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To what extent has research conducted by the GaWC Research Network aided our understanding of large EU law firm geography?

Parnham, R.

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**To what extent has research conducted by the
GaWC Research Network aided our
understanding of large EU law firm geography?**

Richard Neil Parnham

**A thesis submitted in partial fulfilment of the
requirements of the University of Westminster
for the degree of Doctorate in Philosophy**

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Abstract

This thesis explores whether a specific group of large EU law firms exhibited multiple common behaviours regarding their EU geographies between 1998 and 2009. These potentially common behaviours included their preferences for trading in certain EU locations, their usage of law firm alliances, and the specific reasons why they opened or closed EU branch offices. If my hypothesis is confirmed, this may indicate that certain aspects of large law firm geography are predictable – a finding potentially of interest to various stakeholders globally, including legal regulators, academics and law firms.

In testing my hypothesis, I have drawn on research conducted by the Globalization and World Cities (GaWC) Research Network to assist me. Between 1999 and 2010, the GaWC published seven research papers exploring the geographies of large US and UK law firms. Several of the GaWC's observations arising from these studies were evidence-based; others were speculative – including a novel approach for explaining legal practice branch office change, not adopted in research conducted previously or subsequently. By distilling the GaWC's key observations these papers into a series of "sub-hypotheses", I been able to test whether the geographical behaviours of my novel cohort of large EU law firms reflect those suggested by the GaWC. The more the GaWC's suggested behaviours are observed among my cohort, the more my hypothesis will be supported. In conducting this exercise, I will additionally evaluate the extent to which the GaWC's research has aided our understanding of large EU law firm geography.

Ultimately, my findings broadly support most of the GaWC's observations, notwithstanding our cohort differences and the speculative nature of several of the GaWC's propositions. My investigation has also allowed me to refine several of the GaWC's observations regarding commonly-observable large law firm geographical behaviours, while also addressing a key omission from the group's research output.

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Accompanying non-documentary materials for assessment

My thesis is accompanied by a CD-Rom which contains an Excel file entitled: Parnham Westminster PhD 2015. This Excel file contains many of the data tables referred in this document. Each workbook within this Excel file features, in turn, relevant source citations in each relevant data cell.

This Excel file was created in Microsoft Office 2010, Windows edition. Please do not open this file using previous version of Office, as this will result in formatting errors.

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Author's declaration

I declare that all the materials contained in this
thesis are my own work

Chapter one

Introduction

1.1 - Introduction

In recent decades, large law firms around the world have undergone a profound transformation. In numerous countries, the nation's largest legal practices have increased their lawyer headcounts (Daniels, 1993, p147; Galanter and Palay, 1993, p146 - 155; Schack, 1993, p198 - 199; Abel, 1993 - 1995, p826 - 836; Gromek-Broc, 2002, p125; Bruinsma, 2005, p85; Galanter and Roberts, 2008, p148) – sometimes (Nelson, 1988, p44 - 47) by more than 1,000 per cent. These developments have given rise to terms such as “megawlawyering” (Galanter, 1983; Flood, 1996) and “big law” (Ribstein, 2010).

In terms of large law firm geography – the focus of this thesis – market dynamism is also evident. In the past few decades, large law firms in various countries have grown their domestic branch office networks (Lynch and Meyer, 1992, p57 - 64; Daniels, 1993, p147 - 206; Abel, 1993 – 1995, p801 – 805; Baker and Parkin, 2005 - 2006, p1650). Some, but not all (Sassen, 1991, p62), have also expanded internationally. Research suggests Europe is a favoured international expansion destination, notably among large US (Chapman and Tauber, 1994 - 1995, p944 - 945; Beaverstock, Smith *et al.*, 2000, p103; Silver, 2000, p1109 – 1114; Thomas, Schwab *et al.*, 2001 - 2002, p147) and UK legal practices (Beaverstock, Smith *et al.*, 1999, p1869). Indeed, specific EU legal markets – notably Germany – have rapidly evolved from being largely ignored by such firms (Goebel, 1988 - 1989, p468 - 469) to becoming inward investment hot spots (Aronson, 2007, p800) – thereby impacting on the employment of thousands of lawyers. In light of this market dynamism, and for the additional reasons I shall set out on p88-92, this thesis will explore the evolving EU geographies of large EU law firms.

In light of the significant geographical changes outlined above, one might assume that a substantial body of research now exists, explaining the transformation of the EU legal market – especially given that many geographical developments involving large EU law firm are reported in the legal trade press. However, as my literature review in chapter two will elaborate, such research has not materialised to any significant extent. We therefore currently have a rich source of “news” regarding EU legal practice geography, but also a limited, and partial, pool of academic analysis of the same issue. My investigation aims to mitigate against this knowledge dichotomy.

1.2. Aims and objectives

Legal practice geography is a broad topic. However, the focus of this thesis is narrow. The objective of my research is to test my overarching hypothesis, which specifically relates to large EU law firm geography. My overarching hypothesis recognises the heterogeneous natures of individual EU legal markets, and the often heterogeneous geographies of large law firms operating within them (Pinnington and Gray, 2007, p158 - 164). Nevertheless, it also proposes that large EU law firms, operating in various different EU states, collectively appear to adhere to a limited number of identifiable patterns of geographical behaviours. Patterns of geographical behaviours may, for example, be observable in relation to the locations where large EU law firms do, or do not, operate branch offices at certain times. And, on a related point, patterns of behaviour may also exist in relation to these firms' usage of alliances with other EU legal practices, which often supplement firms' own EU branch office networks. It may also be possible to identify patterns of behaviour regarding the processes by which large EU law firms decide to undergo geographical change. Firstly, it may be possible to identify key common elements which, collectively, form the essence of such firms' overarching geographical strategies. Secondly, and at a more granular level, it may also be possible to identify which specific factors repeatedly prompt large EU law firms to alter their branch office coverage in various EU locations.

The notion that large law firms may collectively exhibit patterns of geographical behaviour is not pure speculation on my part. Rather, my overarching hypothesis appears to be supported by research undertaken by the Globalization and World Cities Research Network (GaWC) between 1999 and 2010. During this time, various GaWC authors published seven research papers exploring law firm geography, on either a legal sector-specific basis (Beaverstock, Smith *et al*, 1999, p1869 – 1873; Beaverstock, Smith *et al*, 2000, 95 – 120), or in comparison with other “advanced producer services” (APS) sectors (Beaverstock, Taylor *et al*, 1999, p450). Crucially, as I shall explain in my literature review, in these papers, the GaWC authors repeatedly suggested that certain patterns of large law firm geographical behaviour might exist. Helpfully, the patterns of behaviour identified by the GaWC closely relate to my own research interests: large law firms' branch office locations, the nature of

large law firms' inter-practice alliances, and the reasons why large law firms change their branch office geographies.

In light of the GaWC's research, one might wonder why my study is necessary. However, I suggest my investigation would aid our understanding of large EU law firm geography for several reasons.

Firstly, the GaWC's findings, indicating patterns of large law firm branch office / alliance behaviours have not – to date – been tested for replicability by reference to a novel, but equivalent, cohort of large legal practices. Indeed, several law firm geography-related papers (Aronson, 2007; Pinnington and Gray, 2007; Luschin, 2010) published after the GaWC's earlier works do not cite the group's research, still less evaluate its findings. My study will, by contrast, undertake such an evaluation. Further, existing research indicates that law firms operating in various countries have been geographically active and / or expansive (Abel, 1993 – 1995; Daniels, 1993, p157 – 160; Morgan and Quack, 2005, p1772 – 1780; Aronson, 2007, p798 – 822; Pinnington and Gray, p158 – 162; Luschin, 2010, p66 – 82) for many years. However, in common with various earlier studies (Crabb, 1983, p1767; Warf and Wije, 1991; Lynch and Meyer, 1992; Flood, 1996, p187 - 200), the GaWC explored law firm geography only through the prism of large US and UK law firms (from now on, I shall collectively refer to such practices as "AS" – i.e. Anglo Saxon – firms). The GaWC's rationale in focusing on such practices is understandable – they comprised a substantial percentage of the world's "top" law firms (Beaverstock, Taylor *et al*, 1999, p453 – 454). However, because no attempt has since been made to test the replicability of GaWC's findings, it is currently unclear whether these findings are also applicable to other cohorts of large, geographically active, legal practices. My results, revealed from p128 onwards, will address this uncertainly – at least in relation to large EU law firms.

I shall explain my cohort sampling in my methods chapter, from p87 onwards. Briefly, however, my sample group will not only include large AS firms, but also large firms "indigenous" to the various EU states I will evaluate, together with large "multidisciplinary (MDP) / conglomerate" (Faulconbridge, Beaverstock *et al.*, 2008, p466) legal practices – a type of firm the GaWC erroneously (Martin, 2007, p187 –

188; Luschin, 2010, p66 – 82, p82 – 87) stated had “effectively died out with the Enron scandal” (Faulconbridge, Beaverstock *et al.*, 2008, p466).

If my findings suggest the GaWC’s discoveries are replicable within my cohort, this would indicate the possibility that collective law firm geographical behaviours may – to a limited extent – be predictable. If supported, such a finding could prompt future researchers to try to predict how the collective geographies of large law firms might evolve if, for example, a legal market undergoes law firm branch office liberalisation. To explain: historically (Schack, 1993, p195 – 196; Rogowski, 1995, p123 – 124; Schultz, 2005, p106), but also more recently in certain jurisdictions (Matsutani, 2012), law firms have been subject to regulatory limitations regarding the locations in which they can trade. Where liberalisation has occurred, research indicates that large law firm geography can be transformed, sometimes within a short time period (Abel, 1993 – 1995, p801 – 802). Helpfully, as my literature review will elaborate, my study explores the evolving geographies of large EU law firms at a time when the EU liberalised rules governing foreign law firm branch office establishment. And, while the dynamics between this particular liberalisation and my cohort firms’ branch office changes are not central to this thesis, I will briefly explore some of the effects of this changing regulatory environment in my literature review and results. The ability to predict how large law firms may collectively alter their branch office networks in a given location, based on past liberalisation experience, would – potentially – be useful to numerous stakeholders, including legal regulators, law firms and academics. Indeed, a small number of scholars have briefly debated whether parallels should be drawn, and lessons learned, from past experiences when considering the likely impact of future liberalisations in legal markets such as Shanghai (Luschin, 2010, p29) or South Korea (John, 2012, p237 – 282).

Further, and regardless of whether patterns of legal practice geographical behaviour are ultimately identified within my cohort, my findings will add to the existing body of economic geography research. In recent years, various studies have mapped, and often compared, the geographies of large entities across a wide range of sectors, including global media (Krätke, and Taylor, 2004, p459 – 477) and energy companies (Toly, Bouteliger *et al.*, 2012, p289 – 306), and both intergovernmental

(Knox, 1995, p237 – 239) and non-governmental (Taylor, 2004, p95 – 100) organisations. Because my research use a different cohort of large law firms to the GaWC, and then compares my findings with theirs, it is hoped that my findings will encourage future researchers to investigate intra-sector, as well as inter-sector, geographical similarities and differences.

In relation to the GaWC's explanations regarding the reasons why large law firms change their branch office geographies, it should be appreciated that the reasons the GaWC identified were accompanied by little (Beaverstock, Smith *et al*, 1999, p1859 – 1862) or no (Beaverstock, 2004, p165; Faulconbridge, Beaverstock *et al.*, 2008, p464 – 465) supporting evidence or analysis. Often, the reasons offered were throwaway comments, which were not then discussed further. Unfortunately, I am not aware of any follow-up academic studies, which has tested each of the individual reasons for legal practice geographical change suggested by the GaWC. The lack of follow-up research regarding the GaWC's explanations is perplexing, given that the majority of the GaWC explanations are, themselves, derived from a model produced by Dunning (1989, p30) in the late 1980s. I therefore suggest it is high time the GaWC / Dunning model was subject to systematic academic scrutiny. My research will undertake this exercise.

My second reason for wanting to evaluate the GaWC / Dunning explanation for legal practice geographical change is that, conceptually, it has a novelty within legal sector research. Crucially, the GaWC / Dunning explanatory model assumes that law firms change their branch office geographies for a variety of reasons, which can nevertheless be defined and categorised. Superficially, such a proposition appears unremarkable. However, to date, various studies which have explored the drivers of large law firm geographical change – discussed in my literature review – have typically viewed the issue through the prism of a single causal explanation, such as client demand (Cullen-Mandikos and MacPherson, 2002, p491 – 499), regulatory liberalisation (Struble, 2011, p111 - 132) or law firm profitability (Sherer, 2007, p162 – 185). If I can demonstrate that the GaWC's proposition regarding a multiplicity of identifiable geographical change drivers is plausible, this alternative approach may help explain why some of the “single explanation”-focused studies have yielded

ambiguous results which even the studies' authors have struggled to explain (Brock, Yaffe *et al*, 2006, p169). Furthermore, if my findings support the GaWC's various granular explanations for legal practice geographical change, this opens up the prospect that future researchers may be able to identify hierarchies of importance regarding those granular explanations. Indeed, this line of enquiry has already been pursued in other business sectors (O'Farrell, Wood *et al.*, 1996, p112; Roberts, 1998, p195). Undertaking a preliminary "proof of concept" evaluation in a legal sector-specific setting would therefore appear to be a worthwhile exercise.

The final reasons why I believe it is important to re-evaluate the GaWC's research is that, in doing so, I will be able to identify significant omissions from the GaWC's findings, which might be relevant to my overarching hypothesis – that limited patterns of large legal practice geographical behaviour might be observable between law firms and legal markets. Having signposted throughout my study that the GaWC's research is a potentially important source of understanding of large EU law firm geography, I suggest my evaluation should also identify, and describe, what appear to be the most significant patterns of law firm geographical behaviour which the GaWC's research appears to have missed. Indeed, from the outset of my investigation, my previous experience as a journalist on *The European Lawyer* has led me to believe that an important commonality of behaviours appears to be missing from the GaWC's research: the existence of law firm geographical strategy as a driver of branch office change in its own right, separate from – but related to – the reasons why law firms change their branch office geographies in specific locations. Anecdotally, my previous journalistic writings suggests that large EU law firms do have overarching geographical strategies (Parnham, 2002, p14; Parnham, 2003b, p16 – 29; Parnham, 2005a, p52;). Furthermore, as I will explain in more detail on p51 onwards, the limited pool of services / professional services globalisation literature indicates it may be possible to identify common components that, collectively, form the essence of such strategies. However, because I am not aware of any research – GaWC or otherwise – which had sought to test this idea in a law firm-specific setting, I believed it would be useful for me to explore this issue.

An incidental outcome of my research is that it should be possible to distinguish between large EU law firm geographical behaviours which are broadly replicable

across a diverse cohort of large legal practices, and those which are cohort – or even firm – specific. I suggest both research outcomes would be useful for any future researchers seeking to explore my findings further. Where my findings differ from those of the GaWC, this will indicate where firms’ collective – or individual – geographical behaviours appear idiosyncratic. My research will therefore aim to identify the nature of such idiosyncratic behaviours. Future researchers may wish to explore such behaviours more deeply, simply because they appear individualistic. By contrast, where different cohorts of law firms can repeatedly be observed exhibiting behaviours indicated by the GaWC and others, this would suggest a degree of predictability regarding these practices’ geographies – at least in relation to large UK, US and EU law firms. This finding would, in turn, pave the way for future researchers to further test the replicability of these findings in other legal markets.

Given that my overarching hypothesis proposes that limited patterns of geographical behaviour might be observable between large EU law firms, how does my PhD title relate to this hypothesis? My thesis title, by way of reminder, is: *To what extent has research conducted by the GaWC Research Network aided our understanding of large EU law firm geography*. In fact, there is a clear link between my hypothesis and my research question. For the majority of my investigation, I shall evaluate the GaWC’s research in the following way: in my literature review, I shall first synthesise the GaWC’s more significant, and empirically-based, suggested patterns of geographical behaviour into nine “sub”-hypotheses. I will then subject these sub-hypotheses to a preliminary evaluation, assisted by non-GaWC academic studies which have explored similar issues. In my results, I will then further test each individual sub- hypothesis by reference to observed behaviours of a novel cohort of large EU law firms of my own design. I shall also undertake a similar exercise in relation to the GaWC’s multi-faceted explanation of why large law firms undergo geographical change, which was offered on a more speculative basis. In my literature review regarding sub-hypothesis 11, I will assess every component of the GaWC’s multifaceted explanation by reference to non-GaWC academic studies which have explored similar issues. In my results, I shall then further evaluate these individual GaWC explanations by reference to the explanations offered by my novel cohort of large EU law firms when discussing their own geographical change events. Finally, where my own prior knowledge, together with my wider reading of the

existing services / professional services literature, suggests the GaWC's research contains a notable omission regarding possible patterns of law firm geographical behaviour, an additional sub- hypotheses (hypothesis 10) will be formulated, derived from this wider reading. Testing whether my novel cohort of large EU law firms tend to behave in a manner consistent with the behaviours indicated in this wider pool of research will allow me to evaluate this hypothesis in its own right. In doing so, I will also be able to assess whether the GaWC's research does contain a notable omission regarding possible patterns of legal practice geographical behaviour. Ultimately, by testing the replicability of each of the key geographical behaviours suggested by the GaWC, I will be able to evaluate the extent to which the GaWC's research has aided our understanding of large EU law firm geography. Nevertheless, it should be appreciated that I am using the GaWC's research as a vehicle for testing my overarching hypothesis, rather than as an end in itself.

1.3. Conclusions

This short introduction has illustrated the need for my study. Firstly, the limited pool of existing academic research suggests that large law firms in various jurisdictions have altered their geography dramatically in recent years – thus impacting on various legal markets, and on the careers of thousands of lawyers. But, despite this market dynamism, only a small number of academic studies have explored this issue specifically – particularly in relation to the EU legal market. Further, even where research has been undertaken, which suggests patterns of geographical behaviour might be observable among large law firms, it is currently unclear whether those patterns of behaviour are also applicable to large law firms that are not regarded as being of US or UK heritage, such as EU law firms. Thus, our understanding of this issue is currently partial. In addition, it is currently unclear within existing research whether law firms of any description alter their branch office geographies for singular or multiple reasons – and, indeed, if law firms even have overarching geographical strategies. For the reasons I will elaborate in my literature review in the following chapter, the GaWC's research appears to serve as a useful conceptual framework for my investigation. However, in light of the ongoing uncertainty regarding so many aspects of large law firm geography – including the GaWC's own findings and suggestions – I suggest further academic research into this issue is warranted.

Chapter two

Literature review

2.1. Introduction

The substantive part of this literature review contains five sections. The first briefly compares the scale of the GaWC's research output with that of the wider body of (non socio-legal research) which explores services / professional services geography. This, in turn, is followed by a short discussion of two alternative theoretical frameworks I considered to guide my investigation, together with my reasons for ultimately rejecting them. The purpose of this section is to explain my preference for using the GaWC's research as my theoretical framework, as I sought to test my previously-discussed overarching hypothesis. This chapter's second substantive section discusses which elements of the GaWC's research is central to my literature review, and why. The third section briefly discussed how I will use a wider pool of professional services sector-focused globalisation research, which collectively indicates that patterns of geographical behaviours may exist within my cohort – notwithstanding that the research does not discuss law firm geography. This literature is particularly useful to my evaluation of whether the GaWC's research contains a potentially significant omission regarding possible patterns of large EU geographical behaviour. The fourth – and much longer – section of my literature review focuses on my formulation of 11 sub-hypotheses regarding patterns of geographical behaviours I expect my cohort large EU law firms to exhibit, in light of the findings of the GaWC and others. (Effectively, each of my sub-hypotheses facilitates the testing of my overarching hypothesis, but at a more granular level). Fifthly, section 2.5.1., offers an overview of law firm geographical research conducted by the GaWC and others which does not ultimately result in hypotheses formation. While this research is helpful in framing our expectations regarding my cohort firms' likely EU branch office geographies, this research also indicates that some elements of law firm geography may be cohort-specific. As a result, commonalities of behaviours between my various samples are not expected. This evidence is not problematic for my overarching hypothesis, which does not assume that all large law firm geographical behaviours are common between practices and markets.

2.2.1. The GaWC's analysis – one of the most substantive bodies of work in a lightly-studied area of research

Previously, I commented that my literature gathering had only uncovered a small body of socio-legal research which had explored large law firm geography. The

insubstantial and fragmented nature of this research led me to select the GaWC's research as my theoretical framework. Objectively, the seven GaWC papers I will evaluate in this literature review do not sound like a substantial body of research. However, multiple analyses of the research output of leading business research journals suggest it may be. Illustrating this point, Netland and Alfnes' (2007) analysis of the research output of seven research journals between 1999 and 2005 (p6) identified just 31 papers which explored the internationalisation of service firms – and a mere nine which related to professional services specifically (p12 - 13). (Indeed, this literature review will evaluate several papers identified by Netland and Alfnes which I regarded as useful to my investigation). Broadly similar findings were uncovered in Merchant and Gaur's (2008) investigation, which explored the output of four research journals between 2003 and 2007 (p381). This study found that, of the 654 papers published in their cohort journals, just 44 focused on the non-manufacturing sector alone (p383). And, of those with an overtly legal focus, the only issue explored was Islamic finance (p389) – a subject irrelevant to my study. Of course, both Netland and Alfnes' and Merchant and Gaur's analyses were small-scale, involved a limited number of publications, and explored short time periods. Therefore, we cannot objectively conclude that no research has been undertaken regarding professional services globalisation in recent years. However, these authors' findings closely reflect my own research journey, when I struggled to identify a body of research comparable to the GaWC's output.

Within the wider body of globalisation research, it has been claimed that Dunning's (1988) eclectic paradigm has, for more than two decades, become the dominant analytical framework for testing the causes of foreign direct investment and foreign activities of multinational enterprises (Dunning, 2000, p163). Essentially, this theory suggests organisations will become transnational if they can obtain "ownership", "locational" and "internationalisation" (OLI) advantages from doing so. And, as I briefly mentioned in my introduction, in 1989, Dunning sought to extend the scope of his theory beyond its manufacturing origins to encompass the services sector. In doing so, he suggested a range of OLI advantages across 21 service sectors – including law (Dunning, 1989, p30). Yet, while the GaWC has since endorsed (Beaverstock, 2004, p164 - 166; Faulconbridge, Beaverstock *et al.*, 2008, p464 - 465) Dunning's law-specific OLI explanations for geographical change, this concept

has not been used to any significant extent by scholars who have examined law firm geography in the quarter of a century since it was published. Indeed, I am aware of just two pieces of research which have since – even vaguely – drawn on Dunning’s ideas. The first study involved 43 Taiwanese law firms, several of which were very small (22 firms employed less than three lawyers) (Chang, Chuang *et al.*, 1998). This raises questions about whether any lessons can be learned from this study, given that many western law firms are far larger. More importantly, because none of the Taiwanese firms surveyed operated any foreign offices, the study instead examined their cohort practices’ motivations for *collaborating* with foreign law firms – a strategy which is arguably the antithesis of Dunning’s “ownership” advantage. The second law-related study was conducted by Nachum (1999), who explored whether certain countries were endowed with a competitive advantage in relation to their professional services sectors, based on their supply of qualified employees. However, because this short paper explored five different professional services, its legal sector analysis was brief.

As a possible theoretical framework for studying law firm geography, Dunning’s eclectic paradigm has potential. It does, after all, propose a defined set of legal-sector specific drivers of geographical change, which my cohort of large EU law firms may commonly cite when explaining their own geographical change decisions. However, because almost no substantive, law-specific, research appears to have used it, it is therefore a less attractive proposition to guide my research than the GaWC’s more extensive research output. Moreover, and unlike the GaWC’s research, Dunning’s writings offer no guidance regarding what patterns of branch office behaviours I might expect to observe within my sample group – one of my main areas of interest. Further, and as will become clear during my literature review, some of the law-specific explanations for geographical change suggested by Dunning (1989, p30) are often ambiguous, sometimes at variance with those offered by scholars who have explored the issue more deeply in a legal sector-specific context, or only offer a superficial explanation of a possible factor which legal sector-specific research suggests that, in reality, is more nuanced. However, in light of the GaWC’s endorsement of Dunning (Beaverstock, 2004, p164 - 166; Faulconbridge, Beaverstock *et al.*, 2008, p464 - 465), I have decided to explore the factors which Dunning identifies as possible drivers of legal practice geographical change as part

of my analysis of whether the GaWC's explanations are replicated by my large EU law firm cohort. However, my literature review will not include an evaluation of the eclectic paradigm concept in its own right.

According to Netland and Alfnes' (2007) analysis of the four research journals they evaluated, the most popular geography-related research theme within the services sector literature between 1999 and 2005 was market entry strategy. However, this subject was explored in a mere nine of the 31 research papers they identified which explored any facet of services sector internationalisation (p14). And, in terms of professional services research specifically, Rosenbaum and Madsen's (2012) review of existing literature regarding such firms' modes of entry over the past 20 years (conducted on a keyword rather than a publication basis) yielded just 14 empirical articles which explored this subject, of which several did so only marginally. Further, just three of those studies involved law firms (p1656 - 1659) – two of which will be discussed in this thesis in any event.

Like Netland and Alfnes' (2007, p17) findings, my own research journey indicated that one of the most popular theoretical frameworks for exploring market entry across the services sector as a whole was the classic form of the "Uppsala model" – or "stage theory" – developed by Johanson and Wiedersheim-Paul (1975) in the mid-1970s. Briefly, in the classic version of this theory, firms internationalise via four different stages: no regular export activities; export via an agent; sales subsidiaries; local production / manufacturing (p307). This theoretical framework has since been used to explore the internationalisation of both specific service sectors (Bell, 1995; Coviello and Munro, 1997; Boojihawon, 2007; Cheung and Leung, 2007; McQuillan, Mangematin *et al.*, 2013) and also service sectors in comparison with each other (Erramilli, 1991; Roberts, 1999). Within English language academic research it has even been used – just twice, so far as I can establish – to assess the internationalisation strategies of law firms (Freeman, Cray *et al.*, 2007; Bocconcelli and Pagano, 2013). Oddly – given that local "production" is the ultimate end point of stage theory – both of these studies involved elements where law firms were seeking to extend their reach into countries where foreign law firms were effectively banned from operating. As such, these locations were unhelpful focal points of investigation. Thus, these studies have limited value to my investigation.

More importantly, one of stage theory's key components does not appear relevant in the legal sector. To explain: the second key element of Johanson and Wiedersheim-Paul's (1975) classic version of stage theory assumes firms will typically expand – at least initially – into locations which are not psychically distant from their own (p307 – 308). Factors the authors claim might determine psychic distance include geographical distance, differences in language, culture, political systems, levels of education, or level of industrial development. The authors suggest psychic distance is correlated with geographical distance, but “exceptions are easy to find”. For example, “some countries in the British Commonwealth are far apart geographically, e.g. England and Australia, but for different reasons they are near to each other in terms of psychic distance.” The authors then offer the example of the US, which is psychically close to Cuba but also politically distant (p308). However, research conducted by both GaWC and socio-legal scholars suggests AS law firms pay scant regard to psychic distance in relation to the international locations in which they operate. Certainly, the UK – a rich, English-speaking, common law jurisdiction is a popular expansion destination for US law firms – but so are various geographically distant and linguistically different world regions, including mainland Europe, the Middle East and the Pacific Rim (Beaverstock, Smith *et al.*, 1999, p1873; Warf, 2001, p403 - 404; Thomas, Schwab *et al.*, 2001 - 2002, p147; Silver, Phelan *et al.*, 2009, p1446 - 1448). Further, US firms' preference for these locations stands in contrast with their historically lesser (or non-existent) collective presences in Australia, Canada, New Zealand, for example. Past research into the geographies of UK law firms indicates a similar disregard for psychic distance in relation to the initial preferences for their international offices. This research shows London law firms clearly favouring Mainland Europe, the Middle East and Pacific Rim countries as expansion destinations (Beaverstock, Smith *et al.*, 1999, p1869; Pinnington and Gray, 2007, p162). Further, this research also shows that, during the 1990s and early 2000s, such firms also all-but ignored Australia, Canada, New Zealand and Ireland – an English speaking, prosperous common law jurisdiction physically attached to the UK. Finally, further research suggests cross-border Australian law firms have historically traded in foreign locations that might be regarded as psychically distant (Freeman and Sandwell, 2008, p204 - 205) from their own legal cultures – typically preferring to open offices in the Asian Pacific region (Pinnington and Gray, 2007, p162) rather than the US, Canada, the UK, Africa or New Zealand.

Given these geographical behaviours among AS (and Australian) law firms, one has to ask: why explore possible patterns of law firm geographical behaviour among a new cohort of legal practices from the perspective of stage theory / Uppsala model, if you have significant doubts regarding the applicability of one of its core components – psychic distance – to the legal sector?

2.2.2. Conclusions

The eclectic paradigm and the Uppsala model / stage theory were just two conceptual frameworks I considered in relation to my study, before settling on the GaWC's approach. None of the frameworks I reviewed – including the GaWC's – were ideal. However, the GaWC's research had the advantage of being a) closely related to my own area of interest – exploring possible patterns of law firm geographical behaviour; b) viable, within the scope of a thesis; c) contained elements that appeared plausible, in light of the limited legal sector-specific academic research previously undertaken. For these reasons, I decided to conduct my investigation of law firm geography using the GaWC's research to guide me.

2.3.1. The GaWC's research which forms the basis of my hypothesis formation

Earlier, I stated that the GaWC's research included seven law-related research papers between 1999 and 2010. In fact, the GaWC produced several additional papers during this time, partly derived from their legal sector research. However, these additional studies are not included in my hypotheses formation because their findings focused on the aggregated activities of multiple advanced producer service (APS) sectors, and therefore did not yield legal-sector specific insights (Taylor and Hoyler, 2000; Derudder, Taylor *et al.*, 2010). I have also not drawn on GaWC studies where APS geography is used to explore issues unrelated to my thesis, such as the "power" of cities (Taylor, Walker *et al.*). However, it is noteworthy that, even within the seven-strong pool of GaWC papers which explore law firm geography explicitly, the authors pursue two research agendas, only one of which is directly relevant to my investigation. In one pool of GaWC research, the authors treat the geographies of AS law firms as central to their investigation. In these papers, various observations regarding apparent commonalities of law firm geographical behaviours are made, in light of novel AS law firm branch office geographical data the group collected and analysed. My investigation will explore these GaWC findings and

related theories directly, and test whether they appear applicable to my own cohort of – less AS-focused – large EU law firms. By contrast, in another pool of GaWC research, the authors use the branch office geographies of law firms – and other APS sector practices – as a proxy tool (Beaverstock, Smith *et al.*, 2000, p49 - 59) for exploring inter-city linkages: a concept described as the “world city networks” (Beaverstock, Smith *et al.*, 2000, p123-134; Taylor, Catalana *et al.*, 2002). This research agenda has proved controversial, with some scholars questioning the assumptions that lie behind inter-city connectivities (Robinson, 2005) and also the methods for measuring them (Nordlund, 2004; Hennemann and Derudder, 2014; Neal, 2014; Parnreiter, 2014). Indeed, one of the original GaWC authors (Richard Smith) has recently stated there is no such thing as a world city network (Smith and Doel, 2011, p33). However, several of these GaWC studies indicate possible patterns of law firm geographical behaviour potentially relevant to my study, notwithstanding their contested assumptions and method. I have therefore drawn on the GaWC’s high level findings in these studies to help develop four of my hypotheses. However, I shall not use their research method. Where possible, I have also identified comparable research from the socio-legal field – often also involving AS legal practices – which indicates similar geographical behaviours among large law firms. This interdisciplinary cross-checking means I have some confidence that I should expect my own cohort to exhibit similar geographical behaviours to those suggested by the GaWC’s research.

2.3.2. Conclusions

The GaWC did not fully explore all of the issues I will discuss in this thesis – particularly relating to the reasons why large law firms change their geography over time – due to its varied research focus. Nevertheless, by adopting the socio-legal cross-checking approach discussed above, I aim to obtain the maximum value out of the GaWC’s research to assist me with the development of the majority of my sub-hypotheses.

2.4.1. Using (non-legal sector specific) services-related globalisation literature to assist with my evaluation of the GaWC’s research

The majority of my hypotheses were formulated by reference to the GaWC’s research. These hypotheses were then subject to an initial evaluation by reference to

non-GaWC studies which explored similar issues. But what happens where I wish to test for a possible pattern of legal practice geographical activity, where no GaWC or other English-language research appears to exist, to assist with my hypothesis formation? In such situations, is it appropriate to draw on a wider pool of globalisation literature – particularly research involving other “professional services” (Nordenflycht, 2010, p156)? After much consideration, I have decided that I should, but only to a limited extent. This is because, as various scholars have observed, different professional services appear to have their own industry-specific geographical behaviours and drivers (Løwendahl, 2000, p151). Such a claim is plausible, in light of research which suggests that different APS sectors have sharply differing scales of branch office geographies (Novelle and Stanback, 1988; Malhotra and Morris, 2009, p898; Tether, Li *et al.*, 2012, p986 - 989), can adopt differing organisation forms when globalising (Baden-Fuller, 1993, p102 - 103; Greenwood and Empson, 2003, p910 - 912), and have distinctive geographical preferences regarding where they trade (Beaverstock, Taylor *et al.*, 1999, p451 - 455; Taylor, Catalana *et al.*, 2004; Hassens, Derudder *et al.*, 2011). Indeed, even if one explores one factor which might be considered commonly relevant to all professional services – client demand – research suggests this factor may geographically manifest itself in sector-specific ways, due to differences in sectoral norms regarding client contact. For example, in some sectors – such as accounting / audit (Løwendahl, 2000, p158; Malhotra and Morris, 2009, p914) or advertising (Leslie, 1995, p404; Faulconbridge, Beaverstock *et al.*, 2011, p6 - 7) – it may be sensible to operate a large number of branch offices, because regular client contact is required. However, in other professional service sectors – notably architecture – it may be possible to deliver a global service from one centralised location (Winch, Grèzes *et al.*, 2002, p170 - 171; Faulconbridge, 2009, p2539 - 2541). Meanwhile, in the engineering sector, it has been suggested that firms often operate from their clients’ own premises (Pflanz, 2013, p560) rather than opening branch offices. Further, where an office is required, it will be project-specific, and closed once the project is complete (Krull, Smith *et al.*, 2012, p1106 - 1107).

2.4.2. Conclusions

In light of the apparently sector-specific behaviours outlined above, I have concluded that it would be unwise to simply transpose geographical behavioural assumptions,

as discussed in one body of professional services globalisation literature, to my own law firm-centred, study. I have therefore only done where there is a lack of any legal-sector specific research to guide my hypothesis development – as happened in relation to hypotheses 10, discussed from 51 onwards.

2.5.1. Understanding the extent of cross-border large legal practice geography: insights offered by GaWC and other scholars

In my introduction, I commented that the EU legal market was a significant centre of legal practice inward investment by AS law firms. However, this section of my literature review serves as a “reality check” regarding the extent to which large law firms generally appear to operate on a cross-border basis. The research findings discussed below are too diverse to allow me to formulate specific sub-hypotheses to test for possible commonalities of geographical behaviours within my cohort. Nevertheless, the varieties of behaviours this research uncovers are interesting, and will be tested for – to a limited degree – on p131 onwards. Moreover, these findings also help contextualise several of the sub-hypotheses which follow.

Two GaWC papers, *The long arm of the law* (Beaverstock, Smith *et al.*, 1999, p1857 - 1876) and the *Geographies of Globalization: United States Law firms in world cities* (Beaverstock, Smith *et al.*, 2000, p95 - 120) help set the scene regarding the scale of my cohort firms’ typical foreign branch office networks. In *The long arm of the law*, the GaWC researchers presented the total number of overseas offices operated by the top 30 London law firms, as set out in the 1996 – 1997 Chambers & Partners legal directory (p1863). Although the authors did not analyse these findings, they are instructive. The GaWC’s research reveals that, while one firm – Baker & McKenzie – traded in 54 overseas locations at that time, most other sample law firms operated a noticeably smaller international branch office network: the mean number of foreign offices across this cohort was 7.62, the median five and the mode just one. A broadly similar pattern of international branch office stratification was uncovered in *Geographies of Globalization*, a GaWC paper which explored the geographical activities of the 250 largest US law firms in 1997. Here, the GaWC authors noted that just 100 of the top 250 US law firms operated any international offices in 1997 (p96). Further, of those 100 firms which did trade internationally, one third operated just

one foreign office, while a further fifth traded in just two international locations. The GaWC authors therefore concluded that a majority of their cohort practices had: “merely an international foothold in the globalizing law business” (p106). Further, research conducted by several scholars, at various points in time, has also documented the modest international scale of many large legal practices. For example, in *The global restructuring of legal service work? A study of the internationalisation of Australian law firms* (Pinnington and Gray, 2007, p142 – 172), the authors evaluated the foreign branch office coverage of the top six Australian firms. Their finding showed one of their cohort firms operating no foreign offices, while even the most geographically expansive traded in just seven (p162). Geographically closer to my own world region of interest, in *Large law firms in Germany* (Luschin, 2010, p26 – 94), the author noted that, of the 68 large legal practices evaluated (p40) in 2009 / 2010, 20 operated no foreign offices, while a further ten operated either one and two (p74). This evidence suggests a likelihood that several of my cohort practices will trade in few, if any, international locations, even though they are among the largest legal practices in their respective countries.

By contrast, *Institutional legacies and firm dynamics: the growth and internationalization of UK and German law firms* (Morgan and Quack’s, 2005, p1765 – 1785) paints a more complex picture of cross-border law firm norms among large law legal practices. This bi-jurisdictional comparative study is similar to *The long arm of the law*, because it explores the geographies of large UK law firms. It is also similar to Luschin’s above-mentioned study, because it explores the geographies of large German legal practices. However, the two key differences between Morgan and Quack’s study and those mentioned above is the time period evaluated (2003, later than *The long arm of the law* but earlier than Luschin’s study) and the sample size (just 15 large firms, a smaller cohort than both *The long arm of the law* and Luschin’s investigation). As I will now explain, these two cohort attributes may be relevant to my own cohort findings.

My first observation is that the scale of large law firms’ international operations appears to be – at least in part – temporally-specific. As table one overleaf shows,

five out of the six UK law firms that Pinnington and Gray evaluated operated a larger international branch office presence in 2005 than they did in 1996 / 1997, when the GaWC undertook their *The long arm of the law* investigation. Linklaters, for example, increased its foreign office count from 10 to 30 during that period, while Freshfields' foreign office total increased from 16 to 27. However, modest foreign branch office contractions were also evident among some firms, including Allen & Overy and Clifford Chance between 2003 and 2005, and Slaughter and May continually between 1996 / 1997 and 2005. Finally, the number of foreign offices operated by both Freshfields and Herbert Smith plateaued between 2003 and 2005.

Table 1: the temporal specificity of large UK law firms' foreign branch office networks

UK law firm (2009 names used)	Non-UK office totals		
	1996 / 1997	2003	2005
Allen & Overy	18	26	24
Clifford Chance	23	28	27
Freshfields Bruckhaus Deringer	16	27	27
Herbert Smith	5	9	9
Linklaters	10	29	30
Slaughter and May	5	4	3

Adapted from: Beaverstock, Smith *et al.*, 1999, p1863; Morgan and Quack, 2005, p1776; Pinnington and Gray, 2007, p162

In my results, I will not specifically compare the law firm-specific findings shown above with my own UK cohort's foreign branch offices totals in 2009. However, I will explore whether the average number of foreign offices operated by my UK cohort are higher or lower than the GaWC's earlier results, given that no clear longitudinal direction of travel is clear from the above findings. My results start on p132.

The second observation is that, by focusing on a narrower cohort of (nevertheless) large German firms than Luschin's study, a notably more internationalist picture emerges within Morgan and Quack's research. In contrast with Luschin's findings, in Morgan and Quack's study, every German cohort member had international offices in 2004. Indeed, the average foreign office network within Morgan and Quack's cohort was 16.4 (p1776). Similarly, because Morgan and Quack's study focused on a narrower group of large UK law firms than the GaWC in *The long arm of the law*, it is perhaps not surprising that these authors' findings suggested that their UK cohort was more internationalist than the GaWC's larger sample. Certainly, the mean number of international offices within Morgan and Quack's 15-member UK cohort (p1776) is larger than the GaWC's, which is 7.62 across 29 firms (data from one UK firm in the GaWC study was not available) (Beaverstock, Smith *et al.*, 1999, p1863). However, it is also arguable that – to a large extent – the more internationalist picture of UK law firms revealed in Morgan and Quack's study is also due to temporal considerations, rather than cohort size. This is because, if one only evaluates the top 15 law firms within the GaWC's sample, the mean number of foreign offices remains considerably lower than Morgan and Quack's 2004 findings – 9.58 in 1996 / 1997, compared with 17.13 in 2004.

Because the GaWC studies discussed above did not compare two equally sized cohorts at a single point in time, it is impossible to determine whether the largest law firms in different countries are – contemporaneously – likely to exhibit differing, or broadly similar, geographical behaviours regarding the totality of their foreign branch office networks. However, because Pinnington and Gray and Morgan and Quack's studies were undertaken on such a basis, useful insights can be gleaned from both – if only to establish that no cross-cohort pattern of international geographical behaviour appears obvious. On the one hand, Morgan and Quack's comparative analysis of German and UK legal market in 2003 indicates some commonalities regarding international branch office norms: the average foreign branch office network among their German cohort was 16.4 offices, broadly comparable with the 17.13 average among their UK cohort (p1776). Conversely, in Pinnington and Gray's study, each cohort had a substantially different international branch office average: six among their Australian cohort, compared with 20 among their UK / European

equivalents (p162). In my study, it will be interesting to discover whether international branch office norms point, like Morgan and Quack's study, to homogeneity between national cohorts or, like Pinnington and Gray's investigation, to heterogeneity between such cohorts. My findings start on p131.

The final point that should be made regarding to Pinnington and Gray's study is that the authors indicate (p160 - 161) that the scale and collective locations of their Australian cohort firms' international branch offices appear linked to law firm strategy in some way. I will explore the concept of legal practice geographical strategy in my hypothesis 10 discussion from p51 onwards, and also my results, starting on p176.

2.5.2. Conclusions

Taken together, the GaWC and socio-legal research indicates that, while the foreign branch office geographies of many large law firms are modest, others are not. To some extent, these differing levels of international expansiveness may be temporally specific. Additionally, there also appears to be heterogeneity between large law firms in different jurisdictions regarding the scale of a typical international branch office network. For this reason, I do not intend to produce a sub-hypothesis which seeks identify possible commonalities of behaviours between my each of my national sample groups regarding these specific issues. Nevertheless, on p132, I present my cohort findings, which highlights some of the more significant similarities and differences between my national samples regarding their 2009 foreign branch office norms. I suggest the similarities and differences I identify could be interrogated further in a future study.

2.6.1. Hypotheses development

The remainder of this literature review is devoted to my hypotheses development regarding law firm geography, which I will then test by reference to my novel cohort of large EU law firms in my results. To evaluate my overarching hypothesis – that large EU law firms, operating in various different EU states, collectively appear to

adhere to a limited number of identifiable patterns of behaviours – I have developed 11 “sub-hypotheses”, which I will use to test for possible commonalities of behaviour. In essence, the more my sub-hypotheses are supported, the more my overarching hypotheses will also be supported – or vice versa (for convenience, I shall now refer to my sub-hypotheses as “hypotheses”, notwithstanding that it should be understood that their role is subservient to my overarching hypothesis). My results can be found in chapters four and five. Hypotheses one – nine have primarily been developed by reference to the GaWC’s research, although each have been cross-checked against additional academic studies where possible, with the aim of establishing the hypotheses’ likely robustness. For hypothesis 11, where GaWC’s explanations of the drivers of specific branch office geographical change are more speculative, the process is slightly different. In essence, I will utilise socio-legal research to refine the GaWC’s suggestions, before testing them in my results. Hypothesis 10 is the only hypothesis where neither the GaWC nor socio-legal research guided my hypothesis formation. In the absence of any legal-sector specific academic research, I have drawn on a wider pool of services globalisation literature to assist with this process.

The order in which hypotheses appear is deliberate. Before we can usefully discuss the “whys” of large EU law firm geography, I suggest it is first helpful to understand “wheres” and “hows”. In my – lengthy – discussion of the “whys” of legal practice geographical change, I have drawn inspiration from several past studies (Roberts, 1998, p103; Bell, McNaughton *et al.*, 2003, p350; Boojihawon, 2007, p825), and structured my evaluation by reference to whether specific drivers might be regarded as being “external” or “internal” to the law firm. Consequently, explanations derived from Dunning’s (1989, p30) law-specific model will be evaluated on this basis, in preference to Dunning’s overarching “ownership”, “location” or “internationalisation” categorisations.

2.6.2.1. Hypothesis one: among the EU's largest law firms, a small sub-set of those legal practices will operate a majority of that cohort's total international branch office network

My first hypothesis is that, among the EU's largest law firms, a small sub-set of those practices will operate a majority of that cohort's total international branch office network. This hypothesis is largely based on my reinterpretation of the data presented in the studies discussed below, rather than observations made by the reports' authors. If supported, such a finding would suggest that globalisation tendencies are unevenly distributed among my cohort: a small number of firms in each of my national cohorts would be relatively geographically expansive, and a larger group less so.

Turning now to the evidence supporting this hypothesis: by re-evaluating the GaWC data in *The Long arm of the law*, it is possible to determine that, in 1996 / 1997, just four firms in this 30-strong sample operated a majority of this cohort's total international office network – running 111 out the 221 foreign locations (Beaverstock, Smith *et al.*, 1999, p1863). Indeed, with 54 foreign offices, Baker & McKenzie single-handedly accounted for almost a quarter of the cohort total. Similarly, by re-examining the GaWC's finding in *Geographies of globalization*, it is possible to determine that – across the entire 250-firm cohort – the majority of this group's 276 foreign offices were operated by just eight legal practices (Beaverstock, Smith *et al.*, 2000, p107). Again, Baker & McKenzie's extensive global presence is likely to account for a significant percentage of those (p108 - 111). In this paper, we are not told how many international offices this firm operated when the study was conducted. However, in light of the GaWC's observations that it was world's largest legal practice, and also the most globalised (p109), I have assumed Baker & McKenzie was the outlier in the GaWC's analysis of the distribution of foreign offices between their sample firm members – trading in 47 foreign locations in 1997 (p107). Collectively, the GaWC's findings suggest I might observe two notable behaviours among my cohort of large EU law firms, which relate to my above-mentioned hypothesis: firstly that my hypothesis itself is likely to be applicable to my sample

firms; and secondly that Baker & McKenzie's presence in any of my evaluation cohorts may have some impact on my findings.

Turning now to the findings presented in Morgan and Quack (2005, p1776) and Pinnington and Gray's studies (2007, p162). Overleaf, in table 2, I have reinterpreted their findings, to discover how many of their sample firms would be required to constitute a majority of their cohort's foreign branch offices. Both studies lend support to my hypothesis, because they suggest that between a quarter and a third of cohort firms were typically required to form a majority of each cohorts' foreign branch offices. However, it is accepted that these authors' findings are not quite as emphatic as the GaWC's discoveries in *Geographies of globalization*, where just eight firms out of 250 constituted a majority of that sample group's foreign office total. Moreover, it is accepted that Pinnington and Gray's UK findings does not support my hypothesis, because these findings suggest that 50 per cent of UK cohort firms were required to form a majority of that sample's foreign branch office network. However, I largely attribute this observation to the author's small sample size – just six firms. By contrast, by reinterpreting Morgan and Quack's study of the same jurisdiction, which comprised 15 firms, only a third of cohort firms were required to reach my hypothesis' 50 per cent threshold. Reflecting my previous discussion on p22, this suggests the smaller the cohort of a country's largest law firms evaluated, the more likely that those firms will operate foreign branch offices. However, because each of my national cohorts comprises 15 firms, in line with Morgan and Quack's sample, I expect my own findings will broadly replicate theirs.

One final observation can be made in light of my reanalysis of Morgan and Quack and Pinnington and Gray's studies, which is also relevant to the GaWC's findings: across the three jurisdictions evaluated in these two studies – the UK, Germany and Australia – Baker & McKenzie only featured in one national cohort, Morgan and Quack's German sample (p1776). Certainly, with 57 foreign offices, this firm singlehandedly comprised almost a quarter of that cohort's international offices. However, the firm's absence from two other two sample groups suggests its local market impact might be inconsistent between countries: it may be present in many,

but not necessary a substantial employer of lawyers in all. I shall discuss this point further when I introduce my various national sample groups on p128.

Table 2: how a small number of a country's largest law firms can represent a majority of the sample's foreign offices

Study	Country	Cohort size	Total no. of foreign offices representing a cohort majority	Min. no. of firms required to represent a majority of sample practices' foreign offices	Minimum % of cohort firms required to represent a majority of sample practices' foreign offices
Morgan and Quack	UK	15 firms	129	5	33.33
Morgan and Quack	Germany	15 firms	124	4	26.67
Pinning-ton and Gray	UK	6 firms	61	3	50.00
Pinning-ton and Gray	Australia	6 firms	12	2	33.33

Adapted from: Morgan and Quack, 2005, p1776; Pinnington and Gray, 2007, p162

2.6.2.2. Conclusions

The GaWC's research has moderated my expectations regarding the scale of the international branch offices I might expect to observe among my cohort practices. However, in light of Morgan and Quack's Anglo-German analysis, I am reasonably confident my hypothesis will be supported in 2009, not only in these two EU states, but also in my seven other evaluation countries. Finally, the above-mentioned research has alerted me to the likely importance of Baker & McKenzie, and its potential to influence my country-specific findings. My findings start on p131.

