
WilmerHale Lawyers Publish Practical Guide on International Commercial Arbitration

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International commercial arbitration is one of the predominant methods for resolving cross-border business disputes, and continues to grow as a practice area. It is also distinct from litigation or domestic arbitration, and it is critically important for companies doing business across borders to understand it and know how to approach it.

WilmerHale offers one of the world's premier international arbitration and dispute resolution practices. Now, two of the practice's lawyers—Partner [Steven Finizio](#), ranked among leading international arbitration practitioners, and Counsel Duncan Speller—have written *A Practical Guide to International Commercial Arbitration: Assessment, Planning and Strategy*, a comprehensive resource for lawyers and companies considering international arbitration. The book explores the advantages (and disadvantages) for commercial users and how companies can best use the process to meet their commercial objectives.

Finizio and Speller are both based in London; Finizio is a US-qualified lawyer who has worked in Europe for more than a decade, while Speller is an English-qualified barrister. They have been working on the book since 2008, when they were first approached to write a book for the City & Financial "A Practitioner's Guide" range published by Sweet & Maxwell (part of Thomson Reuters).

In taking on the project, one of their goals was to make the book distinct from other leading publications on the subject by bringing to bear perceptions from different backgrounds on the issues, and to broaden the focus beyond a particular jurisdiction or set of rules. They were also able to capture the current landscape for readers. In doing so, they drew on their professional experiences, as well as their experiences teaching and resources they have prepared for conferences, seminars and client training sessions around the world.

"A unique aspect of our perspective at WilmerHale is that it is genuinely international," says Speller. "We have been involved in a broad range of international arbitrations, and practice in the United States, England and in a range of civil law jurisdictions. We drew on the international experience of our team so this book would be useful to readers in all jurisdictions."

The structure of the book follows the sequence of an arbitration. The first chapter defines

international arbitration and compares it to other forms of dispute resolution, and the book then delves into drafting an arbitration clause; the requirements for commencing arbitration; the constitution of a tribunal and subsequent exchange of evidence; the award or decision on the merit; and the processes for enforcing an award. At each stage, in addition to identifying the essential elements of practice, the authors address strategic considerations. "We hope readers will find the book useful, user-friendly and strategic," says Speller. "We've focused not just on the procedures and formalities, but the end result for companies, and how the process of international arbitration can be used to try to reach their commercial objectives."

Finizio and Speller hope readers will also find particular value in the book's appendices. "We wanted to go beyond other books, which often simply include treaties, laws or sets of rules (all of which are readily accessible). We've included useful websites, sample language, flowcharts and sample timelines for the steps in an arbitration, as well as checklists of questions to consider at each step of arbitration," says Finizio. The book also contains sample submissions, charts comparing leading arbitration rules and the laws on arbitration in several major jurisdictions (the United States, England, France, Switzerland and Singapore), and a comprehensive glossary of arbitration terms. "These materials are meant to separate this book from others out there."

The book is intended for anyone with a professional interest in international arbitration. "It was written to be accessible for in-house lawyers, but also with an eye toward experienced international arbitration specialists interested in the decision-making process," says Finizio. "We hope it will also be seen as a terrific resource for students. Our goal is to open these concepts for all readers, while at the same time providing value for the specialist audience."

Both Finizio and Speller look forward to tackling a second edition of the practical guide. "With this book, we were able to reflect on a number of important developments in 2010 in the field of international arbitration; ours is one of the first publications to take on these developments," explains Speller. "International arbitration is by nature an evolving process, and we're looking forward to meeting that challenge in a second edition."

For now, the two will continue to focus on their practices. Finizio, also a member of the Business Trial and Securities Litigation & Enforcement Groups, recently completed arbitrations in Hong Kong, London, Switzerland and New York for clients in a variety of industries, including oil and gas, financial services, manufacturing and telecommunications.

Speller continues to focus on a range of international arbitrations in various sectors, including aviation, oil and gas, and media. "One of the most intellectually exciting aspects of our practice is that we get to work on arbitrations under a number of sets of international rules and laws," he says. "Over the last year, I've acted in an arbitration representing an international media company in Germany; an International Chamber of Commerce arbitration in Zurich with Swiss law applied; a London Court of International Arbitration case representing an aviation client based in Asia; and participated in two parallel International Chamber of Commerce arbitrations involving property in Russia with English law applied. Diversity is inherent in our practice."

A Practical Guide to International Commercial Arbitration: Assessment, Planning and Strategy is

available on [Amazon.com](https://www.amazon.com) and through publisher [Sweet & Maxwell](https://www.sweetmaxwell.com) (part of Thomson Reuters).