

The Voice of a Legal Elite

--An interview with Will Chuchawat, senior attorney of Sheppard Mullin Richter & Hampton LLP

1. When do you start your career in Shanghai? What's your impression of this city?

I arrived in early November of 2007. The city is amazingly energetic and vibrant. The city shows where the future of the world economy will be, and how China can become a global financial leader.

2. What do you think of the main difference between juristic systems of the USA and China? How do you adapt yourself to the latter?

The main difference is that there is no case law in China, and that legal interpretation is determined on an individual basis through judges that do not rely on precedent. The USA has over 200 years of case law and developed procedures for the review of legal issues. There is a more predictable process for litigating disputes in the USA than in China currently.

3. As a senior attorney of Sheppard Mullin Richter & Hampton LLP, you have great experience in the fields of mergers and acquisitions, financing and so on. What advice will you give to the foreign entrepreneurs on how to deal with those businesses in China? Or can you tell them what the difference between dealing with them in China and in foreign countries is?

Foreign investment in China requires extra attention to legal detail. The rules and regulations in China are complex and come from different layers of government. The regulatory process here is still developing, so your attorneys need to be up to date. Particularly when it comes to financing, there are significant controls on foreign capital, and this area of the law has seen significant change recently.



Will Chuchawat

4. It is heard that your price for a talk is 500 USD per hour, which is much higher than the average level of Chinese lawyers. Would you mind telling the reason of so high a price?

Actually, I speak with many clients and prospective clients “off the meter”, to understand their business, their goals and their business and legal needs. I have that conversation first because it helps the client and me understand where I can add value for the client. The billable hour rate reflects the value of providing high end, sophisticated legal representation for a client in my area of expertise. The more routine work is handled by junior associates at my firm.

5. We know that the businessmen in China have to deal with government, no matter the domestic or the foreign. So what's your suggestion about this for the foreign businessmen in China?

Foreign business people in China should seek professional advice when dealing with the government. That professional advice should be simply stated and practical, and should offer solutions, not just pointing out problems.

6. Do you plan to further develop your business in Shanghai? Can you tell your plan for yourself and Sheppard Mullin in 3 to 5 years?

The business of the law, like all businesses, is looking to grow. The firm and I are very focused on opportunities in Shanghai and elsewhere in China. We expect to increase the size of our office here substantially. We are always looking at ways to better serve our clients. **CBF**