



DC VYAP INTERVIEW SERIES: NAVIGATING TIMES OF UNCERTAINTY

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1. Thank you for “meeting” with us today and sharing your insight about the practice of international arbitration during this difficult and uncertain time. How are you managing to work remotely and what are your tips to efficiently work from home?

Working remotely is definitely a challenge. I’m not used to working in the same “office” as my wife, two young kids, and dog! But there are benefits, including the additional time with my family, the time saved commuting, and the home cooked meals.

I’ve experienced a big uptick in WebEx, Zoom, and Facetime calls, which I’ve found to be very valuable to connect with my clients, my colleagues at the Firm, and the international arbitration community. E-mail and phone are quick and easy, but really no substitute for face-to-face interactions.

2. In looking forward, what are some of the changes you anticipate the field of international arbitration will encounter? Particularly, do you anticipate or, perhaps, already see major changes in how disputes are being managed?

COVID-19 has forced us to adapt and do more of our work by video conference instead of in-person. And it’s generally been working! As a result, I anticipate that there will be more of a push in the future to do certain of our work by video conference to save the time and costs associated with travel. I believe that there still will (rightly so) be a strong preference for holding oral hearings in person, but I expect that many other aspects of our practice, such as client meetings, witness interviews, and procedural conferences, will continue to be done in the future by video conference, in light of the successes that we have seen combined with the significant time and costs savings.

3. **In your opinion, what type of disputes are we more likely to see worldwide in the near future as a result of global-pandemic? Are there any particular industries where we can expect a rise of international arbitration disputes?**

Two words: *force majeure*.

4. **For those young practitioners and law students with an interest in the field of international arbitration, what is your advice to them in order to prepare for a transformed legal market?**

(Try to) be patient, and flexible. COVID-19 has seriously disrupted the legal market, and law firms and practitioners are scrambling to deal with the ramifications. The traditional summer associate, OPT, and lateral associate programs have all been affected, so try to be patient and flexible as we all navigate these uncertain times.

In the interim, I strongly recommend that you develop your skills and profile so that you are best positioned when that opportunity does arise. For example, I encourage law students and young practitioners to: (i) strengthen your legal writing skills by writing an article or blog post; (ii) develop your international arbitration knowledge by attending or participating as a panelist in a virtual symposium; and (iii) extend your network by reaching out to international arbitration practitioners for a phone call or virtual “coffee” to learn more about their practice.

5. **In your opinion, what are some of the skills and areas of expertise that are more likely to become in demand in the post-pandemic legal market?**

Tech savviness! Nobody likes that person who is talking on video but doesn’t know that they are muted. (Or that person who is talking on video but doesn’t know that they are NOT muted!). Nor do you want to be that person who can’t figure out how to turn on your video, or whose audio produces that deafening echo.

Technology will play a more important role in the post-pandemic legal market, so having an understanding of and comfort with technology that enables more senior lawyers to rely on you will become critical. Strong writing, critical thinking, and effective oral communication will continue to be paramount skills for an international dispute resolution practitioner, but I expect that having a firm grasp on technology will greatly facilitate and become more important to our practice in the future as we do more of our work remotely.

6. Finally, we would like to ask you for a book, article, lecture or any other international arbitration related suggestion that you could give to our audience while staying at home?

The Oral History Interview of my mentor (and former boss) The Honorable Charles N. Brower: <https://www.bing.com/videos/search?q=interview+with+charles+n.+brower&docid=608031587830335543&mid=76DC91E2D2C50BF8BDEB76DC91E2D2C50BF8BDEB&view=detail&FORM=VIRE>.

Judge Brower has had a storied career in the field of international dispute resolution by serving as, among other prestigious roles, a Judge *ad hoc* at the International Court of Justice, a Judge at the Iran-U.S. Claims Tribunal, an arbitrator in dozens of international commercial and investor-State arbitrations, and the Acting Legal Adviser at the U.S. State Department. Yet, despite his incredibly busy schedule, Judge Brower always has made a point to take the time to meet with young practitioners and law students to mentor the future generation of international dispute resolution practitioners. He is a role model, and there is much to learn and emulate from his impressive career.