

Member Spotlight: Hilary L. von Arx

A Rising Star in Swiss Commercial Litigation



Hilary L. von Arx finished her studies at the University of Zurich in 2007 and was admitted to the Bar in 2012. She is an expert in corporate and commercial litigation where she specialises in shareholder (and comparable) disputes, contractual claims, and employment law disputes.

Hilary L. von Arx has been the commercial litigation partner at Swiss law firm Wicki Partners for almost three years. There is nothing unusual in that of course, except for the fact that she is still in her thirties.

Such swift elevation to a senior position is a mark of her passion for litigation and her ability to perform with consistent excellence for both international and domestic clients.

The path to Hilary's current role has not been completely straight, however, with stints working in the USA and other areas of legal practice before focusing on a specialism. She believes the opportunity to rise so far, so fast, is down to the progressive environment at Wicki Partners and the vision of the firm's leadership at Wicki Partners.

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“At Wicki, everyone works independently, and for each other. We have a flat structure without hierarchy, and lawyers are encouraged to express their character. I had known Balthasar Wicki for 10 years when he asked me to join and establish a litigation department. It gave me the opportunity to become a partner and build my own practice.”

Hilary is also a passionate advocate of women's rights in the workplace, and points to her business partner's progressive attitudes as an important part of her success.

“When I was looking for a job at a law firm in my mid-30s, it was difficult. Everybody thinks you might want to start a family at any time, and some even ask about that - which is not strictly legal. For me to enter a law firm on a partner track at my age, I needed a liberally-minded partner like Balthasar. Everything is possible, as long as you have the right mindset and are organised. We definitely need more female qualities at a senior level in law firms.”

Hilary was inspired to embark upon a legal career by her mother's cousin, who is a corporate lawyer focusing on M&A and corporate governance and sparked her interest while she was still at school. Following a stint working in New York, making use of her dual US/Swiss citizenship, Hilary decided to return to Zurich and train to become a lawyer.

She took her year of practice, focusing on civil litigation, with a medium-sized law firm, passing the Swiss Bar exam while there, then moving to Landis + Gyr as Legal Counsel. In her previous role her remit was broad, encompassing contract law, employment law, data privacy and antitrust compliance. It was important to Hilary to understand the needs and problems of her corporate clients from the inside out in order to provide the appropriate solutions for them as an attorney in the future.

Now, as a litigation partner, she believes she has found her true calling in a specialism that she loves.

She says, "The things I like dealing with the most are shareholder disputes and similar conflicts within non-company structures such as associations, I also like to deal with various contractual or debt collection law disputes. US or English lawyers are often confused by the fact that we can switch

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practices so easily, but that is because the procedural bases of their legal systems are very different. The structure of proceedings here is similar for many different disputes because of the applicable civil procedure law.

Switzerland is one of the most progressive and technologically advanced economies in the world, making a name for itself in fields such as Fintech and cryptocurrency. This paradigm shift in the nature of industry is making itself felt in various areas of law, but Hilary says it is yet to affect litigation to a great extent.

She does believe it might happen soon though.

"Not many disputes have arisen around crypto-economy events like ICOs, yet, but they will do because these new structures are often not thought through fully and can be targets for fraud. There will be work for us and new knowledge will need to be built around these models. In terms of litigation, generally the underlying structure is a share company, so our firm can help solving disputes."

This ability to look at the commercial angles of a dispute, rather than the purely legal parameters, is one of the skills that Hilary and the other partners at Wicki Partners pride themselves on. She says that it is common for lawyers in larger firms to be more theory-based and technical in their approach, which sometimes makes them less able to look at a situation through the eyes of an entrepreneur or executive, as they don't share the broad corporate background of the partners at Wicki Partners.

"Our partners come from industry, and we always try to provide a client with a practical answer to their problem. I have been on the other side, where a request for legal advice results in a letter full of legalese, covering the lawyer's liability without answering the question properly. We do our very best to avoid this and emphasise that we will not inflate our invoices unnecessarily by providing legal documents that are not of real benefit to our clients."

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This client-focused philosophy is at the heart of the future development of Wicki Partners. Hilary says the firm hopes to double in size to around 10 partners within the next five years.

Away from the office, Hilary is a keen golfer and plays as often as time allows, making use of a membership at courses in Zurich, Basel and Lucerne. She has also played in the IR Global golf tournaments held before most conferences. When work limits time for golf, she can be found on the tennis court or engaged in a CrossFit session.

Aside from sports, Hilary has an interest in literature and fine arts, inspired by her parents. Travel is another love and she visits her parents in New York on a regular basis.

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It is clear that Hilary is a rising star of Swiss law, given her career achievements so far. What the next part of that career will bring, only time will tell.

Expect it to be impressive.

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Wicki Attorneys-at-Law offer entrepreneurs and companies their extensive knowledge and experience for a new way to access company law during phases of growth, conflicts and change. The firm assists and supports national and international companies with any issues they may have on corporate development, transactions (M&A), contract negotiations, company restructuring measures and succession planning.