

THE GLOBE AND MAIL*

Miller Thomson Signs with Fidal

By Sheldon Gordon

Miller Thomson LLP has signed an affiliation agreement with Fidal, France's largest business law firm, to co-operate on reciprocal referrals and joint marketing and business development. The agreement breaks new ground, as most Canadian firms that seek to build momentum abroad, without opening an office, rely on informal connections with foreign firms or global, multi-firm referral networks.

Miller Thomson Chair Gerald Courage describes the alliance with Fidal as "a 'best friends' arrangement with a more formal structure," and emphasizes that his firm will retain its independence. "If a French company were to retain us for work in Canada, there would be separate retainer agreements with the two law firms. ... This is not a Norton Rose, and we don't see a formal merger with anyone in the near future."

Miller Thomson, which has a large construction-industry practice across Canada, sees infrastructure and natural resources as the sectors most likely to produce referrals from its French ally. "There are French companies with an interest in the Alberta oil sands," says Courage. "There are opportunities there." Going the other way, Miller Thomson has service-sector clients in Montreal that may welcome a referral to Fidal for forays into France or elsewhere in Europe.

While Miller Thomson has about 480 lawyers working in 11 offices across Canada, Fidal is a much bigger firm, employing more than 1,200 lawyers in 90 locations throughout France, including 200 assigned to "desks" for a variety of African and other European countries; it also maintains an office in Brussels to do legal work related to the European Union.

Although this is the Canadian firm's first formal link-up with a foreign firm, it has numerous informal ties with US firms and other foreign firms. "So far, these referral relationships have worked out very well for us," says Courage. He noted that Fidal, for its part, already has formal affiliation agreements with German, Swiss, Spanish and Brazilian firms.

Miller Thomson's ties with Fidal began nearly a decade ago when Normand Royal, a Montréal partner, began making regular business-development trips to France and built connections with lawyers at Fidal. Royal will serve with Courage and another Montréal partner, Pierre Paquette, as Miller Thomson's representatives on the six-member steering committee that will oversee the agreement.

Other Canadian firms, however, prefer to gain their international exposure through a combination of offices abroad, informal relationships and membership in multi-firm referral networks, such as Lex Mundi and World Law Group.

Bennett Jones LLP, which has opened three offices in the Persian Gulf emirates, uses informal ties for the rest of the world. "We're comfortable with the traditional Canadian model of longstanding but informal relationships with foreign firms, not institutionalized but often developed at the individual lawyer level," says Toronto managing partner Stephen Bowman. "This has served us well over the years, with referrals from foreign firms."

He views the Miller Thomson alliance with Fidal as part of the trend whereby "the biggest international firms are continuing their march, looking for either a merger or a relationship of exclusivity in the other jurisdiction."

Goodmans LLP, which has no foreign offices, belongs to the 50-member, invitation-only World Law Group to give and get referrals. "It allows us to utilize resources in other jurisdictions when and if the need arises," says partner Neil Sheehy. "One of the benefits is that it's not a tight partnership, we're not wedded to one another." Many of Goodmans' lawyers also have strong ad hoc relationships with foreign firms outside the World Law Group. "We're open to helping anybody that needs help and we're open to calling anybody that can help us," says Sheehy.

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