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## 26 Optimizing Your Global Legal Team

A successful global team is geographically far-flung, but socially close. Neglecting basic international business etiquette can marginalize and isolate groups on the periphery. Solutions range from the simple, such as being aware of the recipient's location when scheduling a meeting, sending an email, or issuing a deadline, to the involved, like monitoring cultural dates which may have been missed at base, or bringing team members together in person.

**By Susan R. Packal**

ILLUSTRATION BY ROBERT BALL

INSIGHTS FOR  
THE WORLD'S  
CORPORATE COUNSEL  
PROFESSIONALS

THIS SPECIAL  
EDITION OF  
THE BIENNIAL  
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BRIEFINGS



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### 34 Navigating International Negotiations with a Global Mindset

By Carolyn Herzog and Şirin Köprüçü

In international business negotiations, something as simple as “yes” can be laden with subtle hidden meanings and implications, which can diverge wildly by culture. Assumptions about how negotiations should proceed are sometimes contingent on upbringing and educational milieu, which can derail even well-planned discussions. Savvy in-house counsel need to develop a global mindset to build relationships with diverse stakeholders.

### 42 The Modern General Counsel

By Art Fisher

As many op-eds and academic publications have noted, general counsel are increasingly taking on the role of the risk officer, responsible for monitoring business deals over their entire lifecycles, rather than acting as a rubber stamp. This means safeguarding contracts from leakage, a responsibility that, when neglected, can lead to ruin. General counsel should thus consider integrating contract management software into their workflow.



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### 48 Past Performance Doesn't Guarantee Future Results: Understanding In-house Management

By Dominic Blue

Little has been written about the transition from the law firm to an in-house management position, such as the assistant general counsel. Since management incentives and structures differ greatly from the law firm to the corporation, this can often be a difficult transition. The technical skills that a law firm endows must be supplemented with soft skills to succeed in the in-house environment.

### 58 Want More from Your Outside Counsel? Apply Your People Management Skills

By Robert Falk and Gregory O. Olaniran

In-house counsel should be wary of thinking about relationships with outside counsel in a strictly transactional sense. Adding a human touch to the relationship, rather than expecting high-quality work courtesy of the billable hour, will extract the best outcomes from external counsel. General counsel can reap the rewards of thinking of themselves as team leaders rather than law firm clients.



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## 66 Legal Assurance in the ERM Framework

By Richard Alleyne, Joan Gentile, Jonathan Waters, William Albinger, and Pete Maloney

The “Three Lines of Defense” (3LD) model of risk management is increasingly adopted by various organizations in order to establish enterprise risk management (ERM) capabilities across the company and the entire ecosystem of risk that the company operates in. Non-lawyers designing 3LD sometimes misinterpret the function of in-house counsel in ERM and lead to contrary outcomes that fail to mitigate risk.

## 76 A Value Added Look at Corporate Bankruptcy

By Alan Brown, Thomas L. Sager, and Rafael X. Zahraiddin-Aravena

Chapter 11 bankruptcy is the most complex and usually the most expensive form of insolvency, holding creditors at bay while enabling the business to trim costs and propose a plan for profitability. Counsel managing the bankruptcy process are paid by the distressed company in a highly regulated manner managed by the United States Trustee, part of the US Department of Justice. The US Trustee has now updated the fee guidelines for Chapter 11 counsel, implementing value-added fee based principles.

## 88 An ACC Docket Interview with Weir Diffrent LLP CEO Adina Smith

By Russ Dempsey and Rob Lipstein

In this exclusive interview, the CEO of Weir Diffrent LLP, Adina Smith, presents the principles that underlie her successful firm — value-based billing, radical cuts to real estate costs through telework, and altered talent acquisition processes, among others. The catch: Both Adina Smith and her law firm are fictional. Yet the theories presented in this thought experiment are grounded in very real observations on the state of the industry today, and its future direction.

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