

**ARIZONA ATTORNEY:** You're in the United States with an exchange program sponsored by Lex Mundi, an organization of independent law firms. Why did you take part?

**JIE CHEN:** Lex Mundi is a good place for lawyers all over the world to share their practice and to provide them the platform to practice law, especially today, with a global economy.

**AZAT:** Can you describe your practice?

**CHEN:** I joined my firm, the Jun He Law Firm, in 1994. I focus on corporate law, foreign investment, mergers and acquisitions, securities and general corporate matters.

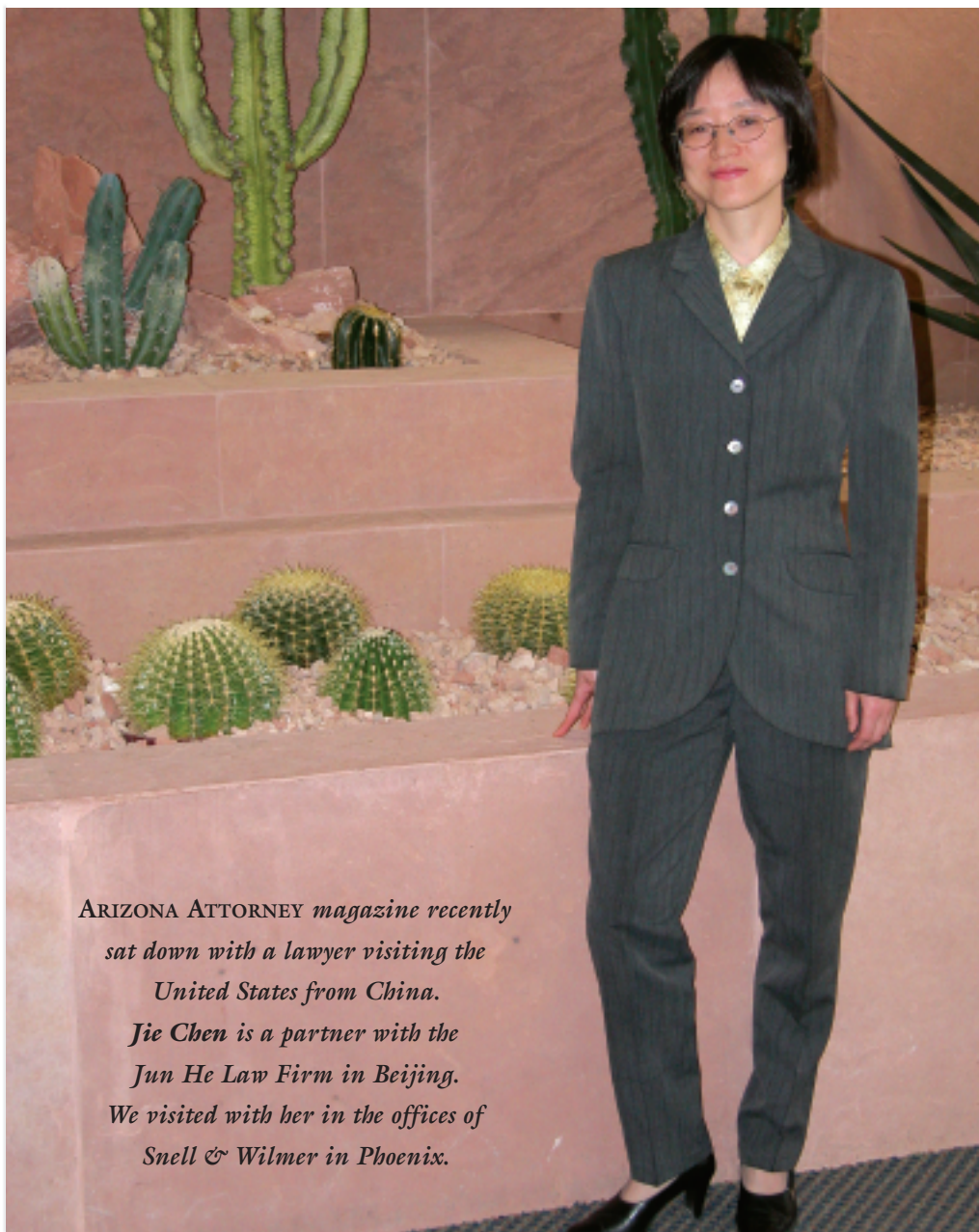
**AZAT:** You have significant prior experience in the United States. You earned an LL.M. at Columbia University Law School, and you're admitted to the New York State bar. Where will you visit on this trip?

**CHEN:** I began my stay here with Holland & Knight in Atlanta for three months. And then I moved to Fenwick [ & West] in Northern California, and I'm visiting Snell & Wilmer for one week.

The reason I'm visiting Snell is that I know Phoenix's economy is one of the biggest in the U.S.

**AZAT:** All together, you'll be here in the United States on this partnership for about a year and a half. That's a long time to be away from your home and your practice.

**CHEN:** But while I'm here, I'm focusing on my Chinese practice. It gives me the opportunity to contact and meet many people. It's a real help to my work.



*ARIZONA ATTORNEY magazine recently sat down with a lawyer visiting the United States from China.*

*Jie Chen is a partner with the Jun He Law Firm in Beijing. We visited with her in the offices of Snell & Wilmer in Phoenix.*

**AZAT:** You indicated to Lex Mundi that you wanted to learn about other office cultures. What have you learned?

**CHEN:** In most respects, our firm is more similar to than different from American firms. My firm was formed in 1989, and we tried to follow the management system of foreign law firms.