2.6.3.1. Hypothesis two: *large EU law firms which trade internationally tend to cluster their foreign branch offices into distinctive transnational patterns*

This hypothesis suggests that large EU law firms which trade internationally tend to cluster their foreign branch offices into distinctive transnational patterns. The GaWC's findings in *The long arm of the law* (Beaverstock, Smith *et al.*, 1999, p1857 - 1876) has helped frame this hypothesis. In this paper, the GaWC looked beyond the specific foreign locations in which their cohort of large AS law firms traded, and explored these firms' geographical behaviours through the prism of the "globalisation arena" (p1868) – in other words, on a supranational basis. Exploring law firm geography at this level of extraction, the GaWC researchers made several evidence-based observations. Firstly, that their London cohort traded in four distinctive globalisation arenas in preference to others. In descending order of preference, these arenas were: Western Europe (77 offices / 20 cities), Pacific Asia (63 cohort offices in 11 cities), Eastern Europe (31 offices and 10 cities) and, finally, Northern America (23 offices / 11 cities) (p1870). Secondly, after comparing the geographies of their 30-strong London cohort with 30 large New York practices, the GaWC observed that these different cohorts behaved differently regarding their globalisation arena preferences. This led the GaWC authors to make five key observations: firstly, they noted that Western Europe was a "competitive globalisation arena", because both groups of law firms were present in the region, albeit to greater (UK) or lesser (New York) extents; secondly, that the Northern American legal market was a "non-competitive globalisation arena" because, while New York law firms were heavily present in this region, London law firms generally were not; thirdly, that both groups of firms were heavily present in the Asia Pacific (although London firms to a greater extent) – thus rendering the region a "principle open globalisation arena"; fourthly, that Eastern Europe might be regarded as a "secondary open global arena" – presumably because fewer firms of either nationality traded there, compared with other globalisation arenas; finally, the authors observed that "the rest of the world is relatively unimportant to global law firms" (p1874).

Other scholars exploring law firm geography have not used the globalisation arena concept when conducting their research. Nevertheless, international clustering of foreign branch office behaviours have been observed in such studies. For example,

in Pinnington and Gray's (2007) analysis of Australian law firm geography, the authors note their cohort firms' tendencies to locate "almost exclusively" in the Asia Pacific region (p161). Similarly, in their analysis of the cross-border operations of their internationally-minded German cohort firms, Morgan and Quack (2005) note these practices almost invariably expanded into eastern Europe, with limited growth elsewhere (p1775). In light of these findings, I might therefore expect my various national cohorts to collectively exhibit distinctive behaviours regarding their international branch office trading locations.

The complicating factor with my study is that I am solely interested in my cohort practices' EU, not global, geographies. However, despite the narrow focus of my investigation, the GaWC's research in *Geographies of Globalization* (Beaverstock, Smith *et al.*, 2000, p95 - 120) offers useful guidance regarding what supranational EU behaviours I might expect my sample firms to exhibit. In this paper, which explored the international geographies of the top 250 US law firms in 1997 (p96), the authors found that, among the 100 large US firms which traded internationally, distinctive sub-global "schemes" of behaviour could be observed, and also quantified. Some of these schemes are not relevant to my EU-specific study, because they are "global", "Asian" or "Eurasian". However, among those EU-specific schemes, the GaWC authors noted that the most favoured scheme among their cohort involved trading in important Western Europe cities – a preference exhibited by 33 of the 100 legal practices evaluated. This Western European focus was noticeably more popular than either a pan-European scheme (East and West), favoured by seven sample firms, and also an Eastern European scheme, favoured by just one cohort member. The GaWC also noted that 15 of their cohort firms traded internationally via an "idiosyncratic scheme" – essentially, in unexpected locations of minor importance to the world economy (p107 – 108).

Overall, the GaWC's observation broadly reinforces Chapman and Tauber's (1994 - 1995) earlier discovery that, in 1994, the largest 700 US law firms had a far greater presence in the-then EU (which, at the time, essentially comprised Western European nations) than in Eastern Europe. According to Chapman and Tauber's research, their cohort collectively operated 136 offices in the (then) EU, compared with just 58 in Eastern Europe (p945). Regarding my own sample group, I might

therefore expect my nine national cohorts to generally favour operating in the Western European globalisation arena, in preference to an Eastern Europe or a pan-European focus. However, I might also expect some cohort firms to exhibit idiosyncratic foreign branch office behaviours. My findings start on p137.

2.6.3.2. Conclusions

The above-mentioned research suggests I might expect to observe two distinctive forms of cross-border clusters among my cohort firms. Firstly, in accordance with the GaWC's research in *Geographies of globalization*, I might expect to observe distinctive transnational geographical clustering patterns within my various national cohorts. Secondly, in accordance with the group's findings in *The long arm of the law*, I might expect my various national cohorts – collectively – to tend to favour certain EU-specific globalisation arenas at the expense of others, and compete in those arenas to greater or lesser degrees. But, overall, the focal point of my cohort firms' international operations within the EU is likely to be Western Europe.

2.6.4.1. Hypothesis three: *within the EU, a country's largest law firms will typically trade in a small number of domestic locations*

My third hypothesis is that, within the EU, a country's largest law firms will typically trade in a small number of domestic locations. Besides exploring possible commonalities of behaviours within my cohort, and also the predictive power of the GaWC's findings, a subsidiary aim of this hypothesis is to explore whether law firms' frequently-modest international branch office totals are broadly replicated in relation to their domestic branch office networks.

In the US, the concentration of both lawyers and large law firms into a limited number of domestic locations has been observed by Warf and Wije (1991, p161), Lynch and Meyer (1992, p45 - 48) and Baker and Parkin (2005 - 2006, p1649). And, in the EU legal markets, research conducted by the GaWC and others indicates similar patterns of domestic geographical concentrations. The first GaWC paper I shall discuss, *Connecting Rhine-Main: The Production of Multi-Scalar Polycentricities through Knowledge-Intensive Business Services* (Hoyler, Freytag et

al., 2008, p1095 - 1111), explores the geographies of certain legal practices in Germany in 2003, while the second, *Balancing London? A Preliminary Investigation of the “Core Cities” and “Northern Way” Spatial Policy Initiatives Using Multi-City Corporate and Commercial Law Firms* (Taylor, Hoyler *et al.*, 2010, p1285 - 1299), explores the domestic geographies of UK-based law firms in 2007. A key focus of both of these papers was to explore connectivities between cities, using law firms as a vehicle for doing so. Moreover, *Connecting Rhine-Main* explored the city connectivities of eight separate APS sectors. Consequently, its analysis of the legal sector (p1106 – 1107) was brief. Meanwhile, an important component of *Balancing London* was to explore the impact of two initiatives designed to boost economic growth outside of London (p1288 - 1289) – a subject of no relevance my hypothesis testing. Nevertheless, because these GaWC studies represent two of the most substantive investigations of EU law firm domestic branch office geography, I regard both as having some value in assisting with my hypothesis development.

Turning now to the hypothesis: both GaWC papers offer limited – often indirect – evidence to suggest that, within the EU, a country’s largest law firms will typically trade in a small number of domestic locations. In *Connecting Rhine-Main*, the GaWC authors comment that their 28-strong cohort (p1100) of law firms were geographically concentrated within Germany, compared with other APS sectors evaluated (p1107). Indeed, their sample law firms (which were all AS practices (p1098)) were not present in more than half the German cities explored. This paper does not state just how few domestic offices these firms traded in. However, Morgan and Quack’s (2005) study offers guidance, albeit at a different point in time (2004) and using a different cohort of law firms. By re-interpreting Morgan and Quack’s analysis of the domestic branch office presences of their top 15 German law firms, it is possible to determine that the smallest domestic branch office network of their sample was just three offices, the highest 12, and the mean 5.93 (p1776). *Balancing London* does not offer a comparable analysis for the UK sector. Therefore, it is not possible to compare the GaWC’s findings with the German study discussed above. However, *Balancing London* notes that, of the 429 corporate and commercial firms the authors considered evaluating, 212 – almost half – were discounted because they only operated one domestic UK office (p1289 – 1290). That single-site offices

are highly prevalent across many UK commercial law firms offers further evidence to support of this element of my hypothesis. Additional clarity regarding the UK situation is offered by Morgan and Quack. Analysing the pair's findings regarding the domestic branch offices geographies of the top 15 UK practices in 2003, it can be determined that eight of these firms traded in just one UK domestic location, while the most expansive firm traded in 10 (p1776). Further, the average number of domestic offices in their cohort was 2.46 – noticeably smaller than the German average of 5.93 discussed above. This suggests that what consists of a “small” domestic branch office network may be specific to individual countries, rather than commonly replicable between them. My findings start on p142.

2.6.4.2. Conclusions

In light of the research conducted by Warf (2001), Barker and Parkin (2005 – 2006), the GaWC and Morgan and Quack (2005) I should expect the domestic branch offices profiles of my cohort firms to be highly concentrated into what – in absolute terms – are a small number of locations. However, in light of Morgan and Quack's findings, I should also expect that what constitutes a “small” domestic presence will be country-specific, and likely to vary between the EU states I evaluate. It will be interesting to discover whether my UK cohort sample of 2009 continues to trade in a very small number of domestic locations (averaging around 2.46), and also whether my German cohort firms traded in a slightly larger number of domestic locations (averaging around 5.93). At present, the domestic geographical behaviours of my cohort firms in my other evaluation jurisdictions is unknown, due to the paucity of English language research into these markets.

2.6.5. Hypothesis four: *when trading domestically, my cohort of large EU law firms tend to cluster their branch offices into a limited number of common locations*

My fourth hypothesis is that, when trading domestically, my cohort firms tend to cluster their branch offices into a limited number of common locations. This hypothesis complements its predecessor: while the former explores potential

patterns of behaviour regarding the *number* of domestic offices where large law firms trade, this hypothesis explore possible patterns of behaviour regarding the *actual domestic locations* in which such firms trade. It assumes my cohort of large EU law firms are likely to cluster into certain domestic locations at the expense of others.

Internationally, research conducted by Warf and Wije (1991, p161) Lynch (1992, p46 - 47) and Baker and Parkin (2005 - 2006, p1649) indicates high levels of domestic agglomeration among large firms: in the US, New York clearly dominates, with Washington DC, Los Angeles and Chicago trailing far behind. And, within the EU, two GaWC research papers *Balancing London* (Taylor, Hoyler *et al.*, 2010, p1285 - 1299) and *Connecting Rhine-Main* (Hoyler, Freytag *et al.*, 2008, p1095 - 1111) provide further evidence to suggest high levels of domestic legal sector agglomeration. In the UK, of those 135 multi-city corporate and commercial law firms (MCLF) which comprised their cohort (p1289), the GaWC research found those practices were heavily present in a small number of locations: London (73), Edinburgh (25), Manchester (23), Birmingham (21), Glasgow (19) and Leeds (11). Beyond that, less than a handful of firms were present in lower order cities such as Belfast, Guildford and Plymouth (*Balancing London*, p1298). I have previously discussed the GaWC research in *Connecting Rhine-Main*, where the authors noted that their cohort firms were concentrated in a small number of domestic locations (p1106 – 1107). And, in terms of those cities most highly connected to Frankfurt via their cohort law firms' branch office networks, those locations were identified as including Cologne, Düsseldorf, Berlin, Hamburg and Munich. By contrast, the least connected cities included Chemnitz, Erfurt and Mannheim. In my study, due to sampling variances, I do not – necessarily – expect the same German and UK cities to be identified as playing host to either relatively many, or relatively few, multi-city cohort members. However, I expect that broadly similar patterns of domestic geographical consolidation and avoidance should be observable, not only in these EU states but also in the seven other EU state I evaluate. My findings start on p144.

2.6.6.1. Hypothesis five: *despite their otherwise heterogeneous behaviours in relation to their EU branch office locations, my cohort will nevertheless tend to congregate into a small number of EU locations. These locations will have previously been identified by the GaWC as “global legal service centres”, “world cities” or locations deemed “over-provisioned by global law firms”*

My fifth hypothesis is that, despite their otherwise heterogeneous behaviours in relation to their EU branch office locations, my cohort will nevertheless tend to congregate into a small number of EU locations. These locations will have previously been identified by the GaWC as “global legal service centres”, “world cities” or locations deemed “over-provisioned by global law firms”. The first aim of this hypothesis is to establish whether, despite their geographical differences discussed previously, large law firms across the EU nevertheless cluster in a small number of common EU locations. The second aim of this hypothesis is to establish whether these possible points of EU locational commonality coincide with those identified by the GaWC.

The starting point for the first element of my hypothesis is *The long arm of the law*. (Beaverstock, Smith *et al.*, 1999, p1857 - 1876). Besides discussing the globalisation arena concept, discussed above, this paper also ranks the specific international locations in which 30 large London law firms, (p1869), and 30 New York law firms (p1873) traded towards the end of the 1990s. Within the EU’s borders, this research identified 12 EU cities where either sample groups operated. Of these, five EU locations (Barcelona, Madrid, Milan, Piraeus, Rome) played host to London firms alone. However, the remaining seven locations were common to both New York and London firms (no EU locations were unique to New York firms). These points of commonality between the two samples were: London (30 City firms / 21 New York firms); Brussels (25 city firms, 7 New York firms); Paris (13 / 14); Warsaw (6 / 3); Frankfurt (5 / 6); Prague (5 / 4); and Budapest (4 / 5). Notably – with the exception of London – the level of geographical overlap between these two sample groups was modest and, in several cases, only involved a small percentage of each cohort. Nevertheless, as the authors noted, the similarities of their two cohort preferences should not be overlooked (p1873). This comparative research therefore offers limited

evidence to support the first element of my hypothesis in an EU-specific context, notwithstanding its AS law firm origins.

More generally, there is a reasonable body of evidence within the wider pool of law firm geographical research to indicate that some of the above-mentioned locations are focal points of inward investment among law firms from countries other than the UK or USA. For example, the investment importance of Brussels, London and Paris were indicated in Daniels' (1993, p159) study of Canadian law firms, and Pinnington and Gray's study of Australian legal practices (2007, p162). In both these studies, the authors identified situations where a small number of their cohort firms either opened, or traded, in these EU cities. Finally, drawing on 2003 legal directory data, Van Criekingen, Decroly *et al's* (2005, p173 – 187) study of international law firms in Brussels found 153 foreign-based legal practices operating in the city that year (p177).

I shall now turn to the element of this hypothesis relating to global legal service centres or world cities. Here, some historical research context may be helpful, particularly in relation to world cities. From the 1980s onwards, various scholars, notably Friedmann, hypothesised that certain cities globally might be “used by global capital as ‘basing points’ in the spatial organization and articulation of production and markets” (Friedmann, 1986, p71). Friedmann describes such cities as “world cities”. Over several years, Friedmann repeatedly identified specific world cities (Friedmann and Wolf, 1982, p310; Friedmann, 1986, p72; Friedmann, 1995, p24). Further, several of the EU cities consistently identified by Friedman – notably Brussels, Frankfurt, London, and Paris – overlap with the potential points of large law firm EU commonality discussed above. Significantly for my study, Friedmann asserts: “the dynamism of the world city economy results chiefly from the growth of a primary cluster of high-level business services” (Friedmann and Wolf, 1982, p320). And: “the activities are those which are coming to define the chief economic functions of the world city: management, banking and finance, legal services (my emphasis), accounting, technical consulting, telecommunications and computing, international transportation, research, and higher education” (ibid). Friedmann's writings therefore

suggest the agglomeration of law firms in certain locations is intrinsic to their world cities designation. Consequently, in my study, I believe it is reasonable to assume that my cross-border sample firms might collectively tend to congregate in world cities.

Because Friedmann identified various EU locations as being world cities, one might consider it reasonable to use these locations to evaluate the collective focal points of my cohort firms' cross-border investments. However, my hypothesis testing will only focus on the EU world cities identified by the GaWC in *A roster of world cities* (Beaverstock, Taylor *et al.*, 1999, p445 - 458). This is because, in contrast with those cities identified by Friedmann – which were offered speculatively – the cities identified by the GaWC were generated by reference to the aggregate branch office locations of four APS sectors, including large law firms (p445). In doing so, the GaWC was attempting to overcome a long-standing “dirty little secret” (Short, Kim *et al.*, 1996) of world cities research – what GaWC member Peter Taylor (1999, p1901) described as its “empirical deficiency”.

In generating their rankings in *A roster of world cities*, the GaWC first produced sector-specific lists of “prime”, “major” and “minor” service centre cities, based on the aggregate number of offices within their designated APS sample cohorts. The designation of each location as being a prime, major or minor directly impacted on the location's ultimate world city designation, because the classifications given to each city on a sector-by sector basis was aggregated to produce its overall world city ranking (Beaverstock, Taylor *et al.*, 1999, p451 - 455). Thus, a “prime” designation resulted in a score of “three” for each sector evaluated, whereas a minor location designation would only yield a score of “one”. Using the GaWC's methodology, the most important “alpha” world cities” were given a score of 12 (three points, consistently awarded in relation to the four sectors evaluated). The least important cities are given a score of one, which indicates “minimal” evidence of world city formation. A score of four is the lowest possible world city ranking, yielding a location “gamma” world city designation. Below this, cities with a score of three are classified as exhibiting “relatively strong” evidence of world city formation, while cities with a score of two are said to exhibit “some evidence” of work city formation (p456).

Table 3, below, sets out EU locations designated by the GaWC as either important global legal service centres (GLSC) or either current or potential world cities.

Table 3: GaWC EU locations designated as either important legal service centres or either current or potential world cities

EU location	Legal service centre designation	World cities designation (12 = top score possible)
Amsterdam	Minor	Gamma (6)
Antwerp	Not ranked	Minimal evidence (1)
Arhus	Not ranked	Minimal evidence (1)
Athens	Minor	Relatively strong evidence (3)
Barcelona	Minor	Gamma (4)
Berlin	Major	Gamma (4)
Birmingham	Not ranked	Some evidence (2)
Bologna	Not ranked	Minimal evidence (1)
Bratislava	Minor	Some evidence (2)
Brussels	Prime	Beta (8)
Bucharest	Minor	Some evidence (2)
Budapest	Major	Gamma (4)
Cologne	Not ranked	Some evidence (2)
Copenhagen	Not ranked	Gamma (4)
Dresden	Not ranked	Minimal evidence (1)
Dublin	Not ranked	Relatively strong evidence (3)
Dusseldorf	Minor	Gamma (6)
Edinburgh	Not ranked	Minimal evidence (1)
Frankfurt	Major	Alpha (10)
Genoa	Not ranked	Minimal evidence (1)
Glasgow	Not ranked	Minimal evidence (1)
Gothenburg	Not ranked	Minimal evidence (1)
Hamburg	Minor	Gamma (4)
Hague (The)	Not ranked	Some evidence (2)
Helsinki	Not ranked	Relatively strong evidence (3)
Leeds	Not ranked	Minimal evidence (1)
Lille	Not ranked	Minimal evidence (1)
Lisbon	Not ranked	Some evidence (2)

London	Prime	Alpha (12)
Luxembourg	Not ranked	Relatively strong evidence (3)
Lyon	Not ranked	Relatively strong evidence (3)
Madrid	Major and minor	Beta (9)
Manchester	Not ranked	Some evidence (2)
Marseille	Not ranked	Minimal evidence (1)
Milan	Major	Alpha (10)
Munich	Minor	Gamma (4)
Paris	Prime	Alpha (12)
Prague	Major	Gamma (6)
Rome	Major	Gamma (5)
Rotterdam	Not ranked	Some evidence (2)
Stuttgart	Not ranked	Some evidence (2)
Stockholm	Minor	Gamma (5)
Turin	Not ranked	Minimal evidence (1)
Utrecht	Not ranked	Minimal evidence (1)
Vienna	Not ranked	Relatively strong evidence (3)
Warsaw	Major	Gamma (5)

Adapted from: Beaverstock, Taylor *et al.*, 1999, p455 - 456

It is worth restating that the law firms used by the GaWC in *A roster of world cities* to generate the above rankings comprised solely of AS legal practices – a mixture of large, cross-border, US and UK law firms (p453 - 454). Thus, it will be interesting to discover whether my alternative cohort of large EU legal practices congregate in the same EU locations, notwithstanding that many of them are not AS practices.

Addressing this issue directly, the GaWC acknowledged that, although different service sectors and different firms would undoubtedly have produced different results, they believed that “the evidence of gross similarities within and across service sectors does suggest that our inventory is reasonably robust: differences are likely to be minor and on the margins” (p451). Nevertheless, I have doubts regarding this assertion, not least because of the high prevalence of US and UK locations present in the 72-strong list: three of the 11 prime global legal service centres (GLSCs) are US cities (Chicago, Los Angeles and Washington); likewise, six out of the 27 listed major GLSC (Cleveland, Dallas, Houston, Minneapolis, San Francisco,

Seattle) and six out of the 35 minor GLSC (Atlanta, Boston, Kansas City, Philadelphia, Richmond, Santiago). Similarly, London's designation as a prime GLSC is unsurprising, given that 30 of the 130-strong cohort comprised London law firms. My doubts are further reinforced by the GaWC's own findings, which reveal many differences between their cross-sectoral world city rankings and the legal sector-specific rankings generated by reference to AS law firms alone. For example, Brussels achieves the highest possible GLSC designation – prime – but is also ranked as a beta world city. Conversely, while Copenhagen is ranked as a gamma world city, it does not even qualify as a minor GLSC. Indeed, as later GaWC research acknowledges (Taylor, Catalana *et al.*, 2004; Hassens, Derudder *et al.*, 2011), each APS sector they studied has its own (largely distinctive) patterns of branch office geographical behaviour. Thus, in my study, while I intend to explore the extent to which my EU law firms congregate in the GaWC's EU-designated world cities, I will also pay close attention to those EU cities designated as prime, major and minor legal service centres. I suggest it is likely that my cohort firms may be more likely to congregate in those locations than the GaWC-designated world cities.

Two final points should be made in relation to the rankings generated in *A roster of world cities*. I shall now discuss each in turn, because they are distinctive from each other.

Firstly, they are moderately difficult to replicate, because of an omission in the GaWC method. One way of designating a prime GLSC is that seven or more cohort firms with foreign branch offices are present. Alternatively, a city can achieve a prime city designation if 26 or more firms with foreign branch offices are present in that location. Further, one way of designating a location as a major GLSC is that it is home to four or five cohort firms with international offices. Alternatively, a city can be designated as a major GLSC if five – 17 cohort firms with international offices are present in that location. However, we are not told what designation should be given a city hosting six cohort firms with international branch offices. Nor are we told what designation should be applied to a city hosting 18 – 25 cohort firms with foreign branch offices. Further, no explicit guidance is offered about how US and UK cohort firms should be treated if the same firm falls within both cohorts. For example, if a

firm is simultaneously a US and UK cohort member, and has offices in both London and New York, should its London office be regarded as a foreign office from a US perspective, and its New York office be regarded as a foreign office from a London perspective? I address both of these points on p108 of my methods section, when I explain how I shall attempt to apply the GaWC's GLSC method to my cohort.

Secondly, one of *A roster of world cities'* authors – Peter Taylor – has since distanced himself from this paper. Recently, he stated that: “I admit my research odyssey got off to a bad start. A paper deriving from a study of London's external relations described a roster of world cities – ordered alpha, beta, gamma – based upon the presences of some leading business service firms. This adopted a classic ‘thing theory’ approach, assessing a city's importance by its collection of firms rather than relationally through the connections of its firms.” Taylor continues: “Embarrassingly, despite its severe limitations, the ‘Thing Theory’ paper became very widely cited and continues to be so” (Taylor, 2014, p389). My investigation continues with what, for Taylor, may be the unwelcome process of reviewing his earlier findings.

The final element of my hypothesis – the notion that certain cities are “over-provisioned by global law firms”. This idea was raised in a more recent GaWC paper, *Global Law Firms: Globalization and Organizational Spaces of Cross-border Legal Work* (Faulconbridge, Beaverstock *et al.*, 2008, p455 - 488). This paper includes two sets of findings relevant to my hypothesis. Firstly, it offered what it described as the top 20 global law centres (p460 - 461) – a ranking derived from the branch office locations of a 16 member-cohort of AS legal practices in the year 2000 (p462 - 464). It then further identified 10 cities as being “over provisioned by global law firms” (and also 20 locations deemed “under provisioned”, of which more shortly) during that same year. It is important to stress that this paper evaluated law firm geography using a different methodology to *A roster of world cities*. Here, the top 20 global law centres ranking hierarchies were generated by reference to assumed connectivities between cities, rather than law firm branch office locations alone. Further, the paper's over (and under) provisioned rankings were generated by reference to the popularity of those locations among law firms, relative to other APS sectors. Yet, despite these methodological specificities, the findings revealed in *Global law firms*

are useful to my study because both indicate that certain EU locations may be particularly popular among large legal practices. Therefore, the global law centre / overprovisioned locations will be included in my own cohort evaluation, alongside the global EU legal service centres and world cities. Indeed, most EU locations identified in *Global law firms* were previously identified in *A roster of world cities*. But one city – Leipzig – was not. I shall therefore add Leipzig to the EU locations I might expect some of my cohort law firms to congregate during 2009.

2.6.6.2. Conclusions

Taken in the round, both the GaWC and non-GaWC research discussed above suggests a degree of common clustering may be evident in certain EU locations, involving an eclectic range of law firms. However, whether the specific locations identified by the GaWC are the focal point of legal practice inward investment among my sample firms in 2009 remains to be seen. My findings start on p148.

2.6.7. Hypothesis six: *despite their otherwise heterogeneous behaviours in relation to their EU branch office locations, my cohort of firms will nevertheless collectively ignore certain EU locations. In particular, they will commonly ignore EU locations identified by the GaWC as being “under provisioned” by global law firms*

My sixth hypothesis is: despite their otherwise heterogeneous behaviours in relation to their EU branch office locations, my cohort of firms will nevertheless collectively ignore certain EU locations. In particular, they will commonly ignore EU locations identified by the GaWC as being “under provisioned” by global law firms. To an extent, the above-mentioned hypothesis represents a mirror image to the world cities proposition: just as certain locations around the world may become focal points for large law firm inward investment, so other locations may be collectively ignored by those same firms. Of course, it would be pointless to identify every foreign EU location in which my entire cohort law firms did not trade, which may comprise hundreds of EU cities. This is why the list of “under provisioned” locations offered by the GaWC in *Global law firms* (Faulconbridge, Beaverstock *et al.*, 2008, p455 – 488)

provides a useful focus for my investigation. This study indicates that I might expect my cohort firms to be substantially absent from five EU cities: Athens, Copenhagen, Dublin, Lisbon and Madrid (p463). My findings start on p156.

2.6.8. Hypothesis seven: *despite their otherwise heterogeneous behaviours in relation to their EU branch office locations, my cohort of firms will treat certain EU locations as being focal points of modest legal practice investment or divestment over time. Some of these more commonplace investment and divestment locations will have previously been identified by either socio-legal or GaWC scholars*

My seventh hypothesis is: despite their otherwise heterogeneous behaviours in relation to their EU branch office locations, my cohort of firms will treat certain EU locations as being focal points of modest legal practice investment or divestment over time. Some of these more commonplace investment and divestment locations will have previously been identified by either socio-legal or GaWC scholars. This hypothesis assumes that large EU law firms tend to change their EU branch office geographies over time. It also assumes that such firms also potentially display common patterns behaviour regarding the locations in which they open or close offices. I have used both socio-legal and GaWC research as the evidential basis for this hypothesis. All of this research explores the geographies of AS law firms alone.

Existing socio-legal research suggests that AS law firms often alter their branch office geographies over time. For example, Baker and Parkin's (2005 - 2006) study of the evolution of US legal practices found that – between 1998 and 2004 (a period which overlaps with my own study) – the average number of offices operated by US multisite law firms increased from around 10.5 to closer to 13.5 (p1650). More relevantly to my investigation, Chapman and Tauber's (1994 - 1995) study, which explored the geographical evolutions of the largest 700 US law firms up to 1994, discovered that the number of these firms operating in specific EU states grew substantially between 1960 and that year. Chapman and Tauber's study found that the number of their cohort firms trading in France leapt from two in 1960 to 22 in

1994; from one to 60 in the UK; in Belgium from two to 34; and, across Eastern Europe collectively, from zero to 58 (p945). Given that Chapman and Tauber's total cohort size was 700 US law firms, none of the above-mentioned EU locations represented countries or regions in which a majority of their sample firms had expanded into. Nevertheless, this research suggests that, in my own study, I might legitimately expect a small, but similarly observable, minority of my cohort practices to open new offices in these countries / regions during my evaluation time period. For reasons I shall explain on p92, the longitudinal element of my investigation explores my cohort firms' changing EU geographies between 1998 and 2009.

In terms of the specific focal points of legal practice inward investment I might expect to observe in relation to my sample firms, both the socio-legal literature and – to some extent – the GaWC, indicates several EU locations I should focus on. Galanter and Henderson's (2007 - 2008) study, which briefly explores the changing geographies of the NLJ 250 US law firms between 1986 and 2006, suggests London, Brussels and Frankfurt might be favoured expansion locations. According to Galanter and Henderson's research, their cohort firms increased their collective office numbers in London from 38 in 1986 to 74 in 2006; in Brussels from six to 35; and in Frankfurt from one to 24 (p1890). Meanwhile, Silver's (2000) exploration of the changing geographies of large US law firms noted that 23 large US law firms arrived in London in the 1970s, 23 in the 1980s, and 23 during the 1990s up to 1998 (p1112 - 1114) – indicating that this EU city has been a favoured expansion location for such firms over many years. Within the GaWC literature, *The changing geography of globalized service provision, 2000–2008* (Hassens, Derudder *et al.*, 2011, p2293 - 2307) offers the most useful insights regarding which locations I might expect my cohort firms to expand into, notwithstanding its focus on inter-city connectivities. This study, which explores how connectivities between various cities evolved between 2000 and 2008, includes a list of specific EU cities (p2303) which the authors claim became either more or less connected within the legal sector between those years. Interestingly, most of the cities identified by the GaWC as becoming more connected are different to those suggested in above-mentioned studies. While the above studies indicate that London, Brussels and Frankfurt were focal points of EU branch office expansion, the GaWC suggested that, besides

London, Antwerp, Madrid, Milan, Paris and Vienna had become more connected between the two time points of their investigation. In my study, I shall evaluate each of the locations identified by both GaWC and non-GaWC scholars, in combination with each other. Did my cohort of large EU law firms expand into these specific locations between 1998 and 2009?

In relation to legal practice branch office divestments, Silver's above-mentioned research found that around 25 per cent of offices opened by US law firms in Western Europe during her evaluation time period subsequently closed – including those in Brussels, London and Paris (Silver, 2000, p1127 - 1128). The GaWC research, meanwhile, suggests Berlin suffered one of the most substantial connectivity falls between 2000 and 2008 within their legal sector cohort followed, to a lesser extent, by Rotterdam (Hassens, Derudder *et al.*, 2011, p2303). Again, it should be stressed that the focal point of the GaWC research were connectivity trends between cities, using law firm branch offices as proxy indicators, rather than a straightforward evaluation of the changing branch office presences of a consistent cohort of large AS legal practices. My findings, which explores whether my cohort firms can be observed retreating from the above-mentioned locations between 1998 and 2009, start on p158.

2.6.9.1. Hypothesis eight: *my cohort of large EU law firms makes extensive use of “alliance capitalism” to extend their branch office geographical reach*

My eighth hypothesis is: my cohort of large EU law firms makes extensive use of “alliance capitalism” to extend their branch office geographical reach. This hypothesis assumes that, in common with many other industry sectors (Brown, Cooper *et al.*, 1996; Hertz, 1996; Seristö, 2000; Boojihawon, 2007; Faulconbridge, Hall *et al.*, 2008) my sample firms will work in partnership with other legal practices, in order to extend their geographical reach beyond that of their own branch offices. Cooperating with firms which one might, in some circumstances, be in competition with, is the essence of alliance capitalism (Dunning, 1995, p466). In the event that my hypothesis is supported, this would not only suggest that the use of alliance capitalism is commonplace among my cohort, it would further suggest that legal

practice geography cannot simply be understood through the prism of a firm's branch offices alone.

In terms of the overall prevalence of alliance capitalism I might expect to find among my cohort, the GaWC's findings in *The long arm of the law* (Beaverstock, Smith *et al.*, 1999, p1857 - 1876) and Morgan and Quack's (2005) research offer the most exhaustive accounts available – but only in relation to large UK and German law firms. In *The long arm of the law*, the GaWC evaluated whether the top 30 UK law firms in 1996 – 1997 traded “indirectly” internationally via relationships with other law firms. The research found that a small majority – 17 out of 30 – did so, compared with 12 that did not (data from one firm was not available) (Beaverstock, Smith *et al.*, 1999, p1863). Morgan and Quack's (2005, p1775 - 1777) more recent, and comparative, study of the cross-border behaviours of the top 15 UK and German law firms in 2004, also found extensive use of alliance capitalism among those legal practices evaluated, notwithstanding the different taxonomies used and sample sizes selected compared with the GaWC. Among the top 15 UK law firms evaluated, Morgan and Quack found that one third operated internationally – at least in part – via alliance capitalism. In total, three out of 15 firms operated via a “formal network”, while two operated via an “informal best friends network”. (One firm, Eversheds, traded by a mixture of organic growth and a formal network.) Broadly similar results were discovered among the authors' cohort of 15 large German firms. Here, four firms traded – at least in part – via alliance capitalism: two made use of a formal network, while two belonged to an informal best friends network (p1776). The prevalence of large law firms' usage of such relationships was not exactly the same between large UK and German firms. Nevertheless, Morgan and Quack suggest that both German and UK firms showed signs of commonalities in their internationalisation strategies (p1775 - 1777). Given these findings, one might expect my own cohort firms to exhibit broadly similar behaviours in 2009, not only in the UK and Germany, but also in the other EU states I shall evaluate. My findings start on p166.

2.6.9.2. Understanding the distinction between law firm branch offices and alliance capitalism

This section of my literature review represents a short diversion from my hypothesis formation regarding alliance capitalism. This is because there is a degree of conceptual confusion within existing research regarding how this concept should be applied in the real world. It is essential that I clarify my own preferred application of this concept now, because how inter-office relationships are defined will impact on my evaluation of the GaWC research. The first point of uncertainty is how I should distinguish between alliance capitalism relationships and my cohort firms' branch offices. The second area of uncertainty is how I should treat what the GaWC describes as "conglomerate / MDP legal practices" (Faulconbridge, Beaverstock *et al.*, 2008, p466). Both issues are distinctive, but also interlinked.

Various authors, both within the socio-legal field and without, have suggested that the forms of alliance capitalism exist along a continuum of integration (Zander and Lerpold, 2003, p134). At one end of the continuum, argues Daniels (in a law-specific context): "there are relationships that approximate mergers, while at the other end there are relationships that merely entail a loose commitment to try to direct work to the other firm in situations where client demands cannot be effectively serviced within the referring firm. Between the poles of de facto mergers and loose referral arrangements are relationships involving more explicit and binding commitments to refer work of a particularized nature to firm affiliates" (Daniels, 1993, p180 - 181). Indeed, this presumption is reinforced by a diverse range of authors who have observed and classified law firm alliances, including legal practitioners (Calkoen, 2001, p144), law firm alliance managers (McGarry, 2011, p8 - 10) and both socio-legal (Sokol, 2007, p15 - 19) and GaWC scholars (Faulconbridge, Beaverstock *et al.*, 2008, p465 - 467). Generally, there is broad agreement among law-related researchers that a tightly integrated "formal network" or "alliance" model such as CMS or Lex Mundi might be distinguished from a less tightly integrated "best friends" approach (Calkoen, 2001, p144; Morgan and Quack, 2004, p19 - 20; Sokol, 2007, p15 - 16). However, the critical point of concern for my study is not these lesser levels of inter-firm co-operations: rather, it is the point at which an inter-office relationship ceases to be a form of alliance capitalism and starts to amount to a single firm. This distinction will influence the outcome of my empirical research.

Here, the GaWC's position in relation to conglomerate law firms – and also that of socio-legal scholars – arguably adds to the conceptual confusion regarding the continuum between law firm alliance capitalism and branch offices. This is because, in their four “typologies of globalization”, set out in *Global law firms*, the GaWC states that MDP / conglomerate law firms are a distinctive category, separate from global law firms, CMS-style alliances, and also from membership of a “loose, ephemerally-formed affiliation or network” (Faulconbridge, Beaverstock *et al.*, 2008, p465 - 467). The GaWC is not alone in this regard: Sokol (2007, p15 – 19) also believes MDP law firms are distinctive from alliance / best friends in his analysis of law firm expansion models. However, and by contrast, Morgan and Quack (2005, p1776) treat their German (MDP / conglomerate) cohort member, EY Law Luther Menold, as being part of a “formal network” – which is the same classification given to Hasche Sigle in relation to its CMS alliance. In others words, Morgan and Quack regard EY Law Luther Menold – an MDP / conglomerate law firm within the GaWC taxonomy – as operating within the previously-described continuum of law firm integration, rather than distinctive from it. Further confusion is added by McGarry (2011) in his e-book exploration of professional service networks. In this e-book, McGarry suggests there are four stages of professional service network development, one of which includes Ernst & Young, Baker & McKenzie and DLA Piper as “stage four” networks (p10) – effectively, the most highly developed form of network – on the basis that: “while they are technically and legally networks, their operation resembles that of any large corporation. They have a very significant external brand and are most often viewed as seamless corporations, which they are not” (p103 - 144). Therefore, depending on which of the three above-mentioned approaches I adopt in my study, I might regard Morgan and Quack's German sample firm EY Law Luther Menold as belonging to a formal network (and thus in an alliance capitalism relationship with other EY Law members); using McGarry's approach, I might regard the same firm as being an EY Law branch office; and, using the GaWC's approach, I should regard EY Law Luther Menold as a distinctive form of trading operation, which is neither a conventional law firm alliance nor an EY Law branch office. Clearly, I must select one approach, and evaluate my cohort firms' geographical behaviours accordingly.

Ultimately, I have chosen to adopt McGarry's approach, and treat conglomerate / MDP entities within my cohort as de facto law firms, for two reasons: firstly, in EU

states such as Germany, large law firm MDPs are a long-standing fact of life (Terry, 2000), which occasionally employ hundreds of lawyers within a single practice. Indeed, Luschin's (2010) study of large German legal practices, published subsequently to *Global law firms*, states that "of Germany's (68) largest law firms, at least 29 have one more non-lawyer professional in the firm" (p82 - 87). I therefore do not believe we should regard such practices as requiring a standalone classification, at least within the EU. More importantly, while past research suggests that such conglomerate law practice often have complex ownership regimes (Henssler and Terry, 2001, p299 - 300; Thomas, Schwab *et al.*, 2001 - 2002, p173 - 175; Daly, 2002, p593 - 599; Webb, 2004, p86; Nnona, 2006, p857 - 859) – typically to comply with local MDP bar rules – other research has suggested that more conventional transnational legal practices often use similar arrangements (Drolshammer, 2001, p462 - 475). If it is acceptable to treat transnational legal practices such as Baker & McKenzie – a firm variously described as "Baker & McDonalds" (Flood, 1996, p195; Silver, 2000, p1146)", "McLaw" (Spar, 1997, p22 - 23), and "a franchise-like operation that lacked any genuine coherence beyond the worldwide mandates, policies and procedures" (Faulconbridge, Beaverstock *et al.*, 2008, p477) – as a single entity, then I suggest we should also treat MDP legal practices as single firms. In my evaluation of my national cohorts' usage of branch offices / alliance capitalism, I shall therefore adopt this approach.

My final comment regarding conglomerate / MDP law firms raises an important question regarding the GaWC's observation in *Global cities*: that conglomerate law firms "effectively died out with the Enron scandal and the end of multidisciplinary partnerships" (Faulconbridge, Beaverstock *et al.*, 2008, p466). In light of the above discussion, this assertion is not supported by Luschin's German legal market-based research. More generally, Martin (2007) – writing several years after Enron – noted that: "PricewaterhouseCooper's legal network Landwell still exists", while "EY Law Europe group still has over 1,300 lawyers in over twenty countries" (p187 - 188). In light of Martin's observation, I therefore expect to observe conglomerate law firms and, in particular, accountancy-linked law firms, within my cohort. Indeed, it will be interesting to discover their 2009 prevalence, several years after Enron.

2.6.10. Hypothesis nine: *my cohort of large EU law firms use alliance capitalism to extend their geographical reach in distinctive ways, which are commonly replicated across multiple EU states*

My ninth hypothesis is: my cohort of large EU law firms' make use of alliance capitalism to extend their geographical reach in distinctive ways, which are commonly replicated across multiple EU states. This hypothesis effectively builds on its predecessor. The previous hypothesis allows me to explore whether, collectively, my various national cohorts made widespread use of alliance capitalism. By contrast, this hypothesis explores whether the various distinctive ways in which my cohort firms make use of alliance capitalisms relationships is broadly replicated across each of my national evaluation cohorts. This hypothesis has been developed by reference to the GaWC study, *The long arm of the law* (Beaverstock, Smith *et al.*, 1999, p1857-1876), coupled with limited cross-border validation indicated by *Institutional legacies and firm dynamics* (Morgan and Quack, 2005, p1765 - 1785). However, my study will seek to further validate my hypothesis by reference to my wider cohort of large EU law firms, trading in a wider range of EU states, than either of these above-mentioned studies.

In *The long arm of the law*, the GaWC authors identified four distinctive (p1865 - 1866) ways in which their 30-strong cohort extended their geographical reach using alliance capitalism: firstly, firms could operate a single foreign branch office, which was supplemented by a formal network (the example offered was Lawrence Graham and the Associated Business Lawyers of Europe alliance); secondly, firms could operate two or more foreign branch offices, further supplemented by an alliance (example offered: Taylor Joynson Garrett / Interlex); thirdly, they could operate an extensive network of branch international offices, supplemented by what might variously be known a "strategic affiliation" or "best friends" relationship (example offered: Allen & Overy's relationship with Gide Loyrette Nouel in France and Loeff Claeys Verbeke in the Benelux countries); fourthly, firms could operate a considerable international branch office network, further supplemented by a formal network (Denton Hall, Denton International). Three additional geographical options were also suggested by the GaWC authors, although none might be regarded as them making use of alliance capitalism: firstly, they suggested that firms might exclusively trade in locations via a "direct" branch office presence (example:

Freshfields) – (p1862); secondly, firms could come to an agreement to work with a firm on an ad hoc basis (p1866); and thirdly – although this option was only included in the GaWC’s tabular data and not discussed directly – a firm could neither operate any foreign branch offices nor participate in any form of alliance capitalism relationships. Here, the example indicated was Travers Smith Braithwaite (p1863). Each individual approach appears reasonably distinctive from each other, and therefore suitable for hypothesis testing.

Morgan and Quack’s (2005) study did not explore the relationship between law firms’ alliances and branch offices in the same manner as the GaWC. However, by reinterpreting the authors’ discussion (p1775 – 1777), it is possible to broadly verify several of the GaWC’s various geography-extending options, either in a different country (Germany) or at a different point in time (the UK). For example, the authors identify various firms trading internationally on either a “global” or “organic growth basis” – which suggests a “direct”, branch office-led, operation. Equally, the authors offer the example of Eversheds – operating three foreign branch offices – but also belonging to a formal network – which broadly matches the GaWC’s second approach. Finally, firms could combine a larger foreign branch office network which, in turn, is supplemented by an additional alliance relationship (example: CMS Hasche Sigle in Germany), which broadly matches the GaWC’s fourth option. It is not possible to identify equivalents to all of the GaWC alternative approaches in Morgan and Quack’s (2005) study – for example the “no direct foreign presence, and no indirect presence either”. Nevertheless, there appear to be several similarities between these two studies’ findings. In testing hypothesis nine, I shall combine the systematic approach to classifying alliance capitalism relationships adopted by the GaWC with the comparative approach taken by Morgan and Quack. The more national cohorts behave in a manner suggested by the GaWC, the stronger the evidential basis supporting this hypothesis. My findings start on p170.

2.6.11.1. Hypothesis 10: large EU legal practices have overarching geographical strategies which are related to – but also distinctive from – the specific reason why they change their branch office geographies in specific EU locations. Further, in order to implement these overarching strategies requires a consensus to be reached between a firm’s leadership and its wider partnership

My tenth hypothesis is: large EU legal practices have overarching geographical strategies which are related to – but also distinctive from – the specific reason which they change their branch office geographies in specific EU locations. Further, in order to implement these overarching strategies requires a consensus to be reached between a firm’s leadership and its wider partnership. This hypothesis will allow me to explore what I regard as a potentially important omission from the GaWC’s research – the role played by geographical strategy in determining the totality of the locations from which legal practices trade. As I will illustrate further in my hypothesis 11 discussion below, the GaWC appears to assume that what we might describe as “second order” strategy considerations, such as regulation or client demand, might drive law firm geographical change, without considering whether “higher level” strategic considerations may also play a role in a firm’s total branch office geography. However, it would be unfair to single out the GaWC for failing to consider the existence of higher level legal practice geographical strategy: almost no substantive English language research appears to have been undertaken regarding this issue in its own right. In my study, I intend to address this possible lacuna in our knowledge – to the extent of exploring whether large EU law firms commonly appear to have overarching geographical strategies, and what key elements might commonly help generate such strategies. If supported, my findings will hopefully encourage further research into legal practice geographical strategy.

It is not possible, within the confines of this thesis, to conduct an exhaustive literature review of geographical strategy research in general. However, research conducted across various service sectors suggests that one theme I should explore within the ambit of this hypothesis is whether my cohort firms tend to exhibit geographical “orientations” – essentially, a willingness to alter their geographical reach as a strategic consideration in its own right (Kreitl and Oberndorfer, 2004, p694 - 695; Ström and Mattsson, 2007, p253 - 254). Within the globalisation literature, some

firms' orientations are manifested by their willingness to globalise within a very few years of establishment – they are “born global” (Rennie, 1993). And, within the legal space, Baker & McKenzie is perhaps the best known example of such a firm (Flood, 2013, p21). However, research conducted by Bagchi-Sen and Kuechler (2000) suggests different firms within any given cohort are likely to exhibit heterogeneous orientations regarding their willingness to alter their international profile. Bagchi-Sen and Kuechler's study, which focused on 195 SME accountancy practices in the Buffalo-Niagara Falls area of the US in 1998, discovered that respondent firms were split between those that were not interested in internationalising (24 firms), those that were interested but had not yet been successful (19 firms) and those that had already successfully internationalised (9 firms) (p131). Bagchi-Sen and Kuechler's study did not explore whether these firms' orientations might be replicated in relation to their domestic geographical preferences. However, in light of my discussion in relation to hypotheses three and four – which suggests that patterns of domestic geographical behaviour may be observable among large law firms – I believe this idea is worthy of investigation by reference to my cohort.

Turning to the second aspect this hypothesis: research suggests my research should pay close attention to the geographical strategy pronouncements made by law firms' senior managers. Past research conducted outside the legal market, but within the services sector as a whole, has repeatedly suggested that firms' international orientation – and also their actual resulting internationalisation – are often heavily influenced by managers' attitudes (Edvardsson, Edvinsson *et al.*, 1993, p94; Javalgi, Griffith *et al.*, 2003, p193 - 194; Deprey, Lloyd-Reason *et al.*, 2012, p1616). For example, in the legal sphere, Sir Nigel Knowles of DLA Piper would be an example of someone who developed their firm's international and domestic development strategy (Flood, 2013, p13 - 14) in a geographically expansive manner.

In terms of the relationship between a firm's leadership and its geographical orientation, research conducted by Bell (1995) into the internationalisation of small computer software firms suggest that many managing directors have a clear picture, from the outset, of which international markets they regard as having the best potential for their firm – irrespective of whether those markets were psychically or geographically distant (p66). The question of whether specific international

expansion locations might make clear economic sense to the firm is briefly discussed by both Krull, Smith *et al* (2012) and Løwendahl (2000, p142 - 162), neither of whom paint a flattering picture of managers' decision-making processes. Løwendahl comments that, within the professional service sector, "the location of new local or regional offices is not always the result of rational analyses and strategic plans" (p156 - 157). Krull Smith *et al* (2012), who explored the internationalisation of engineering consultancies, suggests that those driving the early stage of their firms' geographical expansion did not base their decisions on market research. Instead, decisions were based on their "entrepreneurial spirit" (p1112). Other researchers have reached similar conclusions. For example, O'Farrell, Wood *et al*'s (1996) analysis of the globalisation drivers of 90 South East England business service firms found: "unequivocally that there is little evidence that these firms use systematic methods to evaluate and choose between alternative foreign country markets" – a decision the authors partly attribute to the "bounded rationality of decision makers" (p111 – 112). It is beyond the scope of my investigation to explore the internal processes which resulted in my cohort firms making specific geographical decisions. However, as part of my analysis of the role played by law firm leaders in driving their practice's geographical orientations, the above research suggests it is likely I will uncover examples of law firm leaders making "geographical vision"-based pronouncements regarding their firm's proposed expansions into new markets (as per Bell) in a manner which, viewed from outside the firm, may not appear very sophisticated (as per Krull Smith *et al*, Løwendahl and O'Farrell, Wood *et al*).

Assuming I can establish that my law firm cohort members have geographical orientations, research from outside the legal sector suggests that my sample firms' orientations may also change. For example, the appointment of a new individual to a position of power may result in a firm changing its corporate strategy (Andersson, 2000, p76 - 77). Indeed, in some situations, a "critical incident" or "episodes" (often involving a change of leadership) might result in what Bell describes as "born again global" firms – i.e. an established firm which suddenly and rapidly internationalises, having previously shown little or no enthusiasm for doing so (Bell, McNaughton *et al.*, 2001, p179). Because my study involves a longitudinal component, it seems sensible to briefly explore this issue within the context of the above-mentioned

hypothesis. It is possible that I may uncover examples of changes to my cohort firms' geographical strategies following changes to their leadership teams.

Existing professional services research suggests that the role of senior managers in determining a firm's strategy – while important – is not always the sole determining consideration, in terms of then implementing that strategy. Here, some explanatory context may be helpful. Within the legal profession, it is known that many large law firms continue to operate a partnership-led form of governance (Greenwood and Empson, 2003, p911; Hillman, 2003) rather than, as has been claimed, on a more corporate “managed professional business” basis (Cooper, Hinings *et al.*, 1996). In the partnership model, ownership, management and operations of practices are fused (Greenwood, Hinings *et al.*, 1990, p730), and even managing partners may only manage on a part-time basis (Samuelson, 1990, p652). There are many possible explanations for this situation, including regulatory restrictions on law firms' right to incorporate (OECD, 2000, p50) or to permit non-lawyer ownership (Claessens, van Haefen *et al.*, 2012, p205 - 206). Also relevant may be explanations tied to lawyers' identity, which treasure their professional independence, discretion (Faulconbridge and Muzio, 2007, p266) and autonomy (Empson, 2013, p11 - 19). Whatever the reasons, it has been claimed that, within the legal sector, decision-making and strategy-formulation is often coordinated (but not managed) by an elected committee of partners, who in turn put forward proposals relating to the strategic direction of the firm or practice group (Faulconbridge and Muzio, 2008, p16). Consequently, law firm partners may typically be involved in important strategy decisions, including decisions relating to firm strategy and direction, mergers or new alliances (Pinnington and Morris, 2003, p90 - 92). Therefore, in my hypothesis evaluation, not only might I expect to observe geographical strategies being announced by senior law firm personnel, I might also expect to observe situations where proposed changes to my cohort firms' geographies are contingent on partnership votes.

