

ASIAN LEGAL BUSINESS



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ALB INDONESIA LAW AWARDS 2023

26TH OCTOBER • JAKARTA

RESEARCH METHODOLOGY SUMMARY

PROUDLY PRESENTED BY

ASIAN LEGAL BUSINESS



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PART 1 - IMPORTANT DATES

OPENING OF SUBMISSIONS

15 June 2023

DEADLINE FOR SUBMISSIONS

11 August 2023

ANNOUNCEMENT OF FINALISTS

End September

AWARDS CEREMONY – PHYSICAL EVENT

26 October 2023

AWARDS INQUIRIES

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SPONSORSHIP INQUIRIES

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PART 2 - GENERAL GUIDELINES

- A. All submissions, whether by self-recommendation or nomination, must be written in the ALB submission form. Otherwise, the same will not be accepted.
- B. The coverage period for the entries is 1 July 2022 to 30 June 2023
- C. The contact persons provided in the submission forms will be contacted by ALB, as may be necessary.
- D. References may be incorporated in the form to support any information expressly stated therein.
- E. All relevant fields in the forms must be filled in. Submissions with less than the required number of entries will be disqualified.
- F. For frequently asked questions about the awards, please visit the [FAQ Page](#).

PART 3 - DEFINITION OF TERMS

- A. **Breadth:** the degree to which a work involved numerous jurisdictions, legal practice areas, parties and industries
- B. **Complexity:** the degree to which a work and any issues involved require the crucial exercise of legal expertise, business acumen or innovative solutions
- C. **Firm size:** total number of lawyers and non-legal staff based in Indonesia
- D. **Indonesian element:** refers to any of the following components of work: (a) one of the counsels representing a party is based in Indonesia; (b) one of the parties in interest is based in Indonesia; or (c) the subject matter of the transaction is closely connected to Indonesia.
- E. **Impact or significance:** the degree to which clients and other stakeholders, the bench and bar, an industry or the country may be affected
- F. **Innovativeness:** the degree to which a work involves the application of a new concept or creative solution, process, service, programme or the like to existing systems and processes, thus improving organizational capabilities and adding more value to output or making the deal work more efficient
- G. **Team size:** number of lawyers and non-legal staff in an in-house team or specific practice team in a law firm
- H. **Work:** a transaction, case or matter, service, programme, initiative, or the like
- I. **Factors for consideration:** elements that play a part in the parameters of the Award, which may be added, but are not mandatory, in the submission form

PART 4 - AWARD CATEGORIES

A. DEAL CATEGORIES

1. Debt Market Deal of the Year

Definition: A deal involving the issuance and/or trading of debt instruments

Factors for considerations:

- i) Types of securitizations (eg. commercial mortgage-backed, on-and off-balance sheet residential receivables-backed, etc)
- ii) Types of derivatives (eg. Fixed-income securities, bond futures, issuance of bonds/ warrants, etc)
- iii) Repo and GMRA Agreement

2. Equity Market Deal of the Year*

Definition: A deal through which offers to acquire or dispose of Equity Market Products are made or accepted

Factors for considerations:

- i) Equity financial structures
- ii) IPOs, secondary placings, reverse takeovers
- iii) Demergers
- iv) Spinoffs
- v) Convertible Issues
- vi) M&A

*This is a broader category that may include elements that may also be considered for other categories.

3. M&A Deal of the Year

Definition: A deal facilitating the domestic or international transaction aimed at consolidating businesses of two or more companies through legal mechanisms

Factors for considerations:

- i) Shareholder and employment agreements
- ii) Intellectual property
- iii) Negotiations

4. Project Finance Deal of the Year

Definition: A deal to provide financing arrangements for the provision of fund for the ownership, acquisition, development, operation and/or maintenance of any asset or business non-recourse to the Shareholders provided to the Company, wherein lenders look solely or primarily to cash flows of a project to repay debt service

Factors for considerations:

- i) Project contracts (such as host government agreements, EPC agreements, etc)
- ii) Financing
- iii) Assessment of risks (completion risks, costs overruns, environmental issues, sovereign support, foreign exchange swaps, etc)

5. IPO Deal of the Year

Definition: A deal facilitating the Company's first underwritten public offering of its Common Stock

Factors for considerations:

- i) Reverse takeovers, secondary placings, etc
- ii) Corporate disclosures and governance
- iii) Issues of bonds, notes, depository receipts, etc