**AZAT:** But even among large law firms, there must be some differences.

**CHEN:** Well, my firm is one of the oldest in China, and it was only formed in 1989. But many U.S. law firms have over 100 years of

history. So they are more established.

The Chinese legal system is also completely different, and we always need to update it with new laws.

Also, the culture is different. In China, we focus on the personal relationship more. **AZAT:** Can you describe your workday at Jun He?

**CHEN:** We have similar requirements [in that respect], with billable hours for associates, of course. But the amount of the billable hours is less. In my firm, it is 1,500, and average lawyers and associates will work

1,800. So it is quite close to the situation here.

**AZAT:** Your firm says that it was a pioneer in the “emergence and development of a modern legal profession in China.” What does that mean?

**CHEN:** We are the first private law firm in China. Before that, there were few law firms in China, and they were state-owned. The Chinese lawyer system was recovered in 1979. Before that, lawyers focused on things like criminal litigation.

My firm’s purpose is to focus on international transaction deals.

**AZAT:** What led to that change?

**CHEN:** It was due to the growth of the Chinese economy, and the government decided to try a new pilot project. In 1982, the Chinese government decided to establish a partnership law firm, more similar to foreign law firms. My firm was one of the first private law firms in China. At that time, there were only four law firms to be partnership law firms, but my firm was the very first.

**AZAT:** What is the benefit of the partnership model? Why would a country that didn’t have that model adopt it? Does it benefit clients?

**CHEN:** It’s the best way for lawyers to partner with each other. It’s not suitable for lawyers to be organized in a corporation-like management structure. And the partnership structure can attract more and more capable lawyers to join it.

**AZAT:** In 2002, you made partner. Congratulations.

**CHEN:** Thank you.

**AZAT:** In your firm, a relatively high percentage of the partners are women—about 26 percent, I think. Is the law a typical profession for a woman in China to enter and excel in?

**CHEN:** In the entire firm, about half of the associates are women. And I think ladies are very good at lawyering; they are so diligent, so careful and detailed.

**AZAT:** In your American legal experience, I’m sure you’ve heard the term “glass ceiling”? Is that a concern in China?

**CHEN:** We don’t have a similar term, but we have a similar situation. I noticed that generally, almost 14 or 15 percent of partners [in U.S. firms] are women.

**AZAT:** That’s interesting. For Snell, it’s about 17 percent. And for Fenwick, it’s also 17 percent; it’s striking that they’re the same percentage. So your firm has a considerably higher percentage of women partners.

**CHEN:** But still it’s much less than male partners.

I personally think it’s different [for women]. Many women have to take care of the kids. The gentlemen have more of an advantage. Most of the high-ranked managers in companies are men, and in law firms we have to communicate with these businesses, so we have the same situation as [U.S.] partners.

**AZAT:** While in the United States, have you spoken with women lawyers about practicing law as a woman?

**CHEN:** I have talked with them. And we’ve talked about how to work, how to survive in a law firm. I can see that we have a similar situation in China—family things, how to take care of children. For example, male partners can go golfing every weekend. But many women may say, “I don’t like it; I just want to stay at home with my kids.”

Also I spoke with female associates who are shyer and male partners are not willing to approach them, but they’re always willing to have lunch with the male associate. [The women associates ask] “Why is that?”

**AZAT:** In fact, how would you translate the name of your law firm?

**CHEN:** Jun He means “Gentleman’s Corporation.”

**AZAT:** How do the U.S. and Chinese legal systems differ? Is the Chinese system primarily statutory, or is there a common law you have to study, as in the United States?

**CHEN:** Court cases are not sources of law for us, so we only follow the written laws and regulations.

Actually, businesses are much more highly regulated in the U.S. system. Like your U.S. securities laws are much more

highly regulated, much more detailed.

**AZAT:** Do younger lawyers in China have different expectations of their law practice than a senior partner may have had? Do younger lawyers expect more of a U.S. model? Do they want to question things?

**CHEN:** Yes. Of course. They have more exposure to the world.

**AZAT:** Though you weren’t at your firm when it opened in 1989, do you know about its early days? Your firm opened in April 1989, just as the Tiananmen Square protests began. And the government’s violent suppression came on June 4, just a few months later. Do people in your firm talk about what those times were like?

**CHEN:** Yes. But it was coincidental that we were set up at that time.

[During that time,] my partner went to a hotel to negotiate with a Japanese client. He could hear the gunshots. But the firm did survive.

**AZAT:** Could being a lawyer in China at that time cause you a crisis in confidence, a sense that any system that would allow that kind of suppression is one in which you don’t want to be a lawyer?

**CHEN:** I’d say no, because we focus on business law, and I think business in China is developing very quickly.

**AZAT:** But in 1989, younger lawyers had just recently graduated, and the year before, they might have been protesters themselves. Have you ever heard any fellow lawyers say that?

**CHEN:** Yes. But at that time, I wasn’t a lawyer. And when I joined the firm, China was quite steady.

**AZAT:** You attended law school in China. Is one difference that in American law schools, students study constitutional law and, in some respects, civil rights? How does reading the law in a more authoritarian nation differ from that?

**CHEN:** I think the legal education in U.S. law schools is better because [U.S. law schools] encourage you to think about why the law is, how the judges make decisions. In Chinese law schools, we’re more educated what the law is. **AZ**