

Diversity and MOU's: International Section Chair Shares His Global Vision

Edward K. Lenci is the new chair of the New York State Bar Association's International Section.

A partner of Hinshaw & Culbertson, Lenci litigates and arbitrates business disputes, including reinsurance disputes, and defends businesses sued in class action lawsuits. He is a 30-year member of the association.

In a recent interview, Lenci discusses a variety of topics including his vision for the International Section, his efforts to advance diversity, equity and inclusion within the section, and what the section has to offer NYSBA members.

Q: What is the International Section?

A: The International Section is the face of NYSBA internationally. The section has approximately 2,000 members and over 60 chapters on every continent except Antarctica. We also have more than 40 substantive law committees in areas of interest such as cybersecurity and data privacy, human rights, trade, financial services, immigration, corporate counsel, international arbitration, cross-border litigation, and tax, to name just a few. The section has entered into memoranda of understanding, or MOUs as we call them, with a number of bar associations and groups around the globe. There is something for everyone everywhere in the International Section.

Q: What are your plans for the International Section?

A: I have three main goals. First, advance diversity, equity and inclusion, or DEI, within the section. Second, increase the number of memoranda of understanding with bar associations around the world. Third, increase the activities of our chapters that advance the profile and leadership of the section globally.

Q: Let's start with the first goal. We've heard a lot about diversity, equity and inclu-

sion in the last year. What do you understand DEI to mean?

A: I see two aspects to DEI. First, DEI means that people of all social, racial, ethnic, or cultural backgrounds, and different genders and sexual orientations, have a seat at the table, participate fully in the section, and strengthen NYSBA's leadership capacities.

Second, DEI is about engagement with such persons and groups. Engagement is listening to, learning about, and getting to know people different from yourself. In an article I recently published to mark Asian Pacific American Heritage Month, I recount the experiences, and their lessons, of the year, right after I graduated from college, when I lived and studied in Japan. I can personally attest that exploring new cultures and developing friendships can be very rewarding.

Q: How do you plan to advance DEI in the section?

A: Let me begin by saying that the section has a long-standing commitment to DEI. But starting in the summer of 2019, when my friend Diane O'Connell became chair, we decided to do more.

The first big step in that direction was our global conference in Tokyo in November 2019, titled "A World of Many Voices, United in Our Diversity." I was one of the three co-chairs of that conference, and Diane, too, was much involved in its planning. The conference featured a unique human rights plenary that addressed DEI, marriage equality, and human trafficking. Another panel discussed, among other topics, the need for the appointment of diverse persons as arbitrators. We had many panels on substantive legal topics and we required the panels to include diverse representation.

As an outgrowth of that conference, last year the section amended its by-laws to expressly prioritize the achievement of DEI. In the

revised by-laws, the section established numerical targets and added two diversity officers to its already diverse leadership. The diversity officers are responsible for the oversight and implementation of the Section's DEI goals.

I'm fortunate that the DEI officers are Diane O'Connell and my friend and colleague, D. L. Morris. To advance our goals, I've already set up regular meetings with them and the section's chair-elect, Azish Filabi, so that we can in the months ahead achieve this element of DEI in our Executive Committee, our committees and, where appropriate, our chapters.

Q: What about engagement? What does the section offer?

A: The section offers many opportunities for engagement. Foremost among them are the two conferences we hold each year in other nations. The Tokyo conference was our last before the pandemic. Before that, we had conferences in Australia, Austria, Brazil, Croatia, France, Guatemala, Korea, Ireland, Italy, Sweden, and Vietnam, to name just a few places. We're planning to hold an in-person conference in New York City in late October or early November. In 2022, we'll hold a conference in Madrid in April and another in London in November. As was the case with the Tokyo conference, there will be an emphasis on diversity and inclusion in the composition of panels.

Q: You said your second goal is to increase the number of MOUs with bar associations around the world. What is an MOU?

A: An MOU is a written agreement with another bar association, a bridge in which the parties seek better understanding and cooperation. The existence of an MOU indicates the recognition of mutual goals and benefits for the members of each bar association.



Ed Lenci, chair of NYSBA's International Section

Q: What is the value of an overseas bar association entering into an MOU with NYSBA?

A: For centuries, New York City has been a diverse, multicultural, international center for international trade, commerce and finance. A hallmark of New York law is its respect for private decision-making and private ordering of civil and commercial relationships. It's unsurprising, therefore, that parties to international commercial agreements often specify New York law as the governing law. Moreover, most foreign attorneys who earn LL.M degrees in the United States seek admission to the New York bar in particular.

An MOU builds on this. In an MOU, NYSBA and a bar association in another nation agree to cooperate in promoting exchanges between lawyers in both countries and advancing the rule of law. An MOU expressly recognizes the importance of trade around the world, the need for closer ties between people in the legal profession, and the vital part played by the law in these relationships. We agree also to promote the exchange of ideas about international legal issues through international programs, seminars, congresses, community outreach projects, and publications. As a result of the

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pandemic and the upheavals of the last 15 months, the value of MOUs is critical, so we need to enter more of them. That's the plan.

Q: How do you plan to increase the number of them?

A: I'm asking each chapter to arrange for the entry into an MOU with at least one bar association in that chapter's nation. We're off to a good start. On June 4, I signed a Memorandum of Friendship with the Osaka Bar Association. On June 17, we signed an MOU with the Philippine Bar Association.

Q: Where does the section have chapters and what kind of programs do they have?

A: We have over 60 chapters so I can't list them all, but that information is on NYSBA's website. As to their programs, they hold webinars on important legal issues, domestic and international, that are available to everyone in NYSBA. They have frequent social gatherings as well.

We're fortunate that Carlos Ramos-Mrosovsky of Alston & Bird serves as the section's senior vice chair for chapters. Through his leadership, we have increased the number of chapters around the world and enhanced the leadership

of existing chapters. Carlos has also created opportunities for chapter chairs to share their knowledge and network directly with the Executive Committee. He's outstanding.

Q: NYSBA often issues statements on international issues. How do you see NYSBA expanding on its role as a thought leader internationally?

A: There was an excellent article in the current issue of *Foreign Affairs*, titled "Practice What You Preach: Global Human Rights Leadership Begins at Home." In it, the authors explain that, particularly after the events of the last 15 months, the U.S.

must first promote human rights domestically in order to have the credibility to lead by example internationally. I agree wholeheartedly. So, by continuing its long tradition of promoting the rule of law and the achievement of human rights here in the United States, I believe NYSBA will make a significant contribution to the advancement of the rule of law and human rights on planet Earth.