2.6.11.2. Conclusions

Collectively, the above-mentioned research suggests that – at any one point in time – law firms are not only likely to have geographical strategies, but also distinctive geographical orientations. Moreover, a firm's overall orientation is likely to comprise

a combination of a firm's leadership orientation, as endorsed by the practice's wider partnership. Further, this process is likely to be dynamic: a change in firm leadership may result in a change in the firm's geographical strategy. Equally, the views of a firm's wider partnership may also influence the firm's geographical behaviours. If the above hypothesis is supported by reference to my cohort of large EU law firms, this would suggest the GaWC's legal sector research contains a potentially important omission, because it does not explore this possibility. My findings start on p176.

2.6.12.1. Hypothesis 11: *my cohort of large EU law firms changed their branch office geographies in specific EU locations for reasons suggested by the GaWC, or by scholars who have studied the legal profession*

My eleventh hypothesis is: my cohort of large EU law firms change their branch office geographies in specific EU locations for reasons suggested by the GaWC, or by scholars who have studied the legal profession. The first element of this hypothesis starts from the premise that there are multiple drivers of legal practice geographical change. That multiple factors might cause (non-legal) firms to change their geography has been noted in relation to various sectors (O'Farrell, Wood, *et al.*, 1996, p111 - 112; Roberts, 1998, p103 - 104; Fletcher, 2001, p25 - 49; Bell, McNaughton *et al.*, 2003, p339 - 362; Laanti, McDougall *et al.*, 2009, p136; Deprey, Lloyd-Reason *et al.*, 2012; Krull, Smith *et al.*, 2012) and, more speculatively, by Dunning (1989, p30). However, in light of Løwendahl's (2000, p151) observations that the underlying reasons for globalisation in professional service firms is probably industry-specific, it is perhaps not surprising that the above-mentioned studies explore varied considerations, prompting them to reach a variety of disparate conclusions. This lack of cross-sectorial consensus regarding the likely drivers of geographical change has been compounded by the small body of legal sector-specific research. In the legal sector, some of the explanations offered for geographical change (including several offered by the GaWC) are speculative, and not supported by specific examples of firms changing their behaviour for those reasons. Further, in a limited number of situations where more substantive, legal sector-specific, research has been undertaken, a single factor has typically been considered in isolation, such as client demand (Cullen-Mandikos and MacPherson, 2002, p491 - 499), regulatory liberalisation (Struble, 2011, p111 - 132) or law firm

profitability (Sherer, 2007, p162 – 185). Perhaps not surprisingly, some research conducted using this singular focus has struggled to explain a clear link between its hypothesis and the behaviours exhibited by its cohort (Brock, Yaffe *et al*, 2006, p169). The only English-language legal sector study I am aware of which has explored whether multiple factors might drive law firm geographical change is a small-scale investigation conducted by Segal-Horn and Dean (2011). This study, discussed later in this literature review, focused only on the drivers of globalisation among a small group of “super elite” (effectively large English) law firms, and specifically states its findings are not intended to be statistically significant (p201).

In light of the current, fragmentary understanding of the drivers of law firm geographical change, I shall therefore devote the remainder of this literature review to discussing what is currently known about some of the most potentially important drivers of law firm branch office change in specific locations. And, because the narrow aim of this thesis is to evaluate the extent to which the GaWC’s research has aided our understanding of large EU law firm geography, this section of my literature review will examine the current evidential basis of the explanations offered by the GaWC, by reference to research conducted by other scholars. The GaWC’s observations are (briefly) discussed in three GaWC papers – the previously discussed *The long arm of the law* (Beaverstock, Smith *et al.*, 1999, p1857 - 1876), *Global law firms: globalization and organization spaces of cross-border legal work* (Faulconbridge, Beaverstock *et al.*, 2008, p455 - 488), together with a third paper ‘*Managing across borders: knowledge management and ex patriation in professional service legal firms*’ (Beaverstock, 2004, p157 - 179). These three papers offer various, but not consistent, reasons why law firms might change their branch office reach over time. Indeed, on at least two occasions, the GaWC simply signposts the reader (Beaverstock, 2004, p165; Faulconbridge, Beaverstock *et al.*, 2008, p464 - 465) to Dunning’s (1989, p30) eclectic paradigm, which speculatively suggests multiple law-specific reasons for geographical change. However, because some of Dunning’s explanations appear to be too broad-brush, or at variance with the explanations offered by scholars who have explored individual issues more closely, I have not simply accepted the parameters of Dunning’s specific suggestions without further refinement. Additionally, and in common with other scholars exploring geographical change (Roberts, 1998, p103; Andersen, Ahmad *et al.*, 2014, p68), I

will explore the suggested GaWC / Dunning explanations of geographical change by reference to those possible drivers that are (broadly) “external” to the firm, and then by reference to those that are (broadly) “internal” to it. This is different to Dunning’s approach, which groups his individual explanations thematically according to whether they might result in an “ownership”, “locational” and “internationalisation” advantage for embarking on geographical change.

It should be appreciated that, simply by endorsing Dunning’s (1989, p30) explanations for geographical change, the GaWC effectively (Beaverstock, 2004, p165) suggested that 10 different drivers of geographical change were possible. Indeed, because further explanations were also offered by the GaWC in *The long arm of the law* (Beaverstock, Smith *et al.*, 1999, p1859 - 1862), the total number potential individual drivers I shall evaluate in this literature review is 13. In working through these 13 possible explanations, it is accepted that the analysis that follows will, potentially, be exhausting for the reader. However, in light of the GaWC’s previously-discussed novelty in suggesting that law firms may change their geographies for a multiplicity of different reasons, I feel it is incumbent on me to evaluate such a proposition in detail. Moreover, in the event that I conclude that law firms do, indeed, alter their branch office geographies for a multiplicity of reasons, this suggests that future legal sector research might be conducted on such a basis. Additionally, my lengthy analysis might also reduce the likelihood that future researchers might fail to identify significant considerations driving geographical change when, for example, undertaking a survey-based research. This somewhat unfortunate outcome occurred in Roberts’ (1998) study, which examined the factors causing UK business service firms to open new overseas offices. Here, having presented survey participants with seven different options, which they were invited to rank on a Likert scale, 66.7 per cent said “other” considerations were “extremely important” – 23 per cent ahead of the next most “extremely important” option (p195).

2.6.12.2.1. External factor one: *regulation*

In *Managing across borders*, the GaWC’s restatement of Dunning’s law-specific eclectic paradigm (1989, p30), the GaWC authors offer few clues about the possible link between legal practice geography and regulation – merely suggesting that

transnational firms may gain an internationalisation advantage due to “restrictions on the use of foreign barristers in court” (Beaverstock, 2004, p165). However, various other scholars have also drawn a link between law firm geography and regulation. For example, Segal-Horn and Dean (2011) claimed regulation is: “the strongest barrier to the potential globalisation of the corporate legal sector” (p209). More recently, GaWC scholars in *Global law firms* have suggested this issue is a “definer of the geography of global law firms” (Faulconbridge, Beaverstock *et al.*, 2008, p461). Indeed, when discussing their findings regarding “over” and “under” provisioned legal markets by global law firms in this paper, the GaWC authors suggested the locations of law firms is “actually an interaction between market demand and regulation” (p463 – 644). How this interaction between law firm geography and regulation takes place is not then explained. Nevertheless, it is noteworthy that several locations identified by the GaWC scholars as being under-provisioned by global law firms are those locations separately identified by socio-legal scholars as being largely closed to foreign law firms due to regulatory restrictions. These closed countries / cities include Mumbai and New Delhi in India (Vena, 2011; Garg, 2011 - 2012), Kuala Lumpur in Malaysia (Terry, 2013, p489 - 490) and Seoul in South Korea (John, 2012). However, as the GaWC authors notes in *Global law firms*, of the most under-provisioned locations they identified, two – Toronto and Montreal – are in Canada. This is surprising, the GaWC authors noted, considering that the US – Canada’s geographical neighbour – is regarded as the key centre in the development of global lawyering through New York, and that both the US and Canada are part of the North American Free Trade Association. The authors also – briefly – noted that several European capital cities are also under provisioned by global law firms (p463 – 464). Collectively, I believe these observations are instructive, in terms of understanding the relationship between law firm geography and regulation. Collectively, they suggest regulation can impact on law firm geography – notably by preventing law firms from trading in certain locations. However, in itself, regulation cannot always explain why some law firms do not operate in certain locations – as evidence by the Canadian anomaly. This is one reason, I suggest, why law firm geography should not be evaluated through the prism of a single causal explanation.

In terms of how regulation may affect my cohort firms' branch office geographies, it should be recognised that my study straddles two different regulatory environments regarding the permissiveness of multi-site law firms within the EU. These time periods can be summarised as being: "before the implementation of the 1998 Establishment Directive" (Directive 98/5/EC) and: "after the implementation of the 1998 Establishment Directive". Prior to the Establishment Directive's enactment, EU firms' right to trade in another EU state often required some form of market access liberalisation to have taken place, either as the result of domestic legislation (Young, 1992, p40 - 42; Barsade, 1994, p315 - 316), voluntary agreement (Terry, 1997 - 1998) or litigation (Kühn, 1989, p48 - 53; Schack, 1993, p195; Martin, 2007, p182 - 183). In the absence of such reforms, research conducted in various world regions suggests law firm may alternately seek ad hoc permission from a local regulator to trade in a location (MacMullin, 1988 - 1989, p58 - 60; Liu, 2008, p778; Krishnam, 2010, p65 - 67; Papa and Wilkins, 2011, p180 - 181). Additionally, firms may open in a location, despite the apparent unlawfulness of their behaviour, in the hope that any ensuing litigation will (retrospectively) legitimise their actions. This scenario occurred in Germany during the late 1980s, when German law firms successfully overturned what was, in effect, a ban on multi-office domestic practices (Abel, 1993 - 1995, p801 - 802; Schultz, 2005, p106). I shall discuss a possible third option open to firms shortly. My results, which explore whether my cohort firms entered new EU markets on the basis that they had obtained permission to do so, or because they presumed they had a right to do so, start on p188.

In contrast with a state-centred approach to legal practice branch office regulation, which may be a feature of the earlier part of my study time-period, the regulatory environment which existed in 2009 – the end point of my study – was different. Briefly, the rights set out in Article 11 of the 1998 Establishment Directive are clear: law firms have a general right to establish branch offices in another EU state, and also to employ lawyers from multiple EU nations within the same firm. It has been claimed that the directive not only facilitated law firms' ability to establish in other EU states, but also promoted an increase in the number of law firms operating offices abroad (Claessens, 2008, p132). Given that most EU member states implemented this directive by its March 2000 deadline (Hagan, 2003, p169; Claessens, 2008,

p148 - 234) – with the notable exception of Luxembourg (Hinds and Pech, 2007) – I might therefore expect to observe some of my cohort of law firms to explain their EU geographical expansion events by reference to the rights guaranteed by this directive. However, in light of my synthesis of past research into the scale of many large law firms’ cross-border operations, discussed previously on p19 onwards, it should also be appreciated that I do not anticipate that all of my cohort firms will have taken advantage of their cross-border branch office trading rights within the EU by the time of my 2009 evaluation: simply because they “can” does not necessarily mean they invariably “will” (or had, by that year). Nevertheless, my qualitative establishment directive related findings can be found on p188 onwards.

Further, it should be appreciated that the Establishment Directive does not offer all types of legal practice the unfettered right to trade freely within the EU. During the directive’s lengthy gestation (Weil, 1991 - 1992; Siskind, 1992, p928 - 930), a decision was made to allow EU member states to constrain the rights of MDP law firms to practice in their jurisdiction (Claessens, 2008, p47 - 55), should they wish to do so. Member states’ right to limit MDPs has since been confirmed, during the time period of my study, in the multi-year battle over the rights of establishment between the Dutch Bar Association and (what was then) Arthur Andersen and Price Waterhouse Tax Consultants (Terry, 2001 - 2002). This battle, in which the accountancy practices established in the Netherlands and challenged the local regulator to stop them, culminated in the European Court of Justice (ECJ) decision in *Wouters* (C-309/99, 2002) – which the Dutch Bar Association ultimately won (Daly, 2002, p601 – 605). However, the *Wouters*’ judgment did not mandate EU states to ban MDPs, nor does it render it unlawful for EU states to permit them – it merely confirmed that the Dutch rules prohibiting MDPs were lawful (Forrester, 2004, p8). Consequently, comparative research has since indicated that MDPs remained permitted in various EU jurisdictions, including Belgium, France, Germany, the Netherlands and Spain – although sometimes only in relation to specific professions (Paterson, Fink *et al.*, 2003, p49; Garoupa, 2004, p44; Claessens, van Haeften *et al.*, 2012, p205 - 206). As such, it is possible that I shall observe MDP law firms continuing to trade within my cohort in the years after the ECJ *Wouters*’ decision.

More generally, the *Wouters* outcome serves as a useful counterpoint to my earlier observations regarding the use of litigation in Germany to facilitate law firm geographical change. In Germany, the law firms won their branch office establishment battle – but in The Netherlands they did not. Within my cohort firms, I might therefore uncover incidences where my sample practices challenged local regulators to stop them from trading in a location, believing they have a right to do so – and also achieved contrasting outcomes regarding the success of this approach. My findings start on p189.

The next possible relationship between law firm geography and regulation also relates to MDP law firms. However, some preliminary context setting would be helpful before I discuss this issue further. Across the EU, comparative research suggests that, in general, the regulation of lawyers is typically shared between bar associations and governments (Paterson, Fink *et al.*, 2003, p45). However, comparative research also suggests that the level at which bar associations exercise regulatory power differs between EU states (European Commission for the Efficiency of Justice, 2006, p129 - 130; European Commission for the Efficiency of Justice, 2014, p387). In some EU states, there are a mere handful of bar associations, whereas in others there are more than 100 (Gromek-Broc, 2002, p120; Bundesrechtsanwaltskammer, AnwaltVerein *et al.*, 2013, p11). This is relevant to my study is because, according to some legal scholars, MDP law firms have sometimes taken advantage of the fragmentary nature of legal practice regulation within a country, and located themselves within the jurisdiction of a sub-national bar association that is more sympathetic to their right to exist than others. For example, within France, it has been suggested that the MDP law firms associated with Ernst & Young and Deloitte traded with the jurisdiction of the western Paris bar of Nanterre in order to avoid being caught by rules introduced elsewhere in the country, which hindered such firms' right to operate (Daly, 2002, p609; Boigeol and Williemez, 2005, p54). Research also hints that MDP law firms might also have behaved in a similar fashion in Belgium (Stevens, 2002, p106). In my study, it is possible that I might uncover examples where the geographies of my cohort law firms is determined, at least partially, by regulatory differences within a single country.

In his discussion of the branch office liberalisation process in Germany, Abel (1993 – 1995) notes that, prior to the liberalisation occurring, some German legal practices set up independent “branches” in other cities, in order to circumvent the existing territorial limitations on their right to operate on a multi-site basis (p801 - 802). In my study, I am interested in exploring this issue further. In doing so, I have appropriated a term used by the GaWC in *Global law firms*: “regulatory entrepreneurship”. The GaWC definition of this term is that global law firms “have had to be active advocates of legislative change that favours their operation and work as servers of transnational corporations” (Faulconbridge, Beaverstock *et al.*, 2008, p474 - 476). My usage of the term is more derogatory: effectively, I define it as: “law firms seeking to circumvent restrictive establishment rules, and trading in locations they should not.” Earlier, on p48, I explained how some law firms, including those linked to large accountancy practices, have created complex webs of ownership structures, in order to overcome local rules hindering the trading rights of MDP legal practices. Here, a typical (historical) example were Arnheim & Co, an “independent” firm “sponsored” by the (then) accountancy giant, Price Waterhouse, or Tite & Lewis, (formerly) associated with the (then) Coopers & Lybrand (Beaverstock, Smith *et al.*, 1999, p1860 - 1861). However, it would be a mistake to assume that such deontological subterfuge was confined to accountancy-linked legal practices. For example, Abel describes how US firm Coudert Brothers shared an office in London with Beharrell Thompson, a firm of “ostensibly independent solicitors” (Abel, 1993 - 1995, p760). Elsewhere in the world, McDermott Will & Emery’s operations in Shanghai, operated via an independent Chinese law firm (Yuan Da Law Offices) might be considered another example of a law firm structuring itself in a manner which circumvented local restrictions on foreign law firms (Li and Liu, 2011 - 2012, p2854). In my investigation, I might uncover additional examples of law firms trading in locations which, on a straightforward understanding of their contemporaneous local regulatory environment, they should not. My findings start on p189.

Of course, some law firms may find it acceptable to operate within the letter – if not the spirit – of regulations which inhibit their right to practice in a given location. And, for my penultimate explanation of how regulation may influence geography briefly, I shall discuss what might happen when liberalisation occurs. In Germany, Abel (1993 – 1995) notes that many inter-city mergers occurred shortly after the German

Supreme Court's ruling that multi-site offices were permitted (p801 - 802). In my study, I might therefore expect clusters of geographical change in the time period following any equivalent liberalisation process in other EU states. Moreover, research conducted outside the EU suggests that law firms may not simply expand into new locations following liberalisation – they may also alter their alliance capitalism relationships to take advantage of these new freedoms. To explain, using the Japanese legal market as an example. In 1955, foreign law firms were banned from opening offices in Japan – a regime that remained in place for the following three decades (Martin, 2007, p191). Initially, liberalisation took the form of permitting joint ventures. But, from April 1 2005, full integration between foreign and Japanese firms was permitted (Aronson, 2007, p820 - 821). Not only did some – but not all – foreign firms merge with local Japanese practices on the same day they were permitted to, some also “upgraded” their existing alliance relationships into full mergers (Struble, 2011, p123 - 127). Similarly, within the EU legal market, I might uncover examples of my own cohort firms also “upgrading” their existing alliance capitalism relationships into integrated branch offices, once liberalisation permitted them to do so.

2.6.12.2.2. Conclusions

Collectively, the research discussed above provides a strong indication that regulation is, as the GaWC suggests, a “definer of the geography of global law firms” (Faulconbridge, Beaverstock *et al.*, 2008, p461). However, this research also suggests the manner in which regulation may define law firm geography is multifaceted, and more complex than Dunning’s nine-word explanation regarding “restrictions on the use of foreign barristers in court” (1989, p30). As a broad observation, the socio-legal research I have discussed suggests that law firm geographical change may be contingent on three alternate regulation-related scenarios: specific permission to trade (typically pre liberalisation); a right to trade (typically post liberalisation or successful litigation); and finally whether it possible to trade in a location via regulatory entrepreneurship (a scenario in which the right to trade is not established, but restrictions can nevertheless be circumvented). Additionally, the above-mentioned research suggests that firms’ ability to establish in a location may be contingent on not only national but also sub-national rules. Finally,

this research suggests that firms which attempt to use regulatory entrepreneurship to establish in a location may – or may not – be allowed to remain in that location. My exploration of these issues in relation to my law firm cohort starts on p188.

2.6.12.3.1. External factor two: *client considerations*

The GaWC has repeatedly stated that law firms might change their geographical profile for client-led reasons (Beaverstock, Smith *et al.*, 1999, p1859 - 1860). And, drawing on Dunning's legal sector-specific eclectic paradigm (Dunning, 1989, p30), the GaWC authors have indicated that becoming transnational may offer law firms a competitive advantage over other types of practice regarding their ability to gain access to transnational clients (Beaverstock, 2004, p165; Faulconbridge, Beaverstock *et al.*, 2008, p464 - 465). I am not aware of any legal sector research which has found that law firms do not *believe* that altering their branch office reach would give them a competitive advantage over their peers, in terms of their ability to work for international clients. However, I am aware of a reasonable body of research which suggests that maintaining a compact geographical profile does not – in itself – hinder a firm's ability to act for such clients. For example, on a granular – firm-specific – level, Slinn's (1984) account of the early history of (what is now) AS law firm Freshfields Bruckhaus Deringer notes that the firm acted for the Anglo-Californian Bank, the National Bank of New Zealand and the Land Mortgage Bank of India as far back at the 1800s (p129), despite not opening its first overseas offices – in Paris – until 1973 (p172). More generally, some scholars doubt whether scale – in itself – offers an advantage to law firms. This is because, with the demise of relationship lawyering, corporate counsel are inclined to hire the best firm for a specific service – even if those firms might be regarded as “boutique” practices (Baker and Parkin, 2005 - 2006, p1657). Indeed, research exploring the buying preferences of in-house counsel at large EU companies, conducted by legal publishers, has consistently supported this argument. This research has observed some – but not all – in-house lawyers expressing scepticism over the attractiveness of a “one-stop” law firm solution, in terms of instructing legal practices on a pan-European basis (LexisNexis Martindale-Hubbell, 2003, p44; LexisNexis Martindale-Hubbell, 2005, p36 - 37). Moreover, this scepticism appears to manifest itself in general counsel at large European PLCs often instructing several, if not dozens, of

different firms (*Martindale-Hubbell International*, 2008, p12; LexisNexis Martindale-Hubbell, 2012, p26) – often on a country-by-country, practice-area-by-practice area basis (Casley Gera and Gillam, 2009, p24 - 58). Indeed, the above-mentioned LexisNexis Martindale-Hubbell studies – and also academic research conducted by Ellis and Watterson (2001, p109 - 112) – have repeatedly noted that commercial law firms are instructed (or recommended) largely on the basis of their expertise and ability to meet deadlines. This research has also consistently claimed that a firm’s geographical coverage is generally regarded as a minor consideration, in terms of gaining instructions or recommendations (*Martindale-Hubbell International*, 2008, p20; LexisNexis Martindale-Hubbell, 2012, p17). Therefore, in my investigation, I will not assume that any client-related explanations for geographical change, offered by my cohort firms, will invariably be accompanied by an claim that change was driven by the need to attract transnational clients.

That said, because both socio-legal scholars (Abel, 1993 - 1995, p743; Silver, 2000, p1112; Warf, 2001, p399; Thomas, Schwab *et al.*, 2001 - 2002, p142 - 144; Segal-Horn and Dean, 2011, p204 - 207; Muzio and Faulconbridge, 2013, p905) and also researchers from outside the legal sector (O’Farrell, Wood, *et al.*, 1996, p111 - 112) have suggested that client demand and client access is a driver of geographical change, I believe it would be premature to dismiss this as an explanation of why law firms change their geography. Nevertheless, research conducted by both the GaWC and other scholars suggests the relationship between clients and law firm geography might be almost as multifaceted as the relationship between law firm geography and regulation. For example, in *The long arm of the law*, the GaWC offers Clifford Chance as an example of a firm using law firm geography strategically – using its geographical scale to target both global and regional multinationals (Beaverstock, Smith *et al.*, 1999, p1859 - 1860). Spar (1997), meanwhile, suggests law firms may change their geography for two contrasting client-related reasons: firstly, they follow existing clients into new locations; and secondly they establish in a new location speculatively, presumably in the hope that new clients will follow (p13). Indeed, such client-seeking and client-following behaviour is largely confirmed by Roberts’ (1998) previously-discussed findings regarding factors driving a variety of (non-legal) service sector firms to establish an overseas presence. Asked to rank the

importance of various possible factors – including productivity costs and knowledge of the country – survey respondents consistently rated client-related factors far more highly than these other considerations. Client location, this survey found, was classed as extremely important by 43.7 per cent of respondents, and very important by a further 24.5 per cent. And, in terms of potential client demand, present market opportunities was regarded as extremely important by 43.2 per cent of respondents and very important by 35.1 per cent of respondents. Finally, potential market opportunities were ranked as extremely important by 41.6 per cent of respondents and as very important by 32.2 per cent of respondents (p195). Within the legal sector, the need to service existing clients in new locations has also been illustrated in one of the very few academic studies to explore the drivers of law firm geographical change. In Cullen-Mandikos and MacPherson's (2002) analysis of the establishment drivers of US law firms in London, seven of the nine London local managing partners interviewed suggested their firms' investment decisions had been driven by a desire to retain US clients now also operating in the UK. By contrast, just two managing partners expressed an interest in serving non US clients (p494). In my study, I might expect to observe my cohort firms – including non-AS practices – altering their geographical profiles both in response to current client demand, and also on a more speculative basis.

It is worth noting that client demand might not only drive geographical expansion, but also contraction. Here, Slinn's (1997) authorised history of the law firm previously known as Ashurst Morris Crisp offers an illustrative example. Slinn notes the firm opened a Paris office in the early 1970s, largely to act on behalf of IBM in its dispute with the European Commission. After the case was settled, Slinn observes that Ashursts then shut the office (p195). In my study, I might expect to observe firms closing EU offices where client demand discontinues.

Of course, as discussed previously, many large law firms (even large US law firms) do not have substantial international presence. Here, Silver (2000) makes the – perhaps self-evident – comment: “not all clients need foreign or international legal services...A large and varied client basis is likely to yield only a small number of

clients with needs in a particular foreign location” (p1131). In other words, a firm may simply decide there is no compelling business case for it to trade internationally, given a lack of client demand to do so. In my study, I might expect that some of my cohort firms will justify their lack of geographical expansiveness on such a basis.

Moreover, even where client demand for geographical change may exist, it is possible that a law firm may nevertheless decide against doing so for wider strategic reasons. For example, Pinnington and Gray’s (2007) study, which examined the globalisation of Australian law firms, found – at the time – a reluctance by these firms to follow their clients into Europe. To the extent that such firms were willing to follow their clients abroad, Pinnington and Gray suggest the Asian legal market was the limit of Australian firms’ territorial ambitions. Effectively, client matters beyond these firms’ self-imposed geographies boundaries were ceded to US and UK legal practices in an unspoken arrangement that was “neither an explicit nor a contractual part of their formal ‘co-operation agreements’” (p158). This appears to be a legitimate concern, in light of research conducted by legal publishers LexisNexis. This research suggests that large law firms in many jurisdictions often receive a significant minority of their fee income via referrals from other legal practices (LexisNexis Martindal-Hubbell, 2010, p11 - 12) – in other words, geographical expansion may result in lost referral revenues. One might therefore expect some of my cohort firms to defy client demand for similarly strategic reasons.

Finally on the issue of client demand – in its broadest sense – it is worth noting that individual offices of existing law firms have occasionally broken away from their parent operations, claiming that they were not receiving sufficient referral work to justify their office’s ongoing branch office status within the firm. Here, the best example offered by socio-legal scholars is the departure of Baker & McKenzie’s Zurich office, because more than half of its client base was local, and therefore not generated by the firm’s international partnership (Abel, 1993 - 1995, p746; Flood, 1996, p206). Thus, in relation to my cohort, it is possible that I may uncover examples of firms shrinking their geographical coverage for client-related reasons – possibly even intra-office client-related reasons.

2.6.12.3.2. Conclusions

As with regulatory considerations, the above research suggests client considerations should not be regarded as a singular factor driving law firm geographic change. Instead, client considerations should be regarded as an umbrella concept which may explain a diverse range of law firm geographical behaviours. In terms of driving actual geographical change, actual and anticipated client demand appear to be the two key considerations that are most relevant to my study. However, two additional considerations also appear relevant, in terms of firms actively deciding not to change their geography: either there is no demand from clients to do so or, alternatively, that client demand is disregarded in light of a firm's higher level strategic considerations. My client consideration findings start on p191.

2.6.12.4. External factor three: *significant geopolitical events*

In *The long arm of the law*, the GaWC suggests "Europe and European Monetary Union" (Beaverstock, Smith *et al.*, 1999, p1861 - 1862) might be an important driver of UK and US law firm geographical change within the EU. While this explanation is clearly specific to this world region at a certain point in time, the essence of this concept – that a significant geopolitical event may have a transnational impact on law firm geography – arguably has parallels with other events in recent history. For example, within the EU, it is known that the collapse of communism in Eastern Europe resulted in a rapid and substantial expansion into that world region by certain large US law firms (Chapman and Tauber, 1994 - 1995, p949). Therefore, as I analyse my cohort firms' EU geographical evolutions, I shall seek to uncover examples of large-scale geopolitical events which prompted my sample practices to alter their EU branch office coverage. My findings start on p195.

2.6.12.5. External factor four: *geographical diversification to reduce organisational risk*

In *The long arm of the law*, the GaWC suggested that law firms might expand their geographical reach to diversify their exposure to risk (Beaverstock, Smith *et al.*, 1999, p1860). However, the illustrative examples offered appear to more closely

related to actual and potential client demand in specific locations, rather than risk spreading. For example, the authors suggested that several US firms opened in China to service an influx of investment banks. Equally, their comments that “the major financial crisis of 1997 – 98 in Pacific Asia will cause the market for some legal work to shrink” (p1860) hints that firms might close their branch offices in response to falling demand. Moreover, to the best of my knowledge, risk reduction does not feature in socio-legal researchers’ explanations of law firm geographical change. As part of my assessment of the GaWC’s contribution to our understanding of this issue, I shall seek to uncover examples of my cohort firms altering their branch office geography on such a basis. My findings start on p198.

2.6.12.6. External factor five: *technological advances*

Another possible driver of branch office geographical change identified by the GaWC in *The long arm of the law* is “technological advances” – effectively the ability to operate a multisite operation via the use of technologies such as intranets and internal noticeboards (Beaverstock, Smith *et al.*, 1999, p1861). Other researchers have suggested that technology can aid the smooth functioning of a multi-site law firm, facilitating both inter-office practice groups (Faulconbridge, Beaverstock *et al.*, 2008, p481 - 482) and innovations such as worldwide client billing (Segal-Horn and Dean, 2009, p47). However, whether technological considerations are, by themselves, an enabler of legal practice geographical change, or mainly an implementation issue (Segal-Horn and Dean, 2007, p214 - 215) which must be addressed as part of an law firm expansion event is, at this stage, uncertain. Indeed, elsewhere in the professional services research literature, Deprey, Lloyd-Reason *et al.*’s (2012) analysis of the internationalisation of SME management consultancies suggests the use of technology can supplant a firm’s need to establish branch offices, because technology allows them to access international markets “while allowing continuing location in the UK and regular travel abroad for face-to-face meetings with clients as necessary” (p1617). Within my law firm cohort, I shall seek to uncover examples of sample firms altering their geographical reach in light of technological developments. However, if I cannot do so, this may be because technology considerations might best be regarded as a post-expansion

“implementation matter” – or even an inhibitor of the need for branch office geographical change – rather than a facilitator of it. My findings start on p199.

2.6.12.7. External factor six: *the need to interact with other local services*

The need to interact with local services is the first of two “external” explanations for geographical change where the GaWC authors restate (Beaverstock, 2004, p165) Dunning’s (1989, p30) law-specific eclectic paradigm as possible internationalisation advantages for transnational law firms, but then offer no illustrative examples, or explain of how this advantage might manifest itself. My discussion of this possible factor, below, is therefore framed only by reference to research conducted by non-GaWC scholars.

Although research into this issue is limited, non-GaWC research suggests the need to interact with other local services may prompt law firms to change their branch office geography. For example, firms may wish to establish a “liaison” office, whose function is so limited that it does not even involve the firm offering international or home state law. Here, the purpose of such an office may simply be to allow firms to learn about the local business environment, collect information, represent themselves to government and business, and promote relationships (Krishnam, 2010, p65 - 67). Perhaps not surprisingly, research has identified law firms operating liaison offices in locations where branch office establishment freedoms are curtailed – notably India (Papa and Wilkins, 2011, p180 - 181), where several foreign law firms opened liaison-only offices during the 1990s. In other situations, a liaison office may allow a law firm to interact with local legal practices without merging with them – as happened in China during the same time period (Li and Liu, 2011 - 2012, p2849 - 2851). In my study, I might expect my law firm cohort to justify geographical changes on such a basis: that is, they might claim an office has been established simply to coordinate their activities with locally-based stakeholders, and for no other purpose. My findings start on p200.

2.6.12.8. External factor seven: *extent of local infrastructure*

The final Dunning-inspired (1989, p30) explanation of legal practice geographical change offered by GaWC that might be considered external to a law firm is “extent of local infrastructure” (Beaverstock, 2004, p165). The GaWC offers no guidance about what that infrastructure might be, or how it might impact on law firm geography.

Therefore, I have decided that a plausible focal point for my own study might be the supply of lawyers in a specific location – can firms physically recruit sufficiently qualified personnel to establish offices in locations they intend to trade? In my study, I shall therefore seek to uncover examples of my cohort firms explaining their decision to alter their geographical reach on the basis of the availability of local lawyers. However, in light of Roberts’ (1998) research regarding drivers of cross-border geographical change among UK services firms, I do not expect this consideration to be frequently cited by my cohort practices. Roberts’ research found that, of the seven possible factors offered to survey participants, only a small minority said the availability of skilled labour had any importance to their decision to expand into an overseas location – and almost a fifth of survey respondents said this consideration has no relevance (p195). My findings start on p203.

2.6.12.9.1. External factor eight: *competitive forces – or herd behaviour*

In *The long arm of the law*, (Beaverstock, Smith *et al.*, 1999, p1857 - 1876), the GaWC authors briefly suggested that London’s law firms had globalised in light of increased competition from three sources: US law firm, European law firms, and accountancy firms (p1860 – 1861). Geographical change in response to competitive pressures was also suggested by Novelle and Stanback (1988) when explaining the internationalisation behaviours of some French law firms in response to inward investment by US legal practices (p106 – 107). However, several socio-legal scholars have offered a less flattering explanation of what appears to be the same phenomena: herd behaviour. Essentially, “the more firms went abroad, the more others itched to follow” (Spar, 1997, p13), possibly because they felt an “adolescent angst that all your friends are at a party to which you haven’t been invited – it is unbearable not to be there, even if you know you would have a terrible time” (Abel, 1993 - 1995, p741). Other scholars, such as Sokol (2007, p5 - 28), offer a kinder

explanation for such behaviour: that firms may follow the herd on the assumption that other practices must have better information about a certain foreign market – perhaps because there are increased opportunities in that market (p13 – 14). In light of these repeated assertions that herd behaviour can drive law firm branch office change, I intend to explore the issue further by reference to my cohort.

In relation to the EU legal market, various scholars have identified possible focal points of herd behaviour. At a country specific level, it has been claimed that Spain went from having “no foreign law firms” to “nine, representing three countries” in just two years (Abel, 1993 - 1995, p739). More recently, Bruinsma (2003) notes that The Netherlands encountered an “invasion” of foreign – mainly English – law firms at the end of the 1990s (p22). Further, research suggests the German legal market, once noted for its national bar’s “vigorous” opposition to the establishment of foreign firms (Goebel, 1988 - 1989, p468 - 469), might be a fruitful candidate for a case study in relation to my cohort firms’ possible herding behaviours. Evidence indicating the usefulness of a German-focused case study is offered by Galanter and Henderson’s (2007 - 2008) findings in relation to the changing foreign branch office locations of the top 250 NLJ US-heritage law firms between 1996 and 2006. This study found that the number of these firms trading in Frankfurt increased dramatically during this time period, up from one to 24 (p1889). Perhaps not surprisingly, Aronson (2007, p763 - 831) expressed a degree of cynicism regarding law firms’ own explanations for rapid consolidation within Germany, asking whether client demand – a frequently stated reason for law firm merger activity – could explain why nine out of the top 10 German practices entered into a merger or formal alliance in a single year (p823). This is a useful insightful in relation to my own study, because it suggests that herd behaviour might usefully be explored by reference to law firms’ collective deeds rather than their explanations offered.

Herd behaviour is a plausible concept. Indeed, evidence already discussed, which illustrates groups of firms collectively “rushing” into certain locations, gives it credibility. However, a word of warning is offered by Silver (2000, p1108), who points out that “group movements” can be explained by the fact that “particular economic

conditions” are often common to “all large law firms, which invariably share similar kinds of clients and practices”. And, although Silver appears to believe that herd behaviour exists (p1103), her observation serves as a warning about the risks of viewing common factors which may affect any given group of firms through the prism of herd behaviour. Indeed, Chapman and Tauber’s (1994 – 1995), longitudinal analysis of the global office trading locations of 700 leading US law firms between 1960 and 1994 illustrates this point. For example, the authors note the EC “1992” initiative, the relaxation of regulatory barriers in Japan, and the collapse of communism in Eastern Europe were each accompanied by a sharp rise in US law firm office numbers in these locations around the time each event took place (p945 – 946). More recently, the GaWC authors link UK law firms’ expansion into the EU with the advent of European monetary union and the foundation of the European Central Bank in Frankfurt (Beaverstock, Smith *et al.*, 1999, p1861 - 1862).

2.6.12.9.2. Conclusions

In the light of various examples of law firms collectively “rushing” into certain locations at various points in time, it is plausible that competitive pressures / herd behaviour may influence law firm geography. However, the possibility that group movements may also be driven by common factors lends a complexity to this issue which existing research has arguably not resolved. In my study, I shall seek to identify specific incidences of “group movements” among my cohort firms, with Germany a clear candidate for a case history. My findings start on p204.

2.6.12.10.1. Internal factor one: *legal systems advised on*

Having evaluated eight possible drivers of geographical change which appear to be largely “external” to a law firm, I shall now consider five possible drivers which appear to be “internal” to it – starting with legal systems advised on. Here, in their restatement of Dunning’s (1989, p30) law-specific eclectic paradigm, the GaWC authors briefly mention the internationalisation advantages for transnational law firms of being able to understand “local customers and legal procedures” and (in relation to transnational clients) having “knowledge of their particular needs” (Beaverstock,

2004, p165). However, a more detailed evaluation of this issue can be found in another GaWC paper, the *The long arm of the law*. In this paper, the GaWC's provide a useful case history of the legal qualifications of Freshfields' lawyers in the firm's various global offices. This research discovered that, in 1997, Freshfields had developed a diverse – and office-specific – series of behaviours regarding its lawyers' qualifications. In locations such as Barcelona, Beijing and Tokyo, the firm's offices operated on an entirely expatriate basis. By contrast, in other locations, such as Singapore, the firm's offices were entirely staffed with locally qualified personnel. In numerous other locations, including Madrid, Moscow and Paris, offices were staffed using a mixture of ex pat and locally-qualified practitioners (p1862 – 1865). Such behaviours have also been observed – again in relation to AS practices – by Silver. In *Regulatory mismatch in the international market for legal services*, Silver (2003) contrasted the behaviour of Davis Polk & Wardwell (DPW), which historically offered US law advice in all of its international offices with that of McDermott Will & Emery (MWE), which offered foreign – i.e. local – law in its non-US offices (p498 – 499). In my study, the research conducted by both Silver and the GaWC's suggests that, while I might expect to observe my cohort firms framing their geographical change decisions by reference to the firm's legal system capabilities, I should not necessarily expect those explanations to be consistent within firms (as per Freshfields) or between firms (as per DPW versus MWE).

As with the ongoing existence of MDP law firms (discussed previously on p48), Silver's research is another example where there is a discrepancy between some of the GaWC's observations and that of socio-legal scholars. To explain: in *Managing across borders* (Beaverstock, 2004, p166), and more extensively in *Global law firms* (Faulconbridge, Beaverstock *et al.*, 2008), the GaWC authors assert that “ex patriation [i.e. the deployment of lawyers qualified in one country to another] is, then, a crucial organizational strategy of the global legal firm” (p484), further suggesting that a majority of solicitors at the top 10 London law firms in 2003 / 2004 work on an ex patriate basis outside their home jurisdiction (p486). This observation is at variance with Silver's findings regarding the qualification held by lawyers working for large US law firms in their international offices. Across two separate studies, Silver's (2004 - 2005) research found that more than 75 per cent of the lawyers working in the foreign offices of US law firms were not US bar association-admitted (p926 -

927). Indeed, in some foreign cities, Silver's research also suggested that lawyers with a US legal qualification often comprised a small minority of a US firms' local workforce. Within the EU, these percentages ranged from 0 per cent in Düsseldorf to 17 per cent in London (Silver, Phelan *et al.*, 2009, p1450). Moreover, lawyers working for US firms in many foreign locations were also highly likely to be qualified to practice in the jurisdiction where they worked (p1453 - 1454). Such findings are broadly replicated by Morgan and Quack (2005) in *Institutional legacies*, which explored the professional qualifications of partners at the top 10 German firms in 2005 (half of which were either UK-German or US legal practices). Morgan and Quack's research found that just 24.3 per cent of partners evaluated held foreign law degrees – 12.7 per US degrees, and 6.5 per cent UK degrees (p1770). In my cohort evaluation, where such information is available, I shall therefore pay close attention to the qualifications of those lawyers involved in the establishment of my cohort firms' foreign offices, noting whether they are locally qualified or ex pat.

The final manner in which legal systems capabilities may influence a law firm's geography is speculatively offered by both Daniels (1993) and Mayson (1997). Although neither scholar substantiates their suggestions with specific examples, both indicate that legal systems capabilities may be relevant to firms' wider geographical strategies. However, both authors have a different focus regarding their assertions. Daniels' model – see table 4 overleaf – draws a connection between a firm's legal system capacity and its client base. By contrast, Mayson's model – see p77 – links a firms' legal system capacity to its usage – or not – of foreign branch offices or alliances. Thus, using Daniels' model, we might observe firms offering a single “home law” capacity to either “home clients” domestically, or “foreign clients” – presumably assisting such foreign clients with their inbound investments into the law firm's territory. Equally, a law firm might develop a multiple legal system capacity, thus enabling it to advise “home clients” on their “foreign law” requirements – presumably by reference to their outbound investments. Finally, a firm may develop a capacity to advise foreign clients on their foreign law needs: essentially, the firm offers a “home law” practice in every location in which it trades (p184). Such a scenario is – possibly – envisaged by the GaWC in their restatement (Beaverstock, 2004, p165) of Dunning's law-specific (1989, p30) eclectic paradigm, when the authors suggest that “foreign customers may purchases services in home country”.

However, it is accepted that this interpretation is a matter of supposition, because the GaWC offer no guidance about what this consideration might mean.

Table 4: Daniels’ model of legal practice suggesting different combinations of client type and legal system advice offered

Home client Home law	1	2	Home client Foreign law
Foreign client Home law	4	3	Foreign client Foreign law

Source: Daniels, 1993, p184.

In contrast with Daniels’ approach, Mayson’s (1997) model – shown overleaf – suggests that law firms use their legal system capacity to signal whether or not they intend to compete or cooperate with other legal practices. Mayson’s approach suggests that firms which only practice internationally via networks or affiliations, are adopting a cooperation strategy. By contrast, international or multinational law firms, which operate their own foreign branch offices, and offer either home or local law, might be said to be operating a competitive, integrated strategy (p202). In terms of my own cohort evaluation, both Daniels’ and Mayson’s models indicate behaviours I might expect to observe among my sample practices. Following Daniel’s model, I might expect to observe some of my cohort firms to frame a branch office change event by reference to the type of law and clients the new office is intended to serve. Equally, following Mayson’s model, I might expect those of my sample law firms who expand internationally, and then offer the home laws of the countries in which they now operate, to cease cooperation with firms in those countries.

Table 5: Mayson’s model of legal practice suggesting an intersection between legal systems offered a firm’s wider geographical strategy

Type of firm	Competitive, integrated strategy	Cooperation strategy
DOMESTIC LAW FIRM	INTERNATIONAL practice from HOME OFFICE Home law only	INTERNATIONAL practice from home office through a NETWORK or AFFILIATION Home law only; mutual referrals
INTERNATIONAL LAW FIRM	OPEN OWN FOREIGN OFFICE A: INTERNATIONAL practice Home law only	ALLIANCE with joint venture FOREIGN OFFICE A: INTERNATIONAL practice Home laws of alliance firms only
	B: MULTINATIONAL practice Home law and local law	B: MULTINATIONAL practice Home laws of alliance firms and local law
MULTINATIONAL LAW FIRM	MULTINATIONAL PARTNERSHIP Home law = local law	PARALLEL PARTNERSHIP Home laws of partners firms and local law

Source: (Mayson, 1997, p202)

2.6.12.10.2. Conclusions

Collectively, the research discussed above indicates that legal system considerations may drive law firm geographical change. Therefore, I shall evaluate whether this factor has affected the EU geographies my cohort law firms. However, I also suspect that, in the light of Daniels' (1993) and Mayson's (1997) suggestions, legal system considerations may closely interact with other considerations, both internal and external to the firm. Externally, does the firm wish to develop its capabilities to advise clients locally in a given market – typically on the basis of its local law capacity? Additionally, does the type of law firm offers affect its relationships with other firms in certain markets? My findings start on p208.

2.6.12.11.1. Internal factor two: *practice area / industry sector specialisms*

In their various papers, GaWC did not explore the idea that the practice areas or industry sector capabilities offered by law firms might play a role in their changing geographies. Moreover, this possible driver of geographical change is not suggested in Dunning's law-specific eclectic paradigm – unless “need for understanding of local customers and legal procedures” (1989, p30) is interpreted widely.

The GaWC's lack of consideration that practice area / industry sector considerations might influence law firm geography is at variance with various socio-legal scholars who have repeatedly, if often obliquely, connected the issues. For example, Roorda (1993) suggests British and American law firms had active arbitration practices in Paris, as well as other cities in Europe and Asia (p149). Brussels, meanwhile, has long been recognised (Novelle and Stanback, 1988, p42) as a centre for firms who specialise in EU law, attracting law firms of many different nationalities (Goebel, 1988 - 1989, p476 - 477). Indeed, research conducted by Van Criekingen, Decroly *et al* (2005) found that, in 2003, 197 international firms had offices in Brussels, of which 153 were foreign-based (p177 -179). Elsewhere in the EU, Henssler and Terry (2001) suggest that individual cities within countries may attract firms for different practice area-related reasons. For example, within Germany, they suggest Frankfurt is known for its focus on international banking law, capital markets and M&A work,

whereas Düsseldorf is a focus point for intellectual property (p277). Also in Germany, Luschin (2010) describes the practice area-related focal points of various German cities slightly differently to the above-mentioned cities – suggesting Frankfurt is a centre of finance, Düsseldorf is a corporate centre and Munich an IP hub (p39). More generally, various scholars have suggested that corporate and capital markets work is inherently international (Spar, 1997, p16 - 17; Silver, 2000, p1099 - 1100; Flood, 2001, p253 - 259).

In terms of locations with a specific industry sector focus, Henssler and Terry (2001) suggest Düsseldorf is home to technology companies (p276 – 277). Elsewhere in the world, Silver suggests that Texan law firms tend to focus on energy matters, New York firms on finance, California firms on tech start-ups and Washington firms on political matters (Silver, 2007, p70 - 71). In truth, the precise labels attached to cities regarding their practice area / industry focuses are arguably not important to my evaluation. Rather, as a generic point, this research suggests my cohort of firms may justify some of their geographical change events by reference to the location's practice area or industry sector-related possibilities.

2.6.12.11.2. Conclusions

In light of the above research, I suggest legal or industry considerations may prompt some of my cohort firms to change their EU branch office geographies. However, because a large number of industry sector / legal specialisms have previously been identified as possible drivers of geographical change, I shall not assume that any one specialism is uniquely likely to be responsible for my cohort firms' geographical change events. My findings start on p213.

2.6.12.12.1. Internal factor three: *financial considerations*

That financial considerations may play a role in law firm geography represents another division between GaWC / Dunning, and researchers from outside this grouping. I am not aware of any substantive GaWC research which has explored the

relationship between law firm geography and financial considerations. By contrast, various scholars from outside the GaWC have investigated the links between the two phenomena. However, their findings have generally proved inconclusive.

According to traditional economic theory, one might expect larger law firms to benefit from cost advantages over smaller firms, partly due to the greater economies of scale – for example, the ability to share fixed overheads between additional fee earners (Samuelson, 1990, p647 - 648; Samuelson and Fahey, 1990 - 1991, p443), thereby reducing the unit cost of that support per fee earner. However, some scholars have questioned whether such arguments explain why law firms have achieved their large scale, given that efficiencies can be generated within smaller firms (Gilson and Mnookin, 1984 - 1985, p316 - 318). And, in relation to the financial performance benefits of law firms operating a substantial cross-border presence, evidence from existing research is mixed. Research conducted by Spar (1997) suggests that large firms with a substantive international presence can be substantially more profitable (in this case 37 per cent more profitable) than other firms in the same cohort with a more domestic focus, when judged on a profits per partner (PPP) basis. However, Spar's research also found that some – more geographically compact – US firms can also be highly profitable (p18). Moreover, other scholars have pointed out that some large law firms in specific markets – notably Slaughter and May in the UK (Aronson, 2007, p796 - 797; Faulconbridge and Muzio, 2009, p657 - 658) – have not adopted a strategy of large-scale geographical expansion, yet are some of the country's most profitable practices. All of these observations have been replicated – on a larger scale, and again involving US law firms only – in Sherer's (2007) research. Essentially, Sherer's longitudinal cluster analysis of large US law firms between 1999 and 2003 found that a "circle of elite" firms – which all had a relatively low percentage of their lawyers working outside the country – nevertheless enjoyed a consistently higher profits per equity partner (PEP) than those firms with a larger percentage of their workforce working internationally. However, Sherer's research also suggested that both the elite firms they evaluated, and also their more internationalised counterparts, were more profitable than their domestically focused peers (p170 – 178) – which largely replicates Spar's observations. Ultimately, Sherer concludes that the high profitability demonstrated by

the circle of elite firms defies the notion that highly successful firms need to be international (p180 – 181). In light of this research, I have concluded that it would not be helpful to explore the relationship between my cohort firms' international operations and their profitability in my study, partly because the link between these variables appears unclear.

