

Thursday, January 23, 2014
1:30 p.m. – 4:45 p.m.
International Law Committee
3.0 MCLE Credit Hours; 1.0 LEPR Credit Hour

International Law Committee

“Fortune brings in some boats that are not steered” ... but generally planning ahead is better: let’s discuss some notarization issues in cross borders transactions and some ethics issues in International Law

International trade and the role of lawyers in international transactions have increased dramatically in the last few decades, and projections indicate even greater growth. Ford Graham with the South Carolina Department of Commerce will lead off the program with a discussion of international trade and investment initiatives in South Carolina.

The authentication of documents by notaries either overseas when the document is to be used in the US (“inbound”) or in the US when the document will be sent overseas (“outbound”) is often a source of misunderstanding in international transactions. The training, status, and functions of civil law and common law notaries differ dramatically. It is certainly possible that an international transaction may turn out well even if an American lawyer ignores those differences (as Shakespeare puts it in the Cymbeline “*Fortune brings in some boats that are not steered*”). However, lawyers who ignore the different role and competence of civil law and common law notaries do so at their peril. In the second part of the program, a panel of experienced international practitioners will stress some differences between common law and civil law notaries, briefly mention international conventions on the use of notaries, and analyze and offer advice on some practical issues on notarization that arise in inbound and outbound transactions.

In the final hour of the program, which qualifies for ethics credit, Professor Nathan Crystal, will discuss some important ethical issues that arise in international practice, both transactional and litigation.

Agenda

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| 1:30 p.m. – 2:05 p.m. | South Carolina Initiatives in International Commerce and Investment
<i>W. Ford Graham, Munich, Germany</i>
<i>Director of International Investment</i>
<i>South Carolina Department of Commerce</i> |
| 2:05 p.m. – 3:30 p.m. | Cross Border Transactions Involving Notaries – Problems and Recommendations
<i>Ernesto Velarde-Danache, Brownsville, TX</i>
<i>Francesca Giannoni-Crystal, Charleston</i>
<i>Nicole Murphy, Charlotte, NC</i>
<i>Wolfgang Buchmaier, Columbia</i> |
| 3:30 p.m. – 3:45 p.m. | Break |
| 3:45 p.m. – 4:45 p.m. | Ethics in International Practice
<i>Nathan M. Crystal, Charleston</i> |

Moderator: James S. Guignard, Columbia