

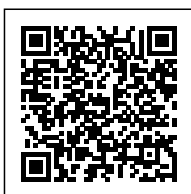
CLIENTS CAN HELP INCREASE THE USE OF ADR - ARAOZ & RUEDA

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While arbitration is functioning well in Spain, there is still room to grow, says Clifford Hendel – partner at Araoz & Rueda in Madrid

Hendel suggests that parties should be encouraged to “reconsider proceeding to litigation and take advantage of other options such as arbitration and ADR instead”. He also acknowledges that “ADR is still a very long term project” in Spain and other countries, but clients can be the driving force to increase the use of mediation and ADR.

Hendel sees a lot of opportunities for law firms in the area of arbitration, both commercial and investment. “Spain is now a very important respondent or defendant in investment arbitration. Spanish companies have always been very active and will continue to be, as claimants in investment arbitration.” He also points out to energy- or M&A-related disputes as generating more work for law

firms in Spain in the coming months.

But all is not rosy in the garden, "law firms and litigators face problems with fees these days," Hendel says, echoing what is felt across most practice areas. "Now you need to budget previously, respect that budget and if you exceed that budget a certain amount of explanation is required."

Hendel also highlights other challenges presented to law firms: "The difficulty of promoting makes it harder to attract and retain. Those issues need to be addressed beyond the litigation context, that's simply a global law firm issue for the coming years."