

# CO-CHAIRS' CIRCLE Retreat

Lake Neusiedl, Austria  
7 and 8 June 2019

## Results Paper

### Working Session I – Best Practices: Measures and actions to involve members and ensure active participation

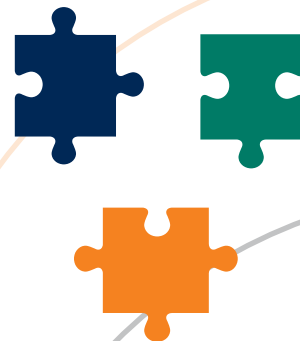
In a first working session on Friday afternoon, co-chairs explored the question of what we are currently doing, and what we *could and ideally should* be doing in order to get our members actively involved. Exchanging ideas and current best practices, we also set out to develop these practices further. We approached our question in three steps:

**First**, who are our members?

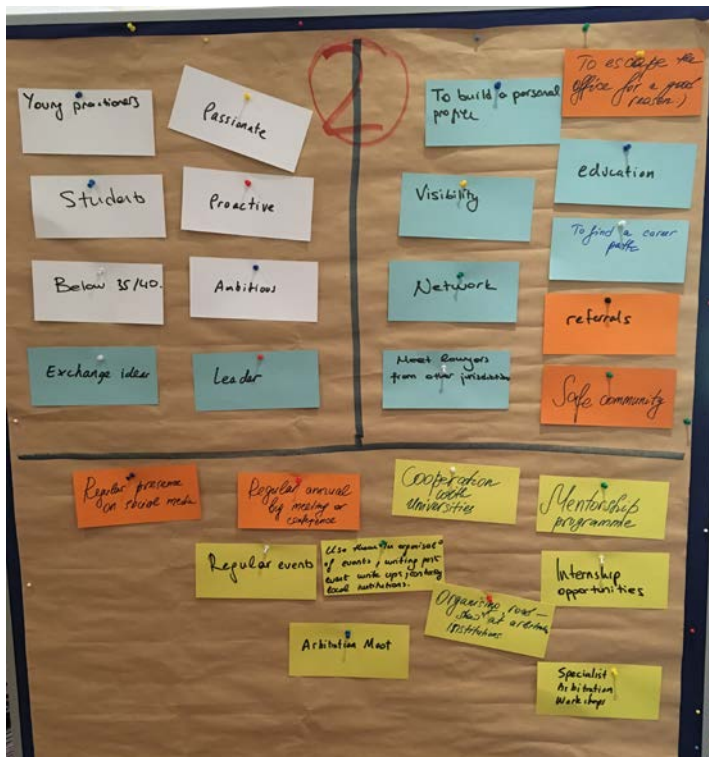
**Second**, why are they members of our institutions – what motivates them and what expectations do they have?

**Third**, what specific measures are best suited to ensure their active involvement?

Below you will find a selection of our discussion highlights. As expected, we did not come across the one big revolutionary idea. Rather, our joint brainstorming nicely demonstrated that it was a puzzle of different individual measures and approaches – many well-known, others worthwhile expanding on – which make an organization successful.



- First and foremost, our members look for networking, profile building and skill-building. All this should happen in a “**safe environment**”, encouraging the younger and less experienced members of our communities to speak up and get actively involved.
- Members apparently expect their organization to have a regular, (most frequently) annual “big” meeting or conference, which offers a sophisticated program, renowned speakers and a high number of participants – a “**flagship**” event. Apart from one or two such “flagship” events, **regular events** – rather low-threshold – are appreciated, not only for regular networking and updates, but also to afford our members regular opportunities to test their public speaking skills with a friendly audience.



Whilst organizations do a great job at building a closely connected arbitration community, they might do an even better job at linking practitioners across different practice areas, such as e.g. arbitration practitioners with corporate lawyers (who, after all, write arbitration clauses in their contracts – or not). Therefore, **cross-practice** events and networking opportunities should be intensified.

