



SANDRA DE VITO BIERI

Bratschi AG

Bahnhofstrasse 70, PO Box, Zurich, CH-8021, Zurich, Switzerland

Tel: +41 58 258 10 00

sandra.devito@bratschi.ch

www.bratschi.ch

Sandra is managing partner of Bratschi and has been working in the area of litigation and arbitration, large-scale disputes and investigations for over 20 years. She mainly advises parties on financial, energy, telecoms and commodities disputes. She has taken part in more than 45 arbitration proceedings as chair, co- or sole arbitrator and counsel and has supervised more than 30 arbitration proceedings in her role as member of the Court of Arbitration of the Swiss Arbitration Centre. She has furthermore extensive experience representing clients in large-scale administrative and criminal investigations conducted by Swiss authorities.

What inspired you to specialise in arbitration and litigation?

Storytelling! My dream was actually to become a journalist, as I loved to communicate and tell stories. So, based on my father's recommendation, I studied law – and then it turned out that litigation was exactly that: storytelling.

How has the market changed since you first started practising?

The biggest change I observed in the last 20 years is that nowadays, even if your core business is civil litigation, criminal law and in particular white-collar crime, have become some of the instruments you regularly use.

How do you see your practice developing over the next five years?

I increasingly use my knowledge from 20 years of litigation to provide strategic advice to my clients, be it in complex litigation cases as before, but also more often in advising members of the management or board of directors in internal and external investigations. It is unbelievable how much knowledge you can accumulate in 20 years of dispute resolution.

To what extent has covid-19 had an impact on commercial arbitration? Are parties willing to be flexible in procedure and approach to get it over the line?

Yes, absolutely. Covid has strongly accentuated the trend towards the use of digital means. This has a very positive effect on the costs of arbitration proceedings and makes cooperation with the client and fact finding easier and more efficient.

To what extent can virtual hearings be relied on to decide high-stakes multibillion-dollar cases between parties?

The questions to be asked in this regard are the same whether the amount in dispute is large or small, namely: do virtual hearings ensure compliance with party rights and can the arbitral tribunal rely on the integrity of the testimonies? From what I have been able to gather in terms of experience so far, I am convinced that this is possible.

What further steps can be taken to ensure that arbitration professionals are more comfortable using arbitration hosting platforms and other technology increasingly used in the space?

They have to practice. This is a question of experience and organisation, as is so often the case in arbitration. The new virtual reality, which is now not so new either, does not change this. The parties as well as the arbitrators need to know the technologies, test them and also be aware that the witnesses need a slightly different preparation. But it is not witchcraft.

What advice would you give to younger practitioners hoping to one day be in your position?

Whatever you do, do it with passion and commitment.

You have enjoyed a very distinguished career so far. What would you like to achieve that you have not yet accomplished?

As managing partner, I now have the opportunity to lead a company operationally. I would like to further develop these skills and also use them in the future in the context of board mandates. Because a critical spirit is also needed there.

WWL says: *Sandra De Vito Bieri is appreciated by peers and clients for being "a very calm and focused lawyer, who is also extremely responsive, and identifies the relevant issues quickly".*