

'LAW FIRMS SHOULD HELP CLIENTS, NOT PUT UP OBSTACLES'

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Good lawyers should be able to help their clients solve problems and provide practical advice that can be easily implemented, says Hiscox's Mónica Calonje Conde

When working with outside counsel, generating trust and building a true partnership are vital components, according to Mónica Calonje Conde, legal counsel for Spain at business insurance group Hiscox. "It's a priority for us to create a trusting relationship with the law firms we work with, and they must also be authentic partners that accompany us in our business development," she explains.

Calonje Conde says Hiscox has developed long-term relationships with several law firms, which advise the company on regulatory issues as well as the handling of claims. She adds that, when dealing with a case, the legal team – consisting of four lawyers in Madrid – conducts an initial analysis and, in the majority of cases, given the team's "ample technical and legal experience", it is able to resolve the matter internally. By way of example, Hiscox's in-house team handles issues relating to the company's day-to-day business, such as contract reviews, the analysis of new products and operations, and the review of insurance policies and regulations.

Needing a second opinion

However, Hiscox will use external law firms when a matter potentially has a significant economic impact, or a high level of risk. The company will also instruct outside counsel if a second opinion is required on a particularly technical subject when a lawyer is needed to represent Hiscox in a contentious matter.

Calonje Conde explains that the company's criteria for selecting law firms is based on the experience of its lawyers. She adds that Hiscox seeks to ensure that its external legal advisers provide a similar service to that which it provides its clients. "For us the fundamental part of a law firm is the people that work in it," she explains. "We also base our decision on the quality of the firm's service. One of our standards at Hiscox, and for which our clients most value us, is our service and we can only maintain our standards of service if our suppliers also maintain that level of service and attention to the client." Calonje Conde adds that Hiscox would not consider using a law firm that is "not capable of meeting our quality standards."

Previous experience required

Hiscox never includes law firms on its panel unless it has prior experience of using them, though there would be exceptions to this rule if there were specific requirements related to new products, Calonje Conde explains. "A decision to include a firm on the panel is made after having worked on several cases with that firm," she says. "Once the decision is made to include a firm, we follow an internal control process in which we ensure that the firm complies with our requirements."

Too technical

Calonje Conde says the benefits of using external firms include the experience and technical knowledge they are able to offer. In addition, outside counsel can bring a different perspective to a case, as well as a different management approach. However, external law firms also have flaws. Calonje Conde says that, in some instances, law firms need to have greater knowledge of the way companies and businesses work. "Some advice we receive is too technical and difficult to apply in practice," she explains.

Be problem-solvers

"In my opinion, a good lawyer should be able to help their clients solve problems and provide practical advice that can be easily implemented," Calonje Conde says. "A legal adviser should accompany a business and not be an obstacle to it." When it comes to legal issues outside of Spain, Calonje Conde says Hiscox aims to use the best law firm in the relevant jurisdiction, irrespective of whether it is a local or a global firm.

According to Calonje Conde, among the major challenges currently facing Hiscox is the General Data Protection Regulation, which is due to come into effect in the European Union in May. In addition, Brexit is also a significant issue, given that Hiscox is headquartered in the UK. While the company is addressing these issues at group level, the involvement of the company's in-house lawyers in each jurisdiction is a necessity.