

Northeast Asia Regional Program



Julia Jiyeon Yu | Seoul, KOREA
Attorney, Hanseo Law

Julia Jiyeon Yu has focused her law practice on dispute resolution, specializing in commercial litigation, patent and international trade law, as well as human rights law. While Deputy General Secretary of the Korean Bar Association, Ms. Yu drafted the "Foreign Consultant Act," which established the ethical code and framework for international lawyers practicing in Korea. She used her fellowship to explore methods and uses of alternative dispute resolution (ADR), with the goal of advancing the status and competitiveness of Korean law practice internationally.

Ms. Yu found that in the U.S., international ADR practice is mainly conducted by the larger law firms in New York (the national hub of international commercial arbitration), Washington D.C. (primarily investor state dispute practice), and more recently, in Houston (where energy arbitration practice prevails). While most international arbitration cases are conducted in English and more U.S. lawyers want to be involved in international arbitration cases, she noted they will be challenged to enter the closed global international arbitration community. Nonetheless, it is an important practice, and she noted many similarities between arbitration and diplomacy. Ms. Yu also observed that even though the U.S. legal system is based on common law and the Korean legal system is based on civil law, there is a committed effort to create a unified system for international arbitration.

She was surprised to find that, despite her anticipation that Americans would primarily resolve disputes by going through the courts rather than utilizing mediation, negotiation or arbitration, in practice some states adopted a mediation process as a mandatory step to resolve disputes before going to the courts, and that efforts are underway to develop mediation and negotiation systems as an alternative dispute resolution system. Upon attending a class at Harvard Law School's Program of Negotiation, she was surprised to learn how popular the subject is and to watch the strategic approach to teaching methods on negotiation. Ms. Yu concludes, "I am sure Korea can adopt the education system regarding mediation and negotiation for legal professionals. Additionally, systemizing mediation procedures as a part of dispute resolution methods can be done by cooperation between our Bar Association and the judiciary."

Highlights of her program included meeting Gary Born, international arbitration expert during his visit from London to the U.S. and spending time with Lucy Reed, co-head of Freshfield's preeminent global international arbitration group, who discussed her experience in investment treaty arbitrations and other public international law disputes as well as her time a General Counsel of the Korean Peninsula Energy Development Organization. USA Fellow Antoinette Hubbard ('96) introduced Ms. Yu to Louise LaMothe, ADR expert, who hosted Julia's visit to Santa Barbara which included attending an Inn of Court, meeting with other arbitrators, and the opportunity to observe a commercial mediation.

Julia spent a week in New York post-fellowship with the American Arbitration Association's International Centre for Dispute Resolution, and completed extensive surveys on Alternative Dispute Resolution in Korea for "Investing Across Borders," a project of the World Bank. As a result of her fellowship, she will pursue collaborative ventures with the American Society of International Law, the Center for American and International Law/Institute of Transnational Arbitration, and various legal schools and law firms. In addition, Ms. Yu plans to explore establishing a donor program to support Korean dance and dance theaters. In summary, Ms. Yu wrote: "My fellowship experience gave me a lot of confidence as a leader in many ways – it improved my language skills, taught me how to relax while on a tight schedule, let me know how to travel by myself, made me experience broadly and think innovatively, and made me improve my skill in handling difficult situations. The most important thing that I learnt from this fellowship was to embrace different cultures and diverse ideas with an open mind."

Leaders bettering the world around them.