- Whilst **skill-building** of course also comprises listening to others sharing their “wisdom” and insights (in what sometimes boils down to classroom lectures), it should certainly not be so limited. Rather, **interactive and retreat-like** events with practical, hands-on training, just as more generally workshops grouping participants in **smaller (working) groups** are well sought after (as e.g. the Summer Retreat). Another such format may be a “**speed-dating**” in smaller groups (as e.g. in order to facilitate networking or, equally, to discuss content; notably, it was recently applied in meeting-your-case manager events), or respectively working sessions with a limited number of colleagues. Under the **Tylny Hall** format, e.g., participants may propose questions and issues for discussion upfront, which are then debated from the floor, under the expert guidance of more senior and expert co-chairs; the number of participants will be limited.

- Similarly, one format which is very well received are the so called “**Oxford style debates**”. They provide several (and not just one) individuals an opportunity to “shine” (gain visibility) and are a chance to present otherwise technical or tedious content in an entertaining and fun way. By the by, speakers can practice and display their advocacy skills.
- To learn from the more senior colleagues in a relaxed atmosphere with no-one being afraid of asking stupid questions, **senior practitioners** may be grilled in the course of so-called **fire side chats**. This should give young practitioners access to senior individuals on whom they otherwise only read in the WWL thought-leaders list or on book covers. One aspect here is not to underestimate that volunteers putting forward questions may be scarce, so organizers should be well prepared and take on responsibility to get the discussion going (and keep it alive).



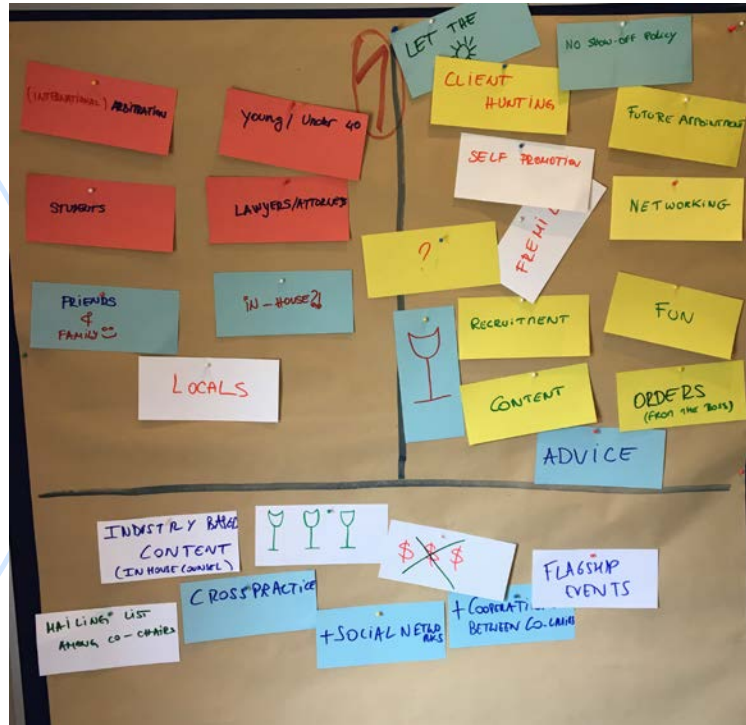
- Organizations should also offer an appropriate opportunity for young practitioners to get into contact, again in a “safe environment”, with **inhouse counsel**: To understand what makes them tick, what is important to them, what they appreciate when working together with (junior) lawyers, and what not. It was also discussed to what extent young organizations should equally provide a platform for “client-hunting”, connecting young practitioners with inhouse decision makers of our own age. In general, we also considered whether young inhouse practitioners should be involved in our events/organizations and, importantly, how we could best go about that.





- Young practitioners' organizations should also support their members to connect with the national arbitration institutions, e.g. by organizing introductory events so that institutions get in contact with fresh talent, as well as organizing road shows e.g. to the ICC in Paris or other institutions in the region. In general, a close cooperation with the **national (and other) arbitral institutions** may often be a benefit to our members.

Cooperation of young practitioners' organizations with **universities** is something else that our members might look after – offering networking opportunities with members of the arbitration academia and, equally, keeping members up to date as regards relevant skill-building and advanced courses as offered by universities.