Specific Guidelines

- a. **Announcement/completion of deals:** Only deals that have been announced, ongoing or completed between 1 July 2022 to 30 June 2023 are eligible for submission. Those that have been previously submitted will no longer be eligible for submission this year.
- b. **Deal size:** The following deal size requirements should be complied with:
 - **Debt Market:** Deal ≥ USD150 million.
 - **M&A Deal of the Year:** Deal ≥ USD300 million; and
 - **Equity Market/ Project Finance Deal of the Year:** Deal ≥ USD150 million.
 - **IPO Deal of the Year:** Deal ≥ USD300 million.
- c. **Indonesian element:** Every deal must have an Indonesian element as defined in Part 3.
- d. **Number of deals:** An organisation may submit a total of three deals for each category.
- e. ALB reserves the right to consider significant deals that do not meet the minimum financial value requirement but are exceptionally complex, significant, or innovative.

Criteria

The judges will consider the following factors: breadth, complexity, innovativeness and impact or significance of deals.

B. INDIVIDUAL CATEGORIES

1. Dealmaker of the Year

Definition: A skilled lawyer skilled in negotiating deals and agreements, with a focus on areas such as due diligence, thorough business planning, and structuring exit terms

Factors for considerations:

- i) Types of deals
- ii) Size of deals
- iii) Risk mitigation

2. Dispute Resolution Lawyer of the Year

Definition: A lawyer skilled in one or several different processes used to resolve disputes between parties, including negotiations, mediation, arbitration, collaborative law, and litigation, wherein considerations such as fostering a rapport, looking into the interests and values of the counterparties separately, and appealing to overarching values are also taken into account

Factors for considerations:

- i) Mediation, arbitration, and alternative dispute resolutions
- ii) Types of litigations

3. In-House Lawyer of the Year

Definition: A skilled lawyer who works directly for a business or organization with a headcount of two or more lawyers, and who is domiciled in Indonesia

Factors for considerations:

- i) Strategic vision
- ii) Innovation
- iii) Client satisfaction

4. Managing Partner of the Year

Definition: A skilled lawyer holding the highest de jure role, who is accountable for the law firm's overall directions, management, and day-today operations

Factors for considerations:

- i) Leadership
- ii) Strategic vision
- iii) Commitment to employee development
- iv) Efficiency
- v) D&I initiatives

5. Woman Lawyer of the Year

Definition: A skilled female lawyer, private practitioner, or in-house counsel, who has excelled in the practice of law and has significantly contributed in the larger community, especially in women empowerment or similar advocacies

Factors for considerations:

- i) Strategic vision
- ii) Innovation
- iii) Client satisfaction
- iv) Pro Bono works done

6. Young Lawyer of the Year

Definition: A skilled lawyer who is not more than 40 years of age as of 30 June 2023, with remarkable achievements in the practice of law and significant contribution in the larger community, especially in youth empowerment or similar causes

Factors for considerations:

- i) Contribution to legal community
- ii) Strategic vision
- iii) Innovation
- iv) Client satisfaction
- v) Pro Bono works done

Specific Guidelines

- a. **Nomination:** A third-party submission for any individual category may only be considered when a nominee's team has not nominated anyone of its members for the same category.

- b. **Number of nominees:** An organisation may put forward only one of its members for a category.
- c. **Residence** - A candidate must be a resident of Indonesia.

Criteria

The judges will consider the following factors: the nominee's leadership, professional accomplishments (in terms of the breadth, complexity, innovativeness and significance) contribution to his/her immediate organization, the bench and bar, and the general public, including the initiatives taken or participated in towards community development, esp. on women/youth empowerment or other similar causes.

C. IN-HOUSE CATEGORIES

1. Financial Services In-House Team of the Year

Definition: An in-house team from banks, accounting firms, insurance companies, private equity firms and other legal entities from the financial industry

Factors for considerations:

- i) Business conduct and regulatory compliance
- ii) Derivatives and structured products

2. Technology, Media and Telecommunications In-House Team of the Year

Definition: An in-house team from digital businesses that depend on research and development, patents, and / or other intellectual properties.

