

Attorneys share the opportunities, sacrifices and lessons from a year in New York

In 2002 the Cyrus R Vance Center for International Justice Initiatives in New York City welcomed the first class of fellows in its South African Visiting Lawyer Program (SAVLP). The SAVLP brings young black commercial lawyers from South Africa to spend a year working at private law firms and corporate legal departments in New York. Five years later, the programme continues to host outstanding lawyers and is developing an extensive alumni network in South Africa. To commemorate this milestone, the 2005-2006 fellows – Meluleki Nzimande, Nontuthuzelo Made, Nzame Qokweni and Zodwa Zenzile – recently sat down with the Vance Center staff to reflect on their year in New York.

Vance Center (VC): It has been a year since you arrived in the United States to start your fellowship. What were your expectations coming into the SAVLP and how did your experiences live up to those expectations?

Zodwa Zenzile: Some of us left our families behind to participate in the SAVLP, so this fellowship is both a major opportunity and a sacrifice. There is an expectation, then, that this fellowship will help us advance our careers and allow us to contribute to the development and representation of black commercial attorneys within the legal profession.

Nontuthuzelo Made: And the program does give you an exposure you would otherwise not have. You get to make connections with lawyers from around the world and you develop a network of potential clients as well as lawyers you can continue to collaborate with.

Nzame Qokweni: Before applying I spoke with some alumni of the programme, and they explained to me that the programme is, among other things, about living. It's only a year, so you need to strive to experience as much as possible. Work hard and make sure to experience New York's cultural life.

VC: What can South African law firms learn from their counterparts in New York? And what could New York law firms learn from South African firms?

Meluleki Nzimande: First, South African firms need to improve their information management, particularly the management of precedents and post-transaction documents and research reports. New York law firms have elaborate and highly organised databases containing information on the specific legal, financial and other challenges dealt with in past transactions.

Pro bono work can also be more structured and more widely provided by law firms in South Africa. This is especially important since the rights contained in South Africa's beautiful Constitution remain inaccessible to a substantial segment of the population – particularly the poor – due, in part, to the lack of adequate legal representation or access to justice.

Zodwa Zenzile: American law firms firmly believe that their young up-and-coming associates are the future leaders of their law firms. To ensure that they carry on the good name of the firm, the associates are trained thoroughly. Partners give their associates confidence sooner to manage 'smaller' matters. This might even be in the conduct of due diligence and the presentation of the due-diligence report



The 2005-2006 South African Visiting Lawyer Program fellows who have spent a year in New York: front, Nontuthuzelo Made and Zodwa Zenzile, and back, Meluleki Nzimande and Nzame Qokweni.

directly to the client. Senior attorneys are able to present their associates with pride to the outside world because they know they have nothing but confidence in their product. That is the mental shift our law firms must adopt.

Nontuthuzelo Made: One downfall of corporate legal practice in the United States is that, as an associate, you have very little contact with clients. In South Africa, you go along with your principals to meetings and this helps to build up a relationship with clients, especially in instances where you have to do the initial drafting in the matter. You get better understanding of what the client is looking for from his advisers than you do in the United States. Also, South African junior lawyers get involved in the drafting process at an earlier stage than their New York peers and this helps in boosting their confidence and abilities early on.

VC: The purpose of the SAVLP is to assist in the transformation of the commercial legal sec-

tor in South Africa. What do you think are the challenges black lawyers face in South Africa, and how can your experiences in New York contribute to changing that situation?

Nzame Qokweni: Law school will teach you only so much. You also learn the law by practising it, and it is important to have mentors along the way who can advise and encourage you in your career. The problem in South Africa, however, is that there aren't enough experienced black senior commercial lawyers to mentor you. It is also difficult for black lawyers to break into commercial law because they come from communities where, historically, there has been little commercial activity. In this environment, you are not exposed to a lot of commercial issues.

Meluleki Nzimande: Mentoring is not institutionalised in many large law firms and this is a problem on its own, regardless of race. The problem is compounded for aspir-

ing black commercial lawyers in that South Africa's legal community lacks a critical mass of black commercial lawyers not only to act as mentors to incoming lawyers, but also to inspire students and alert them to commercial law practice as a viable career option. Our participation in the SAVLP gives us an opportunity to contribute to the development of such a critical mass. We are forging a message that says to other black South Africans: look it can be done.