In my investigation, I also do not intend to undertake a detailed longitudinal investigation into the evolving profitability of my cohort, in light of their changing geographical reach – not least because financial data relating to my sample firms is only sporadically available. However, building on another aspect of Sherer's (2007) research, it is noteworthy that there appears to be comparatively little evidence that law firms can achieve "first mover" financial advantage by undertaking internationalisation earlier than their peers – indeed there may even be a small financial penalty for doing so. In his evaluation of his cohort firms' financial performance, Sherer discovered that "early internationalisers" had a slightly lower PPP in 2003 (US\$ 1,022,500) than those who did so "later" (US\$ 1,121,667) – (p173). These findings are also broadly replicated in Brock Yaffe *et al's* (2006) study of the evolving financial performance of the world's largest 100 law firms between 2001 and 2003. In this study, the authors distinguished between three types of firms: prospectors (35 per cent lawyer growth in two years, offices in +10 countries), analysers (+25 per cent lawyer growth, offices in four or more countries, or 11 per cent lawyers abroad) and defenders (lowest rate of growth, offices in three or fewer countries). In terms of overall financial performance, the authors discovered that prospector firms grew their revenues at the highest rate of all sample firms (24.62 per cent, compared to 16.77 per cent for analysers and 11.46 per cent for defenders). However, in terms of profits per equity partner growth, prospector firms performed poorly – yielding a mere 3.68 per cent increase, compared with a 15.98 per cent increase for analysers and 7.15 per cent for defenders (p167). Analysing their findings, the authors suggested that analyser firms may have a balanced approach to diversification, in contrast with the riskier strategies of prospector firms (p169). However, the authors acknowledged that the reasons why analyser firms outperform defenders was unclear. My own study will not seek to answer this puzzle, because I am only concerned about whether financial considerations have any

bearing on law firm geography per se, rather than – as in this study – the cumulative financial impact on the scale of firms' international operations. But it is an area ripe for future research.

The above-mentioned research suggests it is difficult to establish a clear link between law firm geography and financial considerations at a macro scale. However, comments made by some scholars – typically in the most fleeting terms – suggest that financial considerations might impact on law firm geography on a more micro level. One might, for example, speculate whether the low profits per partner of German firm Oppenhoff compared with its merger partner Linklaters (Henssler and Terry, 2001, p287) might have been a “pull factor” for Oppenhoff to agree to its geography-extending combination. Equally, the need to improve financial performance among recently merged Anglo-German practices may have prompted several office closures in that country (Aronson, 2007, p802).

2.6.12.12.2. Conclusions

It is ironic that financial considerations, arguably one of the more heavily investigated aspects of law firm geography, have been unable to offer clear guidance on the relationship between these two variables. However, and despite the slim evidential basis for possible “pull” and “push” factors driving geographical change, I have concluded that financial consideration should not be discounted from my evaluation. In my study, I shall focus my exploration of whether financial considerations might prompt my cohort of firms to alter their geography at a firm-specific – possibly even office-specific – level of granularity. My findings start on p215.

2.6.12.13. Internal factor four: quality control

Quality control is another example where the GaWC (Beaverstock, 2004, p165) simply restates Dunning's (1989, p30) law-specific driver of geographical change without further explanation. Nevertheless, research conducted by a small number of scholars suggests this consideration might prompt my cohort firms to change their branch office geography for this reason. For example, my sample practices may wish to work on a “one firm” basis, where best practices and standardised service delivery

methods can be deployed (Muzio and Faulconbridge, 2013, p900 - 901).

Alternatively, firms may justify their geographical change events on the basis that clients will receive an “effortless experience” of “client facing consistency” (Segal-Horn and Dean, 2009, p48 - 49). My findings start on p218.

2.6.12.14. Internal factor five: personal partner preferences

The final possible driver of legal practice geographical change within my cohort was briefly suggested by Løwendahl (2000) in the context of professional service geography generally, rather than law specifically. Essentially, Løwendahl suggested that an office may be established in a new location due to the personal preferences of a firm’s partners – for example, if a UK partner marries a Spanish citizen, and consequently wishes to open a Madrid branch. Indeed, the firm may shut that office if the partner subsequently leaves the firm, and no one can be found to replace them (p156 - 157). This explanation has been tacitly endorsed by the GaWC in *Geographies of globalization*, when the authors indicated that “historical or personal links” may cause some firms to operate “idiosyncratic” schemes of branch office geographical behaviour (Beaverstock, Smith *et al.*, 2000, p108). This is an intriguing proposition, which I will further explore on p219.

2.6.12.15. Section conclusions

My review of the fragmented body of existing research suggests that a variety of considerations are likely to drive law firm geographical change in specific circumstances – which supports the GaWC’s top-level proposition on this point. Moreover, in some situations, there appears to be broad agreement between scholars that certain drivers may prompt legal practice geographical change, even if different scholars discuss individual drivers at different levels of granularity. By contrast, in other situations, there appears to be no consensus – or indeed, supporting evidence – regarding the plausibility of various drivers suggested. In light of these numerous evidential uncertainties, I believe a systematic analysis of this issue by reference to my cohort is warranted. Do my sample law firms commonly explain their EU geographical change events by reference to reasons described by the GaWC or other scholars – and at the same level of granular detail? My findings start on p187.

2.7. Literature review conclusions

I believe the research discussed above provides further justification for my decision to evaluate law firm geography through the prism of the GaWC's law-related research. Collectively, the GaWC's research has allowed me to produce a series of testable hypotheses regarding possible patterns of geographical branch office behaviours I expect my cohort of large EU law firms to exhibit. The GaWC's research has also indicated possible patterns of behaviour regarding alliance capitalism, both in terms of large EU law firms' collective use of it, and also the manner in which such firms use it in conjunction with their EU branch offices. Finally, the GaWC research has not only suggested that law firms might change their geographies by reference to a multiplicity of different reasons, it has also suggested what those reasons might be – some of which have been supported by other scholars.

Nevertheless, there appear to be several omissions from the GaWC's law-specific research output. Notably, the GaWC does not appear to have explored whether law firms have overarching geographical strategies, or the mechanisms by which such strategies might come into existence. And, at a more granular level, some of the GaWC's explanations of the drivers of legal practice branch office geographical change are not always consistent with those offered by other scholars – or indeed proposed on anything more than a speculative basis. More pervasively, and in common with much of the social-legal research cited above, the GaWC has taken a highly AS-centric view of law firm geography. Whether this AS focus has impacted on the replicability of the GaWC's observations, such as firms' collective tendencies to congregate in certain global legal service centres or world cities, remains to be seen. Only once my evaluation has been undertaken by reference to my distinctive cohort of large EU law firms – the focal point of my two results chapters – will I be able to offer my conclusions on this point. At this stage, I will be able to evaluate the GaWC's overall contribution to our understanding of large EU law firm geography. Moreover, once this exercise is complete, I will also be able to decide whether my overarching hypothesis – that large EU law firms, operating in various different EU states, collectively appear to adhere to a limited number of identifiable patterns of geographical behaviours – is supported.

Chapter three

Research method

3.1. Introduction

My overarching hypothesis proposes that large EU law firms, operating in various different EU states, collectively appear to adhere to a limited number of identifiable patterns of geographical behaviours. I will test this overarching hypothesis by evaluating whether possible patterns of geographical behaviour, suggested by the GaWC by reference to one group of large law firms, appears to be replicated by a novel cohort of EU large law firms of my own selection. This chapter explains how I will test each “sub-hypotheses”, discussed previously in my literature review, by reference to my cohort. The more my various sub-hypotheses are supported by reference to my cohort, the more my overarching hypothesis will be supported – and vice versa (for convenience, I shall now refer to each of my “sub-hypotheses” as “hypotheses”). And, referring back to the title of this thesis, the more the GaWC’s previously-indicated patterns of behaviour are replicated within my cohort, the more I will conclude the GaWC’s research has aided our understanding of large EU law firm geography – or vice versa.

My results in the following chapters reflect the nature of the GaWC’s legal practice research to date – a reflection also evident in this chapter. For my first nine hypotheses, which relate to possible patterns of law firm branch office and alliance capitalism behaviours, the GaWC’s research has guided me in relation to what law firm geographical data I should collect, and how it should be analysed. My results regarding my own sample firms’ behaviours regarding these issues can be found in chapter four. These findings are quantitative in nature. By contrast, my evaluation of the GaWC’s suggestion that law firms may alter their geographies in specific locations for a variety of reasons (hypothesis 11) takes a qualitative approach. This is because I am simply seeking to demonstrate “proof of concept” that large EU law firms do, indeed, change their geographies for a multiplicity of consistently-identifiable reasons. Unfortunately, because the GaWC did not substantially investigate its own proposition in any detail, the group’s collective writings cannot guide my research method. Nevertheless, in this chapter, I will explain how I undertook this appraisal in relation to my cohort’s EU geographical changes, which took place between 1998 and 2009. These findings can be found in the latter part of chapter five.

In my literature review, I further suggested the GaWC's research appeared to contain an important omission regarding possible patterns of legal practice geographical behaviour, because it did not substantively consider that law firms might commonly possess overarching geographical strategies. By contrast, my literature review uncovered limited evidence – typically derived from non-legal professional services globalisation research – to suggest that law firms might, indeed, have such strategies. Further, my analysis of this literature also indicated that it may be possible to decompile the essence of a legal practice geographical strategy into something that I could test for among my cohort. In my testing of hypothesis 10, I will first seek to establish that a reasonable number of EU sample firms across my various national cohorts can commonly be observed asserting that they *do indeed* have geographical strategies related to – but also distinctive from – the specific reasons why they change their branch office geographies in particular locations. I will then seek to establish that, in order to implement such strategies, my sample firms typically require a consensus to be reached between firm leaders and their wider partnerships. As with hypothesis 11, mentioned above, my testing of hypothesis 10 will be qualitative, because I am simply seeking proof of concept in relation to this issue. At present, this issue is largely unexplored within legal services research. If this hypothesis is supported, I will consequently conclude the GaWC's legal sector research contains a notable omission. In this chapter, I will explain how I collected, and also analysed, the law firm data which forms the basis of this hypothesis evaluation. My findings can be found towards the start of chapter five.

3.2. The scope of my investigation – firm sample selection, geographical scope selection and time period selection

Before I discuss what data was collected, and how it was coded and analysed, I will first explain my cohort sampling and the territorial and temporal limits of my study.

I shall explain the rationale for basing my cohort on the largest 15 law firms – by lawyer headcount – in nine EU states in 2009 shortly. However, the firms within my cohort are derived from various league tables published in the 2009 *Legal 500* EMEA legal directory (Pritchard, 2009). Using pre-existing legal publisher rankings as the basis for cohort selection appears to be the default sampling approach taken by several of the studies I discussed in my literature review, including research

undertaken by Silver (2000, p1105 - 1107), Galanter and Henderson (2007 - 2008, p1889 - 1890), Warf (2001, p401 - 405) and Morgan and Quack (2005, p1774 - 1777) – and also the GaWC (Beaverstock, Smith *et al.*, 1999, p1857 – 1876, Beaverstock, Smith *et al.*, 2000, p96). And, given that the GaWC's studies explored the geographies of large – rather small or medium sized– law firms, I did likewise, allowing like to be compared with like. Moreover, existing research tells us that a country's largest legal practices are often geographically active (Beaverstock, Smith, 1999, p1863; Silver, 2000, p1108 - 1129) over a period of time (Baker and Parkin, 2005 – 2006, p1650) – even if not consistently so, particularly on an international basis (Beaverstock, Smith *et al.*, 2000, p106 – 107; Warf, 2001, p401 - 403). As such, it is reasonably safe to assume that the large law firms in my cohort are likely to have an interesting story to tell regarding their evolving geographies during my evaluation time period – 1998 to 2009.

Where my study differs from many of those discussed elsewhere in this thesis – including the GaWC's research (Beaverstock, Smith *et al.*, 1999, p1857 – 1876; Beaverstock, Smith *et al.*, 2000, p96; Beaverstock, Taylor *et al.*, 1999, p453 – 454) – is that my investigation does not solely focus on the geographies of large US and UK law firms – although such firms form part of my overall cohort. Past academic research has shown that large law firms in markets as diverse as Australia (Pinnington and Gray, 2007, 147 – 172), Canada (Daniels, 1993, p147 – 206) and Germany (Morgan and Quack, 2005, p1765 – 1785) can be geographically active. This has lent weight to my decision to cast my jurisdictional sampling net for evaluating the GaWC's research widely. However, in truth, it was my previous career as a legal journalist on *The European Lawyer* magazine that alerted me to the possibility of doing so. From the outset of my PhD journey, I did not believe that, in order to study geographically active law firms, it was essential to evaluate the world's largest legal practices, which tend to be of US or UK heritage (Beaverstock, Taylor *et al.*, 1999, p453 – 454). By way of illustration, in 2009, the three largest Austrian law firms (Pritchard, 2009, p994) collectively employed just 637 lawyers globally (Pritchard, 2009, p39, p50, p53) – less than one tenth of the lawyer headcounts of three of the UK's largest legal practices that year (*Legal Week*, 2009, p22 – 23). Yet, notwithstanding their diminutive global scale, Austria's three largest law firms (all non-AS) collectively operated 22 offices across 14 countries in 2009 (Pritchard,

2009,p39, p50, p53). By looking beyond the world’s largest law firms as the basis of my evaluation cohort, I was able to test the replicability of the GaWC’s findings among law firms that were geographically active and also “large” within their own markets – but not always “large” by global standards. By adopting this approach, it is hoped my findings will encourage future researchers to also cast their sampling net more widely than the AS “mega firms” favoured by the GaWC and others.

My research seeks to uncover possible patterns of geographical behaviours between different cohorts of large law firms. Almost inevitably, my evaluation required me to compare and contrast the geographies large law firms in multiple jurisdictions – in this case the largest law firms in nine different EU states in 2009. My multi-cohort sampling is reminiscent of the GaWC’s approach in *Connecting Rhine-Main* (Hoyler, Freytag *et al.*, 2008), where the geographies of eight distinctive sub-cohorts (in this case, eight different APS sectors within a single country) were explored and contrasted (p1100). Consequently, I regard the nine national sub-groups within my overall cohort as being neither unduly small nor large. However, unlike the GaWC in *The long arm of the law* (Beaverstock, Smith *et al*, 1999, p1857 - 1876), which compared and contrasted the geographies of the top 30 London with their top 30 New York equivalents, my investigation will mirror the approach taken by Morgan and Quack (2005), and only compare the geographies of the top 15 law firms per sample jurisdiction. My sampling decision is partly pragmatic but also principled. By selecting the largest 15 firms in nine EU evaluation jurisdictions, my potential sample size was 135 practices. In reality, my cohort was smaller – 107 firms – because several of my sample practices belonged to multiple national evaluation cohorts. Nevertheless, my sample size is larger than many studies which form the core of my literature review. My cohort is therefore sufficiently large to be considered statistically reliable for the purposes of the analysis for which my data would be subjected. The pragmatic element of my cohort selection is that my preferred sampling source, the *Legal 500 EMEA* legal directory (Pritchard, 2009), did not consistently produce top 30 rankings for each EU country in 2009 – possibly because law firms in some EU states were so small that such rankings would be difficult to achieve. For example, in Malta, during my evaluation year, a top 15 law firm by size employed seven lawyers (Pritchard, 2009, p922), while in Slovenia a top 11 law firm employed just two (Pritchard, 2009, p1318). Within my overall cohort, what constituted a “large” law firm

was consistently larger than either of these examples. Nevertheless, in several jurisdictions I explored, the small size of specific sample firms represented the lower limits of those practices I felt it was worth evaluating. To illustrate the heterogeneous nature of my cohort, the smallest firm in my sample – Lavelle Coleman of Ireland – employed 40 lawyers in 2009 (Pritchard, 2009, p662). By contrast, Spain’s Garrigues employed 1,954 (Pritchard, 2009, p1342) that same year. Helpfully, the varied lawyer headcounts within my overall sample appears to be in accordance with research best practice, which suggests that sampling should be diverse within the boundaries of a defined population (Ritchie, Lewis *et al.*, 2014, p116 - 117).

The large legal practices I will evaluate in my study comprise the largest firms in Austria, France, Germany, Ireland, Italy, The Netherland, Sweden, Spain and the UK, as set out in the 2009 EMEA *Legal 500*. My decision to evaluate possible patterns of geographical behaviour among law firms in these jurisdictions was taken for a number of reasons. Firstly, my prior experience of working for *The European Lawyer* had indicated, anecdotally, that the geographies of large law firms in various EU states were likely to differ substantially from each other – large law firms in some EU jurisdictions were known to be geographically expansive (Parnham, 2005a, p52), others less so (Parnham, 2005b, p52). Assuming that geographical patterns of behaviour, indicated by the GaWC and others, could be verified within such a diverse group of “large” legal practices would provide reasonably strong evidence for future researchers that patterns of behaviour might be replicable in other legal markets. My *European Lawyer*-derived market knowledge therefore led me to conclude that the EU legal market would be a strong contender for being the focal point of my GaWC reappraisal – especially, as previously noted on p1, this market also appeared to be a focal for legal practice inward investment. My preference for evaluating the geographies of large EU law firms specifically was further reinforced by my discovery that numerous EU legal markets had not been subject to systematic academic scrutiny since Abel’s study (1993 – 1995) in the 1990s. Given that I was already familiar with the EU legal market, and that the geographies of large EU law firms had not been extensively explored by academic research in recent years, these considerations led me to conclude it was appropriate to select large EU law firms as the basis for my GaWC evaluation. Moreover, exploring the geographies of the top 15 law firms in the above-mentioned EU states would mean I would be studying law

firms operating in both common law and civil law legal markets; those with relatively large – and also relatively small – national populations of lawyers (European Commission for the Efficiency of Justice, 2006, p127 – 128); and also legal markets in both Northern and Southern Europe. In addition, existing research indicated that certain EU legal markets were likely to include a mixture of US / UK, indigenous and conglomerate law firms (Morgan and Quack, 2005, p1776; Luschin, 2010, p40 - 87), further adding to my cohort diversity. I decided to include the UK and German legal markets within my overall sample for a variety of reasons – not least because the relatively large populations of these countries meant they were significant employers of lawyers. In addition, including these two jurisdiction within my study would allow me to both compare, and possibly update, the findings of Morgan and Quack (2005, p1776), which was based on large UK and German law firm location data in 2003.

In order to evaluate the GaWC findings, I did not believe it necessary to explore the 2009 geographies of large law firms in every single EU country, on the basis that predicted patterns of behaviour were likely to be observable within a narrower sample group. This consideration also partially drove my decision to only explore my sample group's geographical activities and strategies within the EU, rather than globally. As discussed previously, several of the GaWC's key observations – notably the globalisation arenas in which firms traded (Beaverstock, Smith *et al.*, 1999, p1868 - 1873), and also the world cities they located themselves in (Beaverstock, Taylor *et al.*, 1999, p456) – contained findings that were EU legal market-specific. Thus, I decided that it should be possible to evaluate the GaWC's findings by reference to my sample firms' EU locations alone. However, it is also accepted that resource and time constraints also influenced my decision to largely confine my investigation to the EU legal market. Given that one of my sample firms (Fidal) operated 95 offices in 2009 (Pritchard, 2009, p376), it would be logistically impossible for my whole investigation to be conducted on a global scale.

In the absence of consistently-available English language law firm size league tables from official sources in each of my evaluation jurisdictions, the *Legal 500* EMEA (Pritchard, 2009) size rankings appeared to be the most appropriate available for selecting my law firm cohort. Nevertheless, it should be appreciated that this publication's rankings are not perfect. Despite being based on apparently-objective

data – the number of lawyers within that country – firms occasionally appear or disappear from rankings between years. In all likelihood, this is because the rankings are based on voluntary headcounts submissions, provided by the law firms themselves. For example, in 2009, all of the accountancy-linked law firms in Spain disappeared from that country's *Legal 500* EMEA lawyer headcount rankings (Pritchard, 2009, p1342), despite them comprising four out of the 15 largest law firms in the 2008 edition of the same directory (Pritchard, 2008, p1360), and despite these firms achieving high rankings in a 2010 Spanish language legal publication (Agúndez, Serraller *et al.*, 2010). This is likely to result in my findings for this jurisdiction being slightly different to that which otherwise might have been the case had such firms been included in the 2009 *Legal 500* EMEA rankings. In addition, there is no UK-wide lawyer headcount ranking in the 2009 *Legal 500* EMEA legal directory – only a ranking based on the largest London law firms (Pritchard, 2009, p1602). However, given that the previous year's EMEA *Legal 500* suggested that even the 25th largest London law firms was larger than Scotland's largest legal practice (356 lawyers compared with 337 (Pritchard, 2008, p1628; Pritchard, 2008, p1758)) and also substantially larger than Northern Ireland's largest law firms (57 lawyers employed in 2008), I decided that, in all likelihood, the largest 15 law firms in London were also the largest legal practices in the UK during 2009.

My evaluation time period – 1998 – 2009 intentionally starts in the year the Establishment Directive was enacted. As previously mentioned on p59, this directive aimed to liberalise the branch office establishment regime for foreign law firms within the EU. As such, my investigation might be regarded as serving as an informal case history of the impact of Establishment Directive-driven EU legal practice geographical change. However, it should be stressed that this singular regulatory change will not be the focal point of my investigation, and will only be discussed to a limited extent in my results. Nevertheless, the starting point of my study slightly predates several significant European legal practice geographical events, which occurred around the year 2000 (Aronson, 2007, p798 – 801). This time period should therefore yield a rich source of materials when testing the GaWC's various explanations for why large law firms change their geographies over time. The end point of my study, 2009, coincides with the *Legal 500* EMEA legal directory ceasing to produce country-specific size rankings of large law firms.

3.3. Specific sources of data used – and why

In relation to my analysis of my cohort law firms' branch offices, and also their use of alliance capitalism, the specific sources of data used were determined by the requirements of each hypothesis, and also the time periods each hypothesis encompassed. As will be explained further below, it was possible to contemporaneously collect my cohort practices' EU branch office location data directly from their own website at the very end of 2009. However, where historical branch office data was required – specifically in relation to hypothesis seven (possible points of commonality regarding branch office investments or divestments), the most viable source of materials to test this hypothesis were historical legal directories, which documented my cohorts' EU branch offices on a year-by-year-basis. Within socio-legal research, various scholars have used legal directories to assist with their evaluation of their cohort firms' evolving geographies (Lynch and Meyer, 1992; Silver, 2000, p1105; Baker and Parkin, 2005 - 2006). Consequently, the source materials I used to test hypothesis seven appear to be acceptable.

When collecting data regarding my cohort firms' overarching geographical strategies (hypothesis ten), and also their decision to invest in specific locations (hypothesis 11), various different approaches were possible. Surveys could be conducted, fresh interviews could be carried out, archival trade press sources could be used – or a mixture of approaches could be deployed. However, I quickly decided that the use of historical legal trade press sources alone was suited to my own study, for several reasons. Firstly, this approach was efficient, because it allowed me to reuse materials to assist with the evaluation of multiple hypotheses. For example, a legal trade press article might report that one of my cohort law firms had opened an office in a new location. This information would aid my hypothesis seven evaluation, which explored possible patterns of behaviour regarding focal points of legal practice inward investments and divestments over time. Additionally, this same legal trade press article might include a comment from a law firm leader, explaining how the expansion was intended to help deliver their firm's wider geographical strategy – evidence potentially useful to my hypothesis 10 evaluation. Equally, that same law firm leader might then explain the firm's decision to open in the location by reference a specific reason suggested by the GaWC – such as client demand – useful to my assessment of hypothesis 11. Secondly, the contemporaneous nature of the

explanations offered within trade press sources – typically delivered by those directly involved in this development – allows me to avoid having to rely on potentially imperfect recollections of historical firm strategies by senior personnel (Golden, 1992, p848 - 860; Golden, 1997, p1243 - 1252). By contrast, in several studies of service firm globalisation I encountered during my literature review, survey respondents (Kreidl and Oberndorfer, 2004) or interviewees (Majkgård and Deo Sharma, 1998, p3- 4; Agndal and Chetty, 2007, p1455; Freeman and Sandwell, 2008, p204; Segal-Horn and Dean, 2011, p201; Krull, Smith *et al.*, 2012, p1104 - 1105) were retrospectively asked to recall their reasons for their organisation's geographical evolution, several years after the events discussed. Perhaps not surprisingly, these researchers typically made use of archival sources in any event to validate their findings (Arenius, 2005, p119; Freeman and Sandwell, 2008, p203; Segal-Horn and Dean, 2011, p201). Thirdly, as a follow-on point, I assumed that official explanations, as offered to the legal trade press, were just as likely to reflect firms' real reasons for undertaking particular a geographical activity as any alternative source materials that was realistically likely to be available to me, such as conducting off-the-record interviews or anonymised surveys. Effectively, I have erred in favour of relying on legal trade press transparency to yield honesty, in preference to honesty delivered via the cloak of anonymity. Fourthly, I regarding using legal trade press sources alone as being adequate, considering what I intended to achieve in testing hypotheses 10 and 11. Were I, for example, seeking to establish the underlying motivations and influences of the leaders of my cohort law firms for adopting certain geographical strategies, it would arguably have been appropriate for me to conduct fresh interviews with those individuals, to seek to undercover those motivations and influences. However, this is was not my objective in relation this hypothesis. Instead, one of my key reasons for testing this hypothesis was merely to establish whether or not my sample EU law firms collectively appeared to have overarching geographical strategies – a fairly elemental proposition, which was nevertheless unexplored in the current body of legal sector-specific academic research. Similarly, in relation to hypothesis 11, it might have been possible for me to undertake a survey of my cohort law firms which sought, for example, to uncover a possible hierarchy of reasons why large law firms changed their geographies in specific locations. But, again, this was not my aim in testing this hypothesis. Instead, I was merely seeking to establish if my large law firm cohort did, indeed, change their

geographies for a multiplicity of different reasons – and, if so, whether the reasons identified by the GaWC and others were applicable across my sample. At present, both of these – again, fairly elemental – propositions are largely unexplored within existing legal sector research. Finally, it would appear that making substantial use of historical trade press sources was an acceptable research practice when conducting research into professional services geography of a qualitative nature. Indeed, during my literature review, I encountered several examples of studies where historical trade press sources appeared to be the dominant (Daniels, Leyshon *et al.*, 1988; Daniels, Thrift *et al*), if always not the exclusive (Abel, 1993 - 1995, p737 - 870), evidential base for the study's analysis. Therefore, I concluded that using legal trade press sources was an acceptable research practice.

Nevertheless, it is accepted that my reliance on legal trade press sources alone is a limitation of my study, because it requires me to assume the comments made in those sources accurately represent law firms' decisions at that time. With one noticeable exception (my discussion of herd behaviour), it has therefore not been possible for me to independently evaluate law firms' explanations of their reasons for geographical change. Instead, corroboration of individual explanations, which form part of my testing of hypotheses, has been judged to have occurred cumulatively. Firstly, the core components of my hypotheses have been derived from existing research literature, ideally sourced from multiple studies. Secondly, I have then sought to uncover examples of multiple cohort firms offering the same explanation for a geographical change event, ideally involving a variety of domestic and cross-border scenarios, and taking place over a number of years. Where a consensus between multiple sources emerges, which appears to either validate or disprove individual elements of my qualitative hypotheses, this weight of evidence has allowed me to determine whether I can safely regard each hypothesis as being supported by a reasonable weight of evidence.

Of course, by using public domain historical sources while testing hypotheses 10 and 11, I have enabled future researchers to reappraise my source materials, and reach their own conclusions regarding my findings. If future researchers find my

conclusions plausible – or not – they could further test my findings by reference to a new cohort of law firms, perhaps using an alternative research method. However, my experiences while researching this thesis suggests future researcher may encounter logistical and conceptual complexities in seeking to explore law firm geographical change via, for example, the medium of surveys or interviews. As I will illustrate in some detail on p162 – 164 and p182 - 186, several of my cohort practice either changed ownership or leadership during the relatively short time period of my investigation. This raises the intriguing question of who might legitimately speak for such firms when explaining the rationale for their previous geographical changes.

3.4.1. How I collected my data

The next four parts of my methods chapter explain how I collected my 2009 cohort branch office data, relevant to hypotheses one – six; how I collected my longitudinal branch office data, relevant to hypothesis seven; how I collected my alliance capitalism data, relevant to hypotheses eight and nine; and finally how I collected my geographical strategy data, relevant to hypotheses 10 and 11.

3.4.2. How I collected data relating to my cohort's EU 2009 offices

The 2009 *Legal 500 EMEA* legal directory provided me with members of my law firm cohort. However, it did not – necessarily – provide me with all of the cohort branch office data I required to test hypotheses one – six. Participation in the directory is voluntary and, as a result, not all of my cohort firms supplied their 2009 branch office data to this publication. Therefore, during the final weeks of 2009, I visited all of my sample law firms' websites, and captured information identifying each of their EU branch offices (although, due to an oversight, branch office data relating to elements of Landwell was not captured until the end of January 2010). This data formed the basis of my evaluation of hypotheses 1 – 6, and also the “end point” of my longitudinal evaluation regarding hypothesis seven, which explored whether certain EU cities have become focal points of my cohort firms' EU branch office investment or divestment. However, appreciating that my cohort firms' branch offices were likely to change over time, I also confirmed these firms' 2009 branch office locations using a variety of hard copy legal directories published in the same year. This undertaking meant it was possible for me to provide evidential support, should the need arise,

that my cohort practices did trade in my stated EU locations during 2009. Thankfully, this subsequent data collection helped rectify my earlier Landwell data collection oversight in some, but not all, EU jurisdictions. My sources for this 2009 cohort branch office verification exercise included the 2009 editions of *Chambers Europe*, *Chambers Global*, *Chambers UK*, *European Counsel 3000*, *Legal 500* (EMEA edition), *Legal 500* (UK edition), *Global Counsel 3000*, *Martindale-Hubbell* (EMEA edition) and *PLC Which Lawyer?* Data was also collected from the 2010 *Chambers Student* legal directory, because it was published in 2009. On one occasion (EY Law in Italy), I also used one of this firm's publications, in which some of the firm's domestic offices were listed, to confirm its 2009 office locations.

In order to capture and evaluate the data I required to test my various hypotheses, I constructed a MS Access database to assist with this process. Within Access, and for each sample firm, a data input form was produced. This form allowed each firm's EU branch office local brand name, country and city locations to be collected. The form allowed law firm branch office data to be captured annually – an essential requirement when testing hypothesis seven (that certain locations change their popularity over time). And, although not required for hypotheses testing, I also captured EU-specific city and country lawyer headcount data for each cohort firm for each year of my evaluation. I also captured each firm's annual *Legal 500* EMEA relative national size ranking for each EU state each year, where available. I captured this data assuming it might help contextualise my various findings.

Because the initial version of this thesis did not envisage exploring law firm geography on a global scale, I did not collect the worldwide branch office locations of my cohort firms in 2009. However, using the contemporaneous legal directory sources mentioned above, it has since been possible – retrospectively – to gather comprehensive 2009 global branch office data in relation to six of my nine national cohorts. Unfortunately, in 2009, the MDP / accountancy law firms within my overall sample did not provide global branch office location data to any of the legal directories I had access to. Consequently, in the three jurisdictions where my national cohorts included MDP / accountancy law firms, it has not been possible to compare and contrast the global branch offices totals of those three national cohorts. This branch office data shortcoming has also limited the scope of my evaluation of

hypothesis one to just six, rather than nine, sample jurisdictions. In order to determine if a subset of cohort firms comprises a majority of that cohort's total foreign branch office network, one must first establish how many branch offices, in total, each cohort operates. This was not possible in three evaluation states where MDP / accountancy were present in 2009.

3.4.3. How I collected data relating to my cohort's evolving EU office presence

In order to evaluate whether certain EU locations had become modest focal points of inward investment or divestment by my cohort firms – my seventh hypothesis – two approaches to collecting longitudinal data were possible. Either, one could collect data at one point in time and again at a future date. Alternatively, one could collect data at a certain point in time, and then collect legacy data going backwards in time. The former approach was taken by the GaWC in *The changing geography of globalized service provision* (Hassens, Derudder *et al.*, 2011), which took two snapshots of their cohort firms' evolving branch office network, firstly in 2000 and again in 2008 (p2293). However, time constraints meant it was not possible for me to explore how my cohort firms' EU branch office geographies evolved, going forwards in time. Therefore, I chose the latter approach. This necessitated using historical legal directories to establish my cohort firms' evolving EU branch office geographies.

Although my approach was different to the GaWC in *The changing geography*, we both encountered a common problem, in determining our respective cohort firms' presences in specific locations: the fact that: “firms get liquidated, merge with other firms, are replaced by new firms whose global presence/importance rises, etc” (p2296). Because the GaWC's research agenda in *The changing geography* was the changing connectivities between cities (p2295), rather than geographies of the specific law firms, it was not problematic for this group to use different law firms in each year evaluated (p2296). However, my hypothesis focused on the investment and divestment decisions of specific law firms in specific EU locations. As a result, I did not regard it appropriate to substitute one law firm for another over time. My chosen approach obliged me – to the extent that historical secondary data sources allowed – to systematically trace my cohort firms' presences in certain EU locations from 2009 backwards to 1998.

Having previously collected my 2009 EU branch office data as set out above, each firm's 2009 locations were copied into a "dummy" 2008 record in my Access database. Each 2008 location was checked, using 2008 legal directory / legal trade press magazine sources. Where a firm had altered its geographical profiles between these two years, the 2008 record was amended. This backwards-heading data collection and updating process was repeated until the 1998 sampling cut-off point was reached. Then, for quality control purposes, the entire data set was re-checked against the original source materials. On many occasions, firms' location histories "ran cold", the further back in time my investigation progressed. Contemporaneous legal trade press sources were therefore scrutinised, to try to discover whether the firm previously traded in the location using a different name. If it did, its previous identity was added to the "master" record and the data capture process resumed.

In some circumstances, my longitudinal journey uncovered both evidential and conceptual complexities, regarding whether a cohort firm had opened or closed a branch office in an evaluation location between 1998 and 2009. For example, in some situations, trade press sources suggested that a firm had opened an entirely new "greenfield" office in a location – in which case the event clearly represented a geographical expansion event. Similarly, an office closure clearly represented a retrenchment from a location. Matters become more complicated where cohort firms either merged or demerged between 1998 and 2009. In such circumstances, it was possible that one element of a firm had expanded into a new location – or retrenched from it – whereas another element of the same resulting firm (i.e. a practice's merger partner) had not. Similarly, while reviewing my legal trade press sources, I also uncovered several examples of my cohort firms "swapping" ownership of EU offices during the time period of my investigation. Thus, the evolution of a single office might, simultaneously, represent an EU geographical expansion of one of my cohort firms, and a geographical contraction for another. Finally, on several occasions, I encountered situations where cohort firms simply vanished from the legal directories I was using to discover their evolving geographies between 2009 and 1998. By interrogating legal trade press sources, it was usually possible to identify what had happened: for example, a firm might have fractured during the preceding year – and had changed its name (s) as a result. Alternatively, the firm might have split off from a larger practice, and so only have recently established as a standalone entity.

Capturing such data proved problematic within my database, and required various “workarounds” to make the data collection process viable. Moreover, these behaviours have also made my analysis of whether specific EU locations have been a focal point on inward investment or divestment more difficult than originally anticipated – which is arguably an interesting finding in itself. Perhaps not surprisingly, my resulting hypothesis analysis requires a degree of contextualisation regarding how my results were arrived at. I discuss this issue further on p111 onwards, where I explain how I analysed my data.

More generally, this longitudinal complexity would appear somewhat problematic for any future researcher who wished to explore the drivers of legal practice geographical change via the medium of surveys or interviews. Given that entire law firms – and firms’ individual offices – sometimes change ownership, who might legitimately speak on behalf of a firm to explain its rationale for legacy geographical changes – its current leadership, or the leaders of the legacy entity when the event took place? My study has avoided this evidential and conceptual quandary by relying on explanations offered to the legal trade press, typically given contemporaneously to the geographical event in question, by the leader of whatever entity existed when the event occurred. However, this is a historical complexity is one which future researchers should consider carefully.

3.4.4. How I collected data relating to my cohort’s use of alliance capitalism within the EU

Hypothesis eight simply seeks to explore whether my various national EU cohorts commonly participated in alliance capitalism relationships in 2009. In particular, it seek to establish whether they commonly did so to a similar extent to that observed by the GaWC in relation to London firms in 1996 – 1997 (Beaverstock, Smith *et al.*, 1999, p1863), and by Morgan and Quack (2005, p1776) in relation to German and UK firms in 2004. Hypothesis nine, by contrast, seeks to uncover whether my various national EU cohorts commonly relied on alliance capitalism to extend their EU branch office reach, using the distinctive approaches set out by the GaWC in *The long arm of the law* (p1862 - 1868).

Between the last week of 2009 and the first week of 2010, I visited the websites of my cohort firms, looking for any mention of their relationships with other legal practices. If any alliance relationships were mentioned, I captured that information in a standalone table within my Access database. For example, if a sample firm claimed to be a member of Lex Mundi, the firm was recorded as being a member of Lex Mundi in whatever EU states the firm traded in at the time. Equally, if the sample firm claimed to belong to an unbranded “best friends” alliance with one or more other EU law firms, the existence of that alliance was also captured. Working on the assumption that not all cohort firms declared their allegiances on their websites, I then reviewed numerous additional sources, in an attempt to discover these firms’ semi-private relationships. This data hunt involved me reviewing legal trade press articles which discussed law firm networks / alliances, and also law firm listings such as Martindale-Hubbell, Chambers & Partners and HG.org. I also undertook Google searches. Where any new networks / alliances involving my cohort were discovered, I added them to my Access database. Occasionally, I discovered that my sample firms belonged to a grouping several years after my initial data gathering. Where possible, I mitigated against this time-lag by requesting, and obtaining, the organisation’s 2009 membership directory. Additionally, relevant information was also obtained – both before and after 2009 – from the North American, Caribbean, Central and South American 2007 Martindale-Hubbell legal directory (*LexisNexis*, 2007, pLA1B - LA108B) and McGarry’s (2011, p103 - 144) e-book, *Professional Service Networks*. Both of these publications contained list of law firm networks, in varying levels of granular detail. To further understand the extent to which these alliance capitalism relationships extended my cohort firms’ EU geographical presence, I also captured elemental data regarding the EU states in which their alliance partner firms traded – but only by reference to the countries in which their allied firms operated, and not individual cities. I also captured *Legal 500* EMEA size ranking data for my cohort firms’ associated EU practices. Collectively, the alliance capitalism data I obtained forms the basis of my evaluation of both hypothesis eight and nine.

3.4.5. How I captured data relating to law firms' overarching geographical strategies, and also their decisions to alter their geographies in specific locations

For the reasons set out on p93 above, I used a common approach to capture data to help me test hypothesis 10 (law firms' geographical strategies) and hypothesis 11 (why law firms changed their geographical reach in specific locations). That is, I used historical English language legal trade press sources which reported on the geographies of my law firm cohort between 1998 and 2009. I shall explain how I coded and analysed this data from p120 onwards.

The first stage of my legal trade press data collection involved the generation of a work-in-progress list of all known sample law firm identities, including their legacy identities, between 1998 and 2009, as initially sources from legal directories. By identities, I mean entities which – effectively – comprised my 2009 sample firms, even if they merged – or demerged – during my evaluation time period. This list of cohort firm identities (and legacy identities) provided me with an aide-mémoire for my magazine article data gathering. I then visited numerous specialist law libraries which stocked hard copy editions of my legal trade press sources. The sources I used included *The European Lawyer*, *Iberian Lawyer*, *International Financial Law Review*, *The Lawyer*, *Legal Week*, *Legal Business* and *Top Legal International*. While several magazines were accessible online, others operated behind a pay-wall. (I also found reviewing hard-copy publications to identify relevant articles to be a surprisingly efficient data collection process, compared with often unhelpful online search functions). The process of relevant article identification was iterative, and took place in conjunction with my data collection for hypothesis seven – the changing EU branch office geographies of my cohort firms. Thus, if I discovered that a cohort law firm had undergone a substantial geographical event (such as a merger) as I sought to uncover its evolving EU branch office geography for hypothesis seven, I also captured – where possible – any explanations offered for why that change event had occurred to aid my testing of hypotheses 10 and 11. Equally, if I discovered an explanation of how a cohort firm had changed its EU branch office network when collecting data for hypotheses 10 and 11, this aided my understanding of what had happened to that branch office for the purposes of my hypothesis seven evaluation.

During my legal trade press data collection process, I sought to capture every single geographical statement offered by my cohort law firms – and also any statement offered by any of their constituent legacy entities – relating to the EU between 1998 and 2009. When relevant articles were located, its full citation details were manually entered into Endnote. My entire legal magazine trade press Endnote “library” was then imported into Access. And, for each Endnote citation produced, a separate data entry form was created. The article text was also added to each record, if available. Because one article might discuss the geographical activities of multiple sample law firms, it was possible, within the same Access form, to create a unique record for each law firm mentioned in that article. This form allowed each article to be coded in a manner set out on p120 below. One benefit of capturing legal trade press magazine articles within Access was that, when compiling my results, it was possible to quickly produce examples of firms’ geographical events, and the stated explanations of those events, by searching against specific criteria. For example, if I wished to claim that various firms across my entire cohort had opened in London for client demand-led reasons, it was easy to locate examples of firms making such claims – including the associated articles’ EndNote citations.

Initially, my reason for undertaking this extensive data collection exercise was that I intended to subject my source materials to content analysis (Bryman, 2004), with a view to discovering whether certain reasons for geographical change offered by my cohort were more commonplace than others. In the event, it transpired that the legal trade press data I gathered – while extensive – did not explain every EU geographical change event undertaken by my sample firms between 1998 and 2009. Therefore, because my data collection was not comprehensive, I concluded that using content analysis to evaluate my findings would not be appropriate. However, the outcome of this extensive data collection was that it generated sufficient examples to assist with my evaluation of both hypothesis 10 (firms’ overarching geographical strategies and also their ability to implement those strategies) and hypothesis 11 (the reasons why firms changed their EU branch office geographies in specific locations). Helpfully, the data I uncovered also included explanations offered by a diverse range of large EU legal practices, include Anglo Saxon, MDP / conglomerate and indigenous practices, across the entire longitudinal time period of my study. The data also related to law firms operating in various EU jurisdictions –

not only the relatively well-explored UK and German markets but also in the lesser-explored jurisdictions of Austria, France, Ireland, Italy, The Netherlands, Spain and Sweden. Consequently, the breadth of this data meant I was could draw on examples from across my cohort when evaluating individual drivers of branch office geographical change – which my overarching hypothesis implicitly required.

3.5.1. How I analysed and coded my data – introduction

Each of my hypotheses requires a particular approach to coding and analysing my data. In most incidences, the GaWC's research has guided my approach, because I was largely seeking to replicate their observations among my cohort firms. However, where the GaWC research did not offer useful guidance – specifically in relation to hypothesis 10 (firms' overarching geographical strategies) and hypothesis 11 (the drivers of geographical change in specific locations) I instead drew on general research method literature to aid my coding and evaluation.

3.5.2. How I analysed the scale of my cohort firms' 2009 international branch offices

Past research, discussed previously on p19 onwards, indicated that I might find that my various national cohorts exhibited different branch office norms relating to how many foreign offices they typically traded in. This research therefore indicated that would be inappropriate for me to attempt to generate a hypothesis which sought to encapsulate likely commonalities between my various national cohorts. However, because one of the stated intentions of my research is to identify branch office geographical differences, as well as commonalities, between my various national cohorts, I concluded it would be worthwhile to explore possible those likely differences in any event. To facilitate comparison between my various national cohorts regarding to their foreign branch office norms, I identified the mean, median and mode number in six jurisdictions where sufficient data was available. A foreign branch office was deemed to be any branch office that was foreign to each sample firm in each specific evaluation jurisdiction.

In light of my previous, and brief, analysis of the possible influence of time in relation to foreign branch office norms, I was keen to explore this issue further, where the EU cohorts of past research overlapped with my study. I therefore compared the national foreign branch office averages of my UK and German cohorts in 2009 with that of the averages revealed in research previously undertaken by the GaWC (Beaverstock, Smith *et al.*, 1999, p1863) and Morgan and Quack (2005, p1776).

3.5.3. How I tested hypothesis one: that a small subset of my cohort firms in each EU state will comprise a majority of that sample group's international branch office networks

Global branch office data was available for six of my national cohorts in 2009: Austria, Germany, Ireland, Spain, Sweden and the UK. In order to establish whether a minority of firms within a national cohort represented a majority of that cohort's total foreign branch office network, it was first necessary to establish the combined foreign branch office total of that cohort. For example, in Ireland, the total number of foreign office across the entire cohort was 24. Therefore, in order for my hypothesis to be supported in this country, substantially less than half of my total Irish cohort firms must, collectively, operate at least 13 (i.e. more than half) of the sample group's total foreign office network. However, for my hypothesis as a whole to be supported, I decided that equivalent findings must also be observed across each of my national cohorts.

Having reviewed my findings, I then discussed issues arising out of them, in light of my wider literature review. Here, an obvious point of discussion to arise out of the GaWC's research in *Geographies of globalization* (Beaverstock, Smith *et al.*, 2000, p108 - 111) was whether Baker & McKenzie might consistently serve as a geographical outlier in each of my cohort countries, and therefore be responsible for a significant percentage of my national cohorts' international office totals.

3.5.4. How I coded and analysed my cohort firms' possible tendencies to cluster into distinctive globalisation arenas (H2)

To test this hypothesis, I designated each 2009 EU location traded in by every cohort firm as being situated in either “Western” or “Eastern” Europe. I treated all former communist countries evaluated (including those around the Baltic Sea) as being “Eastern Europe”, and all other EU states as being Western Europe. By calculating how many offices each firm operated in either Eastern or Western Europe, it was possible to determine that firm’s overall EU orientation. Firms with more offices in Eastern than Western Europe were designated as having a predominantly Eastern European focus, and vice versa. Where a firm was found to operate an equal number of offices in both Eastern and Western Europe, it was deemed to have a pan-European orientation. Firms’ orientations were then consolidated on a country-by-country basis, in order to explore two observations made by the GaWC: firstly, that groups of firms within a single sample jurisdiction might diverge from each other, in terms of the globalisation arena “schemes” (Beaverstock, Smith *et al.*, 2000, p107 - 108) in which they operated; and secondly that any given cohort might nevertheless – collectively – tend to favour operating in certain globalisation arenas in preference to others (Beaverstock, Smith *et al.*, 1999, p1873). In order to determine whether firms within a single cohort diverged from each other in terms of their globalisation arenas schemes, I calculated how many firms in each country had a predominately Eastern, Western or Pan-Europe orientation: the mere existence of a divergence within the cohort was sufficient to determine that distinctive schemes existed. This same finding also allowed me to establish whether, despite specific differences within that national cohort, my entire cohort had a clear collective preference for trading on an Eastern, Western or Pan-European basis.

I then discussed other issues arising out of my exploration of my cohort firms’ transnational branch office trading behaviours. For example, in light of observations made by Morgan and Quack (2005, p1775) and Pinnington and Gray (2007, p158), I explored whether my non-AS firms tended to cluster into regions immediately adjacent to their own, rather than operating on a more geographical diverse basis within the EU.

3.5.5. How I evaluated whether my cohort firms had a tendency to trade in a small number of domestic locations (H3)

In each of my nine sample countries, I calculated the total number of domestic offices operated by each of my cohort firms in 2009 on a jurisdiction-by-jurisdiction basis. Consolidating firms' domestic branch office numbers on a cohort-by-cohort basis meant it was possible to determine the mean, median and mode number of domestic offices within each national sample group. Once these findings were established, it was possible to compare findings between sample jurisdictions. In light of Morgan and Quack's (2005) comparative research, which had revealed that large UK firms traded in fewer locations than their German peers (p1776), I was keen to discover to what extent domestic branch number office number norms varied between my various national cohorts – especially in the seven additional EU jurisdictions which did not form part of Morgan and Quack's study.

3.5.6. How I evaluated whether my cohort firms tended to cluster their domestic branch offices into a limited number of common locations (H4)

Here, I sought to identify whether my national cohorts tended to cluster into a limited number of domestic locations. To conduct this analysis, I first identified all of the domestic cities in which my cohort firms traded in 2009. I then calculated how many cohort firms traded in each of those cities. For example, my UK cohort firms operated a total of 50 offices in 18 different UK cities. Using this data, it was possible to determine how many cities comprised a majority of that total cohort's total domestic branch office network. In the UK, this office majority number was 26. Starting with the most popular city, firm office numbers per city were added together until a cohort majority number was reached. In the case of the UK, the figure of 26 offices was achieved by adding together the number of cohort firm offices in London (15), Leeds (5), Birmingham (5) – plus one other city playing host to at least one firm. Once it was known how many cities were required to constitute a majority of my cohort firms' domestic branch offices, it was possible to determine whether extensive city clustering had occurred. For example, in the UK, four cities out of 18 collectively represented a majority of the UK cohort's domestic office networks – which suggested that considerable domestic clustering had occurred. However, in order for

my hypothesis to be supported, I decided it would be necessary to observe similar domestic clustering behaviours across each of my sample EU jurisdictions.

3.5.7. How I evaluated whether my cohort of firms collectively tended to trade in a small number of EU locations – including those deemed by the GaWC to be “global legal service centres”, “world cities”, or locations deemed “over provisioned by global law firm” (H5)

My analysis of this hypothesis involved four distinctive stages.

To test whether my cohort firms tended to cluster in certain EU cities, I calculated the total number of my sample firms trading in each EU city in 2009. To establish whether clustering has occurred, my findings are presented hierarchically, with locations ranked from the most to least popular. EU locations playing host to single cohort law firms are excluded because they do not represent locations in which multiple sample practices clustered. It is accepted that my results arguably over-represent the importance of London because, as was previously explained, my UK cohort was derived by reference to the largest law firms in this city. However, in the remaining eight EU states I evaluated, such sampling biases did not occur.

My analysis of my cohort firms’ potential tendencies to congregate in global legal service centres (GLSC) sought to follow the GaWC’s method, as briefly set out in *A roster of world cities* (Beaverstock, Taylor *et al.*, 1999, p453 - 455). Firstly, following the GaWC’s guidance (p454), I discounted those cohort practices which operated no foreign branch offices in 2009. The EU offices of all remaining sample firms were then summed. This calculation yielded the first round of “prime”, “major” and “minor” GLSC-designated cities. For example, because the number of cohort firms trading in Brussels had achieved the required “prime” GLSC designation, the city was classified as such. Equally, because two cross-border sample firms were observed operating in Athens in 2009, this location was deemed to be a minor GLSC. Where the GaWC’s methodology contained an omission – how to classify cities home to six

cross-border border law firms – I decided these locations should be regarded as a major legal service centre. This GaWC’s classification of major legal service centre was therefore extended from comprising between four or five cross-border cohort firms, to between four and six such practices instead.

