t was late June and I was beginning to give serious attention to my bar exam preparations. My life for the next year was already established: I was to take the bar, vacation for two months, then move to Washington, D.C. and begin clerking for a judge at the United States Court of Federal Claims. Then came the phone call from Ukraine. Baker & McKenzie, the world's largest international law firm, was looking to hire a new associate in its Kiev office. Since I had spent five weeks the previous summer working at the Advisory Council
to the Ukrainian Parliament, the partner and senior associate in Kiev thought I might be interested in coming back. They were right.

Any uncertainties about throwing away a federal clerkship and moving halfway around the world were heavily outweighed by the excitement of practicing law in a nation still developing its political and economic identity. The desire to develop capitalism in the land from which my parents and grandparents fled during the 1940s to escape the tyrannical rule of communism had always burned in my soul. I received a blessing from the judge for whom I was supposed to clerk. Then, two weeks after the bar exam, I was on a flight across the Atlantic to begin my legal career in Kiev.

I’ve been in the Ukraine approximately two months and have not been disappointed with my choice. Although life and work here can be difficult and frustrating, neither can be characterized as mundane.

The Kiev office of Baker & McKenzie represents multinational firms seeking to invest in Ukraine. The principal areas of practice include establishing local subsidiaries, providing tax advice, structuring real estate transactions, intellectual property protection and labor law. The office employs three western attorneys, three Ukrainian lawyers and a support staff of 11, including four translators, a librarian, an office manager, a computer technician, a receptionist and three drivers.

Working in a small office of a large firm has been an ideal mix. While forced to do many tasks that my colleagues in western firms would have secretaries do, I have been exposed to clients and issues that would not touch the lives of most first-year associates in the west.

As a law student, I yearned for the chance to have “client contact.” Kiev has given me that in spades. My responsibilities have ranged from handling the registration of new legal entities and trademarks, to drafting leases and meeting with potential multinational clients to discuss the legal environment in Ukraine.

In general, practicing law in Ukraine is filled with uncertainties and it takes patience and perseverance to find answers. Often, ironclad answers to legal questions cannot be provided. Many of the laws suffer from inconsistency and ambiguities resulting from the political compromise between true market reform officials and bureaucrats and politicians still clinging to the perks of the old system. At times, it is simply a result of sheer ignorance about how a market economy functions or how to develop a legal framework that facilitates its growth.

As western attorneys, we are trained in a system with hundreds of years of tradition and precedents. We thoroughly research every issue to the smallest detail and attempt to reduce the uncertainty to a minimum. We have laws, commentaries on laws, thousands of pages of precedents and tens of thousands of pages of analogous situations. Research to find relevant materials is facilitated by computer systems such as LEXIS and WESTLAW. The pool of information is vast and easily accessible.

Yet in Ukraine, there are few, if any, precedents to many of the issues that clients raise. The laws are published in newspapers. There are no central publication companies that compile all the laws.

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In addition, major laws and policies are subject to frequent changes, often on a monthly basis. One frequently attempts to draw conclusions and develop strategies from inconsistent and sometimes incoherent legislation. At times one is reduced to “telephone law”: consulting with government officials who often have less of an understanding of the law than you do. It’s “cowboy law” at its finest.

After spending three years in law school, I thought I might have some shred of insight on how to practice law. Instead, I now find myself learning anew in a system that plays “hide the ball” better than any master of the Socratic method ever could. However, it is exhilarating and I wouldn’t trade it for anything in the world.