



COMILLAS

UNIVERSIDAD PONTIFICIA

ICAI

ICADE

CIHS

GUÍA DOCENTE

2026 - 2027

FICHA TÉCNICA DE LA ASIGNATURA

Datos de la asignatura

Nombre completo	Lawyering Solutions: Problem-solving in complex interdisciplinary cases
Código	E000013117
Impartido en	M.U. en Acceso a la Abogacía y la Procura y Máster de Formación Permanente en Abogacía Internacional [Primer Curso]
Créditos	2,0 ECTS
Carácter	Obligatoria
Departamento / Área	Área de Derecho Internacional Privado
Responsable	Prof. Patrick Byrne / Prof. Diego Agulló (Master's Director)
Descriptor	p.byrne@bcremades.com

Datos del profesorado

DATOS ESPECÍFICOS DE LA ASIGNATURA

Contextualización de la asignatura

Competencias - Objetivos

BLOQUES TEMÁTICOS Y CONTENIDOS

Contenidos – Bloques Temáticos

Unit 1. Introduction; How International Lawyers Think

1. The landscape of international legal practice: types of work, firms, and clients
2. Problem-solving methodology: the difference between knowing the law and solving the problem
3. Mapping complex cross-border problems: jurisdictions, substantive areas, stakeholders, and decision points
4. The engagement: scoping the work, assembling the team, defining boundaries
5. Fee structures in international practice: hourly, fixed, success, hybrid, and cultural variation
6. Conflicts of interest across borders

Readings:

Required:



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None. Instructor-developed materials will be distributed in class.

Unit 2. Working Across Legal Systems

1. The common law/civil law divide as a practitioner's working framework
2. Working with local counsel: instructing, evaluating, and managing advisory relationships
3. Concepts that don't translate
4. Working across languages: translation, machine translation risks, and code-switching
5. Managing what you don't know: professional strategies for navigating unfamiliar law

Readings:

Required:

None. Instructor-developed materials will be distributed in class.

Unit 3. Professional Communication as Problem-Solving

1. The client advisory email: structure, tone, and cross-cultural effectiveness
2. The internal memo: bottom-line-up-front writing for partners
3. Status calls, meeting notes, and reporting
4. Communicating with opposing counsel across jurisdictional cultures
5. Privilege and confidentiality in cross-border communications

Readings:



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Required:

None. Instructor-developed materials will be distributed in class.

Unit 4: Dispute Resolution – Strategy and Design

1. The dispute resolution clause as strategic decision
2. International arbitration: the New York Convention, institutional vs. ad hoc, seat selection, tribunal composition
3. The economics of international disputes: costs, budgeting, and their impact on clause design
4. Designing for resolution: mediation, tiered clauses, and settlement architecture
5. Pathological clauses: real drafting failures and their consequences
6. The strategic pivot: advising when the clause you inherited is imperfect
7. Investor-state arbitration: a brief introduction

Readings:

Required:

None. Instructor-developed materials will be distributed in class.

Unit 5. The Life of an International Arbitration — Through to Resolution

1. From the request for arbitration to constitution of the tribunal
2. Procedural strategy: case management conferences and procedural orders
3. Document production under the IBA Rules on the Taking of Evidence
4. Written advocacy: memorials, witness statements, and expert reports
5. The hearing: what happens in the room
6. Hearing preparation: exhibit bundles, chronologies, and document management
7. The settlement track: timing, tactics, without-prejudice communications, and structuring settlements
8. When settlement fails: the award, challenges, and enforcement



Readings:

Required:

None. Instructor-developed materials will be distributed in class.

Unit 6. Managing Complex Matters

1. Matter management: assembling teams, communication protocols, and workstreams
2. Multi-jurisdictional coordination: managing local counsel across countries
3. Due diligence as a problem-solving exercise: triage, prioritization, and reporting
4. Time management across time zones and multiple matters
5. Managing up and managing teams

Readings:

Required:

None. Instructor-developed materials will be distributed in class.

Unit 7. When Things Go Wrong

1. Adverse discoveries mid-matter: obligations and immediate response
2. Deal collapse: managing clients, fees, teams, and potential claims
3. Parallel proceedings across jurisdictions
4. Emergency relief: emergency arbitrators, interim measures, and freezing orders
5. The client who won't listen: documenting advice and knowing when to withdraw
6. Ethical gray zones: misleading witness statements, omissions, and professional pressure
7. The difficult client: setting boundaries, escalation, and client relationships not worth having
8. Reputational risk: sanctions exposure, corruption red flags, and the "should we do this?" conversation
9. Multi-bar practice: navigating conflicting professional conduct rules



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Readings:

Required:

None. Instructor-developed materials will be distributed in class.

Unit 8. Negotiation, Relationships, and the Long Game

1. Negotiation across legal cultures: directness, relationship orientation, and the role of counsel
2. The asymmetric information problem: negotiating when neither side understands the other's legal framework
3. Closing mechanics: signature pages, notarization, apostille, powers of attorney, and conditions precedent
4. Building a practice: referral networks, professional visibility, and long-term relationship building
5. Navigating firm culture across jurisdictions

Readings:

Required:

None. Instructor-developed materials will be distributed in class.

METODOLOGÍA DOCENTE

Aspectos metodológicos generales de la asignatura

TEACHING METHODOLOGY

General methodology of the subject

Contact hours methodology:



Each 2.5-hour session combines two main components:

1. Instructor-led discussion: Presentation of core concepts, frameworks, and real-world examples drawn from the instructor's international arbitration and cross-border practice. Classes are interactive and students are expected to participate actively.

2. Practical exercise: Hands-on exercises using hypothetical scenarios, anonymized case materials, and practitioner-developed documents. Exercises may include issue mapping, drafting, oral presentations, simulated negotiations, triage simulations.

The course relies primarily on practical examples and classroom discussion as opposed to traditional academic readings. Various samples of practical documents may be distributed depending on student interest and the development of the overall discussion. Complementary readings may be provided for students who wish to explore topics in greater depth.

Class attendance is mandatory.

Outside class methodology:

To be determined based on classroom discussion.

EVALUACIÓN Y CRITERIOS DE CALIFICACIÓN

Evaluation Activities	Indicators	Evaluation weighting
Attendance and Participation	Regular attendance is mandatory. Attendance will be monitored through signature sheets. Active, thoughtful participation in class discussions is especially important in a practical class of this nature, hence the emphasis in overall evaluation.	30% (10% Attendance) (20% participation)
Practical Exercises	Students will complete various practical exercises throughout the course, including drafting exercises, issue maps, and simulated advisory work. Selected exercises will be collected and graded.	35%



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Group Presentation

In the final session, student groups will receive a complex cross-border scenario and deliver a structured oral presentation addressing issue identification, dispute resolution strategy, and client communication. Groups will be assessed on analytical rigor, practical judgment, presentation skills, and teamwork.

35%

Calificaciones

The use of AI to create entire assignments or substantial parts thereof, without citing the source or tool, or without explicit authorization in the assignment instructions, will be considered plagiarism and governed by the University's General Regulations.

BIBLIOGRAFÍA Y RECURSOS

Bibliografía Básica

Basic Bibliography and Resources

This course relies primarily on instructor-developed materials, real-life practical examples, and classroom discussion. There is no required textbook. General reference materials may be provided as classroom discourse develops or based on student interest.