- Members may also expect us to get actively involved in **arbitration moots**. Whilst this is most notably the Vis moot, some organizations do even organize their own moot events, cooperating with law-firms and thus offering their members an opportunity to network with senior (recruitment) partners from such law firms.
- From the perspective of networking, members also look to **purely social events** with no particular formal part to them, such as summer drinks, a regular arbitration "Stammtisch" (regulars table), etc. Such events may provide a welcome and "socially-accepted" (i.e. you have an excuse to leave the office before 9 pm) distraction from office work.

- We were little surprised to learn: Events should be fun, offer an opportunity to meet old friends and make new ones. Ideally, as it was suggested, the social community provided by the young practitioners' organization might become our members' "**fremily**", a term coined by some co-chairs in the brainstorming process.



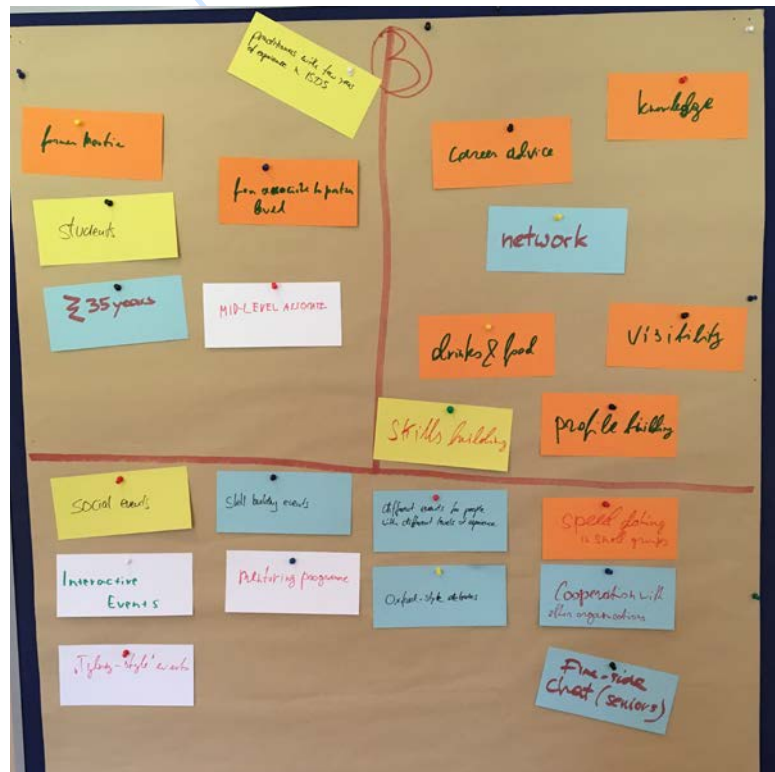
- Likewise, it came as no surprise that "**drinks**" was probably one of the most frequently mentioned motivations for members to join our event. After all, arbitration practitioners, just as other humans, are social beings. If those drinks are free, even better. Drinks receptions should not only accompany the discussion following up an event, but may be equally well-placed at the outset, notably before the formal part. If free food comes with the drinks, even better ;-).
- Organizations should aim at a fair mix of events **at home** – which are easy and fast to reach at no costs –, **as well as abroad**, which may strengthen the ties amongst members of the organization and help them make new friends in neighboring jurisdictions. In the same vein, whilst speaking engagements within their own local communities will benefit our junior members, we might also think about exchanging "international" speakers within the CCC-network: speakers will gain international exposure, and participants will profit from the different angle of their contributions.