The GaWC’s alternative method for determining an EU cities’ global legal service centre status was also applied to my evaluation locations. In this evaluation, the “foreign” offices of cross-border cohort firms are the key units of analysis. For each national sample, I first established which foreign EU cities each cohort firms traded from, and also how many of those firms traded in those cities. Foreign office totals for each city – across all nine evaluation jurisdictions – were then summed, and cities designated according to the GaWC’s instructions. A city that was home to the foreign offices of 26 or more cross-border cohort firms was given a prime city designation, while a city playing host to the foreign offices of between two and four cross-border cohort firms was designated a minor legal service centre. Here, the complicating factor was that some of my sample firms were cohort members in multiple evaluation jurisdictions. Therefore, in the absence of instructions to the contrary, these firms’ “foreign” offices were counted on multiple occasions. To explain: Freshfields was a member of my Austrian, French, German, Italian, Spanish and UK cohorts. Therefore, its “foreign” offices were repeatedly evaluated from the perspective of each national cohort of which it was a member. For example, the firm’s Austrian office was discounted from my Austrian cohort evaluation because its Austrian office was not foreign to that location. However, the same firm’s Austrian office was deemed “foreign” from the perspective of Freshfields in Germany. Finally, in light of the previously-discussed omission in the GaWC’s methodology, where no classification was given to cities playing host to the foreign offices of between 18 and 25 cross-border cohort firms, I decided that such cities should be designated as major legal service centres. Thus, the definition of a major legal service centre was extended from playing host to the foreign offices of between five and 17 cross-border cohort firms to now ranging between five and 25 of such practices.

The GaWC's methodology offered me no guidance on how I should analyse my cohort firms' adherence to their world city ranking. I therefore simply ranked my cohort cities in accordance with the designation issued to each city, as set out in *A roster of world cities* (Beaverstock, Taylor *et al.*, 1999, p455 - 456). Next to the city's name, and world city designation, the total number of my cross-border cohort firms was listed. Presenting my findings in this way meant that it was obvious where points of commonalities and difference occurred between the GaWC ranking and my cohort's cross-border presences. I also added all additional cities to the end of this ranking where at least two of my cross-border cohort firms were present, but which had not received a world city designation by the GaWC. A decision was made to exclude cities that played host to only one cross-border law firm on the basis that these cities would, in any event, have been screened out of the GaWC's methodology when establishing these cities' global legal service centre status. My evaluation of the usefulness of the GaWC's world city rankings was therefore two-fold. Firstly, did overall ranking of my cohort firms' collective EU trading preferences broadly match the GaWC world city ranking? Secondly, did the totality of my EU cohort cities, in which at least two cross-border cohort firms were present, overlap with the EU cities identified by the GaWC as having some form of world city status?

Finally, in light of the GaWC's observation in *Global law firms* (Faulconbridge, Beaverstock *et al.*, 2008, p463) that Leipzig was "overprovisioned" by global law firms, I calculated how many of my transnational cohort practices were present in this city in 2009. This paper offered no guidance regarding how many of my cohort firms might amount to an "over-provision" in this location. Therefore I simply compared the number of sample firms in the city with the totality of my cohort, and "took a view" on whether an overprovision had occurred.

3.5.8. How I evaluated whether my transnational firms tended to collectively ignore certain EU locations (H6)

On p42, I identified five EU cities that were likely to be home to few, if any of my cross-border cohort law firms, based on the GaWC's findings in *Global Law firms*

(Faulconbridge, Beaverstock *et al.*, 2008, p463). The EU cities deemed under-provisioned by global law firms by the GaWC were Athens, Copenhagen, Dublin, Lisbon and Madrid. My approach to testing hypothesis six, which relates to this proposition, was straightforward. Among my transnational cohort firms, I counted how many of these firms traded in these locations in 2009, and presented them on a city-by-city basis. Where additional, context-setting observations could be made, which helped explain my findings, these were offered in the accompanying analysis.

3.5.9. How I evaluated whether my cohort firms had commonly invested in and divested from certain EU locations during the time period of my study (H7)

On p43 onward, I identified several specific EU locations which appeared to form the focal point of legal practice inward investment or divestment, as (indirectly) identified by research conducted by GaWC and other scholars. Collectively, these locations were: Antwerp, Berlin, Brussels, Frankfurt, London, Madrid, Milan, Paris, Rotterdam and Vienna. To test hypothesis seven, I examined whether my cohort firms had either expanded into, or departed from, these locations between 1998 and 2009. In order to conduct this evaluation, I sought to establish a) which sample firms had opened in these locations during that time b) which firms had departed and c) for the sake of completeness, which firms were continually present. For the sake of consistency with my other investigations, I only evaluated the changing geographies of those “global” firms within my cohort, as defined by the GaWC in *A roster of world cities* (Beaverstock, Taylor *et al.*, 1999, p453 - 454) – which merely requires cohort firm to have a single foreign branch office. It is accepted that this is a noticeably lower threshold for defining a global firms than that more recently set out in the GaWC in *The changing geography of globalized service provision* (Hassens, Derudder *et al.*, 2011, p2293 - 2307). This later paper requires that an APS firm must have offices in 15 or more cities, including one office in North America, Western Europe and Pacific Asia (p2295). However, had I adopted this stricter definition of a global law firm, all but a small minority of my cohort firms would have been rendered ineligible for evaluation.

The complicating factor in my analysis was how I should treat firms which had merged or undertaken other forms of restructuring during my evaluation time period. I therefore took the pragmatic view that I should conduct my investigation from the “point of view” of specific elements of my cohort practices. This “point of view” would typically be that of a surviving cohort practice, where a firm had fractured into multiple component parts during my evaluation time period. For example, while my Spanish sample firm, Garrigues, had continually existed between 1998 and 2009, its parent practice – Andersen Legal – had not. I therefore evaluated the evolving EU geography of this firm from Garrigues’ perspective, but also incorporated its legacy Andersen Legal branch office geography where appropriate. Similarly, where a cohort firm had altered its geography by absorbing a small firm, my evaluation was undertaken from the perspective of my cohort practice, rather than the legacy entity it acquired. Finally, in situations where two large firms merged, a decision was made to evaluate the firm’s geographic evolution from the point of view of the practice which – at the time – employed more lawyers. Thus, my evaluation of Freshfields Bruckhaus Deringer’s evolving geography occurs from the perspective of Freshfields, rather than either of its legacy German practices, Bruckhaus Westrick Stegermann or Deringer Tessin Herrmann & Sedemund. It is accepted that this approach has introduced an Anglo Saxon bias into my investigation, given that my UK cohort practices were typically larger than the European firms they merged with.

Several of my cohort firms were formed during the time period of my investigation, and therefore did not exist in 1998. My findings identify these firms, but they do not form part of my substantive analysis. Also not forming part of my analysis were those firms which, in 2009, were entirely domestic, on the basis that this evaluation is intended to study “global” law firms. Additionally excluded were a small number of firms where comprehensive EU branch office data was not available between 1998 and 2009, and also a small number of firms whose geographical evolution was too complex to document with absolute confidence. In light of these commonly-occurring geographical complexities I encountered, I decided it would be useful to present illustrative case histories of two of my sample firms which underwent particularly complex EU branch office geographical changes between 1998 – 2009. These case histories draw on historical legal trade press and directory sources.

3.5.10. How I evaluated whether my cohort of firms made extensive use of alliance capitalism to extend their geographical reach (H8)

The GaWC's findings, discussed on p45 onwards, simply established how many firms within their 30-strong London law firm cohort used any form of alliance capitalism. My analysis, which forms the basis of hypotheses eight, is more granular. Not only have I attempted to determine, to the extent that secondary sources allow, how many of my sample firms within each national cohort participated in any form of alliance capitalism with other EU law firms in 2009, I have also attempted to determine how many EU-specific alliance capitalism relationships each of my cohort firms maintained during that year. This exercise has allowed me to determine what, if any, commonalities of alliance capitalism behaviours appeared to exist between my national sample groups that year. In this section, I additionally discussed a number of findings to emerge from my longitudinal evaluation of my cohort firms' evolving EU geographies which relates to their use of alliance capitalism.

3.5.11. How I evaluated whether my cohort of firms used alliance capitalism to extend their geographical reach in distinctive ways (H9)

The GaWC research, discussed on p49 onwards, provided me with four potentially distinctive categories of behaviour by which my cohort firms might extend their branch office reach via the use of alliance capitalism. And, as part of my evaluation of the GaWC's contribution to our understanding of large EU law firm geography, my desired outcome was to identify at least one sample firm per jurisdiction which adhered to each of the GaWC's distinctive categories. I also sought to uncover at least one example per jurisdiction of a cohort firm which operated no foreign offices in 2009 and also belonged to no alliances. Finally, I sought at least one sample firm per jurisdiction which had an extensive international branch office network but also belonged to no firm groupings. I did not test for what the GaWC describes as an "ad hoc presence" – where a firm works in conjunction with a local practice in locations where it does not, itself, operate (Beaverstock, Smith *et al.*, 1999, p1866) on the basis that such relationships are – as claimed – ad hoc. It is therefore accepted that my study does not encompass the totality of my sample firms' possible EU inter-practice relationships – merely those of a more enduring, high profile or formally

constituted nature. Assuming I can find examples of each of the above-mentioned categories of behaviour being adopted by my sample firms across each of my national cohorts, this would lend further support to my overarching hypothesis regarding limited commonalities of large EU law geographical behaviours.

So far as the GaWC provided guidance in *The long arm of the law* (Beaverstock, Smith *et al.*, 1999, p1862 - 1866), I sought to replicate the authors' own approach. Thus, in order to fall within the "minimal direct" presence category of behaviour, my cohort firms were only permitted to operate in one foreign location in 2009. Following the GaWC's example in relation to Taylor Joyson Garrett and Interlex, my next category sought to include cohort firms which operated two international branch offices, but also belonged to a large-scale law firm grouping, along the lines of Interlex. In relation to the third category, no direct guidance was offered by the GaWC on how to define a strategic affiliation, or indeed, the number of foreign branch offices my cohort firms should operate to fall within this category. I therefore decided that, in order to qualify for a strategic alliance, any grouping should be relatively small and also include no externally-observable identity – i.e. a common brand name. I also determined that a law firm must operate more foreign offices than required in other categories – i.e. at least three. This latter criterion has also been used to evaluate one element of my fourth GaWC-inspired category. The second element of this category draws on the example of Denton International, offered by the GaWC. I therefore decided that my cohort firms must adopt a common alliance identifier within their firm name – i.e. "Denton". In relation to the additional two types of behaviours identified by the GaWC, but not discussed, I have simply sought to identify firms which appear, based on the evidence available, to fall within these categories. They are, firstly: "no foreign branch offices and no known alliances" and secondly "direct transnational international presence only – no known alliances". Here, my legal trade press analysis has helped me identify firms which have explicitly stated they fulfilled either of these criteria.

3.5.12.1. How I evaluated hypotheses 10 and 11

Below, I discuss why I selected my preferred method – template analysis – to test hypotheses ten and 11, in preference to several possible alternatives. I shall then explain how I used my chosen method to code and analyse the data which underlies my hypothesis testing. Unlike hypotheses one – nine, both hypotheses 10 and 11 were tested using qualitative data – largely, legal trade press materials relating to my cohort firms' EU geographical activities between 1998 and 2009.

3.5.12.2. Why I selected template analysis to evaluate hypotheses ten and 11

I have decided to retain template analysis (Crabtree and Miller, 1999; King, 2004) in this latest iteration of this thesis because it allows me to efficiently test hypotheses 10 and 11 by reference to my legal trade press sources. I shall shortly explain how template analysis allows me to achieve this objective. However, it is perhaps helpful to first briefly discuss some of the alternative qualitative approaches (Rapley, 2010) I considered but then rejected. As noted on p103, I had previously discontinued my initial attempt to analyse my legal trade press sources using content analysis after discovering these materials did not explain every single (or even a majority) of the EU geographical events undertaken by my cohort firms during my evaluation time period.

The first qualitative approach I rejected for testing my hypotheses was the grounded theory (Glaser and Strauss, 1999) method. This approach was discounted because, in recent years, the theory's authors have suggested that theory should emerge from data (Strauss and Corbin, 1998, p12) rather than via prior engagement with existing literature (Charmaz and Bryant, 2010, p295). Consequently, the use of grounded theory to test hypotheses has been discouraged (Suddaby, 2006, p636). My exploration of law firm strategy and the drivers of geographical change seeks to test two hypotheses which are rooted in existing research. Therefore, using grounded theory to analyse my legal trade press materials is arguably inappropriate.

The second qualitative approach I rejected was case studies – at least as my main evaluation technique. Case studies have been used to explore the changing geographies of large accountancy practices on several occasions in recent decades, typically offering rich accounts of the evolutions of individual firms (Post, 1996; Sluyterman, 1998; Koza, 1999). It would therefore have been possible for me to explore the essence of both hypothesis 10 and 11 via the use of multiple case studies within my law firm cohort – possibly on the basis that they either exhibited similar or contrasting geographical behaviours (Yin, 2014, p56 - 65). However, I decided against using case histories to analyse my finding in relation to hypotheses ten and 11, because such a method would be inefficient, in light of the very large number of potential drivers of legal practice geographical change my literature review suggested I would need to test for. Because some of my cohort firms underwent singular geographical change events during the time period of my study, one approach would have been to produce a large number of case histories documenting such events. However, individually, these case histories would not have been very insightful. Alternatively, I could focus on a small number of cohort firms that were highly geographical active because, by doing so, I could explore multiple drivers of geographical change within a single case study. Neither alternative appeared desirable, given that I wanted to efficiently explore a large number of geographical change drivers, across a diverse range of cohort firms, in multiple EU states, over several years. I therefore concluded that using case histories alone would not help me achieve this objective.

After considerable reflection, I decided against using the “framework analysis” approach advocated by Ritchie, Lewis, McNaughton Nicholls and Ormston (Ritchie, Lewis *et al.*, 2014) to assist with my hypotheses testing. It is accepted that, visually, this method’s matrix-based approach (Spencer, Ritchie *et al.*, 2014, p305 - 309) for presenting data would have allowed me to efficiently illustrate situations where several of my cohort law firms offered common explanations for their geographical changes – the essence of my evaluation of hypothesis 11. For example, in order to explore whether “practice areas advised on” was a commonly-cited driver of geographical change across my cohort, I could assign “practice area considerations” as a descriptive theme to test for. Firms offering this particular explanation, vocalised

through legal trade press sources, could then be included as distinctive cases within the analytical matrix. More problematic for my study was one of framework analysis' intended research outputs: the exploration of linkages between described phenomena (p318 - 340) – an outcome also suggested by Grbich in relation to thematic analysis (Grbich, 1999, p233 - 234). This intended research output is not that of my own investigation, which primarily aims to test hypotheses rather than generate new theories. In relation to hypothesis 10 (the existence of law firms' geographical strategies), my hypothesis essentially seeks to confirm that law firms *do indeed* have such strategies, given the lack of recognition within existing research literature that such strategies might exist. This hypothesis does not seek to extensively discuss linkage between such strategies and other aspects of law firm geography. And, in relation to the reasons why law firms alter their geographies in specific locations (hypothesis 11), one of my key research objectives is to explore whether the geographical change drivers, suggested by the GaWC and other scholars, are relevant to my large EU law firm cohort. I did not seek to extensively explore linkages between such change drivers. Therefore, because there is a mismatch between the research output envisaged by framework analysis and the aims of my investigation, I have decided not to use framework analysis to test hypotheses 10 and 11.

Turning now to template analysis: this qualitative research method has been described as being “well-embedded” in healthcare qualitative research, but not so well established in business and management research (Waring and Wainwright, 2008, p92). Therefore, to understand the usefulness of template analysis to my study, it is probably helpful to outline its methodology and key research outputs. Essentially, using template analysis, data from sources are used to generate an initial template, which is then used to assist the researcher in the organisation of source materials during those materials' subsequent interpretation (Crabtree and Miller, 1999, p93). Template analysis permits researchers to generate initial template “codes” from their literature review (p99), their personal experiences, anecdotal evidence and exploratory research (King, 2004, p259). Within the initial template, codes are arranged hierarchically: “level one” codes set the parameters of the various “level two” which sit within them, and explain aspects of the same theme at a

more granular level (King, p260 - 261). Once a preliminary template is formed, a larger body of materials to that which formed the initial template is systematically evaluated, to test whether the initial template adequately describes what is being discussed. Within template analysis, it is possible that these additional materials may indicate that an issue is not currently addressed by a code within the preliminary template – in which case a new code should be added, to rectify this omission. Additionally, initial template codes can be deleted, if the researcher decides they are superfluous – perhaps because, on closer inspection, the code overlaps with another. Codes can also change in scope between the first and final version of the template, where initial codes are found to be either too broad or too narrow. Codes can also be reclassified as either higher or lesser order codes (p261 - 263).

The point at which the final template is “good enough” can only, King says, be determined by each researcher in relation to each research project. However, King suggests a template should not be considered final if “there remains any section of text which are clearly relevant to the research question, but remain uncoded”. He suggests it is unlikely that a template could be considered final if all data has not been read through – and coding scrutinised – at least twice (p263). When interpreting and presenting one’s template, King suggests the production of a template should not be regarded as being the process of analysis *in toto* (p266). This, King argues, results in a flat, descriptive account of the data. King does not advocate setting out any rules for how far the researcher should go in interpreting their coded data, which will depend on the nature of each study and practical constraints such as word counts. However, he argues that the ultimate aim of template formation should be to “produce an account which does as much justice as possible” to the richness of the data from which the completed template is derived. Case studies, illustrative examples, and the thematic presentation of findings can all help bring such findings alive – all supported by the use of “short quotes”, which King regards as essential to aid the understanding of specific points of interpretation (p267 - 268).

In light of my brief overview of template analysis, its value to my study is obvious. Firstly, it allows me to draw on my academic literature review to help formula my template initial codes, which can then guide my analysis of my legal trade press

sources. Secondly, template analysis' use of higher and lower order codes means I can not only explore *whether* my cohort law firms have strategies and common drivers of geographical change, but also decompile these broad codes into their more specific components to further assist my analysis, where helpful. For example, my literature review suggests that I may wish to explore whether my cohort firms alter their geographical reach for a multiplicity of reasons within the broad theme of "regulation". Does my trade press analysis suggest this level of granularity is appropriate, and also supported by those materials? Template analysis can assist me in making such judgements. Additionally, the ability to add or remove unsupported codes means I can evaluate whether some of the GaWC's less substantiated explanations for legal practice geographical change are supported by reference to my sources – and whether unsupported codes should be deleted in the final version of my template. Finally, while my analysis of the plausibility of my template codes will primarily be driven by the use of "short quotes" derived from my trade press sources, this analysis will – in turn – facilitate discussions within my findings of closely-related matters which cannot be encapsulated within the template. For example, my literature review suggests that "legal system capabilities" may drive geographical change. However, my broader reading of this research suggests that a short discussion may be helpful regarding whether this consideration also affects firms' relationships with other legal practices. While template analysis provides me with a framework for analysing my legal trade press sources, it does not artificially limit my discussion of issues which arise out of my code testing.

It should be stressed that coding of my legal trade press sources forms an integral part of both my analysis of the GaWC's research and also my own hypothesis testing. To explain: my narrow aim in testing hypothesis 10 is to consider whether or GaWC's research contains a notable omission in failing to evaluate whether large law firms have standalone geographical strategies. My broader aim in testing hypothesis 10 is to explore whether my cohort firms exhibit commonalities regarding the existence, and implementation, of such strategies (assuming they are shown to exist). Similarly, my narrow aim in testing hypothesis 11 is to evaluate whether the specific drivers of geographical change offered by the GaWC are plausible, in light of the explanations offered by my cohort of large EU law firms via the legal trade press.

My broader aim in hypothesis 11 is to explore whether my sample EU law firms commonly changed their geography for those same reasons.

Notwithstanding the qualitative nature of both hypotheses 10 and 11, a key component of my hypothesis testing is replication (Miles, Huberman *et al.*, 2014, p307 - 308). This replication evaluation process began during my literature review, which indicated that certain behaviours might be observable among my sample firms. Exploring whether my sample law firms exhibited those behaviours on a template-sub-code-by-template-sub-code basis will allow me to determine whether each sub-code is, in itself, plausible. My approach does not require that every behaviour I identify is replicated across every cohort country, and across all types of law firm, in order that its accompanying template sub-codes is deemed valid. However, I am more likely to regard a sub-code as valid if explanations can be replicated on several occasions. Developing this point, the more sub-codes I deem plausible based on replication, the more I will regard its top level code as plausible. Where I deem a top level code plausible, I will also deem its accompanying hypothesis supported. Finally, the more my hypotheses are supported by reference to my sample firms, the more my overarching hypothesis regarding possible commonalities of geographical behaviour among those firms will also be supported.

3.5.12.3. How I coded and analysed my legal trade press data

Individual trade press sources often reported on multiple geographical events, or comments of a geographical nature. When this occurred, I cut and pasted details relating to each article into discrete records relating to specific cohort firms, which could be coded uniquely. Within my Access database, different types of codes (Miles, Huberman *et al.*, 2014, p71 - 82) were appended to each record: firstly, attribute codes, which linked each article to a specific firm name, year, date, country and city location. This data was essential to my hypotheses testing, given my exploration of potential commonalities between the diverse law firms within my wider cohort. The second type of coding related to the process of geographical change, such as legal practice mergers and demerges, branch office openings and closures

and the joining and departures of law firm alliances. This data was mainly collected and coded to assist with my evaluation of hypothesis seven, which sought to explore my cohort firms' longitudinal branch office behaviours. Finally, I undertook hypothesis coding in relation to hypothesis 10 (law firm strategy) and 11 (reasons for geographical change in specific locations).

In relation to my hypothesis coding, no pre-existing codes existed. Therefore, my literature review guided the creation of these codes. These codes also formed the basis of my initial template. Thus, just as my initial template code decompiles "client demand" into the constituent parts – as suggested by my literature review – so does the coding of my legal trade press materials within my Access database. The coding of my legal trade press materials was also iterative. Thus, if an explanation was offered within my legal trade press sources that did not fit within one my initial template codes, then a new code was created to encapsulate what was being described. Once my source materials were fully coded within Access, illustrative examples were copied from my Access database, and included within my results. The outcome of this coding process also fed directly into the construction of the final version of my template. The template's final version therefore reflects the levels of granularity at which my legal trade press sources suggest specific geographical change factors are discussed by my cohort law firms. If necessary, new template sub-codes have been added to reflect this level of granularity.

In relation to hypothesis 11, one coding consideration that was relevant to both my initial template formation and also my subsequent legal trade press coding was whether I should create separate sub-codes to represent three different scenarios: an "expansion" event, a "contraction" event and an "active decision not to change one's geographical profile" event. For example, should I create separate sub-codes which encompassed either "specific permission to trade in location granted" or, alternatively, "specific permission to trade in location revoked"? Ultimately, I decided that my hypotheses sub-codes should merely reflect the underlying reasons for a specific geographical change, and not the event's direction of geographical travel. Therefore, in both my initial template and also my subsequent analysis, incidences of

expansion and contraction are evaluated within the confines of a single sub-code. On that basis, statements of “active geographical inertia” do not feature within my template. However, where helpful, discussions relating to individual sub-codes also include illustrative examples of cohort firms discussing the same issue by reference to their geographical inertia decisions.

In accordance with King’s (2004, p266 – 268) suggested approach for analysing and presenting my findings, both the final template and illustrative accounts – drawn from my trade press sources – are offered in my results. Indeed, my findings are presented in a format largely determined by my final template. For each code evaluated, a decision was made to offer illustrative examples (White, Woodfield *et al.*, 2014, p375) of the code’s real-world usage, drawn on different national cohorts across the entire 11-year time period of my study. Illustrative examples, provided in my PhD body copy are – in turn – supplemented by additional supporting examples, which can be found in the Excel spreadsheet which accompanies this thesis. These additional examples are offered in a simple matrix structure (Miles, Huberman *et al.*, 2014, p109 - 111), presented on a code-by-code, firm-event-by-firm basis in separate Excel workbooks. By adopting this systemic approach to displaying my findings, commonalities of behaviour between cohorts – or not – can be demonstrated. In accordance with King’s (2004, p268) preferred approach, the use of direct quotes from my legal trade press sources is my preferred method of illustrating my findings. However, to avoid disrupting the narrative flow of this thesis – and also to stay within its word limit – on some occasions, comments are paraphrased or summarised. Finally, my analysis which accompanies each template sub-code typically seeks to contextualise what has been observed, not only by reference to the core element of the code itself, but also by reference to issues raised by my literature review which cannot be encapsulated within either the template, or my matrix-based Excel findings.

Overleaf, I present the initial version of my template which will guide my analysis of hypothesis 10 and 11. The final version of this template, updated by reference to my cohort firms’ observations, can be found on p224.

Table 6: my initial template

This template has been formulated by reference to my literature review

1. LAW FIRM GEOGRAPHY

1.1. FIRM-WIDE STRATEGY (Hypothesis ten)

1.1.1. Firm-wide orientation

1.1.1.1. Manifested by:

1.1.1.1.1. Orientation of firm's leadership

1.1.1.1.2. Orientation of firm's partnership

1.2. DRIVERS OF GEOGRAPHICAL CHANGE IN SPECIFIC LOCATIONS (Hypothesis 11)

1.2.1. Drivers of geographical change which are external to the firm

1.2.1.1. Regulation

1.2.1.1.1. Firm receives specific permission to trade in location

1.2.1.1.2. Firm exercises right to trade in location

1.2.1.1.3. Firm decides to trade in location via "regulatory entrepreneurship"

1.2.1.2. Client considerations

1.2.1.2.1. Firm responds to actual client demand

1.2.1.2.2. Firm responds to anticipated client demand

1.2.1.3. Firm acts in response to geopolitical events

1.2.1.4. Firm acts to mitigate against organisational risks

1.2.1.5. Firm acts in response to technological advances

1.2.1.6. Firm needs to interact with local services in chosen location

1.2.1.7. Firm acts in response to local infrastructure considerations

1.2.1.8. Firm acts in response to competitive pressures / herd behaviour

LAW FIRM GEOGRAPHY (continued)

1.2.2. Drivers of geographical change which are internal to the firm

- 1.2.2.1. Legal systems advised on
 - 1.2.2.1.1. Home state law offered
 - 1.2.2.1.2. Host state law offered
- 1.2.2.2. Practice areas / industry sectors advised on
- 1.2.2.3. Financial considerations
- 1.2.2.4. Quality control considerations
- 1.2.2.5. Personal partner preferences

3.5.12.4. Conclusions

I have concluded that, despite template analysis being a relatively unknown method for analysing qualitative data within law, business and management research, it offers an efficient and transparent mechanism for testing qualitative hypotheses devised by reference to existing research. For that reason, I have used template analysis guide my evaluation of the legal trade press sources which form the basis of my testing of hypotheses ten and 11.

3.6 Ethical issues

The nature of my research appears to raise no issues of ethical concerns. Nevertheless, my research was subject to the ethical considerations, in keeping with the University's Code on Research Integrity and Ethical Practice.

As a self-funded student, I did not receive any grant to fund my research. I therefore have no contractual obligations to any external funders. And, while I worked for various law firms, legal regulators and legal publishing houses on a freelance basis while researching and writing this thesis, none of these clients have influenced my work in any way. Nor have they requested to review this thesis in advance of its submission.

My research did not require any human participation. Therefore, no issue relating to informed consent arose. Nor did my research involve the collection of any personal or confidential data. All of the materials used to assist with my research are already in the public domain.

My use of historical legal directories to assist with my understanding of law firm geographic history appears to fall within the “fair dealing” exceptions to normal copyright protection for the purposes of non-commercial research and private study (Intellectual Property Office, 2014). Where such sources are used, they are appropriately acknowledged. Nevertheless, I have also specifically sought, and obtained, express permission from the copyright owners to use the “size” ranking league tables contained in the 2009 *Legal 500* EMEA legal directory which forms the basis of my cohort selection.

My use of legal trade press materials also appears to fall within the “fair dealing” copyright exceptions for non-commercial research and private study. Nevertheless, I have used the shortest possible quotes from individual articles to illustrate my point. I have also deliberately chosen to avoid including more than one snippet of articles per magazine edition, if possible. On some occasions, lengthy quotes have been paraphrased or summarised.

All of the core data relates to my cohort firms’ geographies has been retained within my MS Access database, and is available for inspection on request. Each record is cross-referenced to an external citation which permits independent verification, be that a legal directory or a legal trade press article. Additionally, the Excel spreadsheet which accompanies this thesis includes relevant legal trade press and directory citations, either within the spreadsheet’s body copy or “posted” within individual data cells.

3.7 Methods section conclusions

My use of both quantitative and qualitative research methods was an inevitable necessity, given my desire to explore the “wheres”, “hows” and “whys” of law firm geography within a single study. Helpfully, the GaWC’s research has provided me with useful guidance on how to conduct the majority of my quantitative “where” and “how” evaluations in relation to my cohort firms’ EU branch office behaviours and alliance capitalism relationships. In relation to the “why” element of my research, template analysis has proved an efficient and useful method for guiding my qualitative evaluation. Indeed, both research methods have complemented each other: as a result of my qualitative legal trade press evaluation, I have gained a better understanding of my cohort firms’ quantitative branch office behaviours and alliance capitalism usage. Equally, by evaluating my cohort firms’ quantitative branch office behaviours and alliance capitalism relationships, I have gained a better understanding of their geographical strategies, explored qualitatively.

Chapter four

Results section one: evaluating the EU geographical reach of my cohort firms

4.1. Introduction

The remainder of this chapter explores four issues. In the first section following this introduction, I begin my results analysis by introducing my cohort of large EU law firms, and discuss its composition by reference to previous research. I then present several findings which, although helpful in contextualising my cohort analysis, sit outside my hypothesis evaluation. Later, I present my results which relate to hypotheses one – seven, which collectively focus on my sample firms' EU branch office behaviours. Finally, I discuss my findings relating to hypotheses eight and nine, which explores the nature of my cohort firms' EU alliance capitalism relationships.

Most of the issues discussed in this chapter aim to evaluate my overarching hypothesis and also my thesis question. By way of reminder, my overarching hypothesis proposes that limited geographical commonalities of behaviour may be observable among my large EU law firm cohort. In testing this hypothesis, my research seeks to establish whether possible common behaviours, indicated by GaWC research, are broadly replicated among my novel cohort of large EU law firms. By undertaking this evaluation, I am also seeking to answer my research question, which asks to what extent the GaWC's research has aided our understanding of large EU law firm geography. By contrast, in section 4.2.2.1., my analysis will discuss my sample firm findings where little or no commonalities of geographical behaviours – both within and between my various national cohorts – are expected. This expectation is partially derived from my analysis of existing GaWC and non-GaWC research, discussed previously in my literature review.

4.2.1.1. Cohort introduction

The 107 firms which comprise my cohort can be found on the supplementary data table one (SD1) of the Excel spreadsheet which accompanies this thesis. Three observations are noteworthy regarding my cohort, in light of observations made during my introduction and literature review. I shall now discuss each in turn.

The first observation is the modest degree to which US / UK / Anglo Saxon (AS) feature as top 15 practices across my nine sample EU jurisdictions. This is in spite of past research, conducted by GaWC and others, which has suggested that western Europe (Chapman and Tauber, 1994 - 1995, p944 - 945; Beaverstock, Smith *et al.*, 1999, p1872 - 1873; Beaverstock, Smith *et al.*, 2000, p103; Silver, Phelan *et al.*, 2009, p1448) has been the focal point of large AS firms' inward investments. Large AS firms are certainly not absent from many of my cohorts: indeed, Baker and McKenzie (Pritchard, 2009, p332, 426, 750, 944, 1342) and Freshfields Bruckhaus Deringer (Pritchard, 2009, p14, 332, 426, 750, 1342, 1602) feature in five and six of my national samples respectively. Nevertheless, even in Germany, a EU state which research suggests has been a particular AS law firm investment hotspot in recent years (Aronson, 2007, p798 - 804), one third of my cohort practices (CMS Hasche Sigle, Nörr Stiefenhofer Lutz, Beiten Burkhardt, Gleiss Lutz and Hengeler Mueller) have previously been described as being "German" in origin (Morgan and Quack, 2005, p1776; Luschin, 2010, p66 - 81). Indeed, across most of my sample countries, a clear majority of my cohort firms appear to be indigenous that country – not least because, as I will shortly elaborate, many cohort firms operated few, if any, foreign offices. Collectively, the continued dominance of indigenous firms in various EU jurisdictions indicates that any suggestion that those jurisdictions have been "invaded" by AS firms (Bruinsma, 2003, p22) is arguably an exaggeration. At most, what had occurred by 2009 was little more than an "incursion" by AS practices.

My second observation relates to some of my more geographically expansive cohort members, and their varied local market size in different EU states. For example, notwithstanding Baker & McKenzie's cohort inclusion in France, Germany, Italy, The Netherlands and Spain, its relatively small 2009 national headcounts in Austria, Sweden and UK rendered it ineligible for inclusion in these cohorts (Pritchard, 2009, p34, 1396, 1602). Similarly, while Linklaters was a cohort member in France, Germany, Spain, Sweden and the UK, its Italian (Collins, 2004c, p3) and Dutch (*Legal Week*, 2009, p3) operations were too small (Pritchard, 2009, p750, 944) to be included in those countries' samples. These national lawyer headcount variances suggest that, even though some transnational law firms are relevantly large in some legal markets, their presence in others is often modest by local standards.

The third notable finding revealed by my cohort selection is the ongoing existence of large conglomerate legal practices, despite their previous-announced death by the GaWC (Faulconbridge, Beaverstock *et al.*, 2008, p466) and others (Baxter and Tromans, 2003, p1; Power, 2003, p1; Hoare and Power, 2004, p7). According to the 2009 EMEA *Legal 500*, three of the largest 15 French sample firms, two of the top 15 Italian practices and one top 15 Dutch firms (Pritchard, 2009, p332, 750, 944) were linked to the Big Four accountancy practices – thereby supporting Martin’s (2007, p187 - 188) observations regarding these practices’ ongoing survival in the post-Enron era. I tentatively offer two explanations for why such firms’ ongoing existence were previously disregarded by the GaWC and others. Firstly, some conglomerate practices, notably French sample firm Taj, have recently re-established (Collins, 2006, p3) their links with the “Big Four” accountants, having previously separated from them (Power, 2004a, p8). Secondly, for much of the latter half of the 2000s, the Big Four appear to have “hid” their associated EU legal practices in plain sight, often by using country-specific brand names which did not draw attention to those firms’ conglomerate nature. Indeed, my cohort introduction on Excel table SD1 specifically clarifies which of my cohort firms I deemed as being linked to the Big Four, where their branding does not clearly signify such a link. Besides France’s Taj, these cohort firms are: PwC’s Landwell in France (Mizzi, 1999, p9) and TLS in Italy (Pritchard, 2009, p774), and Ernst & Young’s Holland van Gijzen in The Netherlands (Tromans, 2003, p1; Illman, 2006, p1). More generally, several of my more “conventional” cohort practices, including Dutch firms Loyens & Loeff and Van Doorne and Germany’s Heuking Kühn Lüer Wojtek and Nörr Stiefenhofer Lutz, also operated as MDPs in 2009, employing not only lawyers, but also civil notaries and tax advisers (Pritchard, 2009, p469, 541, 977, 983) in 2009. My cohort introduction therefore suggests that conglomerate law firms – in various guides – form an integral part of my sample group.

4.2.1.2. Cohort conclusions

My cohort introduction illustrates the diversity of large EU law firms in 2009. AS law firms are clearly an important feature of the EU legal market, as indicated by their inclusion in several of my national cohorts. Nevertheless, such firms do not –

consistently – dominate all EU markets in which they operate, as indicated by their lack of size-based eligibility for some of my national samples. Equally, the ongoing presence of MDP legal practices – accountancy linked or otherwise – suggests that such firms also form an important element of my cohort. Finally, the presence of many indigenous practices in my cohort, even in globalised legal markets such as Germany, is also noteworthy. The legal practice diversity revealed by my cohort selection illustrates the importance of studying legal practice geography within any given market beyond the singular perspective of AS law firms. AS law firms may dominate certain legal markets. However, they do not dominate all legal markets – at least in terms of employing the largest numbers of lawyers in those markets.

4.2.2.1. Understanding the extent of cross-border legal practice among large EU law firms – my findings compared with those of the GaWC and others

This section does not focus on hypothesis testing in relation to my cohort firms. This is because past research suggests the geographical behaviours of my cohort firms are likely to be too heterogeneous to exhibit common geographical behaviours – which my hypothesis testing seeks to establish. The findings present below do, however, help contextualise the hypothesis testing which follows.

I shall now discuss my findings in relation to my cohort firms' 2009 global branch office networks. Sample firms in six of my nine sample countries are evaluated, for the reasons set out on p97. The number of foreign offices operated by each sample firm in each evaluation jurisdiction can be found on Excel SD tables 11 - 16. However, a summary is shown overleaf, on table 7. In a similar manner to the GaWC's US legal market finding in *Geographies of globalization* (Beaverstock, Smith *et al.*, 2000, p106 - 107), I discovered that, in two of my sample countries (Ireland and Sweden), a majority of those countries' largest law firms traded in no foreign jurisdictions. Further, in a similar manner to the GaWC findings in *The long arm of the law* (Beaverstock, Smith *et al.*, 1999, p1863), I discovered that, while sample firms in some of my cohort countries often operated in multiple countries, many only did to a limited extent. Indeed, the median and mode number of foreign offices

operated by some of my national cohorts, presented below, are striking. Among my Austrian, Irish, Spanish and Swedish cohorts, the mode foreign office number was zero. Further, in Ireland and Sweden, a top 15 practice might be regarded as having a reasonably extensive foreign branch office network if it traded in just three foreign locations. These latter results are surprising considering that, as previously mentioned on p59, most of my sample law firms were free to operate branch offices across the EU by the time my evaluation took place. My findings suggest that, notwithstanding this freedom, many of my sample firms did not take advantage of it.

Table 7: the average number of foreign offices operated by my sample firms across six cohort jurisdictions

Sample jurisdiction	Mean	Median	Mode
Austria	9	4	0
Germany	16.4	8	8
Ireland	1.6	1	0
Spain	13.27	10	0
Sweden	3.06	0	0
UK	16.46	13	4

In light of my earlier comments regarding the possible temporal specificity of my findings, table 7 above provide evidence to both support and challenge this assertion – although sometimes by only the most slimmest of margins. On the one hand, the above-mentioned UK foreign office mean of 16.46 is considerably higher than the mean of 9.58 I observed by reevaluating the GaWC’s top 15 firm findings in *The long arm of the law*. Conversely, this figure is also slightly lower than my re-evaluation of Morgan and Quack’s (2005) 2004 data, which revealed a UK foreign office mean of 17.13. This reinforces my previously observation that, while the foreign office totals of UK law firms tend to increase over a long period of time, short term downward fluctuations can also sometimes be observed. However, when I compared my 2009 German findings with my re-evaluation of Morgan and Quack’s 2004 equivalent data, no change was observed – in both 2004 and 2009, our respective findings were 16.4 foreign office (p1776). In light of these contrasting findings, it has proved difficult to generalise what effect time has on law firms’ foreign office totals, beyond suggesting that they tend to increase over long periods of time, but can also show signs of modest decline – or remain static – in the short term.

My table 7 findings above also reinforce both Morgan and Quack (2005, 1776) and Pinnington and Gray's (2007, p162) comparative results between large law firms in different countries, notwithstanding these studies' contrasting findings. Like Morgan and Quack, my findings in relation to my UK and German cohorts indicate a degree of commonality regarding the extensiveness of their foreign branch office networks. For both cohorts, the mean number of foreign offices was around 16, notwithstanding that only a fifth of each respective national cohort involved common sample practices. However, like Pinnington and Gray's study, my findings also suggest that large law firms in different countries have disparate norms regarding how many foreign offices they operate – as illustrated by the sharp differences between the mean, median and mode findings of my UK and German cohorts on the one hand, and Irish and Swedish cohorts on the other. This suggests that, contrary to my own overarching hypothesis, there is heterogeneity between large law firms in different EU states regarding foreign branch office norms.

4.2.2.2. Cohort foreign branch office conclusions

My findings suggest that large EU law firms exhibit heterogeneous behaviours regarding the scale of their foreign branch office networks. This heterogeneity appears to exist between firms within a single cohort at a single point in time – as demonstrated by my mean, median and mode findings in table 7. This heterogeneity also exists longitudinally within national cohorts, as indicated by my own 2009 UK and German findings compared those undertaken previously by others. Finally, this heterogeneity is also evident between EU states regarding what constitutes a large international office network – also as suggested by table 7. In relation to my overarching hypothesis – that patterns of behaviour might be observable in relation to my cohort – it is worth reiterating that, on p23, I suggested heterogeneity regarding these specific aspects of law firm geography was likely to exist, in light of my synthesis of past research. My overarching hypothesis will only be undermined if several of the various “sub-hypotheses” which follow are also disproved. These sub-hypotheses, derived from evidence found in existing research, indicate that limited patterns of geographical behaviour should be evident within my cohort of large EU law firms.

In relation to whether the GaWC's research has aided our understanding of large EU law firm geography, the following observation can be made. Firstly, in relation to Sweden, my findings replicate the GaWC's observations in *Geographies of globalization* (Beaverstock, Smith *et al.*, 2000), which found that a majority of their cohort firms traded in no foreign locations (p96). My findings in relation to my Austrian, Irish, Swedish and UK cohorts also broadly replicate the GaWC's discoveries in *The long arm of the law* (Beaverstock, Smith *et al.* (1999), in which it could be determined that the mean and mode number of foreign offices operated by their cohort was five or fewer (pp1863). The most significant difference between my own findings and those of the GaWC relates to the mean number of foreign branch offices operated by my UK cohort. In 2009, this mean was considerably higher than the group's earlier observations. However, as explained previously, this difference can probably be accounted for by the general tendency of large law firms to increase the number of foreign branch offices they operate over a long time period. In light of my findings, I have concluded that the GaWC's research has aided our understanding of large EU law firm geography.

4.3.3.1. Testing hypothesis one: that a small percentage of my cohort firm in each EU state will comprise a majority of that sample group's foreign branch office networks

Here, I reveal my findings in relation to hypothesis one, which explores whether a small percentage of the cohort firms I evaluate in each EU state will comprise a majority of that sample group's foreign branch office networks. My jurisdiction-specific findings can be found on Excel tables SD11 - 16. However, my synthesis of these findings – shown in table 8 below – suggests my hypothesis is supported.

Table 8: how a small number of firms in each cohort dominates the sample's foreign* branch office presence

* A foreign branch office is deemed to be any office that is not local to the firm in the sample country evaluated

Sample jurisdiction	National cohort firms with the most expansive foreign branch office networks in 2009	Number of firm's foreign offices	Percentage of national cohort's entire foreign office network attributable to each firm	Percentage of national cohort's entire foreign office network represented by these firms
Austria	DLA Piper Weiss-Tessbach	62	45.93	65.93
	Freshfields Bruckhaus Deringer	27	20.00	
Germany	Baker & McKenzie	65	26.42	58.54
	White & Case	31	12.20	
	Clifford Chance	26	10.57	
	Allen & Overy	23	9.35	
	Maples and Calder	6	25.00	
Ireland	A&L Goodbody	4	16.67	54.17
	Matheson Ormsby Prentice / Arthur Cox	3	12.50	
	Baker & McKenzie	66	33.17	
Spain	Clifford Chance	27	13.57	59.81
	Freshfields Bruckhaus Deringer	26	13.07	
Sweden	Linklaters	25	54.35	54.35
	DLA Piper	56	22.67	
UK	Clifford Chance	28	11.34	55.06
	Freshfields Bruckhaus Deringer	27	10.93	
	Linklaters	25	10.12	

Across all six of my evaluation jurisdictions, less than one third of each country's sample practices consistently accounted for more than half the group's total international branch office network. Indeed, as table 8 above illustrates, in Austria, just two firms – DLA Piper and Freshfields Bruckhaus Deringer – comprised almost 66 per cent of that cohort's entire foreign branch office total. In Sweden, the situation was even more extreme: one firm – Linklaters – was responsible for 54.35 per cent of the entire cohort's foreign offices. My findings suggest that – even among a country's largest law firms – a small sub-set of these practices are geographical outliers, in terms of the scale of their cross-border office capabilities.

Surprisingly, despite the global pre-eminence of Baker & McKenzie, as described by the GaWC in *Geographies of globalization* (Beaverstock, Smith *et al.*, 2000, p108 - 111), this firm's importance within my six-jurisdiction evaluation varied between the EU states I evaluated. Table 8 (p135 above) identifies the most geographically expansive firms in each cohort country I tested. Notably, Baker & McKenzie features in just two evaluation jurisdictions – Germany and Spain. More generally, my findings also reveal that the same large firms do not consistently dominate the totality of different jurisdictions' foreign branch office capabilities to the same degree, even when those firms are consistently found to be among the most geographically expansive practices in multiple jurisdictions. To explain: as table 8 illustrates, DLA Piper represented 45.93 per cent of the Austrian cohort's entire foreign branch office network. However, this same firm only represented 22.67 per cent of the UK cohort's foreign branch offices. This lower UK percentage reflects the more internationalised nature of large UK law firms, compared with their Austrian peers.

4.3.3.2. Conclusions

My findings mirror the GaWC's findings in *Geographies of globalization* (p106 - 107), where it was discovered that a small percentage of their 250-strong cohort accounted for a significant percentage of the sample's foreign branch offices. Thus, for the second time, I have concluded that the GaWC's research has assisted our understanding of large EU law firm geography. Additionally, because I have

demonstrated consistent international branch office behaviours across all six EU evaluation jurisdictions, my findings also lend support to my overarching hypothesis regarding limited common geographical behaviours among different groups of large EU law firms in 2009. However, in light of my other findings, it appears these commonalities have their limits. The number of sample firms required to form a cohort majority varies between EU states, as do the identities of the firms which form those majorities.

4.3.4.1. Testing hypothesis two: *that large EU law firms which trade internationally tend to cluster their foreign branch offices into distinctive transnational patterns*

Here, I reveal my findings in relation to hypothesis two, which explores whether large EU law firms which trade internationally tend to cluster their foreign branch offices into distinctive transnational patterns. My country-specific findings can be found on Excel tables SD17 – SD25. However, table nine below summarises my findings. My findings suggest that both propositions put forward by the GaWC *Geographies of globalization* (Beaverstock, Smith *et al.*, 2000) and *The long arm of the law* (Beaverstock, Smith *et al.* (1999) are supported. My cohort firms did cluster their foreign branch offices into distinctive transnational patterns.

In *Geographies of globalization*, the GaWC suggested that sub-sets of firms within a cohort might prefer to trade on a Western, Eastern or Pan-European basis (p107 - 108). As my consolidated findings overleaf show, such behaviours were observed in several of my nine sample jurisdictions. In Austria, France, German and the UK, my cohort firms' geographical orientations were split – albeit to varying degrees – between those which are orientated to Western Europe, Eastern Europe, or on a pan-European basis. Indeed, the Austrian result is distinctive, because it shows that Austrian firms were the most likely of all my cohorts to have an Eastern European orientation. However, my findings do not directly replicate those of the GaWC in *Geographies of Globalization*, which found that more of their cohort practices traded on a Pan-European basis, in preference to operating on an Eastern Europe basis

(p107 – 108). As table 9 below illustrates, among my sample, the opposite occurred. Overall, my cohort practices were more likely to operate on an Eastern European basis than a pan-European basis – largely on account of my Austrian sample firms’ preference for doing so. Nevertheless, in common with the GaWC, my sample firms also had a clear preference for trading in Western Europe, compared with other geographical configurations. Indeed, in Ireland, Italy, The Netherlands Spain and Sweden, every cohort practice had a predominately Western European orientation. My findings therefore also support two observations made by the GaWC in *The long arm of the law*: that Western European is a competitive globalisation arena in which law firms from different counties compete; and secondly, that Eastern Europe is a secondary globalisation arena – an area where firms from different countries also compete, but to a lesser extent (Beaverstock, Smith *et al.*, 1999, p1873).

Table 9: overall orientations of national cohorts

Cohort	Number of firms per national cohort		
	Predominantly Western Europe orientation	Predominantly Eastern Europe orientation	Pan-European orientation
Austria	8	5	2
France	14	1	0
Germany	14	1	0
Ireland	15	0	0
Italy	15	0	0
The Netherlands	15	0	0
Spain	15	0	0
Sweden	15	0	0
UK	14	1	0

My findings suggest it is possible to apply the GaWC’s globalisation arenas and transnational schemes of behaviour to my cohort. However, my cohort analysis suggests other observable patterns of transnational branch office behaviour are observable by reference to my sample, which do not – invariably – fall within the GaWC Western Europe / Eastern Europe scheme. As table 10 overleaf indicates, in 2009, several of my Austria sample firms clustered their foreign branches into various Eastern Europe states, in accordance with the GaWC’s approach. Similarly –

but also distinctively – several Dutch sample firms clustered into Belgium and, to a lesser extent, Luxembourg. A modest level of legal practice clustering is also evident among my Spanish practices into Portugal, and among my Irish firms into the UK. As the final column on table 10 below shows, it is accepted that most of these regional clusterings were minority activities within each national cohort. Nevertheless, I suggest future studies may wish to explore cross-border law firm geographical clusterings on a more fluid, cohort-sensitive basis, in preference to the continent-wide level of granularity suggested by the GaWC.

Table 10: regional EU branch office clustering among country cohorts

Sample country	No. of cohort firms in country with no foreign EU offices	Countries clustered into	Number of cohort firms clustering into these countries
Austria	5	Bulgaria	5
		Czech Republic	7
		Hungary	6
		Poland	3
		Romania	3
		Slovakia	8
		Slovenia	3
Ireland	9	United Kingdom	6
Netherlands	1	Belgium	10
		Luxembourg	4
Spain	6	Portugal	4

Superficially, the above-mentioned clustering suggests I may have been too quick, on p15, to discount the idea that law firms may expand into countries which were not psychically distant from their own – given that “psychic distance is correlated with geographic distance” (Johanson and Wiedersheim-Paul, 1975, p307 - 308). However, my finding regarding the EU trading countries of my cohort firms arguably confirms my scepticism of this possible driver of legal practice geographical change.

For example, as Excel table SD4 illustrates, in 2009, none of my German cohort firms operated in neighbouring Denmark. Further, as Excel table SD2 shows, the only Austrian sample firms trading in neighbouring Italy were AS practices which has a pan-European presence in any event. Finally, notwithstanding the modest cross-border presence of large Irish firms in the neighbouring UK (Excel table SD5), just one of my UK cohort practices reciprocated by operating in Ireland in 2009 (Excel table SD10). Thus, while my findings indicate modest EU transnational clustering among some national cohorts, the lack of equivalent EU clustering among others is also noteworthy.