VC: What new knowledge will you take back to South Africa?

Nontuthuzelo Made: I've learned how important it is to be able to work in teams in the mergers and acquisitions field. One needs to keep abreast of what other people in the deal, especially the specialised fields, are doing and involve them as part of the team. If you want to be ahead in your career you cannot work alone.

Meluleki: I have learned the importance of pre-consultation research. Once a consultation is scheduled with a client, say in connection with a contemplated merger, an in-depth profile of the target company is prepared. The profile contains such information as the names and backgrounds of the executive management and the board members, financial performance, shareholding, possible pitfalls as may be gleaned from the target company's public documents, etc. This makes for a very productive first meeting and in my view, contributes to the speed with which transactions are concluded or aborted in New York.

VC: What advice would you give to young lawyers who are considering applying to the SAVLP?

Zodwa Zenzile: The experience is mind blowing, and your personal growth will be phenomenal. Learn your craft well, pursue excellence and go for it!

South African Visiting Lawyer Program

Sponsor: The Cyrus R Vance Center for International Justice Initiatives of The New York City Bar

The New York City Bar

is seeking applicants for the South African Visiting Lawyer Program. The Program will bring up to eight lawyers from historically disadvantaged backgrounds to participate as Vance Center Fellows in a working fellowship program at corporate law firms and the legal departments of investment and commercial banks in New York City for one year.

The 2007/2008 program year will begin in September 2007.

Applicants should have a minimum of two years' practice experience. Some corporate practice experience is desirable. Only attorneys will be considered for participation in the Program.

Applicants are requested to provide the following information:

- Curriculum vitae;
- Law school transcript;
- A written statement by a lawyer familiar with the applicant's work indicating his/her capacity to work well at the junior level in a commercial transaction; and
- A cover letter indicating how participation in the Program will assist the applicant's professional development, and how the applicant will share the skills upon return to South Africa.

The Visiting Lawyer Program will provide transportation and initial lodging for the participants. Vance Center Fellows will receive an annual fellowship stipend of \$90 000 along with health benefits provided by the firms and/or banks at which they are placed. After an initial two-week period they will be expected to provide for their housing and living expenses.

Attorneys interested in applying for the Visiting Lawyer Program should send the required materials to:

**Nosipo Matanzima
Law Society of South Africa
PO Box 36626
Menlo Park 0102**

E-mail: nosipo@Issa.org.za

A copy of the cover letter and curriculum vitae should also be sent by e-mail to Alyson Zureick, Program Assistant at the Vance Center: azureick@nycbar.org.

Applicants should submit the required materials no later than 19 March 2007.

Candidates who have been selected for interviews will be notified in April. Interviews will take place in Johannesburg on 5 and 6 May 2007.

SADCLA conference to address human rights and economic development issues

Justice Minister Brigitte Mabandla is scheduled to open the Southern African Development Community Lawyers Association (SADCLA) conference and annual general meeting at the Birchwood Conference Centre in Boksburg later this month. South African practitioners have been invited to attend the conference.

Chief Justice Pius Langa will close the conference with an address on human rights, the rule of law and the right to development.

A discussion on the harmonisation of laws, focusing on the SADC Protocol on Corruption will be followed by sessions on

- practice management for small to medium firms;
- protecting the fundamental right to property;
- the World Trade Organisation, the General Agreement on Trade in Services and the SADC Protocol;

- how legislation regulating financial regulators can ensure that monetary policy achieves developmental objectives;
- cross-border practice;
- the need for financial institution regulators to ensure the observance of human rights;
- freedom of expression and the media in development;
- accommodating a unified currency within the region;
- the role and performance of central banks in the region;
- privatisation and the extent to which it facilitates development; and
- energy regulation in the region.

The conference takes place from 23 to 25 November 2006. Further information is available on the SADCLA web site at www.sadclawyers.com or from Godwin Kunda at tel: (09267) 391 0333 or e-mail: sadclawyers@info.bw

