

My Take: The Expat Experience

Cultural Competence

Interviews and Profiles



There are many reasons to live and work in another country: for adventure, to support a partner, or for new job opportunities. In the COVID era, expat experiences have become more difficult. Some expats have elected to return home. Those who have stayed may not have been able to visit family or friends back home for more than a year now. But as we start to envision a post-COVID era, can we start to think again about an overseas assignment?

For in-house lawyers considering the opportunity, ACC Chair Jo Anne Schwendinger shares some insights from her time as an expat.

How did your first expat experience come about, and what drew you to the opportunity?

Jo Anne Schwendinger: My first expat experience was in university. I enrolled in a program for US students in southern France, and the next year transferred to a full-time undergraduate degree program in the French university system. That university was created in 1303; and is now known as *l'Université d'Avignon et des Pays du Vaucluse*.

It was there that I completed my *Licence*, or bachelor's degree, in French Literature, concentrating on Old French texts. Then, I transferred to the University of Strasbourg, a much younger institution, founded in only 1538, and where Goethe finished his legal studies, to do a master's degree in

comparative literature and linguistics. After dedicating these years to subjects that I loved but that, sadly, held little economic promise, I decided to turn to the study of law, and to return to the United States.

That first expatriate experience opened my eyes to a different perception of my own country, to different world views and interpretations of history, and to different life values. Some of those differences, like mealtimes or hairstyles, were trivial, while others, like politics and the role of religion, were profound.

That experience also opened my eyes further to what it means to be an outsider. It can be a privilege to be the "other," for example when you are the foreigner invited to get-togethers because you have funny stories to tell about growing up in a very different place. It can also be alienating, like when you are called to answer for the geopolitics of your birth country. Leaving France was one of the hardest things I have done in life, and a large part of my heart will always be there.

My second expatriate experience occurred at nearly the other end of my professional life, and a very different part of the world, when I lived and worked in Singapore from 2010-14.

In what countries have you worked? To date, what has been your most memorable experience?

JS: In addition to living and working in France and Singapore, I have done quite a bit of work in many other countries. Early in my practice, I was in-house counsel for a multinational consortium whose operations were in Guinea, West Africa.

As a very young lawyer I made frequent trips to Guinea, often traveling solo. Guinea was far, far removed from anything I had experienced in life, having only traveled in the United States and Western Europe. It was also an experience I would not trade, precisely because it pushed the boundaries of my experience, and of my comfort.

After that, for several years I was responsible for the delivery of legal services to the subsidiaries of the multinational I was working for, in Luxembourg, France, the United Kingdom, Spain, Portugal, and Italy. I have also managed the delivery of legal services in Argentina and Brazil, and worked on multiple transactions in Russia, Ukraine, and Belarus.

I certainly remember the take-no-prisoners style of negotiating in some countries, and the mountains of red tape in others, but my most memorable experiences are of sharing my work-travel experiences with my family, and when my colleagues opened their family doors to me.

I know how important it is to you that in-house counsel have a "seat at the table." Is that possible for in-house counsel who are expats?

JS: I believe it is possible for every in-house lawyer to participate actively at the business table, and that certainly includes expatriates. As I have said before, though, we have to earn our seat by being knowledgeable about our clients' business strategies and goals, about their products and services, and the markets they serve. When you take up an expatriate assignment you will want to make sure that you have done your homework and are well grounded in the business realities in your new country. If you can do that, there is every reason that you will find your seat at the table.

As general counsel, have you had to manage expats and if so, what advice can you give to leaders tasked with the same challenge?

JS: When I was in Singapore, I had staff in four countries — China, Singapore, India, and South Africa. Today, I have a small team in China. My advice to leaders who are blessed with similar opportunities is to read as much as you can about the country your employee hails from. Learn about the country's history, economics, politics, religious life, biases, climate, and then use your knowledge — not as a platform to show how much you know, but as a basis for asking your team to teach you more.

What are the benefits of working with expats? The challenges?

JS: Having staff with varied backgrounds is a rich opportunity to explore themes of diversity. At one leadership team meeting that I hosted in South Africa, we explored themes of racial divide and reconciliation when we visited the Nelson Mandela house in Soweto. With the same team, when we were together in Singapore, I hired a guide, who took us to places where there were notable architectural, cultural, and culinary examples of cultures working together, blending, and remaining distinct.

On the challenges side of the balance, it is hard to defend a position that is contrary to the norms of your host country. To be concrete, I have often worked and done business in places that have attitudes about the role of women that are intolerable for me. It is hard not to speak out when those attitudes manifest themselves, yet remaining silent is sometimes necessary. I hope for the day, and may it come soon, when no woman has to bear the indignity of enforced silence.

What's an example of an experience you had as an expat that you likely wouldn't have otherwise had?

JS: Earlier I mentioned visiting the Nelson Mandela House in South Africa. On the same trip, we also visited the game park in Pilanesberg. I remember the joy of being in the vast outdoors and marveling with my colleagues about the beauty and awesomeness of what we were seeing. Those are not everyday experiences. They are once-in-a lifetime moments that I savor.

Words of advice for lawyers considering an expat position or opportunity?

JS: Above all, do it. But first, make sure your eyes are open and your ask lots of questions — about expenses, home visits, and cultural training. As an expat there are days when you might feel like you are being asked to stand on your head, that is how different things are. But if you know, metaphorically speaking, that headstands are expected, and you have a chance to practice headstands before heading out on your adventure, it will be so much easier.

Have you worked as an expat? We'd love to hear about your experience and perhaps interview you for an upcoming column. Please email chair@acc.com.

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