Factors for considerations:

- i) Privacy & Data protection advisory
- ii) Cyber Security
- iii) Data licensing and commercialization

3. Indonesia In-House Team of the Year

Definition: An in-house team of a business or organization from any and all industries, with a team headcount of two or more lawyers, and is incorporated in Indonesia

Factors for considerations:

- i) Innovation
- ii) Strategic vision
- iii) Contribution to legal community

Specific Guidelines

- a. **Composition of in-house team:** To join the submissions for any in-house category, the team should consist of at least two in-house counsels.
- b. **Residence:** All in-house teams with physical office in Indonesia are qualified to join the awards.

Criteria

The judges will consider the following factors: the entrants' or nominees' professional accomplishments (in terms of the breadth, complexity, innovativeness and impact or significance), innovation, development and social contribution.

D. FIRM CATEGORIES

1. Antitrust and Competition Law Firm of the Year

Definition: Law firms that excel in advising firms looking to expand, needing to defend themselves against competitors and antitrust agencies, and avoiding litigation

Factors for considerations:

- i) Mediation, arbitration, and litigation
- ii) M&A

2. Arbitration Law Firm of the Year

Definition: Law firms that act as arbitrators or advise clients in a dispute under WIPO Arbitration Rules, to make or help draft binding decisions on the dispute

Factors for considerations:

- i) Cross-border disputes
- ii) Joint Ventures

3. Aviation Law Firm of the Year

Definition: Law firms that cover the aspects of airport operations, aircraft financing, certification and registration, and more, in relation to carriage of goods and persons by air, multimodal transportation, and freight forwarding arrangements

Factors for considerations:

- i) Limitation of liability
- ii) Chartering and leasing
- iii) Aviation financing

4. Banking and Financial Services Law Firm of the Year

Definition: Law firms that advise banks, accounting firms, insurance companies, private equity firms and other legal entities from the financial industry

Factors for considerations:

- i) Business conduct and regulatory compliance
- ii) Derivatives and structured products

5. Construction and Real Estate Law Firm of the Year

Definition: Law firms that advise developers, contractors, and architects on real estate and construction matters, including contracting, construction projects, and property development

Factors for considerations:

- i) Contract preparation, negotiation, and administration
- ii) Foreclosures, unlawful detainers, condemnation proceedings, and partition actions

6. Dispute Resolution Boutique Law Firm of the Year

Definition: Law firms that provides services in one or several different processes used to resolve disputes between parties, including negotiations, mediation, arbitration, collaborative law, and litigation, with no more than 15 partners and 30 qualified lawyers in total may apply for the category.

Factors for considerations:

- i) Mediation, arbitration, and litigation

7. Indonesia Deal Firm of the Year

Definition: Law firms that are headquartered in Indonesia, with the submission of at least three deals, whereby each deal is no less than USD150m in size

Factors for considerations:

- i) Types of deals
- ii) Risk mitigation measures

8. ESG-advisory Law Firm of the Year

Definition: Law firms that show substantial depth and breadth in advising clients on the environmental, social, and governance factors of their firm, which are a subset of non-financial performance indicators which include sustainable, ethical, or corporate governance issues such as, without limitation, the impact of a company on the environment, the conduct of social and business relationships and governance ethics, etc.

Factors for considerations:

- i) Green Sukuk
- ii) Green bonds

9. Fintech Law Firm of the Year

Definition: Law firms that advise on new technologies such as blockchain, cryptocurrency, digital banking and the like

Factors for considerations:

- i) Data privacy
- ii) eCommerce and internet services
- iii) Decentralized Autonomous Organisations

10. Insurance Law Firm of the Year

Definition: Law firms that advise on insurance policies, reinsurance coverage, pursuing recoveries, and defending claims

Factors for considerations:

- i) Regulatory and licensing
- ii) Claims and recoveries

11. Intellectual Property Law Firm of the Year

Definition: Law firms that advise on the protection or use of products of the human intellect, such as patent, copyright, trademark, and trade secrets

Factors for considerations:

- i) Anti-piracy campaign
- ii) Infringement of rights
- iii) Litigation, arbitration, and enforcement
- iv) Due diligence

12. Labour and Employment Law Firm of the Year

Definition: Law firms that mediate the relationship between workers, employing entities, trade unions, and the government

Factors for considerations:

- i) Employee retention during reorganization and spinoffs

- ii) Workforce restructuring
- iii) Labor rights

13. Litigation Law Firm of the Year

Definition: Law firms that assist in calling of any action, arbitration, cause of action, claim, complaint, criminal prosecution, demand letter, governmental or other examination or investigation, hearing, inquiry, administrative or other proceeding, or notice, alleging potential liability or requesting information relating to or affecting a Party

