  
   400 S Hope St, Los Angeles, CA 90071, www.omm.com

48. Orrick, Herrington & Sutcliffe (San Francisco)  
   Old Federal Reserve Bank Bldg, 400 Sansome St, San Francisco, CA 94111  
   www.orrick.com

49. Paul, Hastings, Janofsky & Walker (Los Angeles)  
   555 S Flower St, Los Angeles, CA 90071, www.phjw.com

50. Paul, Weiss, Rifkind, Wharton & Garrison (New York)  
   1285 Ave of the Americas, New York, NY 10019, www.paulweiss.com

51. Perkins Coie (Seattle)  

52. Pillsbury Madison & Sutro (San Francisco)  
   50 Fremont St, San Francisco, CA 94105, pillsburylaw.com

53. Proskauer Rose (New York)  
   1585 Broadway, New York, NY 10036, www.proskauer.com

54. Seyfarth, Shaw, Fairweather & Geraldson (Chicago)  
   55 E Monroe St, Suite 4200, Chicago, IL 60603, www.seyfarth.com

55. Shaw Pittman (Washington, D.C.)  
   2300 N Street, NW, Washington, DC 20037, www.shawpittman.com

56. Shearman & Sterling (New York)  

57. Shook, Hardy & Bacon (Kansas City)  
   One Kansas City Pl, 1200 Main St, Kansas City, MO 64105, www.shb.com

58. Sidley & Austin (Chicago)  
   Bank One Plaza, 10 S Dearborn St, Chicago, IL 60603, www.sidley.com

59. Simpson Thacher & Bartlett (New York)  

60. Skadden, Arps, Slate, Meagher & Flom (New York)  
   Four Times Square, New York, NY 10036, www.sasmf.com

61. Squire, Sanders & Dempsey (Cleveland)  
   4900 Key Tower, 127 Public Square, Cleveland, OH 44114, www.ssd.com

62. Stroock & Stroock & Lavan (New York)  
   180 Maiden Lane, New York, NY 10038, www.stroock.com
63. Sullivan & Cromwell (New York)
   125 Broad St, New York, NY 10004, www.sullcrom.com

64. Vinson & Elkins (Houston)
   2300 First City Tower, 1001 Fannin, Houston, TX 77002, www.vinson-elkins.com

65. Weil, Gotshal & Manges (New York)
   767 Fifth Ave, New York, NY 10153, www.weil.com

66. White & Case (New York)
   1155 Ave of the Americas, New York, NY 10036, www.whitecase.com

67. Willkie Farr & Gallagher (New York)
   787 Seventh Ave, New York, NY 10019, New York, NY 10022

68. Wilmer, Cutler & Pickering (Washington, D.C.)
   2445 M St NW, Washington, DC 20037, www.wilmer.com

69. Wilson, Elser, Moskowitz, Edelman & Dicker (New York)
   150 E 42nd St, New York, NY 10017, www.wemed.com

70. Winston & Strawn (Chicago)
   35 W Wacker Dr, Chicago, IL 60601, www.winston.com

71. Winthrop, Stimson, Putnam & Roberts (New York)
   One Battery Park Plaza, New York, NY 10004, www.winstim.com
1 Many thanks to John O’Hare for insightful comments on an earlier draft, and to Franklin Morean (Northwestern LL.M. 2000) for excellent research assistance.


4 See Silver, *supra* n. 2, at 1128-29.

5 See Silver, *supra* note 2, for additional data on the foreign office activities of the Appendix A law firms. Unless otherwise noted, all data contained in this article on the size of foreign offices and the education of lawyers in those offices was obtained from Martindale-Hubbell Directories, using entries for the law firms’ home cities, and from Martindale-Hubbell online, http://www.marhub.com.


7 There is some uncertainty about staffing in fewer than 10% of London offices because several firms do not publish complete biographical information about their associates.


9 The number of positions was derived from counting each listed position as one position; certain locations of positions are listed more than once for a particular employer, and each location was counted as an additional position for purposes of determining the number of positions.

10 The preliminary information for the January 2000 International Student Interview Program at NYU included 106 potential employers advertising for 459 positions. But only 49 of the 459 jobs were located in the United States, and two of these were temporary internships. Twenty-five of the 71 Appendix A law firms participated in this conference; nineteen of these advertised openings for foreign lawyers in their U.S. offices. The following Appendix A firms participated in the NYU conference in the year indicated; those firms listed with an asterisk advertised for jobs in the United States: Akin Gump (*00*, ’01), Altheimer & Gray (*00*, ’01), Baker & McKenzie (*00*, ’01), Brown & Wood (*00*), Cleary Gottlieb (*00*, ’01*), Coudert Brothers (*00*, ’01*), Davis Polk (*00*, ’01*), Debevoise & Plimpton (*00*, ’01*), Dewey Ballantine (*00*), Dorsey & Whitney (*00*), Gibson Dunn (*00*, ’01*), Hogan & Hartson (*00*), Hunton & Williams (*00*), Jones Day (*00*, ’01), Latham & Watkins (*01*), Mayer Brown & Platt (*00*, ’01), Milbank Tweed (*00*, ’01), Morgan Lewis (*00*, ’01), Morrison & Foerster (*00*), Paul Weiss Rifkind Wharton & Garrison (*01*), Shearman & Sterling (*00*, ’01*), Sidley & Austin (*00*, ’01*), Simpson Thacher & Bartlett (*01*), Skadden (*00*, ’01), Sullivan & Cromwell (*00*, ’01*), White & Case (*00*, ’01*), Willkie Farr (*00*, ’01), and Wilmer Cutler & Pickering (*00*, ’01*).

11 This number may be artificially low because of the absence of biographical information about associates in several law firms.


14 The association of Graham & James with Deacons in Hong Kong and Australia ended on July 1, 2000; the firm’s Hong Kong and Australian offices became part of Deacons. Letter from Paul Scholefield & Lindsay B. Esler, Partners at Deacons Graham & James, Hong Kong (Apr. 5, 2000) (on file with author).