Arguably, several of the above-mentioned examples support the GaWC's observation in *Geographies of globalization* – that some law firms appear to trade internationally according to an “idiosyncratic” scheme (p108). However, I suggest that what might be regarded as an idiosyncratic behaviour is sometimes cohort-specific. For example, as table 8 above illustrates, Linklaters' transnational EU geographical reach was idiosyncratic among its Swedish peer group, but noticeably less so among large law firms in Germany, Spain or the UK, where the firm was also a cohort practice. In these countries, as table 8 also shows, several other sample law firms operated as many, if not more, foreign branch offices than Linklaters. Nevertheless, in a limited number of situations, I also uncovered examples of cohort firms whose EU branch office networks were not only at variance with their jurisdictional peer group, but also – substantially – with my entire 107-strong cohort. For example, Swedish firm Glimstedt was one of just four cohort practices to trade in Estonia in 2009, and one of just three cohort firms to trade in Latvia and Lithuania. Similarly, fellow Swedish sample firm MAQS (Bedlow, 2003, p36 - 38), together with UK cohort practice Eversheds (Lind, 2008a, p6), were the only two cohort firms operating in Denmark that year. Moreover, MAQS' Baltic Sea trading behaviour was unique, both within its Swedish peer group and also more widely across my entire cohort. Taken in the round, my findings suggest that some of my sample practices did, as the GaWC suggested in *Geographies of globalization*, operate an idiosyncratic international scheme.

One final observation is also noteworthy regarding transnational legal practice clusterings, in light of comments made by Morgan and Quack (2005, p1775) and Pinnington and Gray (2007, p162): that non AS law firms have a more regionally compact transnational profile compared with some of their more expansive AS equivalents. My longitudinal analysis of the evolution of my cohort practices between 1998 and 2009 suggests the apparent distinction between indigenous and AS firm geography is not always as clear-cut as one might imagine. As table 11 below indicates, transnational indigenous practices often simply merge into transnational AS firms – adding to the AS firms’ global scale, but then ceasing to be indigenous as a result. For example, when DLA merged with Austria’s Weiss-Tessbach in 2003, the combined practices gave DLA Piper seven new offices, including five in the EU (Vere-Jones, 2003, p3). Similarly, prior to its 2000 merger with Germany’s Boesebeck Droste, UK AS law firm Lovells did not operate in Austria, Germany, Poland or Spain (Pritchard, 1999, p94). After the merger, it did (Pritchard, 2000, p85). I suggest it is important to reflect on the histories of how transnational firms arose before regarding them as being, for example, English or American. Often, their legacy components suggest they do not entirely warrant such a definition.

Table 11: how large AS firms can further expand their EU reach by combining with already transnational indigenous law firms

Cohort firm	Legacy indigenous firm	Event year	Yielding new EU office offices in (not all offices remained in 2009)
DLA Piper	Weiss-Tessbach	2003	Budapest, Bratislava, Prague, Salzburg, Vienna (Parnham, 2005c, p21).
Freshfields Bruckhaus Deringer	Bruckhaus Westrick Heller Loeber (Legal Business, 2000, p20)	2000	Berlin, Bratislava, Brussels, Budapest, Dusseldorf, Frankfurt, Hamburg, Leipzig, Munich, Prague, Vienna (Pritchard, 2000, p76).
Lovells	Boesebeck Droste (Zaki, 1999, p1)	2000	Alicante, Berlin, Dresden, Dusseldorf, Frankfurt, Hamburg, Munich, Vienna, Warsaw (Pritchard, 1999, p33).
Linklaters	Oppenhoff & Rädler (Tromans, 2001, p10 - 11)	2001	Alicante, Berlin, Cologne, Frankfurt, Munich, Warsaw (Pritchard, 1999, p373).

4.3.4.2. Conclusions

My findings suggest the GaWC's observations are largely replicated among my cohort. In accordance with the GaWC's observations in *Geographies of globalization* (2000, p107 - 108), specific firms within my various cohorts were observed favouring specific "schemes" of globalisation behaviour. More generally, my cohort firms tended to favour trading in Western Europe, in preference to other European configurations. Therefore, I have concluded that the GaWC's research has aided our understanding of large EU law firm geography. Consequently, my own overarching hypothesis regarding commonalities of law EU firm geographical behaviour is also supported – with the proviso that a significant minority of my Austria sample had a cross-border EU trading preference that was at variance with the majority of my sample group. However, my findings also suggest that, supporting the observations of Morgan and Quack (2005, p1775) and Pinnington and Gray (2007, p162), cross-border geography trading patterns are sometimes more regionally compact than the larger "globalisation arenas" scale of analysis used by the GaWC.

4.3.5.1. Testing hypothesis three: *that, within the EU, a country's largest law firms will typically trade in a small number of domestic locations*

Here, I reveal my findings in relation to hypothesis three, which explores whether – within the EU – a country's largest law firms will operate a small number of domestic branch offices. My country-by-country findings can be found on Excel tables SD26 – SD34. However, as summary table 13 overleaf reveals, my hypothesis is consistently supported across all nine evaluation EU states.

Table 13: domestic branch distribution per national cohort

Sample jurisdiction	Total no. of domestic branch offices	Mean	Median	Mode
Austria	22	1.47	1	1
France	140	9.33	1	1
Germany	83	5.53	5	4 and 5
Ireland	17	1.13	1	1
Italy	65	4.33	3	2
Netherlands	31	2.07	1	1
Spain	79	5.27	3	2
Sweden	57	3.8	3	1
UK	50	3.33	1	1

My findings broadly replicate those of the GaWC in *Connecting Rhine-Main* (Hoyler, Freytag *et al.*, 2008, p1107), and also my reinterpretation of Morgan and Quack’s comparative German branch office data (2005, p1776) – but on a wider geographical scale, and in additional EU legal markets. It appears the tendency for large law firms to trade in a limited number of domestic locations is not only confined to Germany, the focal point of the GaWC’s investigation in *Connecting Rhine-Main*. Indeed, in 2009, my findings suggest it was unusual for a top 15 law firm in both Austria and Ireland, for example, to operate more than one domestic office. However, like Morgan and Quack’s comparative study, I also uncovered differences in local market norms between EU states. For example, even within the smaller EU states I evaluated, large Swedish law firms were more domestically expansive (mean 3.8) than their counterparts in Austria (1.47) or Ireland (1.13). The Netherlands was between these two market extremes, with law firms operating an average of 2.07 domestic offices. Among my larger EU cohort states, while a small majority of firms in both my French and UK cohorts traded domestically from a single location, their Spanish equivalents were noticeably more likely to operate in two or more cities. Further, German firms were likely to trade in at least four locations. Thus, while my hypothesis may be correct in stating that my cohort firms “typically trade in a small number of domestic locations”, my findings also suggest that what constitutes a “small” number of locations appears to be EU country-specific.

Two additional points are noteworthy regarding the above findings. Firstly, the French mean of 9.33 domestic offices can largely be attributed to a single firm, Fidal, which operated 87 domestic offices in 2009. But for that one firm, the French cohort average would have been 3.79. Secondly, my German findings arguably have a wider significance in light of my observations made on p59, where I discussed how German firms – as recently as the 1980s – were banned from operating multiple domestic offices. That such firms had extensive domestic branch office networks in 2009 illustrates how quickly they overcame the “institutional legacies” (Morgan and Quack, 2005, p1765 - 1785) of their recent regulatory past.

4.3.5.2. Conclusions

My findings suggests the GaWC’s observations in *Connecting Rhine-Main*, that groups of law firms within a country tend to congregate into a small number of cities, (Hoyler, Freytag *et al.*, 2008, p1107), is supported – not only in Germany, but also in every EU state I evaluated. Thus, hypothesis three is supported. Further, my findings also support my overarching hypothesis regarding commonalities of large EU law firm geographical behaviours. Nevertheless, my finding also illustrates that such commonalities have their limits. In 2009, large law firms in different EU states consistently traded in a small number of locations. However, what constituted a “small” number of locations was country-specific. More granular generalisations are not possible.

4.3.6.1. Testing hypothesis four: *that, within the EU, a country’s largest law firms will typically cluster their branch offices into common locations*

Here, I reveal my findings in relation to hypothesis four, which explores whether within the EU, a country’s largest law firms will typically cluster their branch offices into common locations. My country-by-country findings can be found on Excel tables 35 - 43. However, as summary table 13 overleaf shows, my hypothesis is consistently supported across all nine EU states evaluated. Overall, my cohort firms exhibited strong clustering tendencies into a limited number of domestic cities. Indeed, such was the concentration of law firms in Austria and Ireland that just one

city in each jurisdiction played host to more than half of that cohort’s entire domestic branch office network. In five of my evaluation jurisdictions, Germany, Italy, the Netherland, Sweden and UK, cohort firms were moderately more dispersed, with a majority of firms operating in between two – six cities. The notable cohort outlier was France. Here, 18 cities comprised a majority of that sample group’s domestic branch office network. However, this high number is explained by Taj’s vast domestic branch office network. But for that one firm, the majority of my French cohort firms clustered into just 10 French cities.

Table 13: how a small number of locations consistently represented a majority of that cohort's domestic branch office network

Sample country	Total number of domestic offices representing cohort majority	Minimum number of locations representing a majority of domestic cohort offices	Percentage of domestic cohort offices presented by those locations
Austria	12	1	68.18
France	71	18	50.71
Germany	43	3	52.39
Ireland	9	1	82.35
Italy	33	3	53.85
Netherlands	16	2	64.51
Spain	40	6	53.15
Sweden	29	3	59.65
UK	26	4	60.00

My findings, shown on tables 14 and 15 below, broadly replicate my previously-discussed interpretation of the GaWC’s findings in both *Connecting Rhine-Main* (Hoyler, Freytag *et al.*, 2008, p1107) and *Balancing London* (Taylor, Hoyler *et al.*, 2010, p1298) – with the proviso that my sampling and methodology was very different to both of these studies. In common with *Connecting Rhine-Main*, my study identified Frankfurt (all cohort firms present), Berlin (12), Düsseldorf (14), Hamburg (8), and Munich (15) as being important domestic trading locations for Germany sample firms. Also like the GaWC’s study, my findings suggested Chemnitz (1 firm) and Mannheim (2 firms) were of marginal interest to my sample group. Once again,

my domestic German finding arguably have a wider significance, given the country's relatively recent history – previously discussed on p59 – of limiting firms' rights to operate multiple domestic offices. Given the right to trade throughout the country, many German firms have taken advantage of this freedom in recent years. However, this does not mean that such firms have chosen to trade equally in all German cities: some locations are clearly more important to them than others.

Table 14: number of firms per domestic trading location (Germany)

Location	Number of cohort firms present in location	Percentage of cohort domestic office total
Berlin	12	14.29
Chemnitz	1	1.19
Cologne	4	4.76
Dresden	4	4.76
Düsseldorf	14	16.67
Essen	1	1.19
Frankfurt	15	17.86
Hamburg	8	9.52
Hannover	1	1.19
Leipzig	2	2.38
Mannheim	2	2.38
Munich	15	17.86
Nuremberg	2	2.38
Stuttgart	3	3.57
Cohort total	84	100.00

In common with *Balancing London*, the centrality of London (15 firms present) to my UK cohort firms' domestic geography was observed among my cohort firms – with the proviso that this finding was entirely expected, given that my UK sample comprised the 15 largest London law firms, as set out in the 2009 EMEA *Legal 500*. Nevertheless, my sampling also shows how Edinburgh (3 firms), Manchester (5), Birmingham (5), and Leeds (5) were noticeably less important legal centres for my UK cohort. As table 15 below also shows, the UK legal market was also home to several “outlier” cities, such as Aberdeen, Cambridge and Newcastle, in which a single – but not always the same – cohort firm traded.

Table 15: number of firms per domestic trading location (UK)

Location	Number of cohort firms present in location	Percentage of cohort domestic office total
Aberdeen	1	2
Birmingham	5	10
Bristol	3	6
Cambridge	1	2
Cardiff	1	2
Edinburgh	3	6
Glasgow	2	4
Ipswich	1	2
Leeds	5	10
Liverpool	1	2
London	15	30
Manchester	5	10
Newcastle Upon Tyne	2	4
Newport	1	2
Norwich	1	2
Nottingham	1	2
Sheffield	1	2
Winchester	1	2
Cohort total	50	100

Moving beyond my hypothesis testing, my findings reveal a noteworthy observation regarding the importance of country's capital city to two of my national cohorts. In the UK, table 15 above shows every cohort firm was present in London. However, this behaviour was not replicated in Berlin – shown on table 14 previously. Here, three German cohort firms were absent. Moreover, my longitudinal legal trade press analysis discovered that two German sample firms – Clifford Chance and Lovells (Gill, 2004, p4; Parnham, 2006, p6 - 7) – had withdrawn from Berlin during the period of my study, while the third, Allen & Overy (Pritchard, 2009, p908), does not appear to have ever opened there. By contrast, table 14 also shows, every German cohort firm was present in Frankfurt in 2009. Although not to the same extent, this finding replicates research undertaken by scholars exploring the US legal market, discussed previously on p33. This research found that more large US law firms operated in the country's financial centre, New York, rather than its political capital, Washington.

4.3.6.2. Conclusions

In light of evidence present above, I have concluded that hypothesis four is supported. Across the EU, my cohort practices consistently clustered into a limited number of common domestic locations. Thus, not only is another aspect of the GaWC's research replicated among my sample group, another element of my own overarching hypothesis – of the commonalities of law firm geographical behaviour between large EU law firms in various countries – is also supported. However, although such commonalities of behaviour can be observed, my additional findings suggest those commonalities have limits. For example, different law large firms in different EU countries treat their capital cities differently in relation to whether a branch office presence is essential.

4.3.7.1. Testing hypothesis five: *despite their otherwise heterogeneous behaviours in relation to their EU branch office locations, my cohort will nevertheless tend to congregate into a small number of EU locations. These locations will have previously been identified by the GaWC as “global legal service centres”, “world cities” or locations deemed “over-provisioned by global law firms”*

Here, I reveal my findings in relation to hypothesis five, which explores whether, despite their otherwise heterogeneous behaviours in relation to their 2009 EU branch office locations, my cohort will nevertheless tend to congregate into a small number of EU locations. These locations have previously been identified by the GaWC as “global legal service centres”, “world cities” or locations deemed “over-provisioned by global law firms”. My findings are contained in three sections. Firstly, I explore whether my entire 107-cohort tended to trade in common EU locations; secondly, I explore whether the EU locations in which my transnational cohort firms traded had previously been identified by the GaWC as being global legal service centres (GLSC); thirdly, I explore whether my transnational cohort firms traded in EU locations identified by the GaWC as being world cities.

A summary of my sample firms' 2009 collective EU branch office presences is set out in table 16 overleaf – I have excluded those locations where just one cohort firm traded because such locations do not represent points of cohort clustering. Overall, my findings do indicate a reasonable degree of collective EU branch office clustering, despite the inevitable role played by cohort selection in my results. For example, it is possible to discount 15 of 47 cohort firms operating in London because such practices were integral to my UK cohort selection. Nevertheless, a substantial minority of my wider cohort also operated in this city. The popularity of Brussels is also noteworthy, given that my sample did not include Belgian-based law firms. The collective presence of 47 of my 107-strong sample group in Brussels therefore supports Van Criekingén, Decroy *et al's* (2005, p177) findings regarding the importance of this EU city.

Finally, the popularity of the Central and Eastern European cities of Budapest (16 cohort firms), Prague (17) and Warsaw (19) is also noteworthy. Each of these cities played host to at least 10 per cent of my cohort practice, despite their parent countries not forming part of any of my national cohorts. My findings broadly replicates that of the GaWC in *The long arm of the law* (Beaverstock, Smith *et al.*, 1999, p1869, 1873), which discovered the above-mentioned cities were favoured trading locations among both London and New York cross-border firms. It is appreciated that none of these cities played host to a majority of cohort member firms – even, typically, a substantial minority. Nevertheless, given that many of my cohort practices did not trade in any foreign locations in 2009, that any EU city can attract at least 10 per cent of my 107-member cohort provides some evidence of foreign branch office clustering among my sample.

Table 16: in 2009, did my entire sample group show signs of collective branch office EU clustering?

EU cohort firm cities	No. of cohort firms present
Brussels, London	47
Paris	27
Madrid	24
Frankfurt, Milan	22
Rome	21
Munich	20
Amsterdam, Warsaw	19
Stockholm	18
Prague	17
Barcelona, Budapest, Dublin, Vienna	16
Düsseldorf	15
Berlin	14
Bratislava, Bucharest	13
Gothenburg	10
Hamburg, Malmö	9
Sofia	8
Valencia	8
Bilbao, Lyon, Padua, Seville, Vigo	7
Alicante, Las Palmas de Gran Canaria, Lille, Marseille, Rotterdam	6
Antwerp, Birmingham, Bologna, Cologne, Helsingborg, Leeds, Luxembourg, Malaga, Manchester, Palma de Mallorca, Turin, Verona	5
Bordeaux, La Coruña, Lisbon, Montpellier, Nantes, Oporto, Oviedo, Pamplona, Santa Cruz de Tenerife, Strasbourg, Toulouse, Zaragoza	4
Bristol, Dresden, Edinburgh, Eindhoven, Florence, Girona, Grenoble, Ljubljana, Naples, Nice / Sophia Antipolis, Saint-Etienne, San Sebastian, Stuttgart, The Hague, Vitoria	3
Arnhem, Athens, Belfast, Brescia, Brno, Cambridge, Copenhagen, Cork, Falun, Genoa, Glasgow, Graz, Helsinki, Jönköping, Leipzig, Lleida, Mannheim, Murcia, Newcastle Upon Tyne, Norrköping, Nuremberg, Orebo, Rennes, Tallinn, Tours, Utrecht, Valladolid	2

Turning now to whether my cross-border cohort firms clustered into the EU global legal service centre (GLSC) locations in a manner suggested by the GaWC in *A roster of world cities* (Beaverstock, Taylor *et al.*, 1999, p455). On Excel table SD44, I present my detailed findings in relation to the EU cities might be designated as “prime”, “major” and “minor” global legal services (GLSC), based on the 2009 branch

office locations of my cross-border cohort firms. A summary of these findings is presented on table 17 below, where I compare own cohort firms' EU city designations with those of the GaWC. Here, my findings suggest almost no overlap between my cross-border cohort firms' collective 2009 EU trading preferences and the GaWC's rankings. This is particularly evident in relation to the minor GLSCs. In total, 52 cities achieved this designation by reference to my own cohort firms' geographical behaviours, despite not being designated as such by the GaWC.

Table 17: the minimal commonalities between the GaWC's GLSC and my own cohort findings

Designation	Commonality between my findings and GaWC	Difference of designation	Number of cities not identified by GaWC as GLSC
Prime	Three cities	16 cities	5 cities
Major	Five cities	Nine cities	34 cities
Minor	One city	None	52 cities

Source: author's research, Beaverstock, Taylor et al., 1999, p455

To illustrate the scale of the differences between my study and the GaWC's findings, table 18 overleaf compares which EU locations should, according to the GaWC, be designated as prime GLSCs. According to the GaWC's research, just three EU cities – London, Paris and Brussels – fulfilled their criteria. However, my study identified 24 EU cities that did so, using the GaWC's own methodology. Because my study took place many years after the GaWC's research, I might have expected a degree of upwards city progression from "major" to "prime" to have occurred among during the intervening years. It is therefore understandable that several EU cities I classified as prime GLSCs, such as Berlin or Frankfurt, were previously classified by the GaWC as major. What is less clear was how my findings could classify Bilbao, Dublin, Sofia, Valencia and Vienna as being prime GLSCs, whereas the GaWC's research did not even classify these locations as being minor GLSCs.

Table 18: cities deemed to be prime GLSC by my cross-border cohort firms, compared with the GaWC's ranking for the same cities

Prime legal service centres				
Location	No. of international cohort firms (seven or more)	No. of cohort firms' foreign offices (26 or more)	GaWC definition	Agree?
Amsterdam	19		Minor	No
Barcelona	13		Minor	No
Berlin	14		Major	No
Bilbao	7		Not featured	No
Bratislava	13		Minor	No
Brussels	47	63	Prime	Yes
Bucharest	13		Minor	No
Budapest	16		Major	No
Dublin	11		Not featured	No
Düsseldorf	15		Minor	No
Frankfurt	22	25	Major	No
Hamburg	9		Minor	No
London	46	42	Prime	Yes
Madrid	20	32	Major and minor	No
Milan	20		Major	No
Munich	20	30	Minor	No
Paris	26	34	Prime	Yes
Prague	17		Major	No
Rome	19	29	Major	No
Sofia	8		Not featured	No
Stockholm	10		Minor	No
Valencia	8		Not featured	No
Vienna	11		Not featured	No
Warsaw	19	27	Major	No
Points of agreement				Three

Source: author's research, Beaverstock, Taylor *et al.*, 1999, p455

The most likely explanation for these differences in results is straightforward: cohort selection. It is, for example, notable that my designation of Dublin as being a prime GLSC can be largely explained by the inclusion of nine cross-border Irish firms within my sample. Elsewhere in table 18, other prime GLSCs – including Vienna and Stockholm – appear to largely owe that designation to the inclusion of cross-border firms from that country in my cohort. Indeed, arguably a key challenge with the

GaWC's methodology in *A roster of world cities* is that the authors set the bar for what should be regarded as "global" law firm too low (Beaverstock, Taylor *et al.*, 1999, p453 - 454). Because the GaWC only required a cohort practice to operate in one foreign location, the domestic office network of any firm which crossed this low threshold becomes eligible for inclusion in the prime, major and minor GLSC city designation process. My findings therefore lend support to my previously-explained doubts regarding the extent to which GaWC's GLSC findings could be decoupled from their underlying cohort. In light of the totality of my GLSC observations, and the lack of correlation between my own cohort firms' trading preferences and those of the GaWC, I have concluded that the GaWC's approach of classifying cities as being prime, major or minor global legal service centres has not aided our understanding of large EU law firm geography.

Turning now to the GaWC's world city rankings: my comprehensive findings can be found on Excel table SD45. It is appreciated that – to a large extent – my analysis compares "apples with pears", given that the GaWC's world city rankings were based on the aggregate findings of four different APS sectors. Yet, taken in the round, it is noticeable that several cities designated by the GaWC as being alpha, beta and gamma world cities also tended to host the largest groups of my cross-border cohort firms – my findings in relation to these city destinations are presented on table 19 overleaf. Equally, those EU cities which did not fall within the GaWC's world city classification scheme (not shown) also tended to host the lowest number of cross-border cohort practices. Certainly, my cross-border firms' preferences for trading in London, Paris, Frankfurt and Milan broadly reflect these locations' alpha world cities status, as designated by the GaWC. However, there are also obvious discrepancies in relation to cities such as Brussels on the one hand, which my research suggests should be regarded as a top-rated alpha world city, and Copenhagen on the other, which was ranked by the GaWC as a gamma world city, yet almost none of my firms traded in. By contrast, the omission of cities such as Bratislava, Bucharest, Dublin, Vienna – each of whom hosted at least 10 of my cross-border cohort firms – are also notable omissions from the GaWC-designated world cities shown above. Indeed, across all of my findings, I uncovered significantly more differences than similarities between my own findings and that of the GaWC.

These differences included 48 cities home to between two and eight of my cross-border cohort firms, which the GaWC had not indicated as showing even minimal evidence of world city formation. On balance, therefore, I have concluded that world city designations presented by the GaWC has not aided our understanding of large EU law firm geography.

Table 19: number of cross-border cohort firms present compared with GaWC ranking for the same city – only world cities shown

City	Number of cross-border cohort firms present	World city designation	GaWC world city ranking*
London	46	Alpha	12
Paris	26		
Frankfurt	22		10
Milan	20		
Brussels	47	Beta	8
Madrid	20		
Amsterdam	19	Gamma	6
Düsseldorf	15		
Prague	17		
Rome	19		5
Stockholm	10		
Warsaw	19		4
Barcelona	13		
Berlin	14		
Budapest	16		
Copenhagen	2		
Hamburg	9		
Munich	20		

* The higher the number, the more important the location's world city status

Source: author's research, Beaverstock, Taylor *et al.*, 1999, p456

My final observation regarding the GaWC's research refers to Leipzig, a location identified by the GaWC (based on 2000 data) as being over provisioned by global law firms relative to other sectors in *Global law firms* (Faulconbridge, Beaverstock *et al.*, 2008, p463). As table 16 above illustrates, among my entire cohort of large EU law firms, just two traded in this location in 2009 – CMS Hasche Sigle and Luther – (Pritchard, 2009, p468, 484). Indeed, it is notable that Clifford Chance (Tromans,

2001c, p1), Freshfields, Linklaters and Taylor Wessing (*The Lawyer*, 2001, p13) closed their offices in this city during my evaluation time period. My finding therefore suggests the apparent importance of certain cities to legal practice globalisation may not only be cohort, but also temporally, specific – an issue to be discussed further in the next section. Nevertheless, due to the paucity of my transnational cohort firms trading in Leipzig in 2009, I have concluded that the GaWC's findings in *Global law firms* in relation to this city has not aided our understanding of large EU law firm geography.

4.3.7.2. Conclusions

In light of the evidence presented above, I suggest there is reasonable evidence to suggest that large law firms from various different EU states commonly clustered in a small number of EU locations in 2009 – notably, London and Brussels.

Consequently, I regard this finding as lending further weight to my overarching hypothesis, which proposes limited patterns of geographical behaviour among my large EU law firm cohort. However, in my analysis above, it has proved difficult to disentangle points of commonality between my cohorts from the cohorts from which they were derived. My findings therefore cast doubt on whether the GaWC's assertion in *A roster of world cities* – that “gross similarities within and across service sectors does suggest that our inventory is reasonably robust: differences are likely to be minor and on the margins” (Beaverstock, Taylor *et al.*, 1999, p451) – is warranted. In light of the significant differences between this group's GLSC and world city rankings and my findings, I believe the GaWC's claim cannot be supported. In light of these considerations, I have concluded that the GaWC's findings in *A roster of world cities* has not aided our understanding of large EU law firm geography. Nevertheless, it is also hoped that my findings are of interest, at least on a comparative basis, to scholars of economic geography. As briefly mentioned on p39, these researchers have previously discovered that different industries tend to have distinctive patterns of geographical coverage, in terms of their collective cross-border trading preferences. In light of my evaluation of the GaWC's research, it would appear that different cohorts within the same sector also have different cross-border trading preferences.

4.3.8.1. Testing hypothesis six: *that, despite their otherwise heterogeneous behaviours in relation to their EU branch office locations, my cohort of firms will nevertheless collectively ignore certain EU locations. In particular, they will commonly ignore EU locations identified by the GaWC as being “under provisioned” by global law firms*

Here, I reveal my findings in relation to hypothesis six, which explores whether, despite their otherwise heterogeneous behaviours in relation to their EU branch office locations, my cohort of firms will nevertheless collectively ignore certain EU locations. In particular, they will commonly ignore EU locations identified by the GaWC as being “under provisioned” by global law firms (Faulconbridge, Beaverstock *et al.*, 2008, p463 - 464). The specific locations I expect my cross-border cohort firms to ignore are: Athens, Copenhagen, Dublin, Lisbon and Madrid. My findings are set out below.

Table 20: number of transnational cohort firms present in 2009 in the EU cities described by the GaWC as being under provisioned by global law firms

EU capital city	Total number of transnational cohort firms present
Athens	2
Copenhagen	2
Dublin	11
Lisbon	4
Madrid	20

Perhaps inevitably, the above findings reflect the national cohorts from which they were derived. Nevertheless, if one strips away these cohort biases, it can be observed that, in 2009, most of these locations were home to very few of my cross-border sample firms. For example, of the 11 cross-border cohort firms trading in Dublin, just two do not owe their existence in the ranking to their Irish sample status: PwC / Landwell (Pritchard, 2009, p685), which arrived in the country in 1999 (Parnham, 2002, p14) and UK firm Beachcroft, which opened in the city in 2009 (Dowell, 2009, p7). Regarding Copenhagen, my two cross-border cohort firms trading in this city in 2009 were Swedish sample firms MAQS (Pritchard, 2009, p275)

and UK practice Eversheds (Lind, 2008a, p6; Chambers, 2009, p576). In Athens, the two cohort firms present were EY Law's PI Partners (Pritchard, 2009, p170) and UK sample firm Norton Rose (Pritchard, 2009, p1170). The identity of these firms is itself, interesting, because it suggests that no one "type" of law firm consistently operates as a geographical outliers regarding the international locations in which they trade. However, it is accepted that UK and accountancy-linked firms dominate the above-mentioned outlier practices. Conversely, the identity of the four firms trading in the under-provisioned EU capital city of Lisbon in 2009 is less surprising: apart from Linklaters (Chambers, 2009, p607), three of the four transnational sample firms present – Cuatrecasas Gonçalves Pereira, Garrigues and Uría Menéndez (Pritchard, 2009, p1372, 1375, 1389) – were Spanish in origin. Nevertheless, given that only four of my sample firms – including 15 of Spain's largest practices – operated in Lisbon that year, my findings supports the GaWC's observations in *Global law firms* that Lisbon is under-represented by global law firms.

The status of Madrid, the final EU location suggested by the GaWC as being under-provisioned by global law firms, is more complicated. Of my 20 transnational cohort firms trading Madrid in 2009, 15 were arguably not indigenous to that country, including Ashurst (Legal Week, 2000, p6; Pritchard, 2009, p918), DLA Piper (Mitchell and Collins, 2005, p2; Pritchard, 2009, p994), Deloitte (*LexisNexis*, 2009, pEU853B), Ernst & Young (Pritchard, 2009, p1374) and Salans (Week, 2007, p8). This raises questions about whether Madrid could, in 2009, be said to be underprovided by global law firms. On balance, I suggest it was not – although I appreciate this has been a subjective judgement on my part.

Overall, because a majority of the EU cities identified by the GaWC in *Global law firms* as being under provisioned by global firms were also under provisioned by my own cohort of cross-border practices, I have concluded that the GaWC's research has aided our understanding of large EU law firm geography.

4.3.8.2. Conclusions

For the reasons stated above, I have concluded that the GaWC's research has aided our understanding of large EU law firm geography regarding the EU cities in which my cohort firms did not operate during 2009 – despite the temporal, cohort and methodological differences between my study and that of the GaWC. Collectively, my sample firms' absence, or minimal presence, in those locations suggests that certain cities can – objectively – be said to be under represented by such firms. Consequently, my own overarching hypothesis regarding limited commonalities of large EU law firm behaviours is also supported.

4.3.9.1 Testing hypothesis seven: - *that, despite their otherwise heterogeneous behaviours in relation to their EU branch office locations, my cohort of firms will treat certain EU locations as being focal points of modest legal practice investment or divestment over time. Some of these more common investment and divestment locations will have previously been identified by either socio-legal or GaWC scholars*

Here, I reveal my findings in relation to hypothesis seven, which explores whether, despite their otherwise heterogeneous behaviours in relation to their EU branch office locations, my cohort of firms will treat certain EU locations as being focal points of modest legal practice investment or divestment over time. Some of these more common investment and divestment locations will have previously been identified by either socio-legal or GaWC scholars.

My longitudinal investigation into the evolving EU geographies of my cohort firms between 1998 and 2009 encountered similar challenges to those identified by the GaWC in *The changing geography of globalized service provision* (Hassens, Derudder *et al.*, 2011): “firms get liquidated, merge with other firms, are replaced by new firms whose global presence/importance rises, etc” (p2296). Consequently, my evaluation is based on 70 out of my 107 cohort firms. Discounted from my evaluation were four sample firms which, while among the largest 15 practices in my various sample jurisdictions, were created between the start and end of my evaluation

period. Also discounted were 20 cohort firms that were found to be entirely domestic in 2009. Perhaps not surprisingly in light of my earlier findings, these excluded practices include five Irish and eight Swedish cohort firms. Finally, I discounted 13 cohort firms, both domestic and cross-border, where it was impossible to determine these firms' evolving presences in my EU evaluation locations throughout my analysis time period. In some cases, particularly in relation to five Spanish cohort practices, these firms' histories were only sporadically documented in the source materials I had access to. However in others, notably in relation to those law firms linked to the "Big Four" accountants, their geographical evolutions were often simply too complex to evaluate with confidence. While it is disappointing that I could not evaluate the evolving EU branch office geographies of nearly one third of my total cohort, my inability to do so can only partly be attributed to my use of secondary source materials to assist with this process. Indeed, the complexities of such firms' geographical evolutions is indicated in my Garrigues' case history, discussed on p163. Garrigues is a former member of Andersen Legal.

Turning now to my findings: my detailed, firm-by-firm, location-by-location, breakdown of my cohort firms' EU geographical activities can be found on Excel table SD46. However, a summary is presented overleaf. While it is accepted that my findings are complicated by some firms both arriving and departing during the time period of my investigation (of which more shortly), my research suggests that several EU locations identified by past research were, indeed, focal points of investment and / or divestment among my sample firms between 1998 and 2009. Reflecting Galanter and Henderson's (2007) findings regarding the evolving geographies of the top 250 US law firms between 1986 and 2006 (p1889 - 1890), my investigation revealed several of my cohort firms expanding into Brussels, London and Frankfurt. Equally, in a similar manner to Silver's (2000, p1127 - 1128) findings regarding the trading trajectories of US law firms, my research shows that several of my cohort practices ceased operating in Brussels, Paris and London between 1998 and 2009. Collectively, my findings suggest a degree of "churn" among large EU law firms regarding the EU locations in which they trade.

Table 21: my cohort firms' evolving EU branch office geography between 1998 and 2009 in certain key EU locations

Evaluation location	Continually present	Arrived	Departed	Arrived and departed	No. present 1998	No. present 2009	Net change
Antwerp	1	4	0	2	1	5	+4
Berlin	8	5	3	7	11	13	+2
Brussels	35	7	10	1	45	43	-2
Frankfurt	14	8	0	3	16	19	+3
London	32	11	4	2	36	44	+8
Madrid	9	7	4	1	13	16	+3
Milan	12	6	1	3	13	18	+5
Paris	16	4	7	2	23	20	-3
Rotterdam	3	1	2	4	5	4	-1
Vienna	8	3	0	0	6	9	+3

In relation to the GaWC's findings – which used a different method of evaluation and a different cohort to my own – perhaps the most notable aspect of my findings were that, in six out of the eight EU cities evaluated, our findings broadly coincided. Like the GaWC's findings (which focused on connectives between cities, as encapsulated by geographically expansive global law firms), my findings found, on balance, more of my cohort firms operating in Madrid in 2009 than in 1998 – notwithstanding the exclusion of several of my Spanish firms from my study, for the reasons stated above. Similarly, broadly in accordance with the GaWC's findings, my evaluation found more cohort firms trading in Antwerp, London, Milan and Vienna in 2009 than in 1998, and also less firms trading in Rotterdam. My findings in relation to Paris and Berlin indicates a different direction of geographical travel to that suggested by the GaWC – the group indicated that Paris has become more connected over time, and Berlin less. By contrast, I found that Paris was home to slightly fewer cohort firms in 2009 than 1998, while Berlin was home to more. However, in both cases, the changes were marginal. Consequently, because my findings broadly concur with that of the GaWC in relation to five out of seven cities we mutually evaluated, I have

concluded that the GaWC's research has aided our understanding of large law firm geography. Further, I have also concluded that, supporting my overarching hypothesis regarding limited communities of large EU law firm geographical behaviours, certain locations within the EU have been notable centres of inward investment or divestment during my evaluation time period.

More generally, and by way of contrast, one of the more noticeable aspects of my findings is the static nature of many of my cohort firms' presences in several evaluation locations. This is indicated in table 21 above, where many of my cohort firms are shown to be continually present in my evaluation cities between 1998 and 2009. In all likelihood, my cohort firms' continual presence in cities such as London, Madrid and Vienna during those years can probably be explained by the inclusion of firms based in London, Spain and Austria within my sample. However, it is also noticeable that 35 of my cohort firms continually traded in Brussels for the duration of my evaluation time period, despite not being Belgian in origin.

Exploring this issue further, my additional findings on table 22 overleaf illustrate that, unambiguously, 11 of my cohort firms did not alter their EU branch office geographies in any way during my 11-year evaluation time period. Perhaps not surprisingly, a majority of the firms identified below are drawn from my Irish and Swedish cohorts – markets relatively unaffected by legal practice globalisation. Nevertheless, France's Lefèvre Pelletier & Associés and Italy's Chiomenti operated in a noticeably more internationalised environment between 1998 and 2009, yet did not change their EU branch office profile during that time. Collectively, my findings provide further evidence to suggest that branch office geographical change, either domestically or within a wider world region, is not an inevitable trajectory for large EU law firms – even when regulation / liberalisation gives such firms a broad freedom to trade wherever they like within a given market.

Table 22: sample firms with an unchanging EU office presence 1998 - 2009

Firm name (2009)	Consistent EU Location (s) – 1998 - 2009
Cederquist	Stockholm
Chiomenti	Brussels, London, Milan, Rome, Turin
Dorda Brugger Jordis	Vienna
Eugene F. Collins	Dublin
Eversheds O'Donnell Sweeney (formerly O'Donnell Sweeney)	Dublin
Gernandt & Danielsson	Stockholm
Lefèvre Pelletier & Associés	Paris
LK Shields	Dublin
Matheson Ormsby Prentice	Dublin, London
Mannheimer Swartling	Berlin, Brussels, Frankfurt, Gothenburg, Helsingborg, Malmo, Stockholm
McCann FitzGerald	Brussels, Dublin, London

However, as I shall now discuss, other firms within my cohort took a contrasting approach, and changed their EU branch offices dramatically during my evaluation time period. Indeed, this behaviour helps explain why, on table 21 above, some firms were found to both arrive and depart from evaluation locations between 1998 and 2009. I shall now present two case histories involving my cohort firms, which help explain this phenomenon. Both of these case histories illustrate the highly complex (and occasionally interlinking) nature of some of my cohort firms' evolving EU geographies.

In 1998, the firm which became my Austrian cohort practice, bpv Hùgel, traded as Hùgel Dallman & Partners. The firm operated in three EU cities: Vienna and Mùdliing in Austria, and also Brussels in Belgium (Pritchard, 1998, p28). In that year, name partner Armin Dallmann announced to *The Lawyer* magazine that his practice was "looking at possibilities and strategies" for gaining international presence (Lindsay, 1998, p5). Subsequently, in 2000, the firm merged with German MDP Haarmann, Hemmelrath & Partner (McAteer, 2000, p66 - 69), a practice whose EU branch office network included my key evaluation cities of Berlin, Brussels, Frankfurt, London,

Milan and Paris (Pritchard, 2000, p208). Starting in 2003, the legal trade press began to report that the firm was undertaking various structural reforms (Evans, 2003, p3; Gill, 2004a, p6; Parnham, 2004, p4 - 5; Power, 2004b, p8). Following disagreements over the firm's lockstep pay structure, the firm's co-founder, Wilhelm Haarmann, resigned (Cushnie, 2005, p7). Shortly afterwards, the firm's branch offices began splitting off (Illman, 2006, p3). That same year, the practice was liquidated (Illman, 2006, p24 - 25). In the aftermath of the collapse of its parent operation, Haarmann's Austrian arm, now trading as bpv Hgel, returned to operating as a standalone practice. And, in 2009, the firm traded in exactly the same three EU locations (Pritchard, 2009, p32) as it had in 1998. Further, rather than operating an extensive EU branch office network, bpv Hgel actively decided (Gibitz, 2006) to extend its EU geographical reach via an alliance with three former Haarmann Hemmelrath offices (Legal Week, 2006, p5) in Bucharest, Budapest and Prague rather than operating its own branch offices.

In 1998, Spanish cohort practice, Garrigues, had recently become part of Andersen Legal (AL) (Parnham, 2002, p12 - 18) a firm which, in 1999, press reports suggested was due to become the world's largest employers of lawyers (Legal Week, 1999a, p5). During Garrigues' membership of AL, AL acquired a 30-lawyer practice operating in Hamburg and Berlin (Legal Week, 1999a, p4) – which would ultimately become my German cohort firm, Luther (Tromans, 2007, p22 - 33). AL also then expanded in Belgium (Tromans, 2000a, p6). (Confusingly, Garrigues also operated its own Brussels office in 1998, known locally as Garrigues & Andersen (Pritchard, 1998, p847)). In addition, during my evaluation time period, Andersen Legal operated long-standing offices in my cohort evaluation cities of London (Egan, 2000, p16 - 19), Paris (Galli, 1998, p37; Lindsay, 1998, p2), and Milan (*LexisNexis*, 1998, pEU1156B; Parnham, 2002, p12 - 18). In 2002, after the Enron scandal broke, Garrigues departed AL (Pearce, 2002, p50 - 52), shortly before AL itself collapsed (Parnham, 2002, p16 - 17). Consequently, in 2003, Garrigues's EU geographical profile was reduced to its pre-existing network of domestic Spanish offices, together with a single foreign branch office in Brussels (Pritchard, 2003, p1068). Between 2002 and 2009, Garrigues undertook a programme of EU branch office expansion, including merging with its former AL partner firm in Portugal (Melville, 2003, p6;

Collins, 2004b, p3), and also opening offices in Bucharest, Warsaw (Lind, 2008b, p6) and London (Chambers, 2008, p1619). This, therefore, explains Garrigues' sudden absence from several evaluation cities in my accompanying Excel table SD46, and also its return to London in 2008.

These case histories illustrate the geographical dynamism of these specific firms. However, I suggest these case histories also pose a challenge to any future researcher who wishes to conduct a survey or interviewed-based analysis of the geographical evolution of any firm with an equally eventful geographical history. In a bpv Hügel / Garrigues-type scenario who, legitimately, should speak for the firm, when explaining past events? The current leaders of the surviving firm entity? The (possibly departed) leaders of the firm's (possibly defunct) parent practice? Or both? My reliance on historical legal trade press articles in my study means I have not had to address this logistical and conceptual dilemma. However, it is a dilemma that future researchers should consider carefully.

4.3.9.2. Conclusions

Overall, my findings suggest that the GaWC's research in *The changing geography* (Hassens, Derudder *et al.*, 2011, p2293 - 2307) has aided our understanding of large EU law firm geography, notwithstanding its different methodology and cohort group. My findings also indicate that certain EU locations – notably Brussels and London – have been focal points of legal practice inward investment (and divestment) among my cohort between 1998 and 2009. I therefore suggest that my findings reveal limited patterns of geographical behaviour within my cohort group – but only relation to the specific locations I evaluated. Yet often, and by contrast, my wider findings regarding my cohort's evolving EU branch office geography also suggests sharp differences between my sample firms in relation to how their EU branch office profiles have evolved. Many of my cohort firms undertook little, or no, EU branch office change during my evaluation time period, while others did so dramatically – suggesting heterogeneity among my group. Indeed, on several occasions, this finding was only uncovered in light of my granular, year-by-year, approach to

evaluating my cohort's branch office changes, notwithstanding the evidential challenges of doing so. Had I, for example, simply examined bpv Hügel's EU branch office geography in 1998 and again in 2009, I might have concluded that this firm had undertaken no EU geographical changes during my evaluation time period. As my case history reveals, the truth was very different.

4.3.10. Cohort EU branch office behaviour conclusions

Having concluded my evaluation of my cohort firms' EU branch office behaviours, it appears that – on balance – the GaWC's research has assisted my investigation. Perhaps ironically, the GaWC's research has proved easier to replicate among my cohort when describing specific cohort behaviours, rather than attempting to formulate generalised models. An example of the – largely replicable – former was the GaWC's observation in *Geographies of globalization* that most of their cohort firms with international offices had “merely an international foothold in the globalizing law business” (Beaverstock, Smith *et al.*, 2000, p106). By contrast, an example of the - largely un-replicable latter – would be the EU cities identified in *A roster of world cities* as being “global legal service centres” (Beaverstock, Taylor *et al.*, 1999, p455). In terms of evaluating my overarching hypothesis, limited patterns of behaviour are evident among my cohort, including their tendency to cluster into a limited number of common domestic and international locations. However, my findings have also uncovered numerous examples of branch office heterogeneity within my various samples. Cohort differences included differences in the average number of foreign branch offices operated by my various national cohorts, and variances in average domestic office numbers in different evaluation countries. My cohort firms also varied in their tendency to alter their EU branch office reach over time. Thus, while my overarching hypothesis has not, so far, been disproven, my findings suggest my hypothesis is only applicable in relation to specific aspects of large EU law firm branch office geography, rather than more generally.

4.4.1.1. Testing hypothesis eight – do my cohort of large EU law firms make extensive use of alliance capitalism to extent their EU branch office reach?

Here, I reveal my findings in relation to hypothesis eight, where I explore whether my cohort made extensive use of alliance capitalism to extend their EU branch office reach in 2009. By alliance capitalism, I mean a scenario where a firm cooperates with another legal practice it is also notionally in competition with (Dunning, 1995, p466). My detailed findings relating to my cohort firms' alliance capitalism relationships are presented on Excel tables SD47 – SD55, but summarised below.

Table 23: my cohort firms' use of alliance capitalism within the EU

Country	Number of known EU alliances to which my cohort firms belonged to per jurisdictions in 2009						No. of cohort firms belonging to alliances
	0	1	2	3	4	5	
Austria	3	5	6	1	0	0	12
France	6	7	2	0	0	0	9
Germany	4	5	5	0	0	1	11
Ireland	1	7	4	0	2	1	14
Italy	7	4	4	0	0	0	8
Netherlands	7	4	2	2	0	0	8
Spain	4	6	3	2	0	0	11
Sweden	3	6	4	1	0	1	12
UK	3	10	2	0	0	0	12

Essentially, my findings broadly confirm both the GaWC's UK-specific findings in *The long arm of the law* (Beaverstock, Smith et al., 1999, p1863) and also Morgan and Quack's (2005, p1776) comparative Anglo-German findings in *Institutional legacies*. As table 23 above illustrates, around the end of 2009, and across all nine EU states I evaluated, the majority of my sample firms in each jurisdiction used alliance capitalism to extend their EU branch office reach. Thus, I regard my overarching hypothesis regarding limited commonalities of large EU geographical behaviours as

being supported. Nevertheless, as table 23 also indicates, my national cohorts were found to use alliance capitalism to differing extents. For example, seven Italian and Dutch sample firms did not participate in any EU alliances in 2009. This is a far higher number than other national cohorts, notably Ireland. This finding therefore suggests that the commonalities between my national cohorts regarding their use of alliance capitalism are limited.

As an additional observation, my detailed Excel findings – set out in SD47 – SD55 – indicate that cross-border law firms often use alliance capitalism in conjunction with their foreign branch office network, rather than as an alternative to them. I shall discuss the interaction between firms' foreign branch offices and their use of alliance capitalism more extensively in my hypothesis nine results section below. However, perhaps the most striking behaviour revealed in these findings – also summarised above – is the large number of sample firms which participate in multiple alliance relationships simultaneously: in three extreme cases (Germany, Ireland and Sweden), taking part in five different alliance relationships at once. To the best of my knowledge, legal practice alliance polygamy has not been extensively explored within the research literature to date. Therefore, moving beyond my hypothesis evaluation, the obvious follow-on question arising out of my finding is – why? By analysing my legal trade press and legal directory-derived data, I have identified three possible explanations. In fact, my findings suggest the reasons why some firms engage in multiple alliance relationships is the same they participate in one: different types of alliances perform different roles. I shall now explain what those roles are, by reference to firms engaged in multiple alliances only.

Firstly, different alliances have differing geographical reaches. For example, Irish sample firm McCann McCann Fitzgerald's enduring North South Legal Alliance relationship (Hellings, 2000, p51 - 56) with L'Estrange & Brett only yielded it additional coverage in one UK region – Northern Ireland. By contrast, the firm's Unilaw membership not only offered it additional coverage in various EU jurisdictions, but also Asia (*LexisNexis*, 2007, pLA101B). Similarly, Spanish sample firm Uría Menéndez belonged to different alliances with differing geographical

ranges. While Uría Menéndez's "best friends" relationship provided it with additional coverage in France, Germany and Italy (Fleming, 2005, p43 - 46; Taylor and Ganz, 2008, p1), its Lex Mundi membership extended its reach globally (*LexisNexis*, 2007, pLA68B - LA77B). Thus, one might regard belonging to multiple alliances simultaneously as a pragmatic way of delivering a firm's desired geographical reach, in the absence of a singular alternative. Further examples of networks with differing geographical ranges are presented in Excel tables SD47 – SD55.

Secondly, different alliances have differing legal specialisms. Some of the alliances my cohort practices belong to, such as Interlaw or Lex Mundi, require their member firms to be "full service" practices. By contrast others, notably Conference Bleue, Ecomlex, Ius Laboris and Taxand, focus on specialties such as pharmaceuticals and healthcare, IT and ecommerce, employment and pensions (*LexisNexis*, 2007, pLA14B, LA19B, LA42B, LA52B, LA69B), and tax (Legal Week, 2008, p5) respectively. Additional examples of the specialist networks my cohort firms belonged to in 2009 to can be found on Excel table SD56.

Thirdly, different alliances have differing strategic objectives: some stress the importance of their member firms' independence from each other, while others ultimately expect their members firms to merge: we might describe this latter type of alliance as being a "proto law firm". Examples of my cohort firms belonging to either type of alliances in 2009 can be found on Excel tables SD57 – SD58. And, among my cohort practices, arguably the best examples of firms simultaneously belonging to two different alliances with two different strategic objectives are Austrian and German cohort practices CMS Reich-Rohrwig Hainz and CMS Hasche Sigle. Both firms are not only long-standing members of the World Law Group (Tromans, 2006, p28 - 30) but also proto law firm CMS (*The Lawyer*, 1999, p2). The World Law Group's mission statement says its constituent practices are "independent law firms, who are not affiliated for the practice of law, and each firm is solely responsible for its own work" (*LexisNexis*, 2007, pLA105B - LA106B). By contrast, the long-standing – if repeatedly deferred (Edmund, 2008, p3) – objective of CMS is full economic integration (Cahill, 2001a, p1). Being members of these two different types of

alliances offers both CMS firms different levels of global coverage and also different strategic options.

