



Mitigation is better than litigation

Perhaps it is because the firm is relatively young and staffed by lawyers still some years away from the silver-haired stage, that the Luxembourg legal practise of Wies Hertzog and Sorel (WHS) has such an innovative and refreshing outlook.

TEXT: MARTIN PILKINGTON | PHOTOS: WIES HERTZOG SOREL

“Our approach starts in reception,” explains Frank Wies, one of the two founding partners: “Good language skills are expected in Luxembourg, but along with the usual Luxembourgish, French, German and English, we can greet clients in Portuguese for example, something that’s often helpful in our work with workers new to the country, and refugees.”

Add to that list proficiency in Czech and Spanish and it’s clear that WHS has an international outlook. The legal training backgrounds of the three lawyers re-emphasise that point, each of them having studied outside Luxembourg’s borders as well as within the country.

Since Frank Wies and Anne Hertzog decided to pool their expertise in 2009 the team has grown, the third partner Karim Sorel joining in 2014. They’re now seven in total, a number that Wies describes is still on a human scale.

Humanity in that sympathetic sense is an important part of the firm’s way of working. Glance at the links page on their website for example and the one at the very top of the page is Amnesty International: “We’ve done quite a lot of work on the immigration side here,” says Wies: “That is not just with business people and new employees coming into the country, but refugees too, and we’ve worked on cases concerned with

human rights. Before we started the firm I had been involved with Amnesty, and I continue to be so, as I am with the Luxembourg Refugee Council. My colleagues and I still do plenty of work on refugees’ rights, and on immigration into Luxembourg and the EU in general. We help people avoid the potential administrative pitfalls that can slow or even halt the process.”

That philosophy of speeding the resolution of problems and, if at all possible, of preventing their occurrence permeates much of the firm’s work. “On many occasions what we do is about supporting clients in negotiations before any formal legal process has begun,” he continues.



lawyers working face to face with clients in their places of business. But founding partner Frank Wies is involved in another way of spreading the legal word: “Every two weeks I do a legal information programme on public radio here,” he says: “It looks at the impact of particular decisions, at administrative reforms, and other wider matters relating to the law. It’s something I enjoy, and intend to continue, it’s important to communicate.”

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Photo: Frank Wies



Photo: Karim Sorel



Photo: Anne Hetzog

“For example we’ll sit down with a couple who want to divorce and try to help them reach a settlement that avoids litigation that can be protracted, expensive and bitter. Likewise in inheritance cases, where again litigation between parties can devour the legacy in question. Arbitration and mitigation are generally far better routes.” In the field of labour law, a major area of activity for the firm, partners have significant experience that again they frequently employ similar dispute resolution skills: “Whether we are representing the employer or the employee, an amicable agreement is a far better outcome than lengthy legal wrangling, especially if that means time and money spent in court,” says Wies.

The ideal situation, particularly for business entities, is to do the groundwork that means disputes don’t arise in the first case: “In contract negotiations we also help

companies steer clear of future contractual difficulties that come about because of lack of clarity, or misunderstandings, or terms like unfeasible delivery times that should not have been agreed to in the first place. Badly put together deals will come back to haunt businesses in the end. Clarity and good advice at the outset can avoid arguments between companies that can drag on for years otherwise, spoiling their relationship.”

Although the firm’s lawyers make great efforts to keep clients out of litigation, sometimes court appearances cannot be prevented, and the team offers representation across the legal spectrum. This includes civil, criminal, administrative and social courts, at first instance and on appeal, for the plaintiff or defendant.

The firm reaches out to its contacts from that polyglot reception, and from its