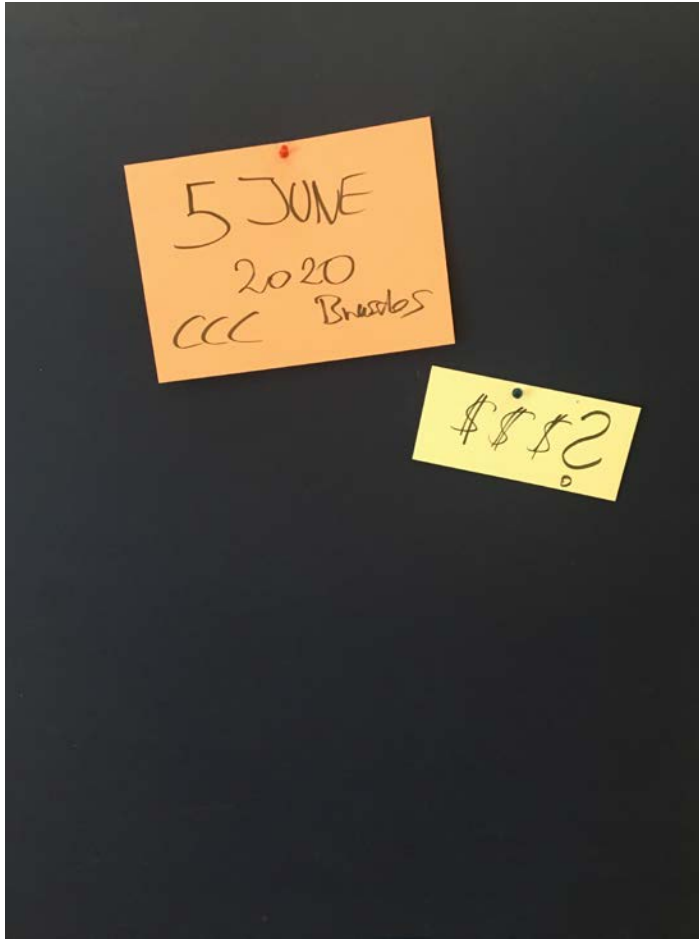
- One reason to join an organization and get involved in events may also be that this helps when looking for **internship opportunities or associate positions**, and conversely, when searching for **fresh talent** to fill such positions. Needless to say: Networking and profile building within the organization may also help to get **referrals** from befriended colleagues as well as arbitrator **appointments**.

- What members look for in their young practitioners' organization is also an informal platform for **knowledge-sharing, advice and coaching**: They may discuss legal and strategical issues with colleagues from outside their own law firm, just as asking their views on career decisions. As it was emphasized, participants especially value the "no show-off policy" at young practitioners' gatherings, where issues could be discussed on a factual level without the need to brag and boast.

Organizations may help set up **mentoring programs** for their younger members. Such programs may have different formats: The mentor may be a very senior lawyer outside the organization (as e.g. a senior attorney, arbitrator or institution member), or, alternatively, even a more established member of the young practitioners. Ideally, of course, mentoring occurs not only on a formalized basis but – and maybe even more valuably – on an informal basis by younger members seeking advice and guidance from their more experienced peers in the relaxed atmosphere of young practitioners' events.



- Young practitioners' organizations are **diverse in age**: They comprise not only the very young practitioners (first to mid-level associates, in some jurisdictions separately organized as "very young arbitration practitioners"), but also partners starting from their early thirties. On the one hand, this facilitates an exchange of different levels of experience, and may be a big asset, e.g. from the perspectives of networking (e.g. where a young partner wants to recruit interns or associates etc), knowledge-sharing and coaching. On the other hand, organizations face the challenge of catering the interests of very different groups. Young organizations should therefore be alive to this age (and experience) diversity and **offer different events for different levels of experience**.