On a related point, my investigation also uncovered a possible relationship between my cohort's 2009 branch office geography and their current or previous membership of specific proto law firm alliances. As Excel table SD58 reveals, several of my cohort firms belonged, between 1998 and 2009, to proto law firm alliances which had not, by the end of my study, progressed to full merger. Examples of firms engaging in yet-to-be-consummated relationships include the various members of CMS, the RoschierRaidla alliance (Hoare, 2004, p8) – of which Swedish same firm Roschier was a member – and Taylor Wessing's alliance with BSJP Legal (Sadowski, 2009, p6). Indeed, one might even regard some proto law firm relationships as being a long-term hindrance to their member practices' cross-border consolidation. This is because, while some of these groups existed for many years, they never achieved their stated objective of delivering inter-firm mergers before being discontinued. Failed proto law firms involving my cohort firms include BBLP, of which both German sample firm Beiten Burkhardt and Italian sample firm Pavia E Ansaldo were members (Mooney, 2001a, p1), and Pünder Group, in which Austrian sample firm Cerha Hempel Spiegelfeld Hlawati is a former participant (Tyler, 1998, p1). I shall discuss the reasons why some of these alliances failed to transform into integrated practices in the following chapter, where I evaluate the existence of law firm geographical strategies.

Finally, my research suggests that some of my cohort firms' absence from certain EU locations can be attributed to their previous decisions to downgrade former branch offices into a looser alliance relationship. Cohort firms adopting such an approach between 1998 and 2009 include Clifford Chance, whose Budapest-based alliance partner Lakatos Köves & Partners was spun off from the firm in 2008 (Phillips, 2009, p27), the loose relationship between Austrian sample firm bpv Hügel's (Legal Week, 2006, p5) and its former Haarmann Hemmelrath branch office counterparts in the Czech Republic, Hungary and Romania (McAteer, 2000, p66 - 69) (Gibitz, 2006) and the spin-off of Linklaters' former CEE offices into Kinstellar

(Laver, 2008, p34). Collectively, these findings suggest that, in order to properly understand legal practice branch office geography, one must appreciate that it often closely relates to the alliances to which law firms belong. Moreover, the relationship between law firms and their alliance partner practices can evolve bi-directionally: alliances can progress towards branch office unions, but also arise out of demergers of former branch offices.

4.4.1.2. Conclusions

Overall, my research suggests the GaWC has assisted our understanding of large EU law firm geography: in a similar manner to the GaWC's UK-specific findings in *The long arm of the law* (Beaverstock, Smith et al., 1999, p1863), most of my cohort firms – in all of my evaluation jurisdictions – used alliance capitalism to extend their geographical reach. My findings therefore also support my own overarching hypothesis – that limited common behaviours can be observed between large law firms in multiple EU jurisdictions. However, beyond these broad observations, few commonalities of behaviour can be observed: as table 23 above illustrates, the number of alliances individual firms belong to varies, both between large EU law firms within a given cohort, and also between different cohorts in different EU states. More generally, my cohort firms also appear to belong to law firm alliances for a variety of reasons, such as the alliance's practice area / industry focus or its geographical reach. For that reason, commonalities between my sample firms regarding their alliance capitalism behaviours appears only to exist in a narrow set of circumstances.

4.4.2.1. Testing hypothesis nine – do my cohort of large EU law firms make extensive use of alliance capitalism in distinctive ways, which are commonly replicated across multiple EU states?

Here, I reveal my findings in relation to hypothesis nine, in which I seek to replicate, among my nine national cohorts, the four distinctive approaches suggested by the GaWC in *The long arm of the law* (Beaverstock, Smith et al., 1999, p1865 - 1866). In addition, I have also tested whether my cohort practices use two additional

approaches implicitly or explicitly suggested by the GaWC in the same paper: explicitly, not belonging to any alliances at all, yet still operating internationally; and implicitly not using alliance capitalism in any way, and also operating no foreign branch office. In order to regard such behaviours as commonly replicable, my criteria is specific – can I identify at least one firm within each national cohort which acts in accordance with the GaWC’s variously defined approaches? For example, can I identify a firm which has a minimal foreign office presence (i.e. one foreign office), which is supplemented by an alliance relationship?

My detailed findings relating to my cohort firm’s alliance relationships can be found on Excel tables SD47 – SD55. But, on p172, I offer what I regard as illustrative examples from each of my national cohorts which appear to match the GaWC’s suggested approaches. As table 24 also shows, I have been unable to consistently replicate the above-mentioned patterns of behaviour across each of my cohort countries. My findings suggest various problems in trying to apply the GaWC’s typologies of behaviours. For example, in countries such as France, Germany and the UK, none of my cohort firms had adopted the approach suggested by the GaWC in relation to Travers Smith Braithwaite – that is, operating no foreign branch offices, and belonging to no inter-firm alliances. At the other end of the globalisation spectrum, the tendency of my 15 Irish sample firms to use alliance capitalism extensively meant none had adopted the approach documented by the GaWC in relation to Freshfields – that is, adopting a “no alliance” form of transnational operations. The only Irish firm which did not appear to engage in any form of alliance capitalism relationships, Ronan Daly Jermyn, did not trade transnationally (Pritchard, 2009, p677), and so was therefore ineligible on that basis.

Table 24: testing the replicability of the GaWC's alliance capitalism models among cohort firms

Alternative approaches are described by the GaWC in The long arm of the law. Examples provided below are illustrative of cohort firms which appear to fall within the GaWC's various classifications

Sample country	No foreign branch offices, member of no known alliances	Minimal (one) foreign branch office, supplemented by alliance membership (s)	Two or more foreign branch offices, supplemented by alliance membership (s)	Three or more foreign branch offices, supplemented by strategic alliance	Three or more foreign branch offices, supplemented by a formal network	Direct transnational international presence only no known alliances
Austria	Binder Grösswang	No examples found	e n w c	Wolf Theiss	CMS Reich Rohrwig Hainz	Freshfields Bruckhaus Deringer
France	No examples found	No examples found	Lefèvre Pelleitier & Associés	Lovells	CMS Bureau Francis Lefebvre	Baker & McKenzie
Germany	No examples found	No examples found	Taylor Wessing	Gleiss Lutz	CMS Hasche Sigle	Beiten Burkhardt
Ireland	Ronan Daly Jermyn	William Fry	Maples & Calder	N/a	No examples found	No examples found
Italy	Legance	No examples found	Chiomenti	Clifford Chance	No examples found	Pavia e Ansaldo
The Netherlands	Pels Rijcken & Droogleever Fortuijn	Boekel De Nerée	NautaDutthi	Stibbe	No examples found	Loyens & Loeff
Spain	Perez-Llorca	Roca Junyent	Garrigues	Uriá Menéndez	No examples found	Baker & McKenzie
Sweden	Cederquist	Hamilton	Glimstead	Linklaters	No examples found	Mannheimer Swartling
UK	No examples found	No examples found	Wragge & Co	Pinsent Masons	Eversheds	Freshfields Bruckhaus Deringer

Between these two extremes, elements of the GaWC's various approaches were broadly supported. That is, large EU law firms often supplemented their foreign branch office networks with alliances or affiliations. For example, in relation to the approach requiring firms to operate two or more foreign offices, supplemented by an alliance relationship, representative firms were identified in each of my nine EU evaluation jurisdictions. However, it proved difficult to identify an illustrative cohort member for two of the GaWC's classifications. The first problematic model required a firm to operate a single foreign branch office, which was supplemented by an alliance relationship. Here, challenges in identifying such firms were two-fold. Within my German cohort, all sample firms operated more than one foreign office, thereby resulting in a lack of practices fulfilling the "one foreign location" criterion. Meanwhile, in France, Fidal (Pritchard, 2009, p376) fulfilled the first criterion, because it traded in just one foreign location. However, this firm could not be observed belonging to any law firm alliances, thereby rendering it ineligible under the model's second criteria.

The second problematic GaWC-defined approach required eligible firms to trade in three or more foreign locations, and also belong to a formal network – for which a common brand was deemed to be an indicator. In three evaluation countries, my national cohorts did include firms with a common branded identity: Ireland's Eversheds O'Donnell Sweeney (Pritchard, 2009, p46, 662), Spain's CMS Albiñana Y Suárez De Lezo (Pritchard, 2009, p1369) and Sweden's Lindhs DLA Nordic (Pritchard, 2009, p1396, 1425). However, each of these firms operated on a single jurisdiction basis, and not in three or more foreign locations required by the GaWC. In The Netherlands, CMS Derks Star Busmann fulfilled the classification's common branding requirement. However, it only operated in one foreign country, rather than the three required (Pritchard, 2009, p984) – therefore not meeting one of the GaWC's requirements.

4.4.2.1. Conclusions

In light of my cohort's collective partial compliance with the GaWC's classification scheme for alliance capitalism relationships, I have concluded that – on balance –

the group's findings have not assisted our understanding of large EU law firm geography 2009. For that reason, this element of my overarching proposition, that common behaviours can be observed across large law firms in various EU states, is also not supported. Certainly, my findings indicate that my sample firms exhibit a range of alliance capitalism / branch office behaviours. However, my findings also suggest those behaviours cannot fit within the GaWC's suggested classifications. My findings indicate it would be difficult, for example, for any follow-up research to seek to identify which "types" of alliance capitalism relationship were more or less popular within any given cohort, without first creating an alternative classification scheme to that suggested by the GaWC.

4.5. Section conclusions

As with my previous results, the findings outlined above revealed a mixed outcome, both in terms of the usefulness of the GaWC's research in explaining my cohort firms' EU geographical behaviours, and also in relation to my hypothesis testing. Clearly, many of my sample firms made extensive use of alliance capitalism in 2009. However, they also used alliance capitalism in different ways, both in relation to the number of alliances they belonged to, and also their reasons for belonging to their respective groupings. And, while various interplays between my cohort firms' branch offices and their alliances were identified, the forms of those interplays were not in accordance with the GaWC's suggested classifications. More generally, my broader findings suggest that EU law firm branch office geography and alliance capitalism appear to be highly interlinked. At any given time, in order to understand the branch office geographies of any cohort of large EU law firms, I therefore suggest that an understanding of those firms' alliance relationships is also essential. Further, I suggest the dynamics between the two warrants further investigation in a future study.

Chapter five

Results section two: evaluating my cohort firms' EU geographical strategies

5.1. Introduction

The remainder of this chapter contains two parts. In first, I reveal my findings in relation to hypothesis 10 – which explores the very existence, and also the possible constituent elements of, my cohort firms' EU geographical strategies. In the second part, I reveal whether my cohort firms changed their EU branch office geographies between 1998 and 2009 by reference to the specific reasons suggested by either the GaWC or legal profession scholars – hypothesis 11. The sources used, and also my method of analysis, was discussed in my methods chapter. Briefly, I used template analysis to evaluate relevant English language legal trade press materials which related to my cohort firms' EU geographies between 1998 and 2009.

5.2.1. Testing hypothesis ten: - *that large EU legal practices have overarching geographical strategies which are related to – but also distinctive from – the specific reasons why they change their branch office geographies in specific EU locations. Further, to implement these overarching strategies requires a consensus to be reached between a firm's leadership and its wider partnership*

Testing this hypothesis will yield two related outcomes. My findings will firstly allow me to further assess the extent to which the GaWC's research has aided our understanding of large EU geography. As previously mentioned on p51, the group's existing legal sector research does not appear to recognise that large law firms of any description – EU or otherwise – might have such strategies. If my research indicates that my cohort firms do, indeed, have geographical strategies, this would suggest the GaWC's legal sector research contains a notable omission. Moreover, such a finding would also provide further evidence to support my overarching hypothesis, which proposes that large EU law firms may exhibit limited geographical commonalities of behaviour.

Having undertaken my legal trade press evaluation, I have concluded that the first crucial element of hypothesis 10 is supported. Across my various sample jurisdictions, my cohort firms were observed articulating what appeared to be distinctive geographical strategies. As mentioned on p51 above, my finding has

some novelty within existing legal sector research which, to date, has not substantially considered this possibility.

In relation to the existence of geographical strategies, numerous examples were uncovered within my cohort, including pronouncements made by Anglo Saxon, conglomerate and indigenous European law firms – and across various sample EU jurisdictions. Collectively, this evidence suggests that the existence of a geographical strategy is not unique to any particular “type” of legal practice or legal market. In addition to the examples offered below, further illustrative cohort examples can be found on Excel spreadsheet SD59.

“Dibb Lupton Alsop has developed a three-year strategic plan, which it believes will lead to the creation of an integrated European law firm...Dibbs aims ‘to be top 10 in the City and dominant in the regions with a credible European capability, all leading to the creation of an integrated European law firm.’” (Legal Week, 1999, p3)

“Alberto Terol, managing partner for worldwide tax and legal at Andersen Legal [of which Spanish sample firm Garrigues was formerly a part of], says: ‘Germany is a strategically important market for Andersen Legal, and this merger is another step in our strategy to become a world class legal network and one of the leading providers of legal services worldwide.’” (The Lawyer, 1999a, p4)

“Dillon Eustace has opened a new Cork office as part of a major growth strategy to expand across Ireland.” (Byrne, 2007, p8)

The comments outlined above indicate the elemental existence of law firms’ geographical strategies within my cohort. Building on this observation, I then sought to uncover examples of cohort firms exhibiting distinctive geographical “orientations” (Bagchi-Sen and Kuechler, 2000, p131) regarding their future international intentions. In accordance with Bagchi-Sen and Kuechler’s observations, a variety of international orientations were observed.

Some cohort firms were hostile to the very idea of operating transnationally:

Fernando Quicios Dorda from Perez-Llorca told The European Lawyer that the firm did not plan to open any foreign office, or join alliance with foreign firms. (Tromans, 2007 - 2008, p45)

Other sample firms were more sympathetic to cross-border expansion:

“But Armin Dallmann, partner at another leading Austrian firm Hugel Dallmann & Partners, said his firm was ‘looking at possibilities and strategies’ for gaining [an] international presence and a number of his partners had talked to a number of partners at German and other firms. ‘We feel that the globalisation of the legal marketplace will continue,’ he said.” (Lindsay, 1998, p5)

Finally some firms, which already operated transnationally, were observed planning additional cross-border capabilities:

“Independent Spanish law firm Cuatrecasas is planning to open offices in Milan and Paris within 18 months. The firm, which increased its turnover by 33 per cent for the 2000 financial year, says that having spent the last year focusing on the Americas it now wants to expand into key European markets.” (Legal Week, 2001a, p6)

My legal trade press analysis suggested that some of my cohort firms also had domestic geographical strategies – a possibility not discussed by Bagchi-Sen and Kuechler.

Some cohort firms had actively decided to operate from a single domestic location:

“Stibbe has always solely been in Amsterdam, a deliberate choice.” – Stibbe, managing partner, Joost van Lanschot (Gill, 2004b, p6)

Others were willing to engage in one – or more – mergers to extend their domestic branch office reach.

“According to partner Per Berglof [from Swedish sample firm Delphi], the new firm will take on two more offices in different cities before the end of the year, and aims to create a national network”. (The Lawyer, 1998b, p5)

As my earlier bpv Hügel and Garrigues case histories illustrated, some cohort firms retreated geographically during the time period of my study. Indeed, I uncovered several examples of some closing existing branch offices following a strategic review. For example, Linklaters’ decision to close four of its six Central and Eastern European offices was explained in strategic terms: the firm instead wanted to concentrate its limited resources on “larger, faster-growing markets” (Lind, 2008, p1).

Collectively, the evidence presented above not only illustrates the existence of firms’ geographical strategies, but also the diverse nature of such firms’ geographical strategies and orientations: not only do such strategies / orientations encompass international or domestic preferences, they also encompass both branch office expansion and contraction decisions. Collectively, it is possible that these varied strategic / orientation preferences may help explain my cohort’s equally varied cross-border and domestic EU branch office trading patterns, discussed in the previous chapter.

Curiously, my legal trade press analysis suggests some cohort firms not only have disparate strategies regarding whether or not they should trade internationally, but also in relation to the mechanisms by which they should do so. Building on my observations in the previous chapter regarding law firms' usage of alliance capitalism, I uncovered several examples of sample firms who wished to adopt a certain international profile, but did not wish to undertake cross-border mergers in order to achieve that profile. Here, the explanation offered by single jurisdiction Spanish firm, CMS Albiñana Y Suárez De Lezo, for joining the CMS illustrates one way of addressing this paradox: because the firm "wanted to stay independent", it joined CMS because CMS was an alliance of independent firms, and therefore a "perfect fit" (Collins, 2004a, p3). Other firms, by contrast, were more willing to revise their current referral-based strategy should circumstances require. For example, explaining his firm's strategy to *The European Lawyer*, Boekel De Nerée's Ferdinand Mason said his firm's referral-based approach was conditional on there being a suitable pool of likeminded firms in other countries to refer work to. If such firms then started merging with Dutch practices, he added, Boekel De Nerée might need to revisit its strategy (Eyre, 2005, p46).

Other firms were more emphatic in their refusal to consider combining with other practices – notwithstanding their own willingness to open foreign branches (Mooney, 2001a, p6). Livio Esposizione, a spokesperson for Italian sample firm Tonucci, was insistent that:

"We don't want a merger with an international firm". (Sutton, 2005 - 2006, p70)

Nor was Tonucci alone in this regard. Several other firms in my cohort indicated an "independent but nevertheless cross-border" geographical preference, including Gomez Acebo & Pombo (Legal Week, 2000, p8), Houthoff Buruma (Howell, 2002, p4 - 5) and Lefèvre Pelletier & Associés (Tromans, 2006, p36 - 40). Whether such firms' geographical strategies are meaningfully different to "non-independent" (i.e. AS law / conglomerate firms), is debatable. Nevertheless, trade press sources suggest these firms believe their geographical approach to be distinctive. Further examples of my cohort firms making a variety of geographic strategy announcements can be found on Excel table SD59.

Having demonstrated that many of my cohort practices exhibited overarching geographical strategies and orientations during my investigation time period, I shall now explore what I regard as two key facets of my sample firms' geographical orientations: firstly, the role of a firm's leadership, and also its wider partnership, in the strategy formation process. I shall then demonstrate the apparent interaction between these two facets of law firm geographical strategy in a brief case study.

Law firms leaders from various sample firms were discovered making geographical strategy announcements in the legal press:

“Expansion has been our core strategy for the past five years with an aim to become the leading regional practice in southeastern Europe,” – Wolf Theiss managing partner, Markus Heidinger (Legal Week, 2005, p6)

“[Allen & Overy managing partner, John] Rink says that he decided years ago that A&O should expand into five key European countries – Germany, Italy, France, The Netherlands and Spain. From these vantage points he hopes the firm will be able to dominate the European marketplace. He says: ‘This is part of our strategy to become a pan-European firm’.” (Dunleavy, 1999, p10 - 11)

Arguably, the above-mentioned comments by law firm leaders support Bell's (1995, p66) observations, that such individuals often have a clear vision regarding what international markets have the best potential for their practice. Indeed, some law firm leaders also have a clear vision regarding the precise order in which they should enter markets. For Spanish sample firm, Cuatrecasas, the preference of firm chairman Emilio Cuatrecasas was to first focus on Paris, then the world's major financial centres of New York London and Shanghai, then Latin America and Brussels. (Moshinsky, 2008, p21). And, on a smaller scale, Eugene McCague, managing partner of Irish sample firm Arthur Cox, told *The European Lawyer* that his

firm's recent arrival in London was the next logical step after consolidating domestically and in Northern Ireland (Tsang, 2001, p45).

In light of my singular reliance on legal trade press sources to identify the existence of law firm leaders' orientations, it is unclear what prompted these leaders to formulate their various orientations. For example, none of the above-mentioned examples indicate to what extent market the leaders' orientations' were based on their entrepreneurial spirit (Krull, Smith *et al.*, 2012, p1112) or a systematic evaluation of alternative options (O'Farrell, Wood, *et al.*, 1996, p111 - 112). In essence, my legal trade press analysis has simply allowed me to uncover the range of geographical orientations which my cohort firms' leaders appear to have. I therefore suggest the underlying basis of law firm leaders' geographical orientations warrants further exploration in future studies. Perhaps fresh in-depth interviews with those leaders, or surveys of them, might reveal how those orientations arose?

Further exploring issues raised by my literature review, I uncovered limited evidence in support of Andersson's (2000, p76 - 77) observation, previously discussed on p53 – that a change of leadership can result in a change in a firm's geographical strategy. Here, a short case history regarding the appointment of Jan ter Meer as managing partner of Dutch sample firm Boekel De Nerée illustrates this dynamic. Following his appointment, press reports suggest Mr ter Meer first reviewed (*Legal Week*, 2002, p3), and later discontinued, his firm's relationship with UK sample firm Eversheds. This relationship had been in place since 1999, and was originally intended to progress to a merger (Joy, 2000, p50). Explaining his decision, Mr ter Meer subsequently told *Legal Week* "the co-operation has not brought either firm the advantages we envisaged two years ago," (Tromans, 2002a, p8). He later confirmed to *Legal Week* that his firm was now "focusing on the international market as an independent firm", and would be building up information alliances around the world with similar practices (Tromans, 2002a, p9).

By contrast, the appointment of Arent van Wassanaer as managing partner of Houthoff Buruma arguably illustrates the limits of law firm leaders' abilities to deliver a strategy of geographical change within a partnership structure – the focus of the following section. Press reports suggest Mr van Wassanaer resigned after just nine months in the role, due to a dispute within the firm over its geographical strategic direction (*Legal Week*, 2001d, p6). According to press reports, Houthoff Buruma first voted in favour of (Tromans, 2000b, p6), and then against (Pawsey, 2002, p1), merging with an AS practice within a single year. Notably, having departed Houthoff Buruma, Mr van Wassanaer subsequently helped establish Norton Rose's Amsterdam office (*The Lawyer*, 1999, p8). Not only does this example illustrate the limited powers of some law firm leaders to drive geographical change within their practice, it also suggests that those same lawyers can sometimes go on to help rival practices to deliver their own, more geographically expansive, visions.

The final element of this hypothesis, and accompanying template, suggests that the orientation of a law firm's wider partnership may form the second key element of a practice's overall geographical orientation. Exploring this issue further, I specifically sought to uncover examples of my cohort firms' wider partnerships being involved in their practices' geographical strategy formation and resulting firm orientations. Numerous examples were uncovered, involving various different geographical strategy choices – and also yielding a variety of geographical outcomes.

For example, my legal trade press sources report partners approving geography-extending mergers:

“Partners at Freshfields and German firm Deringer Tessin Herrmann & Sedemund have voted for a merger” (Townsend, 1999, p1)

..geographical retrenchments, such as the ultimate 2002 departure (Collins, 2003a, p1) of Fidal from Deloitte...

Deloitte & Touche's Paris law arm next week faces a make or break vote that will see the 340-lawyer practice either commit to further integration with its big four parent or split from the network entirely (Collins, 2003, p3)

..and even situations resulting in geographical stasis, where firm partnerships actively decided not to alter their existing branch office geographies.

Linklaters' relationship with De Brauw Blackstone Westbroek has been damaged almost beyond repair after the Dutch giant voted against a merger with the magic circle firm (Byrne, 2006, p16).

Collectively, this evidence suggests owner-manager democracy continued to be evident in many of my cohort practices EU during the 2000s – thus replicating Pinnington and Morris' (2003, p90 - 92) observations, which had previously observed similar behaviours among large UK law firms. I therefore regard the final element of hypothesis 10 to be supported. Further illustrative examples of my cohort firms exhibiting such behaviour can be found on Excel table SD61.

Having observed the involvement of both law firm leaders and wider firm partnerships in the formulation of their practice's geographical strategies, my final observation relates to the dynamic between these two sources of strategic power. Here, my findings provide some evidence to suggest that, where there is a disagreement between the geographical strategy preferences of a legal practice's management team and its wider partnership, the views of the law firm leaders do not always prevail. Here, a short case history – involving German sample firm Taylor Wessing – is helpful, because it incorporates several elements of law firms' geographical strategies discussed elsewhere in this chapter.

In 1999, the then chairman of legacy German practice Wessing, Wolfgang von Meibom, *told Legal Week* that the four constituent firms of The Conference of European Lawyers – his own practice, French practice Siméon & Associés, Dutch practice Houthoff and Brussels-based firm Liedekerke Wolters Waelbroeck & Kirkpatrick – “were progressing towards a merger, but that no formal timetable had been drawn up” (Legal Week, 1999b, p5). However, two years after making this statement, the firm’s partnership voted to depose von Meibom as chairman. Also voted out of office at the same time was Gustav-Adolf Lange, the lead partner of the firm’s Frankfurt office. Press reports suggest the decision to depose both individuals arose out of disagreements over the firm’s international strategy: Lange wished the firm to remain independent, whereas von Meibom’s preference was for “linking with certain [unspecified] foreign firms”. von Meibom’s preference, the legal trade press reported at the time, meant he “could no longer represent the interests of the entire firm” (Tromans, 2001a, p1). Later, von Meibom became chief executive of the newly-constituted Andersen Luther (Pawsey, 2001, p5) – thus following a similar career trajectory to Houthoff Buruma’s former managing partner, Arent Van Wassanaer. Shortly after Wessing removed von Meibom and Lange, the firm created a new four-partner management committee to lead the practice (Mooney, 2001b, p1). And, within a year, Wessing partners voted to merge with UK practice Taylor Joynson Garrett by an overwhelming margin (*The Lawyer*, 2002b, p5), despite opposition from a team of “high profile” Frankfurt partners (Pawsey, 2002, p9). Later, the combined firm – now known as Taylor Wessing - embarked on what, at the time, was described as a “sustained European expansion programme” (Baxter, 2002, p1). In 2003, a new Paris office was opened (Kat, 2003, p1). In 2005, a working party of partners within the firm were commissioned to investigate whether the practice should expand into additional EU states, notably Italy, Spain and the Netherlands (Bryne, 2005, p2). By 2009, the firm had not expanded into these jurisdictions (Pritchard, 2009, p418). However, it has formed an alliance with Polish firm BSJP (Sadowski, 2009, p6). In conclusion, in 2009, we can state that Taylor Wessing’s EU geographical profile did not match that originally envisaged by its former chairman (i.e. to merge with its allied firms in France, the Netherlands and Belgium), nor that of its deposed Frankfurt head (to remain independent) nor, indeed, its own declared strategy in 2005. Nevertheless, throughout this time owner-manager engagement was a constant element of this firm’s EU geographical strategy evolution. More

generally, the firm's change in geographical direction following the Wolfgang von Meibom departure appears to be in accordance with Andersson's (2000, p76 - 77) suggestion that senior management changes may result in a change in a firm's corporate strategy.

Building on my comments previously made on p96 and p162, the above examples further illustrates the challenges of seeking— retrospectively – to uncover an “official” reason why a law firm's overall geographical strategy may change over time, given that leaders can be deposed, and that partnerships can change their minds regarding what the firm's geographical strategies should be. In testing the above-mentioned hypothesis, I am simply seeking to identify what the common elements of a large EU law firm strategy might be – for which using legal trade press materials alone is sufficient. However, my findings also suggest that any future researcher, who wishes to fully understand the underlying drivers of a specific law firm's geographical strategy, will probably need to interview current and past firm leaders, and also members of the firm's wider partnership, in order to obtain a rounded understanding of the issue. It would also probably be useful to make extensive use of archival sources to validate any claims made.

5.2.2. Conclusions

The evidence presented above suggests my cohort firms displayed a wide variety of geographical strategies, both domestically and internationally, between 1998 and 2009. Moreover, my findings also suggest these firms' geographical strategies may also be temporally specific, and liable to change. Finally, my findings suggest that my cohort firms' EU branch office geographical strategies may interact, to some extent, with their alliance capitalism relationships. Yet, despite the heterogeneity of the considerations I have discussed, I suggest all three key elements of hypothesis ten are supported: the existence of law firm geographical strategy, and also the role played in the implementation of that strategy by both a firm's leadership and its wider partnership. Consequently, my findings support my overarching hypothesis that commonalities of geographical behaviour can be observed between large EU law firms in various EU states. However, it is appreciated that the scope of these

commonalities appears limited to the very existence – and also the implementation mechanisms of – such strategies, rather than substantive strategic outcomes, which are heterogenic. In light of my conclusion, I have also determined that the GaWC’s lack of research into this issue represents a notable omission from its output.

5.3.1. Testing hypothesis 11: - *that my cohort of large EU law firms change their branch office geographies in specific EU locations for the reasons suggested by the GaWC or legal profession scholars*

Here, I reveal my findings in relation to hypothesis 11, where I seek to establish whether my cohort of large EU law firms changed their EU branch office geographies in specific EU locations for a multiplicity of reasons, which could nevertheless be defined and categorised. As previously indicated on p55, the very idea that law firms may change their geographies for a multiplicity of different reasons has a novelty within the limited pool of existing legal sector research, which has tended to explore geographical change from the perspective of a single causal explanation.

In testing my final hypothesis, I sought to uncover incidences of my cohort firms explaining an EU branch office change event in a manner which broadly correlates with the explanations offered by the GaWC or legal profession scholars. It is by following this approach that I have been able to evaluate the extent to which the GaWC’s research has aided our understanding of large EU geography. A summary of explanations I expect my cohort firms to offer is encapsulated in the sub-sections of template code 1.2, shown on p123 - p124. I shall now evaluate my findings in relation to each sub-code. I appreciate that this will be a lengthy exercise, given that 13 sub-codes were identified in my literature review – some of which also contained additional sub-codes. To assist with my hypothesis testing, illustrative examples have been selected to include law firms from multiple national cohorts, ideally including AS, MDP and indigenous firms. I have also included examples involving both cross-border and domestic branch office change events. The reason for this evidential sampling is deliberate: in order to support my overarching hypothesis regarding limited commonalities of large EU law firm geographical behaviours, I

regard it as essential that I can show a variety of sample firms offering what appear to be similar explanations for their EU geographical change events. However, it is accepted that law firms from some country cohorts are more highly represented in my findings than others. As my previous findings revealed, cohort firms operating in certain EU states were notably more geographically active between 1998 and 2009 than cohort firms operating in other EU states. Consequently, the pool of legal trade press articles which explains different firms' geographical change events also varies.

5.3.2.1.1. External factor one: *regulation*

The evidence presented below supports each of the three sub-codes contained within template code 1.2.1.1.

Firstly, the legal trade press sources I analysed suggested a small number of cohort practice firms sought, and obtained, permission to trade in new EU locations during my evaluation time period:

“The merger of Clifford Chance and etude Faltz & Kremer was eventually finalised by the Luxembourg Bar Association in January 2000....” (The Lawyer, 2000, p27)

“Ernst & Young has opened the way for multidisciplinary practices in The Netherlands after the Dutch Bar gave it the go-ahead for its accountancy and legal businesses to profit share.” (The Lawyer, 1999b, p4)

Secondly, a small number of cohort firms entered new EU markets between 1998 and 2009 in light of their Establishment Directive-enabled right to do so. Here, the opening up of the Portuguese legal market to foreign firms in July 2001 (CCBE,

2005) is reported to have generated a small cluster of foreign branch office openings by my cohort firms, including by Linklaters and Uria & Menendez:

“The Portuguese market opened up to foreign law firms in July 2001, when an EU directive allowing EU firms to open in any EU country was transposed into Portuguese law. Spanish heavyweight Uría & Menéndez was the first firm to open in Portugal, following the transposition of the directive, with Linklaters hot on its heels in early 2002.” (Rovnick, 2003, p8)

In some circumstances, domestic liberalisation was also responsible for cohort firms' branch offices changes:

“Audit giant PricewaterhouseCoopers has launched a new 130-strong tax and legal practice – named TLS – in Italy, following the relaxing of regulations governing what services multiple disciplinary partnerships can offer.” (Legal Week, 2006, p6)

In relation to my third template code, regulatory entrepreneurship, the arrival of Norton Rose into Greece in 1999 (*The Lawyer*, 1999a, p3) appears to provide an illustrative example. Press reports describe how the firm initially operated via a “chambers style set-up”, with all lawyers working on a self-employed basis in order to “avoid criminal proceedings from the Greek authorities” (Khela, 2000, p1). Shortly after the Establishment Directive took effect in the country, in May 2000 (CCBE, 2005), the firm became “one of the first international law firm to have registered its operations in Greece as a branch office” following approval by the Piraeus Bar (Malkin, 2002, p10).

Moving beyond my narrow template code testing, I also uncovered examples of firms engaging in what appeared to be regulatory entrepreneurial activity, but with contrasting outcomes. On the one hand, Norton Rose's Greek experience is arguably an example of a firm engaging in successful regulatory entrepreneurial activity, because it was ultimately permitted to remain in its chosen location until it had the official right to do so. Conversely, KPMG's attempt to operate in Antwerp via an association with Lonting & Partners ultimately failed. Having formed the association in 2001 (Cahill, 2001, p30 - 31), press reports suggest that Lontings then encountered difficulties with the Antwerp Bar, which refused to register the firm's members. Partner Alexander van den Bergen told *Legal Week* at the time: "if we lose the appeal we will have to close the office," (Tromans, 2001b, p1) – which then happened (Pritchard, 2002, p98). On p61, I noted that scholars had previously observed MDP law firms in France locating themselves within the geographical boundaries of sub-national bars that were sympathetic to their existence (Daly, 2002, p609; Boigeol and Williemez, 2005, p54). Here, the closure of Lonting's Antwerp office in the face of a hostile local bar, but the continued existence of its Brussels office (Pritchard, 2002, p98), suggests that operating within the geographical boundaries of a sympathetic local regulator can, indeed, be essential to a firm's ongoing presence in that location – even within a single country.

My final observation regarding the possible impact of regulation in relation to large EU law firm geography relates to apparent influence on some of my cohort practices' alliance capitalism relationships, discussed previously on p63 in relation to Japan. For example, in Portugal, Cuatrecasas ultimately merged with Goncalves Pereira Castelo Branco & Associados – its long-term associated practice (Rovnick, 2003, p8) – shortly after it was permitted to do so following Portuguese establishment liberalisation. By contrast, Uría Menéndez ended its association with Portugal's Morais Leitão, J Galvão Teles & Associado around the time the Establish Directive became active in Portugal. Instead, Uría firm created its own Lisbon office (Mooney, 2001, p8). The contrasting geographical outcomes of these two Spanish firms arguably illustrate the various possible options arising out of regulatory liberalisation, even in relation to a single sample group in relation to a single foreign country.

5.3.2.1.2. Conclusions

Because the GaWC had identified the importance of regulation to law firm geography (Faulconbridge, Beaverstock *et al.*, 2008, p461), I have concluded that it has assisted our understanding of the drivers of legal practice geographical change. However, I have also found that regulation affects law firm geography in a noticeably more multifaceted way than the GaWC, citing Dunning, suggests – i.e. change can be attributable to “restrictions on the use of foreign barristers in court” (Beaverstock, 2004, p165). Rather, I suggest the behaviours I have observed broadly fall within the categories set down within template code 1.2.1.1. For that reason, I believe this specific template code is supported. This code will therefore be retained in the final version of the template. Additional illustrative examples, involving cohort firms altering their EU geographies in light of contemporaneous regulatory requirements, can be found on Excel table SD62.

5.3.2.2.1. External factor two: *client considerations*

On p65, I identified two ways in which the EU geographies of my cohort firms might be influenced by client considerations. Firstly, I suggested that my sample firms may alter their EU branch office presence according to specific client demand (either by opening or closing it). Alternatively, I suggested they could open or close an EU office in anticipation of future client demand. Both of these explanations form the basis of the sub-codes within template code 1.2.1.2. Outside my template code validation process, my literature review also indicated that some firms may decide not to alter their branch office geography because there was no compelling client-related reason for them to do so. Further, my literature review indicated that some firms may decide to disregard client demand and not change their branch office geography – typically, for strategic reasons.

My legal trade press analysis uncovered several examples of cohort firms explaining an EU branch office geographical event by reference to actual client demand. Such explanations related to both domestic cross-border branch office developments:

“Managing partner at Addleshaw Booth & Co, Mark Jones, whose London office opened in November, says its move was prompted by the needs of existing clients”
(*The Lawyer*, 1999, p1)

“Many Spanish companies are going to Poland and our clients are asking us to support them there” – Uría Menéndez managing partner Luis De Carlos, explaining the reason for his firm’s new Warsaw office.” (Moshinshy, 2005, p10)

Other sample firms justified client-related geographical change in a more speculative manner, suggesting the move was motivated by potential client demand:

“According to partner Per Berglof [managing partner at Swedish sample firm Delphi], the new firm will take on two more offices in different cities before the end of the year, and aims to create a national network. ‘You have to be large in order to attract new Swedish and foreign clients,’ he said.” (*The Lawyer*, 1998b, p5)

“Gianni [Origoni, Grippo & Partners] managing partner Francesco Gianni said [in relation to the firm’s domestic expansion into Turin]: ‘We believe it’s very important to be where dynamic and fast-growing businesses are. Turin and Genoa in particular are playing increasingly crucial roles in the Italian economy’.” (O’Conner, 2005, p7)

Tonucci’s explanation of its cross-border expansion into Prague suggested the firm was expanding both in relation to actual client demand – the firm had recently won work in the Czech Republic – but also more speculatively – i.e. the firm intended to expand its Central and Eastern client basis (Mooney, 2001a, p6). Another firm to explain their practice’s geographical expansion by reference to both current and future client demand was A&L Goodbody, whose new Belfast office was intended to “further develop our Northern Ireland expertise to existing and prospective clients” (*Legal Week*, 2007, p3). In light of these observations, it would appear that law firms

may change their branch office geography for both client-relation reasons at the same time – albeit possibly with one consideration dominant.

In accordance with the findings of past research, I uncovered a small number of examples of cohort firms explaining their EU branch office closures for client-led reasons. Examples of this kind include Lovells' retreat from Dresden, a development which occurred "after seeing investment in Eastern Germany tail off" (*Legal Week*, 2000, p7) and also Simmons & Simmons' departure from Portugal. This latter development was explained at the time by the firm's managing partner, Mark Dawkins, who told *The Lawyer* "our clients don't tend to need legal services in Portugal" (Chellel, 2009, p1). However, another client-related reason for law firm geographical change appeared to involve firms dispensing with offices which were felt to serve the "wrong" type (i.e. local) clients. Both examples offered below relate to cohort firms closing offices in the German city of Leipzig.

"A [Clifford Chance] spokeswoman said the Leipzig split was necessary because the Leipzig partners had a predominantly local practice." (Tromans, 2001c, p1)

"[Taylor Wessing] We want to focus on the international brand," [says Munich partner in charge of the Leipzig closure, Wolfgang Rehmann]. "Since 1992, when the Leipzig office opened, it has been profitable. However, it has developed differently from the other offices. Our focus is on intellectual property, IT and corporate work, and we're consultants for big companies. The Leipzig office is not in line with this." (The Lawyer, 2001, p13)

Closing an office because it attracts the "wrong" type of client appears to resemble Pinnington and Gray's (2007) observations that some large Australian law firms had opted not to expand outside of Asia Pacific (p158), thereby disregarding existing client demand. I had initially decided against including a template code which stated that "firm disregards client demand", because I regarded this explanation as being an

example of “geographical stasis” – which my template was not intended to document. However, in light of the above examples, I have concluded that such a code should appear in the final version of my template.

Following on from Silver’s (2000) observation that “not all clients need foreign or international legal services” (p1131), my legal trade press analysis uncovered two examples of cohort practices justifying their reasons for not undertaking EU geographical change on such a basis. In the first example, A&L Goodbody’s then managing partner, Paul Carroll told *The European Lawyer* that his firm had previously considered merging with a Northern Irish practice, but had decided against it due to lack of client demand (Parnham, 2005d, p40 - 45) – a decision later reversed (*Legal Week*, 2007, p3). In the second example, which relates to the CMS legal network, it was revealed, in 2004, that: “the chances of an early move to integrate CMS Cameron McKenna’s international network have been dealt a blow following a survey that found little client support for cross-border mergers within the European grouping” (Collins, 2004, p8). Both these explanations are noteworthy because they suggest that a lack of client demand may influence some large EU law firms’ decisions not to change their EU branch office reach at a certain point in time.

5.3.2.2.2. Conclusions

Because the GaWC suggested that law firms might change their geographical reach for client-led reasons (Beaverstock, Smith *et al.*, 1999, p1859 - 1860), I have concluded that the group’s research has aided our understanding of large EU law firm geography. However, my findings more closely reflect Spar’s (1997, p13) actual client demand / speculative client demand explanation for the law firm geographical change, rather than the GaWC’s Dunning-inspired “competitive advantage in gaining access to transnational clients” explanation (Beaverstock, 2004, p165; Faulconbridge, Beaverstock *et al.*, 2008, p464 - 465).

The actual / potential client demand explanation appears to have been responsible for a large number of geographical change events involving members of several of my national cohorts, at various points in time, and involving both domestic and cross-border geographical change outcomes – additional examples are provided on Excel table SD63. On that basis, I suggest this concept has broad applicability across my sample. Therefore, I regard template code 1.2.1.2. as being supported. However, for the reasons outlined above, I have added a further client-related explanation to the final version of my template: “firm disregards client demand”.

5.3.2.3.1. External factor three: *significant geopolitical events*

Broadly reflecting the GaWC’s suggestion in *The long arm of the law* (Beaverstock, Smith *et al.*, 1999, p1857 - 1876), several of my sample practices altered their EU branch office reach between 1998 and 2009 in response to what might be described as “significant geopolitical events”. Not surprisingly, given the time differences between our respective studies, the geopolitical events which appeared to affect my sample firms’ EU branch office geographies were different to those identified by the GaWC in *The long arm of the law*. Whereas the GaWC observed that “Europe and European Monetary Union” (p1861 – 1862) had driven geographical change among their UK law firm cohort, my findings suggested that a recent round of EU accession and the fallout from the Enron scandal influenced my cohort firms’ evolving EU branch office networks between 1998 and 2009. However, my legal trade press evaluation also led me to conclude that both of these explanations were closely linked to other factors driving large EU law firm branch office change – notably, regulation and client considerations.

“German independent Noerr Stiefenhofer Lutz is to open its sixth Central and Eastern European office in Bratislava, in a bid to take advantage of European Union enlargement.... Noerr senior partner Dieter Schenk told Legal Week: ‘We are rounding up our offices in both the EU member countries as well as neighbouring states. There are a large number of clients who invest in single countries but set up

an entire network of production sites in various areas. We want to cover the main regions that that our clients are based in.” (Gill, 2004b, p5)

Similarly, the withdrawal of various constituent practices from the Ernst & Young and PwC/ Landwell networks were, in part, due to specific regulatory changes being introduced in the aftermath of Enron:

“The Reviserslagen law on accountancy firms, which was introduced in autumn last year, states that an auditing firm cannot perform any legal work that is directly linked to an auditing firm. ‘So there’s no point in Ernst & Young existing as a law firm,’ said Stockholm managing partner Anders Fernlund, whose office is now being dissolved.”
(Hoare, 2002, p7)

“Landwell’s German firm Heussen is to split from the accountancy-tied network – depriving the alliance of one of its last remaining major members. The 100-lawyer firm, previously known as PricewaterhouseCoopers (PwC) Veltins, will now follow a long line of former Landwell allies in splitting from the accountancy firm in response to tough international curbs on the services accountants can offer.” (Tromans, 2004, p1).

In light of my findings, it is arguable that this explanation / template code should be subsumed into others, because it does not appear to exist independently of them. However, I have decided against doing so because, while the precise impact of geopolitical events may be jurisdiction-specific, the impact of such events often had wide-ranging geographical ramifications, across multiple jurisdictions, within a short period of time.

At a more granular level, my findings suggests that, while a significant geopolitical event can affect multiple firms in multiple countries, such events do not necessarily affect all firms in all countries within a given cohort. For example, as Excel table SD64 indicates, the fallout from Enron affected the EU branch office geographies of several additional Ernst & Young and PwC / Landwell member firms in a manner similar to that described above. Indeed, trade press sources suggest the regulatory fallout from Enron also prompted the departure of Taj from Deloitte (Collins, 2003a, p1), the apparent cessation of KPMG's KLegal network (Baxter and Tromans, 2003, p1), and the restructuring within bpv Hügel's legacy German MDP parent practice, Haarmann Hemmelrath (Power, 2004b, p8). However, my investigation did not lead me to conclude that this geopolitical event significantly impacted on the EU branch office geographies of non-conglomerate MDP firms. Similarly, while several cohort firms, including Cerha Hempel Spiegelfeld Hlawati (Kis, 2008, p6 - 7), DLA Piper (Fleming, 2008, p25 - 28), Garrigues (Lind, 2008b, p6), White & Case (Moshinshy, 2008b, p10) and Wolf Theiss (Moshinshy, 2008c, p10) opened new offices in Bulgaria and Romania around the time of these countries' EU accession, none of my Irish (Excel table SD5) or Swedish (Excel table SD9) cohort firms followed suit. It would therefore appear that significant geopolitical events do not equally impact on all legal markets, or all types of large firm – even within a single continent.

5.3.2.3.2. Conclusions

The potential importance of significant geopolitical events was indicated by the GaWC in *The long arm of the law* (Beaverstock, Smith *et al.*, 1999, p1861 - 1862). It was also found to be relevant to a wide range of my sample firms' evolving EU branch office geographies. Therefore, I have concluded the GaWC's research has aided our understanding of this issue. However, it is also accepted that geopolitical events sometimes work in conjunction with other factors, and may only affect a subset of any given cohort. Nevertheless, despite this qualification, I regard template code 1.2.1.3. as being supported without modification.

5.3.2.4.1. External factor four: organisational risks

The totality of my findings, which often involves my sample firms opening in new locations – and sometimes seeking out new local clients in the process – arguably represents a form of organisational risk reduction. However, I only uncovered a small number of legal trade press articles where this explanation could be directly attributed to my cohort firms' geographical change events.

This evidence firstly comprises of an indirect assertion in relation to UK cohort member, Ashurst, regarding its acquisition of additional office space in Frankfurt. *Legal Week* described this development as being part of a “wider drive by the firm, which has been pushing through a programme of Continental expansion in the last 18 months, to diversify away from its domestic practice into European law” (*Legal Week*, 2001, p8). More directly, in 2009, *Legal Week* quoted Garrigues' managing partner, Jose Maria Alonso, as stating that his firm's business model was based on “geographical diversification” (McLeod-Robert, 2009a, p8). Arguably a third cohort firm pursuing a geographical diversification strategy was Swedish sample firm, Roschier. Explaining the rationale for the practice's new Baltic alliance, senior partner Tomas Lindholm said: “the vision is that there'll be considerable growth. The major part of that growth will be from the Baltics, because Finland is a relatively mature market and cannot expect much growth” (Hoare, 2004, p8). To contextualise this observation, at the time this statement was made, Roschier was Finland's second largest law firm, and twice the size of the country's fourth largest legal practice (Pritchard, 2004, p238). This suggests the firm regarded its home market as having limited development potential – an implication reinforced by its branch office opening in Sweden one year later (Hoare, 2005, p7). However, the Roschier example of geographical diversification is also interesting for a different reason: although its new Baltic offering was intended to transition into a merger, it was initially structured as an alliance. This suggests that legal practice diversification does not immediately require law firms to undergo branch office change.

5.3.2.4.2 Conclusions

It is accepted that the legal trade press evidence which supports the GaWC's diversification-related explanation for branch office geographical change is modest. My decision to retain this classification within the final version of my template is therefore largely based on the totality of the cohort diversifications I uncovered, especially in relation to client demand (and also legal systems advise on, of which more on p208). In light of my findings, I have concluded that the GaWC has assisted our understanding of large EU law firm geography. Consequently, template code 1.2.1.4 will be retained in its final iteration.

5.3.2.5. External factor five: *technological advances*

My legal trade press evaluation yielded no examples of law firms explaining their EU branch office change between 1998 and 2009 by reference to the enabling role played by technological advances – a suggestion made by the GaWC in *The long arm of the law* (Beaverstock, Smith *et al.*, 1999, p1861). Arguably the closest example I uncovered involved a comment made by Dr Richard Sterzinger, then a partner at Lovells' German legacy firm, Boesebeck Droste, in *The European Lawyer* magazine. Here, Dr Sterzinger said that, following a vote in favour of the merger, a great deal of effort had been made to bring the two practices together, including the integration of each firms' billing, intranet, email and accounting systems (Hellings, 2000, p54 - 60). This comment is in line with Segal-Horn and Dean's (2007, p214 – 215) suggestion regarding the need for law firms, post-acquisition, to deliver common technology platforms.

Moreover, on several occasions, I uncovered examples of my cohort firms discussing their attempts to integrate their IT systems with legal practices they were associated to, but not merged, with. These included the 1999 formation of the CMS alliance, which had resulted in the establishment of an inter-firm support group, intended to focus on IT issues (Tyler, 1999, p10 - 11). Similarly, press reports discussed the plans of Spanish sample firm, Uría Menéndez, to introduce "the same IT systems" as Davis Polk & Wardwell, a New York firm it was associated with

(Mooney, 2001b, p6). Finally, when French sample firm Salans formed an alliance with Krupa Srokosz Patryas in southern Poland, Salans' chairman, Stephen Finch, told *The Lawyer* that “we wanted to formalise our relationship to cooperate on specific items, such as system support, tax issues and marketing matters...There's a bit of investment of time and money on this and for things such as time recording systems” (Moshinsky, 2007, p9). Collectively, this evidence supports Deprey, Lloyd-Reason *et al's* (2012, p1617) suggestion that technology can supplant a firm's need to extend its own branch office network in order to operate internationally.

Because none of my cohort firms explained their EU branch office change between 1998 and 2009 by reference to technological advances, I have concluded that this GaWC explanation is not relevant to our understanding of large EU law firm geographic change. Consequently, code 1.2.1.5. – which represents this explanation – will be deleted from the final version of my template. Nevertheless, it is accepted that my findings may be temporally and market specific. In Western Europe, between the late 1990s and 2000s, it is possible that communications technology has become so ubiquitous and reliable that it was regarded as a “non-issue” by my cohort firms with regards to their EU branch office developments.

5.3.2.6.1. External factor six: *firm needs to interact with local services*

My legal trade press analysis yielded limited evidence to support the GaWC's Dunning (1989, p30)-inspired suggestion that law firms may change their geography to interact with local services (Beaverstock, 2004, p165). For example, at the time the firm's London office was first announced, Gómez-Acebo & Pombo's planned UK presence was described by *Legal Week* as operating “primarily as a liaison office staffed by a single Spanish partner with a number of associates spending six-month terms there on a regular basis”. And, at the time, the firm's name partner, Fernando Pombo, explained the move because “we have to develop our own profile and identity” (*Legal Week*, 2000, p8). Similarly, explaining Houthoff Buruma's new London office to *Legal Week*, “[the firm's] management said that the London office will focus on establishing new relationships with City firms” (*The Lawyer*, 2002a, p5).

