

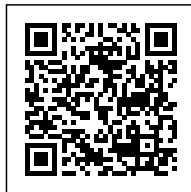
# EDITORIAL SEPTEMBER/OCTOBER 2010

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Dealing with an under-utilised and therefore demotivated workforce is the challenge of the day

Cada vez más se está notando una vocación de transparencia en la toma de decisiones en los despachos líderes de la Península Ibérica. En la época de bonanza previa a la crisis, el trabajo intenso, gratificante y bien retribuido era la gasolina que alimentaba a los despachos, además de la posibilidad de ser socio.

La demanda, previa a la crisis, de mayor conciliación entre vida laboral y familiar estaba creando nuevas dificultades, pero el modelo tradicional de despacho todavía no se desmoronaba ya que contaba con la motivación de los abogados por hacerse socios.

Parece irónico que sólo dos años después, la dificultad principal sea lidiar con trabajadores infrutilizados y desmotivados. Y la política de "ascender o abandonar" no puede funcionar con el bajo crecimiento actual.

Prestar atención a las preocupaciones de los abogados junior puede ayudar a los directores de despachos, pero con las actuales limitaciones no será fácil encontrar una solución.

We read in this issue's News Focus of a Gorbachevstyle openness – the famous glasnost – spreading across a handful of Iberia's premier law firms.

As we know, lawyers are never happier than when they are working 24/7 on a major deal or challenging area of law. Long hours, rewarding work and a subsequent high level of pay and benefits has been the oil that fuelled law firms in the pre-crisis boom – plus the promise of partnership for the most able lawyers. "Work hard, play hard" was the motif of the late 1990s and early millennium.

The pre-crisis requests for a better work-life balance were bringing new challenges, but the wheel had not yet fallen off the traditional law firm model – with its heavy reliance for motivation on the "partnership race".

It is ironic perhaps that just two years on, dealing with an under-utilised and therefore demotivated workforce is the challenge of the day. The maxim "a happy lawyer is a busy lawyer" has never been truer. And the "up or out" approach implies growth that is not currently on the agenda.

In response, human resources consultancies (in better times proud to be known as head hunters) are selling a range of internal surveys: tracking lawyer motivation and satisfaction, effective internal communication and corporate social responsibility, among others.

Holding up a mirror to the worries of junior lawyers can of course assist law firm leaders. Within the limits of the current model, resolving them is however a more difficult challenge.

Some have responded by engaging their junior lawyers in the partnership debate or giving them a nominal say within the decision making. Time will tell if this is education (explaining the poor markets and difficult decisions ahead) or a more profound attempt at finding a new "social contract".

Others are looking deeper, seeking to explore and better signpost their vision and values – the glue keeping the firm together. Cynics say however that the shared motivations are more basic, the common DNA within a group of lawyers. Setting out to locate and then define these motivations is placing the cart before the horse. Lawyers define the firm, they argue, the firm does not define the lawyers.