

## 2. THE EUROPEAN CONTEXT

### 2.1 Highly Contrasting Initial Regulatory Situations

Each of the 12 EC countries has its own division, organization and regulation of judicial and legal professions. However, if one considers only the non-judicial activities dealt with in this report, these countries may be divided into two categories:

- . The first comprises the Federal Republic of Germany, Spain and Greece, where only lawyers may provide legal services (*Rechtsanwalt* in the Federal Republic of Germany, *abogado* in Spain, *Dikigoros* in Greece) and only foreigners who meet the requirements of the country's legal profession may open practices.
- . The second category includes the other countries, where legal counselling may be freely practised. Foreigners may open offices and work as they wish and legal services may also be provided by professionals other than those specializing in law, i.e., public accountants, banks, insurance companies and so forth. However, certain nuances exist in the various countries. For instance, in Great Britain, foreign lawyers may practise unrestricted but without bearing the title of "solicitor." In France, foreigners may be recognized as members of the legal profession (*la profession de conseil juridique*) or they may choose not to be part of this profession. In Italy, foreigners who wish to open legal practices are subject to more restrictions.

### 2.2 The Pre-eminence of British and Dutch Firms

The top three European cities in international law, in order of importance,

are London, Paris and Amsterdam. However, although British and, to a lesser extent, Dutch firms rank highest at the international level and have offices wherever possible in Europe, French firms tend to be less internationalized. Paris owes its place of importance on the international scene to American law firms, as well as to firms based in Britain, Holland and many other countries. There are approximately 30 in Paris, compared to 50 in London. Coudert Brothers was the first to arrive in Paris, in 1879.

Only British and, to a lesser extent, Dutch firms have the size, organizational quality and work methods to compare with North American firms. Throughout the rest of Europe, work methods remain individualistic and small scale. This is still the case in Germany, where constrictive regulation is slowing the trend towards mergers and concentration. Italy and France are still very conservative and protectionist. Of course, the largest French legal firm, La Fiduciaire juridique et fiscale de France, is as large as the largest British solicitors, such as Clifford Chance. However, this is the only one. In addition, tax consulting is one of the major activities of French law firms and they are far less involved in international law than their British counterparts. Where *avocats* are concerned, even though rapid concentration is taking place, the largest firm, Gide Loyrette Nouel, approximately 150 people, remains medium-sized. Above all, the international dimension and work methods of the largest French firms are hardly comparable to those of present large British firms.