However, it should also be appreciated that, even if a firm initially opens an office to perform a representative function, that office may later evolve into a local law entity, thereby competing with that location's law firms, rather than simply liaising with them. For example, Cuatrecasas Gonçalves Pereira's new Paris branch, although initially described in the legal press as a "representative office", was intended to develop into a more significant local practice. "We want to build up a local practice in Paris," Emilio Cuatrecasas told *The Lawyer* in 2008. "We want to grow there" (Moshinsky, 2008, p21). A similar strategic trajectory appears to have occurred in relation to Gómez-Acebo & Pombo's previously-discussed London office. Speaking in 2008, the firm's London managing partner, Fermin Garbayo, described his office as having evolved into "a hybrid between a rep office and a transaction firm...My idea is to do as much transaction work as possible" (Moshinsky, 2008a, p10). Finally, Gide Loyrette Nouel's new London office, having initially been planned as a representative office (*Legal Week*, 1999b, p4), later launched in 2003 with a local law capacity (Collins, 2003b, p1), which quickly expanded still further (Tromans, 2006, p36 - 40)..

Conversely, my legal trade press literature review also uncovered a small number of examples of cohort forms downgrading former branch offices into little more than a base for visiting lawyers – i.e. a representative office.

"Partners did, though, agree to reduce De Brauw's [Blackstone Westbroek] Rotterdam and Hague bases to representative offices in order to consolidate in Amsterdam." (Cahill, 2001, p3)

"Wragge & Co has laid off all off the full-time lawyers at its Brussels arm citing a lack of work, it has emerged. The Birmingham giant made its two Brussels-based lawyers redundant late last year. Wragges said that UK-based head of competition Guy Lougher and partner Bernardine Adkins will spend more time in the office to compensate for the cuts." (*Legal Week*, 2004, p1)

Finally, I uncovered an example of a sample firm closing what appeared to be representative offices as part of its strategy of operating in alliance with local firms in specific countries instead:

“Hengeler Mueller is to forge 'best friends' referral relationships in Prague and Budapest, Legal Week can reveal, in a move that will lead to the closure of the elite German firm's local branches... Neither practice is staffed by fee earners on a permanent basis.” (Gill, 2004a, p5)

In light of the liberalising effect of the Establishment Directive during my evaluation time period, I did not discover any examples of my cohort firms explaining their decision to establish a representative EU office because no other options were permitted by local regulations. Consequently, these firms' decisions appear to have been a strategic choice rather than decision based on regulatory necessity.

5.3.2.5.2. Conclusions

In light of the evidence presented above, I have concluded that this GaWC explanation of legal practice geographical change has aided our understanding of large EU law firm geography. Moreover, I have determined that the associated template code 1.2.1.6. should be retained. However, my findings also provide some evidence to suggest that firms' decision to operate a representative office in a new location may be temporally specific. Over time, such presences can transform into fully-functioning branch offices, and also vice versa. Finally, the Hengeler Mueller example suggests a potential relationship between a firm's representative office presence in a specific market and that firm's use of alliance capitalism in the same market. One, it would appear, can sometimes supplant the other.

5.3.2.7.1. External factor seven: *firm acts in response to local infrastructure considerations*

Following my legal trade press analysis, I have concluded local infrastructure considerations did play a role in my sample firms' EU branch office evolution between 1998 and 2009. Thus, I regard the GaWC's (Beaverstock, 2004, p165) Dunning-inspired (Dunning, 1989, p30) explanation as assisting our understanding of large EU law firm geography. Nevertheless, I have also concluded that this template code should be discarded in the final version of my template. I will now explain why.

My findings suggest at least one of my cohort firms established a new office in order to attract specific individuals who possessed a particular industry sector expertise – a consideration further explored on p213.

“Magic circle firm Allen & Overy has hired three top partners from White & Case Feddersen to set up an office in Hamburg.....Germany's managing partner Mark Welling says that it was the people rather than the location that prompted the move to Hamburg. ‘Telecoms and energy were areas of relative weakness, but now we have one of the strongest teams in Germany,’ he says.” (The Lawyer, 2001, p1)

Other cohort firms, such as Freshfields, extended their branch office reach, partly to increase their capacity to serve clients – an issue previously explored on p191.

“Freshfields initially tried to achieve a presence in Germany through organic growth. But, says [Alan] Peck [the firm's chief executive]: ‘We just could not get enough people. We were having to turn the big deals down’.” (Townsend, 1999, p2)).

Finally, firms such as Garrigues opened offices in new countries in order to gain access to lawyers qualified in those jurisdictions – an issue explored further on p208.

“Spain’s largest law firm, Garrigues, is continuing its international expansion by opening a near full-service local law practice in Warsaw. The venture involves the full integration into Garrigues of the 15-strong Fúster & Sartorius, which has been operating in Poland for the past 5 years.” (Iberian Lawyer, 2007a)

Each of these explanations arguably relate to local infrastructure considerations. However, each explanation also appears to be addressed by other template codes. Consequently, because code 1.2.1.7. appears redundant, it will not feature in the final version of my template.

5.3.2.7.2. Conclusions

My findings do not, fundamentally, disagree with the GaWC’s suggestion that local infrastructure considerations – as I have interpreted it – are relevant to large law firm EU geography. Therefore, I regard the GaWC’s explanation as assisting our understanding of the issue. Nevertheless, because the concept largely overlaps with various other template codes, template code 1.2.1.7. will be deleted from the final version of my template.

5.3.2.8.1. External factor eight: competitive pressure / herd behaviour

My findings in relation to this issue comprise two elements. Firstly, I discuss my findings across my entire cohort. Secondly, I have conducted a short case study of my UK cohorts’ behaviours in relation to Germany between 1998 and 2009. Working on the assumption that my sample firms were unlikely to admit to changing their German branch office geographies for herd behaviour-related reasons, the evidence supporting my detailed findings – revealed on table 25 below – is based on a combination of legal trade press and legal directory sources.

My legal trade press analysis did uncover one example of a cohort firm hinting that one of their EU geographical change events was driven, in part, by the activities of

their competitors. Discussing his firms' forthcoming Lisbon opening, Gómez-Acebo & Pombo managing partner Manuel Martin commented that, not only did the firm's clients work on a pan-Iberian basis "our three main competitors [Cuatrecasas Goncalves Pereira, Garrigues and Uría Menéndez] are all there" (McLeod-Robert, 2009b, p8). More indirectly, while Freshfields' then chief executive Alan Peck explicitly explained his firm's German merger by reference to the need to build up local capacity, the accompanying commentary suggested the speed with which the union had been undertaken was due to the "need of the big five to get into the German market before it is crowded out" (Townsend, 1999, p2). In both of these examples, it is arguable that competitive pressures appear to have influenced these firms' decision to alter their branch office geography in specific locations.

Although direct evidence of herd behaviour from legal trade press materials is slim, indirect evidence – as revealed from legal directory sources – is more compelling. I shall now explore this issue further in a short case study, in which I explore my UK cohort firm's geographical activities in Germany between 1998 and 2009. Here, it is important to first qualify my substantive observations: as table 25 on p205 reveals, six of my UK cohort practices did not trade in Germany in 2009, while a seventh, Wragge & Co, only arrived in 2008 (Kis, 2008, p4 - 5). Thus, almost half of my cohort firms appear not to have succumbed to an "adolescence angst" (Abel, 1993 - 1995, p741) that they might be left behind, and also resisted the "itch to follow" (Spar, 1997, p13) their peers into the country.

Table 25: case history - some (but not all) UK sample firms expanded into Germany between 1998 and 2009

Finding derived from legal trade press and directory sources

Sample firm (2009)	Major legacy practices or firm names (if applicable)	1998 German branch office coverage (if any)	Date of significant German expansion (if any)	New German offices provided by expansion	2009 German branch office coverage (if any)
Addleshaw Goddard	Addleshaw Booth & Co	None	N/a	N/a	None
	Theodore Goddard	None			
Allen & Overy	N/a	Frankfurt	Firm expanded organically in Germany	N/a	Düsseldorf, Frankfurt, Hamburg, Mannheim, Munich
	Ashurst Morris Crisp	Frankfurt			
Beachcroft	Beachcroft Stanleys	None	Limited expansion (2001)	Frankfurt expansion and new office in Munich	Frankfurt, Munich
	Vaudreys	None			
	Wansbroughs Willey Hargrave	None			
Clifford Chance	Pünder, Volhard, Weber & Axster	Düsseldorf	January 2000	Berlin, Leipzig, Munich	Düsseldorf, Frankfurt, Munich
	Cameron McKenna	Frankfurt			
DLA Piper	Dibb Lupton Alsop	None	N/a	N/a	None
Eversheds	N/a	None	2004	Initially Cologne, followed by Hamburg	Cologne, Frankfurt, Hamburg, Munich
Freshfields Bruckhaus Deringer	N/a	Berlin	N/a	N/a	None
	Deringer Tessin Herrmann & Sedemund	Frankfurt	August 2000	Berlin, Cologne, Düsseldorf, Hamburg, Leipzig, Munich	Berlin, Cologne, Düsseldorf, Frankfurt, Hamburg, Munich
Herbert Smith	Bruckhaus Westrick Heller Löber	None	August 2000	Berlin, Düsseldorf, Hamburg, Leipzig, Munich	None
Linklaters	N/a	None	N/a	N/a	None
Linklaters	Linklaters & Schön (JV) / Oppenhoff & Rädler	Frankfurt	January 2001	Berlin, Cologne, Munich, Leipzig	Berlin, Düsseldorf, Frankfurt, Munich
Lovells	Lovell White Durrant / Boesebeck Droste	None	January 2000	Berlin, Dresden, Düsseldorf, Frankfurt, Hamburg, Munich	Düsseldorf, Frankfurt, Hamburg, Munich
Norton Rose	N/a	None	January 2001	Cologne, Munich	Frankfurt, Munich
	Biddle	None			
Pinsent Masons	Masons	None	N/a	N/a	None
	Pinsent Curtis	None			
Wragge & Co	N/a	None	2008	Munich	Munich

Nevertheless, what is irrefutable is that five geography-changing Anglo-German mergers, or part-firm mergers, took place among my 15-member UK cohort within little more than a year. These mergers / part firm mergers were: Clifford Chance's union with Pünder, Volhard, Weber & Axster on 1 January 2000 (Tromans, 2001a, p6), Freshfields' 2000 union with both Deringer Tessin Herrmann & Sedemund (Townsend, 1999, p1) and Bruckhaus Westrick Heller Löber (Hellings and Joy, 2000, p6); the combination of Lovells and Boesebeck Droste in the same year (Zaki, 1999, p1); the 2001 union of Linklaters with Oppenhoff & Rädler (Tromans, 2000, p2); and Norton Rose's acquisition of the Cologne and Munich offices of Gaedertz, also in 2001 (Parnham, 2001, p5). Consequently, I have concluded that some of my UK cohort firms did change their German branch geography for competitive pressures or herd behaviour reasons. Therefore, template code 1.2.1.8 is supported.

However, it should be appreciated that, while it is plausible that the specific events of 2000 – 2001 occurred for herd behaviour related reasons, this did not mean that all of my UK cohort firms went from a “standing start” in relation to their German strategy during that time period. For example, legal trade press reports suggest Clifford Chance had operated in the country since 1989 (Dignan, 1999, p10 - 11) – 11 years before its geography-changing union with Pünder. Similarly, Freshfields has worked in conjunction with its ultimate merger partner, Deringer Tessin, since 1996 (The Lawyer, 1998, p12). Indeed, as table 25 above shows, of the nine UK cohort firms trading in Germany in 2009, five were already present – albeit to a more limited extent than in 2009 – in 1998. The years 2000 – 2001 should therefore be viewed as representing a herd behaviour-led “spike” in UK cohort firm German activity, rather than its starting point.

Finally, my legal trade press analysis also indicates that at least five of my UK cohort practices may have exhibited herd-like alliance capitalist behaviours around the same time period. The sample firms forming Anglo-German alliances between 1998 and 2001 were: CMS Cameron McKenna (The Lawyer, 1999, p2), DLA Piper (Legal Week, 2001c, p6), Freshfields Bruckhaus Deringer (*The Lawyer*, 1998a, p5), Herbert Smith (Sellers Klein, 2000, p20) and Linklaters. By contrast, notwithstanding their

lack of German branch offices, Addleshaw Goddard did not appear to maintain any German alliances, even by the end of my evaluation time period. Additionally, Beachcroft's relationship with SNP Schlawien Naab was only formalised in 2009 (Ruckin, 2009, p5). Eversheds' situation is ambiguous but, I suggest, erring towards herd-like behaviour. Although the firm formalised its alliance with Germany's Heisse Kursawe in 2005, press reports suggest the move followed a "six-year hunt" involving "unsuccessful talks with a number of large [German] firms" (Gill, 2005, p5). On balance, I have therefore concluded that herd behaviour did occur in relation to some, but not all, of my UK cohort firms' Anglo-German alliance capitalism relationships between 1998 and 2009.

5.3.2.8.2. Conclusions

Overall, my findings suggest that the GaWC's observations – that UK firms globalised in the face of increased competition – is valid. Thus, I have concluded that GaWC had aided our understanding of large EU law firm geography. However, it is also accepted that the evidential basis for this finding has been limited to UK firms and, by implication, several of my German cohort practices. Nevertheless, I do not regard as being problematic – because I have decided not to include "firm acts in response to competitive pressures / herd behaviour" in the final version of my template. Essentially, I have concluded that this template code overlaps with a related concept, which I shall explain on p221. I will therefore combine the above-mentioned, UK-specific, evidence base for herd behaviour with that of the related concept, which is based on the EU geographical behaviours of a broader range of sample firms. Following my analysis of this related concept, I will then formulate a new template code based on the totality of the scenarios which the alternative code describes.

5.3.2.9.1. Internal factor one: *legal system advised on*

My legal trade press analysis suggests my sample firms did alter their EU branch office reach by reference to legal system capabilities. Indeed, supporting the two sub-codes within template code 1.2.2.1., I uncovered examples of firms explaining

their EU branch office change both by reference to their “home state” law capabilities and also the law of the state in which their new office operated.

Echoing the GaWC’s Freshfields example in *The long arm of the law* (Beaverstock, Smith *et al.*, 1999, p1862 - 1865), my legal trade press analysis suggested that large EU law firms do not always behave consistently in relation to the legal system capabilities offered in their newly-established branches. For example, Gómez-Acebo & Pombo took two contrasting approaches in relation to its planned London and Lisbon offices:

“Gómez-Acebo & Pombo has revealed plans to become the latest Spanish firm to open in London. Managing partner Manuel Martín said: ‘A London presence is now back on the 2007 agenda, but only as a base for Spanish lawyers’.” (Moshinshy, 2005, p1)

“[In Portugal] the plan is to have one resident Spanish lawyer working alongside three Portuguese partners and their respective teams, which will be hired from the local market. The office will cover public law, corporate and financial services.” (McLeod-Robert, 2009b, p8)

By contrast, Garrigues’ arrival into both Lisbon (Parnham, 2005a, p52) and Warsaw (Tromans, 2007, p40 - 42) was via mergers with established local firms, which immediately gave it local law capacity in both markets. However, in a further illustration of my cohort firms’ heterogeneous approach to this issue, while Garrigues’ arrived in Warsaw in 2007 to offer local law, fellow Spanish firm Uría Menéndez – which opened in the same city in the same year – took a different approach. Press reports suggested the new office would initially house just one partner, would not practice local law (Ruckin, 2007, p3), and would work alongside local Polish firms (*Legal Week*, 2007, p6). Clearly, the home law / host law options open to law firms when considering how to change their branch office locations are

multifaceted. Indeed, different firms from the same country can reach different decisions, even in relation to a common foreign location in the same year.

The narrow focus of my investigation did not allow me to exhaustively explore the role of expatriate lawyers in relation to the global law firms, which was briefly explored by the GaWC in *Global law firms* (Faulconbridge, Beaverstock *et al.*, 2008, p486). Nevertheless, my findings suggest that, even where my cohort firms' new EU offices were initially established by ex-pats, the intention of some was to rapidly develop a local law capacity:

“[Linklater’ office head Miles Curley].said the new Madrid office would focus initially on English law and international transactions, but was “absolutely committed” to building a Spanish law capability.” (Boxell, 1999, p3)

[NautaDutihl’s Luxembourg launch] “The firm is to send Rotterdam-based tax partner Derk Prinsen to launch the Luxembourg office on 1 November and then hire local lawyers once the office has established itself.” (Tromans, 2002b, p9)

[Wolf Theiss’ Bratislava and Belgrade office launches] “The bulk of the lawyers in both offices have been relocated from the firm’s Prague office to launch the two new offices. Local associates have also been hired to provide local law advice.” (Tromans, 2002b, p8)

In other scenarios, new offices were established by employing teams of local practitioners from the outset. Such scenarios included Linklaters' arrival into Amsterdam, based around hiring of a locally-qualified partner “with a mandate to build a substantial Dutch practice” (Gill, 2004, p3), and the arrival of Gide Loyrette Nouel into London, in which the majority of the firm’s new personnel were English law qualified (Pearce, 2003, p43 - 44).

More generally, many of the more substantive cross-border mergers reported in this thesis have simply resulted in firms where lawyers working for the practice in one jurisdiction are overwhelmingly qualified to practice in that legal market, while lawyers working for the firm's recently-merged office in another jurisdiction are also locally qualified. To offer a singular illustrative example, arising out of the merger of Spanish sample firm Cuatrecasas and its Portuguese counterpart, Goncalves Pereira Castelo Branco & Asociados (Rovnick, 2003, p8): a year after the two firms combined, the practice's 2004 Martindale-Hubbell legal directory entry showed that almost all of the firm's Madrid lawyers were admitted to practise in Spain, while the firm's Lisbon lawyers were overwhelmingly admitted to practise in Portugal (*LexisNexis, 2004, pEU1476B - EU1577B, EU1331B - EU1333B*). This finding replicates Silver's (2004 - 2005, p926 – 927) findings regarding the typically local qualifications held by lawyers working in the foreign offices of US law firms.

Regarding Daniels' (1993, p184) suggested link between the types of clients a firm wishes to attract and the type of law it offers, several previously-discussed examples arguably support such linkages – although it is accepted that, due to the nature of the source materials used, some supposition is required to make such a connection. For example, explaining the rationale for Garrigues' establishment in Warsaw via a merger with local practice Fúster & Sartorius (*Iberian Lawyer, 2007a*), local partner Polish Jaime Fúster said the office had, for many years, assisted Spanish investors (Tromans, 2007, p40 - 42) operating in the country – thereby complying with Daniels' "home (Iberian) clients / foreign (Polish) law" model. Equally, Uría Menéndez's ex-*pat* led Warsaw office (Ruckin, 2007, p3), launched to assist to Spanish and Portuguese companies operating in the region (*Iberian Lawyer, 2007b*), is arguably an example of Daniels' "home (Iberian) client / home (Iberian) law" explanation. Additionally, by relocating its lawyers from Italy to its new office in Prague to work for Czech clients (Mooney, 2001a, p6), Tonucci appeared to offer a service describe by Daniels as "foreign (Czech) client / home (Italian) law". Finally, A&L Goodbody's arrival in Northern Ireland via a merger with local practice STJ Legal, a decision made in light of the firm's already "significant practice in the north" (O'Neill, 2007, p120 - 133), appears to represent Daniels' final "foreign client (Northern Irish) / foreign law (Northern Irish)" approach.

Regarding Mayson's (1997, p202) suggested link between a firm's legal system offering and its relationships with other firms, my findings in relation to my cohorts' branch offices / alliance relationships suggest such a link may exist. If a firm is not present in a jurisdiction (and therefore has no local law capacity in that market) but nevertheless associates with a local firm which does, such practices would appear to operate on a cooperative basis, as Mayson suggests. However, in light of my findings in relation to both representative offices and legal systems advised on, I suggest that – unlike Mayson – establishing a branch office in another country is not, necessarily, a sign that a practice is operating a competitive, integrated strategy in that market. Rather, as previously indicated, an office may simply liaise with local firms, or offer home country legal advice – in other words, a cooperative strategy. Nevertheless, my findings also suggest that, if a firm both establishes in a new country and also offers local law advice in that country, this would represent a more overtly competitive behaviour by that firm within that market. Indeed, in relation to my cohort firms' alliance capitalism relationships, I uncovered several examples of cohort practices ending alliances with firms in other countries prior to launching their own local law capacity in those countries. Examples included Linklaters' arrival in The Netherlands and Italy following the collapse of its relationship with De Brauw Blackstone Westbroek (Gill, 2004, p3) and Gianni Origoni Grippo & Partners (Collins, 2004c, p3; Moshinsky, 2005, p9) respectively, and the planned arrival of both Gómez-Acebo & Pombo (Moshinsky, 2008a, p10; McLeod-Robert, 2009b, p8) and Uría Menéndez (Mooney, 2001, p8) in Portugal. This suggests that local law capacity considerations are integral to our understanding of not just law firms' branch office dynamics, but also their alliance capitalism dynamics.

5.2.2.9.2. Conclusions

Overall, my findings suggests that, in relation to legal systems advised on, the GaWC has both helped and also not helped our understanding of large EU law firm geography. Reflecting the GaWC's findings regarding Freshfields' various international offices (Beaverstock, Smith *et al.*, 1999, p1862 - 1865), my findings showed that some of my cohort firms adopted an inconsistent approach regarding the legal systems which newly-established offices advised on. However, in relation to

the GaWC's suggestion that expatriation is "a crucial organization strategy of the global legal firm" (Faulconbridge, Beaverstock *et al.*, 2008, p484), my findings suggest that, while expatriate staff often assisted with the establishment of new offices, this was often a mere prelude to the office developing a local law capacity. Thus, my findings more closely reflect the findings of Silver (2004 - 2005, p926 - 927), Silver, Phelan *et al* (2009, p1450) and Morgan and Quack (2005, p1770), who observed the tendency for large law firms to employ locally qualified lawyers in foreign locations.

At a more granular level, I uncovered examples of cohort practices altering their EU branch office geography by reference to either home or host state law. Therefore, I have concluded that template code 1.2.2.1. is valid, and does not require alternation in its final iteration. However, as my above discussion also illustrates, my cohort firms were observed exhibiting heterogeneous behaviours regarding how they deployed local or home state law capacities in any given location, even among firms of the same national origins. Thus, while this consideration may be commonly relevant to my various cohort firms in relation to their evolving EU geographies, the manner in they make use of it when launching new offices is not.

5.3.2.10.1. Internal factor two: *practice areas / industry sectors advised on*

My legal trade press analysis suggests that practice area or industry sector considerations did cause my firms to alter their EU branch office geography during my evaluation time period.

Mirroring the explanations offered in existing research, at least two of my cohort firms – NCTM (Stewart, 2007, p6 - 7) and Pavia & Ansaldo (Moshinshy, 2007, p12) - opened in Brussels during my evaluation time period in order to offer EU law-related services. Also reflecting past research, Wragge & Co's new Munich office was launched with an intellectual property focus (Bousfield, 2008, p9). Additionally, various sample firms expanded – both domestically and internationally – into new EU

locations by combining with local corporate law-focused practices. These events included Ashurst's arrival in Sweden via a merger with AJB Bergh, a "Stockholm M&A boutique" (Binham, 2005, p5), KLegal's domestic expansion within Finland via its acquisition of Seppälä & Co, which was said to have "boosted its M&A capacity" in the country (Tsang, 2001a, p48), and Cuatrecasas Gonçalves Pereira's arrival in Seville via an acquisition of Olivencia-Ballester, a "highly rated corporate boutique" (Moshinshy, 2005, p13). Indeed, on one occasion, the same firm – Beachcroft – was observed extending both its domestic and international branch office network for the same practice area-related reason. Domestically, the firm first expanded into Newport in 2009 by acquiring a personal injury firm in the city (Dowell, 2009, p7). It also expanded internationally by launching a Dublin-based practice which partly focused on personal injury work (*The European Lawyer*, 2009). Finally, in relation to industry sector-driven geographical change events, cohort firm examples include Tonucci's expansion into Florence to service "Tuscany's large textile companies" (Gill, 2005, p6), Roschier's expansion into Turku as part of its plans to develop its pharmaceuticals and biosciences capabilities (Parsons, 2003, p4) and DLA Piper's Munich arrival to focus on corporate and TMC [technology, media and commercial] matters (Stewart, 2007, p6). Collectively, these examples illustrate the diversity of practice area / industry sector considerations relevant to my sample firms' evolving EU branch office geographies.

Besides playing a role in EU branch office openings, my legal trade press evaluation also indicated that some of my cohort firms may have retrenched geographically, or failed to alter their branch office reach, for practice area / industry sector-related reasons. For example, in 2005, UK sample firm DLA Piper closed one of its Dutch offices because "the niche focus of the firm's Rotterdam office did not fit with the full-service capabilities of the Amsterdam practice" (Illman, 2007, p5). Also in The Netherlands, Dutch sample firm Van Doorne – then known as Trenité Van Doorne – demerged its Amsterdam and Rotterdam operations into two businesses, seemingly because the firm's practice areas did not overlap in each location. At the time, the practice's Amsterdam office specialised in banking and securities law, while Rotterdam focused on energy, transport, and logistics law (Cahill, 2000, p7). And, in

relation to EU branch office stasis, Dutch sample firm De Brauw Blackstone Westbroek (Cahill, 2001b, p1) refused to accede to the practice area rationalisation demands made by UK sample firm, and potential merger partner, Linklaters. Effectively, De Brauw placed the needs of its “market-leading domestic litigation practice” (Eyre, 2005, p45 - 47) ahead of its previously-intended desire to expand geographically. Finally, in 2002, Houthoff Buruma’s then managing partner, Michiel Wesseling, also cited the fear of being required to undertake a practice area rationalisation as a reason for not merging with Norton Rose (Parsons and Wilkins, 2002, p12 - 22).

5.3.2.10.2. Conclusions

The evidence presented above suggests practice area / industry sector considerations were relevant to several of my sample firms’ EU branch office openings and closures during my evaluation time period. Therefore, I regard template code 1.2.2.2. to be supported. However, because the GaWC did not substantively explore this possible driver of large EU law firm geographical change, I have concluded that its research contains a notable omission.

5.3.2.11.1. Internal factor three: *financial considerations*

For the reasons stated on p80 – p82, the focal point of my investigation in this section is whether financial considerations might cause my cohort firms to alter their EU branch office capabilities in specific locations. And, in light of the evidence presented below, I have concluded that financial considerations did prompt several of my cohort firms to alter their EU branch office geographies. Thus, template code 1.2.2.3. is confirmed.

In light of Hennsler and Terry’s (2001, p287) findings that some legacy practices were less profitable prior to engaging in a geography-extending merger, I specifically sought examples of situations where the possibility of increasing partners’ incomes

may act as a “pull factor” for a geographical change event. Here, modest evidence indicating this eventuality was uncovered:

“The merger between Clifford Chance and Punder Volhard Weber Axster will result in a 50 per cent pay rise for the German partners, The Lawyer can reveal. Punders’ profits per partner are understood to be around £400,000 – two-thirds of Clifford Chance partners’ earnings. But once the merger is complete all profits will be split equally across the three merged firms, including US firm Rogers & Wells.” (The Lawyer, 1999b, p3)

Outside my evaluation time period, but discussed within it, it was also noted that “top” Dundas & Wilson partners were offered a far higher minimum salary when they joined legacy Garrigues parent firm, Andersen Legal, in 1997 (*The Lawyer*, 1998, p1) than they previously earned while working for their legacy practice.

Conversely, in light of Aronson’s (2007, p802) observations that a period of restructuring followed the merger of UK and German law firms around 2000, I also uncovered examples of cohort practices closing their German offices for financial reasons, shortly after such mergers took place. Certainly, Lovells’ departure from Dresden was explained in terms of the two-partner office “no longer being financially viable” (Tromans, 2000, p7). However, simply being loss-making was not always the main reason why some sample firms shrank their German branch office coverage. For example, *The European Lawyer* reported that Clifford Chance did not close its Berlin office because it was unprofitable – just not profitable enough, in comparison with the firm’s other German offices. *The European Lawyer* noted that Clifford Chance’s Berlin office was 25 per cent less profitable than the firm’s other office in the country, due to its focus on low value real estate work (Eyre, 2005, p21). Again, this outcome would appear to lend weight to my previously-offered supposition, offered on p193 - 194, that – on some occasions – firms disregard client considerations when changing their branch office geographies.

Additionally, an while, evidence supporting this point is modest, my findings suggested a possible link between financial considerations and market entry

strategies within my cohort – particular in relation to my UK sample firms' Dutch expansion events:

“After preliminary talks with local firms, in particular Nauta, came to nothing, Freshfields decided to set up an office from scratch. Chief executive Alan Peck says Dutch firms proved too big and insufficiently profitable for merger” (Laferla, 1999).

The European Lawyer, meanwhile, reported that a merger between Lovells and a large Dutch firm would have caused structural difficulties, because Lovells was not interested in acquiring unprofitable practices. Lovells' international managing partner John Pheasant told *The European Lawyer* that, by merging with a relatively small Dutch firm – Ekelmans Den Hollander – such problems could be avoided (Wilkins and Parsons, 2003, p16). Finally, and heading in the opposite geographic direction, press sources suggest the 2000 demerger of Trenité van Doorn into its constituent Amsterdam and Rotterdam-based entities may have been partly due to the focus of the former office on banking and securities law and the latter office's "less profitable" specialisation in energy, transport and logistics law (Cahill, 2000, p7).

Further illustrative examples of my cohort firms altering their branch office geographies for finance-related reasons are provided on Excel table SD65.

5.3.2.11.2. Conclusions

The evidence presented above – together with further examples offered on Excel table SD65 – suggest financial considerations drove EU law firm branch office change within my cohort in various different ways. However, in light of the limited evidence in support of each of the scenarios outlined above, I have decided not to decompile this overarching template code into multiple sub codes. Thus, template code 1.2.2.3. will not change in relation to the final version my template.

The GaWC did not discuss the role played by financial considerations as a driver of law firm geographical change. Therefore, in relation to this issue specifically, its research contains a notable omission regarding the granular drivers of large EU law firm geographical change.

5.3.2.12.1. Quality control considerations

The final Dunning-inspired (1989, p30) explanation for legal practice geographical change offered by the GaWC was quality control (Beaverstock, 2004, p165). In the absence of guidance from the GaWC regarding how this consideration might manifest itself, my legal trade press evaluation was aided by observations made by Muzio and Faulconbridge (2013, p900 – 901) and Segal-Horn and Dean (2009, p48 – 49) who suggested, respectively, that internationalising firms may operate on a “one firm” basis, thereby allowing them to offer an “effortless experience” of “client facing consistency”. As I will now demonstrate, I uncovered several examples of my cohort firms explaining their geographical strategies in broadly similar terms:

“Dr Thomas Gasteyer, managing partner of Punder Volhard [Clifford Chance’s legacy German entity], said: ‘We are convinced by the principle of the “one-stop shop’ and are taking this course with determination’.” (Tyler, 1998, p1)

“The main reason we went into these [Central and Eastern European] countries is that we did not find the right correspondent firms there with the standards clients expected,’ explains Christian Herbst, a partner at Schoenherr in Vienna.” (Evans, 2004, p31 - 32)

Additionally, Wolf Theiss managing partner Markus Heidinger told *The European Lawyer* that his firm had decided not to service its clients via a referral network in Eastern Europe, because that was not what sophisticated clients wanted. By operating as an integrated practice, consistent quality could be offered, he said (Eyre, 2006, p42).

However, I also uncovered examples of law firms instigating quality control procedure within law firms they were associated with, but not part of. In some cases, the instigation of common quality control standards were arguably part of a process intended to lead to a merger. For example, at the time the European Legal Alliance – which included Irish cohort firm Beauchamps as a member – was launched, “cross-border matters will, at the option of the client, be managed by a single client partner and clients will receive a single bill”. At the time, legal press reports stated that this

alliance might potentially progress to a full merger (Cahill, 2002, p1). Conversely, while Salans' previously-discussed alliance with Krupa Srokosz Patrya in southern Poland was intended to be "more seamless for the client", Salan's chairman Stephen Finch suggested that the development was not the prelude to the two firms combining: "At this time we didn't intend to open up a second office in Poland," he said (Moshinsky, 2007, p9). Thus, it should be appreciated that quality control considerations may not merely prompt law firms to alter their branch office geographies – they can also be relevant to firms' alliance capitalism relationships.

5.3.2.12.2. Conclusions

Having uncovered sufficient evidence to support the GaWC's suggestion that quality control considerations may drive legal practice geographical change, I have concluded that the group has aided our understanding of large EU law firm geography. Consequently, code 1.2.2.4. will be retained unaltered in the final version of my template.

5.3.2.13.1. Internal factor five: personal partner preferences

During my legal trade press analysis I uncovered several examples of law firms changing their EU branch office geography in response to what – collectively – might be described as the personal preferences of firm partners. Only one of the examples I uncovered bears any resemblances to the suggestion offered by Løwendahl (2000, p156 - 157) – i.e. a firm might open a Madrid office because a UK partner has married a Spanish citizen, but then close it when the partner resigns. Here, the closest cohort example I uncovered related to Roschier's closure of its London office, following the departure of its last remaining partner (Byrne, 2002, p94 - 99).

More typically, offices closures appeared to have arisen as a result of team departures to rival practices:

"White & Case has acquired the Prague office of Beiten Burkhardt Mittl & Wegener just weeks ahead of the German firm's agreed merger with the legal arm of big five accountant KPMG... The decision of the two-partner Prague office to join White & Case was due to a preference to join a US-led practice, [managing partner Jack]

Schiffer told Legal Week. 'We are sorry to lose them and hate to see them go,' Schiffer said."(Tromans, 2001b, p6)

"Freshfields Bruckhaus Deringer is closing its two-partner Leipzig office.... The firm was at pains to stress that the move was the idea of the German partners and not the English management in London. Frankfurt-based partner Burkhardt Bastuck said: 'It was the Leipzig partners' idea.'" (Legal Week, 2001b, p6)

"German firm Heuking Kuhn Luer Heussen Wojtek is taking on four partners to open an office in Munich. The move comes just two years after the firm closed its Munich office following the departures of 23 lawyers to PricewaterhouseCoopers Veltins."
(Pawsey, 2002, p7)

"Buruma Maris [a legacy component of Houthoff Buruma] closed its Rotterdam office in April following the departure of its tax group to De Brauw." (Maiden, 1999, p43 - 45).

In relation to both the Beiten Burkhardt and Freshfields Bruckhaus Deringer examples offered above, it is notable that the affected firms explicitly explained to the legal trade press that the idea to close the office had come from the lawyers working in that office, rather than the firm as a whole. This explanation serves a point of comparison with my next, and final, driver of legal practice geographical change.

5.3.2.13.2. Conclusions

In light of the evidence presented above, I have concluded that Løwendahl's (2000) suggestion that professional service firms may alter their branch office geography in light of the personal preference of partners has merit in the legal sector. Therefore, template code 1.2.2.5. will be retained in the final version of my template. However, it is accepted that the illustrative examples I offered each relate to office closures, not openings. Moreover, because "personal links" were suggested by the GaWC as one reason for some firms' "idiosyncratic" branch office presences in *Geographies of globalization* (Beaverstock, Smith *et al.*, 2000, p108), I have also concluded that the group's observation has aided our understanding of large EU law firm geography regarding this point.

5.3.2.14.1. The role played by other law firms in legal practice geography

In determining whether any element of my final template is complete, I am mindful of King's suggestion that there should not be any sections of text remaining "which are clearly relevant to the research question, but remain uncoded" (King, 2004, p263). I shall therefore now discuss an additional explanation for law firm geographical change which appears to fall within that category, which previous legal profession research, including the GaWC, does not appear to have identified.

One aspect of this explanation appears to be opportunism. For example:

"Salans has closed its deal to take on the bulk of disintegrating Altheimer & Gray's remaining international network, handing the firm 57 lawyers, 13 partners and five offices in total.... It gives Salans five more international offices in Prague, Bratislava, Bucharest, Istanbul and Shanghai" (Legal Week, 2003, p1).

Baker & McKenzie has acquired the three-partner Antwerp office of leading Belgian firm Liedekerke Wolters Waelbroeck Kirkpatrick & Cerfontaine....The move follows a decision by the majority of Liedekerke's partners in Brussels to spin off the Antwerp office into a separate entity." (Legal Week, 2002, p8)

Following the Enron debacle, lawyers at Caestecker [Andersen Legal's Belgian practice] have voted to dissolve the partnership and join DLA, creating a 95-lawyer Belgian practice. This includes an office in Antwerp which focuses on the marine sector." (Pawsey, 2002, p3)

However, having reviewed all of my uncoded legal trade press data, I have concluded that my new template code should encompass events wider than simply "opportunism". Instead, it should include a wide range of scenarios where law firms alter their branch office geographies in response to the behaviours of other legal practices. Within my cohort, this has often happened when one firm has terminated its alliance with another, prompting a change of branch office geography by the latter. Such a scenario occurred when Italian sample firm NCTM terminated its two-year alliance with Ashurst (Freeman, 2000, p58 - 59) – causing Ashurst to establish

its own Milan office instead (Tromans, 2000, p3). Similarly, a year after Cerha Hempel Spiegelfeld Hlawati's associated Hungarian partner firm, Szecsenyi Ugyvedei Iroda, became Schönherr's new Budapest branch (Legal Week, 2008, p6), Cerha Hempel merged with different Hungarian practice, Dezsö & Partners (Phillips, 2009, p8), thereby re-establishing in the same country via a different delivery mechanism. To encapsulate these scenarios – and also the opportunistic scenarios discussed previously – the final version of my template will therefore include a new sub-code: “firm responds to the actions of other legal practices” within higher level code 1.2.1.

To a large extent, the above-mentioned template code overlaps with initial template code 1.2.1.8., which suggests competitive pressures or herd behaviour might drive EU legal practice geographical change. Therefore, as previously indicated on p208, I have decided to combine these two codes, while adopting the specific wording described above. Combining these codes also broadens and deepens its evidential base, which is now derived from all illustrative examples previously discussed.

5.3.2.14.2. Section conclusions

The above findings do not fundamentally disagree with the GaWC's suggestion in *The long arm of the law* (1999) that competitive forces may drive geographical change. However, my findings indicate that some of my cohort did not simply alter their EU branch office geographies in response to competitive threats posed by new market entrants, such as accountancy practices or US law firms, as the GaWC suggests (p1860 - 1861). Rather, in some circumstances, my sample practices changed their EU branch office geographies in response to competitive pressures from firms they were previously allied with – which were often not US nor accountancy-linked legal practices. It is accepted that the scope of my revised code is broad. However, I also believe the code encapsulates geographical change events with clearly-identifiable common elements. For that reason, I believe the updated code is worthy of inclusion in the final version of my template.

5.4. A revised template emerges

One of the most striking aspects of my final template – shown on p224 – is how few template codes have changed, notwithstanding that much of the template was

originally formulated by reference to non-legal practice literature (in relation to geographical strategies) and AS law firm- focused research regarding to the drivers of geographical change in specific locations. Just one new sub-code – “firm disregards client demand” – was added, and two sub-codes – “firm responds to technological change and “firm responds in response to local infrastructure considerations” – were deleted. Finally, one existing code “firm acts in response to competitive pressures / herd behaviour” was amended, to broaden its scope.

In light of the minimal changes required to the final iteration of my template, an obvious follow-on question arises: might my template also explain the geographies of other cohorts of legal practices, which were not included in my sample? Here, I suggest caution is required, for several reasons. Firstly, in relation to law firm strategy, at least one of my template codes is constructed on the premise that owner-manager democracy is the default form of law firm governance. Future research, conducted in other world regions or among different types of legal practice, should consider whether such assumptions are relevant to their own evaluation. Additionally, it is possible that specific factors deemed relevant (such as regulation) or not relevant (advances in technology) to my cohort firms’ decisions to alter their branch office geography may have been geographically or temporally specific to my particular sample group and evaluation location. It is therefore advisable that future research does not assume the explanations I offer will invariably apply to their own studies, or in the same manner. Finally, the nature of the source materials used to conduct my evaluation should also be considered: largely, the explanations offered are by the law firms themselves, as revealed in the legal trade press. It is therefore possible that additional explanations for geographical change exist, which were not offered in the source materials I evaluated. Future research should therefore not assume my explanations are exhaustive. In all likelihood, they are not.

Table 26: my final template

This template has been formulated by reference to my literature review

1. LAW FIRM GEOGRAPHY

1.1. FIRM-WIDE STRATEGY (Hypothesis ten)

1.1.2. Firm-wide orientation

1.1.2.1. Manifested by:

1.1.2.1.1. Orientation of firm's leadership

1.1.2.1.2. Orientation of firm's partnership

1.2. DRIVERS OF GEOGRAPHICAL CHANGE IN SPECIFIC LOCATIONS (Hypothesis 11)

1.2.1. Drivers of geographical change which are external to the firm

1.2.1.1. Regulation

1.2.1.1.1. Firm receives specific permission to trade in location

1.2.1.1.2. Firm exercises right to trade in location

1.2.1.1.3. Firm decides to trade in location via "regulatory entrepreneurship"

1.2.1.2. Client considerations

1.2.1.2.1. Firm responds to actual client demand

1.2.1.2.2. Firm responds to anticipated client demand

1.2.1.2.3. Firm disregards client demand

1.2.1.3. Firm acts in response to geopolitical events

1.2.1.4. Firm acts to mitigate against organisational risks

1.2.1.5. Firm needs to interact with local services in chosen location

1.2.1.8. Firm responds to the actions of other legal practices

LAW FIRM GEOGRAPHY (continued)

1.2.2. Drivers of geographical change which are internal to the firm

- 1.2.2.1. Legal systems advised on
 - 1.2.2.1.1. Home state law offered
 - 1.2.2.1.2. Host state law offered
- 1.2.2.2. Practice areas / industry sectors advised on
- 1.2.2.3. Financial considerations
- 1.2.2.4. Quality control considerations
- 1.2.2.5. Personal partner preferences

5.5. Chapter conclusions

Overall, my legal trade press evaluation has yielded a mixed outcome in relation to the GaWC's research. In relation to my evaluation of hypothesis 10, my research suggests that large EU law firms do, indeed, have geographical strategies which are separate from, but related to, their decisions to change their branch office geographies in specific locations. Therefore, the lack of GaWC research into this issue represents a notable omission from its output. Conversely, my research also suggests that the majority of the GaWC's more granular explanations for legal practice geographical change were supported, in light of the explanations offered by my sample firms to the legal trade press. Therefore, not only has the GaWC assisted our understanding of large EU law firm geography on this point, hypothesis 11 is also supported. More widely, my findings also endorse the GaWC's novel proposition – at least by reference to existing legal sector research – that law firm geographical change can be driven by a multiplicity of different factors, which are nevertheless capable of being defined and categorised. It is hoped my findings prompt future researchers to look beyond the single causal explanation line of investigation when exploring the drivers of large law firm geographical change. Adopting a more multifaceted approach to this issue may open up new avenues of fruitful research, such as those previously indicated on p7.

In terms of my own hypothesis testing, my findings have uncovered numerous commonalities between my various national cohort firms. This in, turn, supports my overarching hypothesis that limited commonalities can be observed. Those observed

commonalities include: the widespread existence of firms' overarching geographical strategies and, within that broad concept, the repeatedly-observed manifestation of firms' geographical orientations. Additionally, commonalities could also be observed between large EU law firms in relation to the specific factors that drove their specific EU branch office change events. Nevertheless, simply because I was able to observe several law firm leaders within my cohort indicating that they *had* geographical orientations, this did not mean that my cohort firm leaders could then be observed commonly articulating the *same* geographical orientations. Similarly, even those many of my cohort firms explained specific geographical change events by reference to commonly-indefinable explanations, the resulting manifestation of those explanations often then varied from firm to firm – for example in relation to “local” or “home” state law-driven geographical change events. Effectively, my final template has identified some of the key *inputs* driving legal practice geographical change. It is not, however, able to predict the outputs of such change.

Chapter six

Conclusions and possible future works

6.1 Conclusions

Overall, I have concluded that the GaWC's research has substantially aided our understanding of large EU law firm geography. Additionally, my own findings have added detail and precision to several of the GaWC's observations, both in relation to the nature of law firm relationships with other legal practices, and also in relation to the reasons why law firms change their branch office geographies in specific locations.

In terms of the GaWC's observations regarding large law firm branch office geography, several of the group's findings have been broadly replicated by my sample firms, notwithstanding our cohort differences. In common with the GaWC's findings in *The long arm of the law* (Beaverstock, Smith *et al.*, 1999, p1863) and explicit observations in *Geographies of globalization* (2000), many of my large EU law practices were found, in 2009, to have "merely have an international foothold in the globalizing law business" (p106). Also in common with the GaWC findings in *Connecting Rhine-Main* (Hoyler, Freytag *et al.*, 2008, p1107) and *Balancing London* (Taylor, Hoyler *et al.*, 2010, p1298) – notwithstanding our different methodologies – my cohort firms were observed clustering into a small number of domestic locations and, indeed, into specific common cities.

I was less successful in replicating the GaWC's EU-specific findings in *A roster of world cities* (Beaverstock, Taylor *et al.*, 1999, p455 - 456), in which the group identified a number of EU agglomeration locations. In relation to EU global legal service centres, there was little correlation between those cities identified by the GaWC and my cohort's 2009 EU branch office trading locations. And, in relation to world cities, my sample firms often coalesced into different cities to those suggested by the GaWC. More positively, my cohort firms were found to be largely absent from the EU locations identified by the GaWC in *Global law firms* as being under provisioned by global law firms (Faulconbridge, Beaverstock *et al.*, 2008, p463 - 464). Also positively, when evaluated longitudinally, the EU branch office investment and divestment locations favoured by my cohort firms between 1998 and 2009 were broadly in accordance with the GaWC's legal sector-specific findings in *The changing geography of globalized service provision, 2000 – 2008* (Hassens, Derudder *et al.*, 2011, p2303).

On a broader geographical scale, individual firms within my various national cohorts could be observed operating distinctive “geographical schemes”, as suggested by the GaWC in *Geographies of globalization* (Beaverstock, Smith *et al.*, 2000, p107 - 108). This paper also suggested – in common with *The long arm of the law* (1999) – that entire cohorts of large law firms tended to favour trading in distinctive world regions. And, within the EU, the favoured “globalisation arena” was, according to the GaWC, Western Europe (p1873). My findings concur with both of these observations, with the proviso that I also uncovered modest evidence of nation-specific cross-border EU branch office clusterings which were more regionally compact than the GaWC’s preferred transnational scale of enquiry.

In terms of my cohort’s use of alliance capitalism to extend their EU reach beyond their own EU branch office network, my findings both support and challenge the GaWC’s observations. On the one hand, supporting the GaWC’s findings in *The long arm of the law* (1999, p1863), my findings suggest that, in each of my sample jurisdictions, a majority of my cohort practices used alliance capitalism relationships within the EU in 2009. However, the manner in which my cohorts did so could not be fully accommodated within the various classifications offered by the GaWC in the same paper (p1865 – 1868).

In relation to law firms’ geographical strategies, my findings suggest the GaWC’s legal sector-specific research appears to contain a notable omission: that large law firms do indeed have geographical strategies that are related to, but also distinctive from, reasons why they alter their branch office geographies in specific locations. More positively, my legal trade press analysis indicated that the GaWC had correctly identified several considerations that appeared relevant to my firms’ evolving EU branch office geographies, notwithstanding that the majority of the GaWC’s explanations were offered speculatively. My findings therefore indicate that future researcher should adopt the GaWC’s approach, and assume that a wide range of – nevertheless definable – considerations are responsible for driving law firm geographical change in specific locations. However, my findings also suggest that such research should not disregard the relevance of law firms’ overarching strategies and orientations to their overall geographical configurations – a consideration the GaWC’s legal sector research has not appreciated to date.

Overall, these granular findings also support my overarching hypothesis – that limited patterns of identifiable patterns of geographical behaviour can be observed. Nevertheless, my findings also revealed numerous examples of national cohorts, and firms within those cohorts, exhibiting heterogeneous geographical behaviour. These heterogeneous behaviours included: the number of foreign offices operated by my cohort firms in 2009; differences in national norms regarding the number of domestic branch offices firms traded from; the extent of firms' use of alliance capitalism; firms' varied geographical orientations; and differing responses to common geographical considerations, even within common locations. We should therefore appreciate that, while specific overarching commonalities can be observed within and between large law firm cohorts in different EU states, we should not also expect all geographical behaviours to be replicated within and between those cohorts.

Finally, my research has identified various EU legal markets in which large law firms were – and were not – geographically active. It is hoped this finding encourages future researchers interested in law firm geography to consider exploring a more diverse range of legal practices than large US and UK law firms alone. As my findings reveal, other legal markets, and the large firms within them, are often geographically expansive and also geographically dynamic.

6.2 Future works

A number of avenues for future work are suggested, which may build my specific findings.

In light of my findings regarding the centrality of law firms' geographical strategies and orientations, it might be useful for future research to explore the underlying motivations of law firm leaders for favouring certain geographical strategies, and for having certain geographical orientations. What causes some law firm leaders to develop their practices into substantial cross-border operations, while others chose to operate on a smaller geographical scale? Additionally, how do law firms prioritise which locations to expand into, when consideration such as client demand or market access liberalisation offer a range of alternative opportunities? Are decisions made on the basis of market research or rational analysis or – as some have suggested –

on the basis of a leader's entrepreneurial spirit? Finally, what mechanisms do law firm leaders deploy win the support of their firm's wider partnership, thus allowing them to deliver on their geographical vision?

My research suggests law firms change their branch office geographies for a variety of reasons. However, what my research could not quantify – in light of the legal trade sources used – are possible hierarchies of importance regarding these various geographical change drivers in any given geographical event. It might therefore be helpful for future research to seek to quantify such hierarchies of importance, and establish whether any factors consistently dominate firms' decisions to change their branch office geographies. It might also be helpful to explore linkages between the various factors I have identified. However, it should also be appreciated that, in light of the geographical dynamism exhibited by some of my cohort firms – both in terms of their evolving ownerships and leaderships – obtaining reliable data regarding law firms' prior motivations for their historical geographical changes may prove evidentially challenging.

Finally, my research method, which combines quantitative elements guided by past research, and qualitative components guided by template analysis, has indicated possible interactions between the various findings explored during the course of my research: for example, how firm's branch office coverage may, in part, be influenced by its evolving relationships with its alliance capitalism partner firms. The nature of such possible interactions arguably warrant further exploration in their own right in future studies. It is hoped that my wide-ranging investigation into law firm geography may offer future researcher a useful evidential starting point for undertaking such an investigation.

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