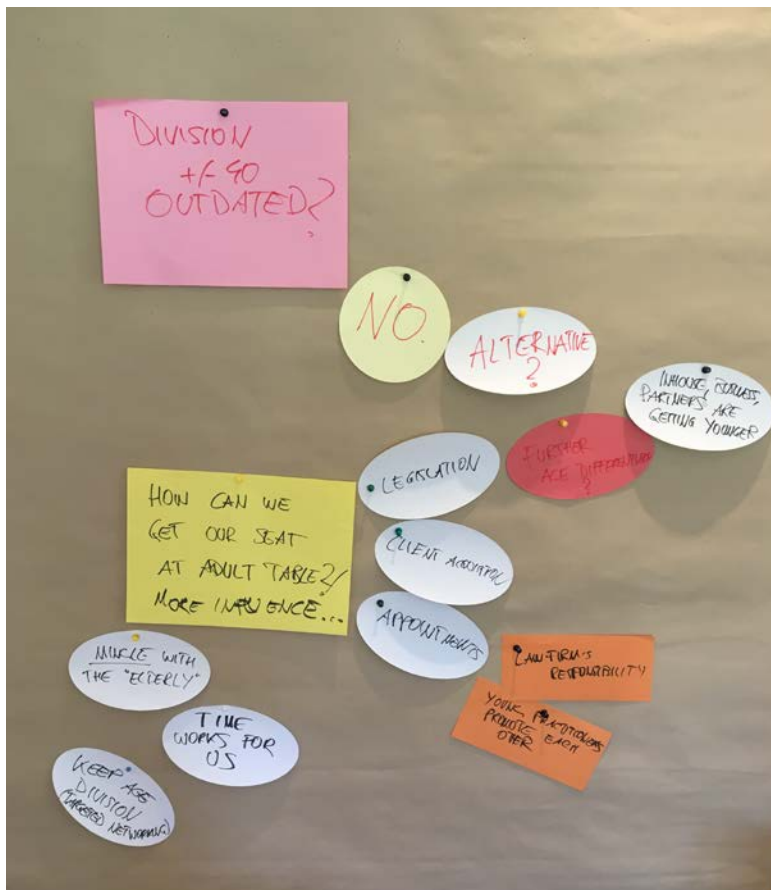


Most young practitioners' events are **for free** (or at very reasonable fees) and should remain so. Ideally, therefore, our members do not depend on financial support from their firms in order to get involved. One aspect in this regard was where young institutions get their budget from and how they could rely on law firm (or other: e.g. institutions, funders, experts) **sponsoring** without allowing sponsors to take them in for their own interests.

- Members also expect us to establish a regular **presence on social networks**, such as LinkedIn or Twitter. This will help them stay up to date as regards our events as well as current developments in the arbitration law and community.
- Finally, preparing and posting on our webpages or social media **post-event write-ups** will further increase the impact of our events, both for those who joined as well as for those who could not join this time.

## Working Session II – How can young practitioners get their seat at the adult table?

In this second design thinking session, we approached the question of how young practitioners could get more influence when it comes to e.g. legislative developments, client acquisition, appointments etc. One specific question was, whether the "above/below forty" division was outdated against the backdrop of ever younger decision makers acting on the business (and political) arena.



Whilst all working groups concluded that this division was not outdated but should be kept up, this finding was mainly based on a lack of better alternatives.

- In fact, many felt that the age division facilitated a grouping by experience (the younger the more junior) and by "working style" (the younger the more progressive and open), which otherwise would be difficult to achieve.
- It also allowed a more targeted networking: Conversely, lumping juniors with seniors would make it considerably more difficult for juniors to make themselves heard and seen.
- Further, it was pointed out that young practitioners should work more closely together to promote each other, e.g. for arbitrator appointments, making sure the long-lists or short lists they prepare for their senior partners or, respectively, their clients are balanced also from the generation perspective.



On the other hand, we also considered that it was necessary for juniors to mingle and connect with the seniors. It was felt by some that, rather than an abolishment of the 40+-division, a further age differentiation (between young and very young) might be helpful, at least in sufficiently big jurisdictions and organizations.

In any case, one conclusion on the above/below 40 division was probably: Time works for us 😊





## Participants

Markus	Altenkirch	DIS40	Germany
Peter	Anagnostou	CIArb YMG	United Arab Emirates
Lisa	Beisteiner	YAAP	Austria
Filip	Boras	YAAP	Austria
Mikal	Brøndmo		Norway
Ondrej	Cech		Czech Republic
René	Cienciala		Czech Republic
Matthias	Edtmayer	YAAP	Austria
Eliane	Fischer	YAAP	Austria
Sophie	Goldman	Cepani40	Belgium
Raphaël	Kaminsky	CFA-40	France
Olga	Kuchmiienko		Ukraine
Catherine Anne	Kunz	ASA below 40	Switzerland
Burcu	Osmanoglu	CIArb YMG	Turkey
Andrey	Panov	LCIA YIAG	Russia
Merlin	Papadhopulli	Paris Very Young Arbitration Practitioners	France
Petra	Pataki		Hungary
Sara	Pendjer	Under 40 section of the Serbian Arbitration Association	Serbia
Armela	Ramic	Association ARBITRI	Bosnia and Herzegovina
Tim	Rauschnig	Young ISDS Club	Germany
David	Seidl		Czech Republic