Factors for considerations:

- i) Property disputes
- ii) Corporate and personal insolvency

14. Maritime Law Firm of the Year

Definition: Law firms that advise on charter parties, bills of lading of water carriers, agreements relating to wharfage, supplies furnished vessels or repairs to vessels, collisions, or any other matters relating to commerce and navigation on the high seas and other navigable waters

Factors for considerations:

- i) Drafting and negotiation of shipping related contracts
- ii) Maritime financing

15. Medical and Healthcare Law Firm of the Year

Definition: Law firms that advise on activities relating to the procurement, development, provision, clinical and non-clinical evaluation or investigation, product approval or clearance, manufacture, production, distribution, importation, exportation, reimbursement, sale, labeling, advertising, promotion, or other requirements of pharmaceuticals

Factors for considerations:

- i) Intellectual property
- ii) Fund raising and M&A

16. PRC Law Firm, Indonesia Practice of the Year

Definition: Law firms that are headquartered in mainland People's Republic of China, with a presence in Indonesia, demonstrating expertise, innovation, and commitment in representing clients in a wide range of legal matters.

Factors for considerations

- i) Cross-border transactions, investments, and joint ventures
- ii) Involvement in a range of legal matters, including corporate and commercial law, litigation and dispute resolution, and regulatory compliance

17. Projects, Energy and Infrastructure Law Firm of the Year

Definition: Law firms that advise on activities relative to the exploration, extraction, production, importation-exportation, processing, transportation, marketing, distribution, utilization, conservation, stockpiling, or storage of all forms of energy products and resources, and facilities, installations, or devices required for the rendering of such services

Factors for considerations:

- i) Public-Private Partnerships
- ii) Sustainability and ESG

18. Restructuring and Insolvency Law Firm of the Year

Definition: Law firms that advise individuals and companies on their inability to meet their financial obligations to lenders as debts become due.

Factors for considerations:

- i) Injunctions and garnishee orders
- ii) Restitutionary claims
- iii) Liquidation
- iv) Creditor-debtor and inter-creditor disputes
- v) Scheme of arrangement

16. Rising Law Firm of the Year

Definition: Law firms established in Indonesia not earlier than 2012 that have no more than 10 partners are eligible for this submission

Factors for considerations:

- i) Contribution to legal community
- ii) Innovation

17. Technology, Media and Telecommunications Law Firm of the Year

Definition: Law firms that advise digital businesses that depend on research and development, patents, and / or other intellectual properties.

Factors for considerations:

- i) Privacy & Data protection advisory
- ii) Cyber Security
- iii) Data licensing and commercialization

18. Transactional Boutique Law Firm of the Year

Definition: Law firms that counsel individuals and organizations on the legal issues generated by their business dealings, with no more than 15 partners and 30 qualified lawyers in total may apply for the category.

Factors for considerations:

- i) General governance, commercial, and compliance matters
- ii) Drafting and negotiation of contracts
- iii) Designing personnel policies on real estate, regulatory, intellectual property, and / or licensing matters

19. Indonesia Law Firm of the Year

Definition: This is open to all law firms headquartered in Indonesia. The category requires the submission of 10 key works showing the firm's expertise in various areas of legal practice, the firm's initiatives for the engagement and development of its people, its CSR strategy and its most significant contribution to the legal community.

Factors for considerations:

- i) Strategic vision
- ii) Governance

Specific Guidelines

- a. **Deal size:** No minimum financial value is required of deals submitted for any firm category.
- b. **Residence:** All law firms holding an office in Indonesia are qualified to submit for any of the categories. Law firms applying for PRC Law Firm, Indonesia Presence of the Year do not require a physical presence in Indonesia.

Criteria

The judges will consider the following factors: entrants' or nominees' professional accomplishments (in terms of the breadth, complexity, innovativeness and impact or significance), innovation, development and social contribution.

PART 5 - JUDGING PANEL

The panel of judges will be composed of at least 30 reputable members from the legal academia, in-house teams, law firms, and legal associations in the region. Each judge will evaluate only the categories assigned to him/her and with which he/she does not have any conflict of interest.

The judges will evaluate the entries according to the above-mentioned parameters and only the top finalists will be included in the shortlist.

In the final round of evaluation, the finalist with the highest score in every category wins the award.