

## International law practices see changes amid Trump transition

THE LIST: International Law Firms

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Interesting. Swift. Popular. Fascinating.

These are words a lot of people wouldn't associate with international law. But those involved in the business say the past year or so could be encapsulated by adjectives like these.

Before January, many Buffalo-area international lawyers said their business consisted largely of issues like export/import law compliance, data transfer and anti-corruption matters.

Those and most other issues handled by international lawyers were exacerbated by the Trump administration, which issued several executive orders relating to international issues that, some said, created more questions than answers.

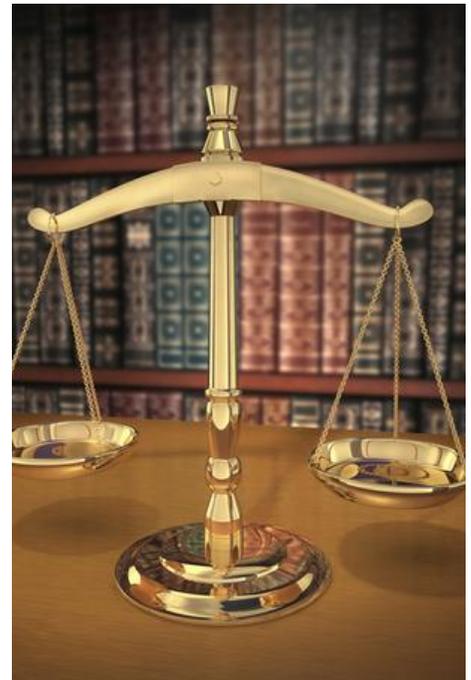
That particularly applies to immigration, which has been a consistent newsmaker since Donald Trump took office thanks in part to an attempt to limit the number of immigrants coming in.

"While most of the provisions in those executive orders that would affect employment-based immigration are not currently being enforced due to successful legal challenges, they have nevertheless created great uncertainty about how immigration laws will be interpreted and enforced," said Danielle Rizzo, an immigration law attorney at Harris Beach PLLC. "The new administration's policy initiatives have not made this work 'harder' but have brought about an expected shift in enforcement policies."

"Travelers to the United States are more aware of the immigration law and are diligent about being in compliance," said Rosanna Berardi, managing partner of Berardi Immigration Law. "I think this trend will continue."

Eileen Martin, a partner at Barclay Damon LLP who chairs the firm's immigration practice area, agreed clients have been more prepared for potential complications. That preparation applies to both immigration and issues that don't draw as much attention but may have more of an impact on the average American. The U.S. government has reached out to her firm for information on international trade and investment, for example.

The symbiotic regulatory cooperation between the United States and Canada could also be impacted, according to Benjamin Dwyer, a lawyer who does cross-border counseling at Nixon Peabody LLP. Regulators in the two nations have worked together to improve and expedite approvals in fields like food safety, pharmaceuticals and children's products.



JAMES STEIDL

“Such cooperation can benefit both industry and consumers by the creation of efficiencies through harmonization of regulatory requirements and elimination of duplicative procedures,” Dwyer said. “In many of these areas, regulatory cooperation is now institutionalized at the agency level and may be expected to continue ... longer-term goals of deeper cooperation in these areas could be threatened if a misconception arises that the initiative adds regulations rather than harmonizes existing ones.”

David Murray of Phillips Lytle LLP said cooperation is important because more investors are looking to bring their business - and their money - into the United States. Uncertainty about what trade policies will look like under the Trump administration could stop that flow.

"What's going on is having an impact. What sort of policies are we going to have in terms of trade regulation and tax?" he said. "Investors, they don't like uncertainty."

A couple firms on The List have increased the number of local attorneys with an international focus they employ.

Andreozzi Bluestein LLP brought on four more such attorneys in 2016, bringing its total to 11. Jacquie Schneegold, a senior paralegal at the law firm, said those attorneys are helping clients with compliance issues like the Foreign Account Tax Compliance Act and Reports of Foreign Bank and Financial Accounts, both of which involve U.S. account holders reporting foreign assets to the IRS.

That could be among the issues the firms deal with going forward. Odorczyk expects more questions about how goods that travel back and forth are classified and valued. That's because of the administration's statement that there would be stricter enforcement of import/export laws already on the books, which could result in stiffer penalties if goods are undervalued as a means to lower tariffs and duties.

Coming changes to data protection regulations in the European Union also have clients who do business there seeking counsel to handle the accompanying extra.

Berardi, meanwhile, sees legal action forthcoming in the immigration field.

“We have truly seen our democracy in action, and it's been super interesting,” she said. “I predict an immigration case will be heard by the U.S. Supreme Court in the near future.”

**Paul Lane**

Data Reporter

*Buffalo Business First*

