

ONE YEAR OF IN-HOUSE LAWYERS

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This year, which is now drawing to a close, Iberian Lawyer has been fortunate to have had outstanding Legal advisors from different companies in Spain and Portugal. With them, we have experienced first hand the different stages of the pandemic; from the first news, through the different “waves” to the present moment, where the arrival of the longed-for vaccine seems to be the light at the end of the long and narrow tunnel

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FEBRUARY

Maria Echeverria-Torres, Legal & Compliance director at **Nokia**, was our in-house lawyer for the month of February. At that time, the pandemic was not yet in the news, and we talked to her about many other issues, including the role of corporate lawyers. Echeverria-Torres told us then that she believes in-house lawyers should be recognised in the company as true partners of the company and actively participate in decision-making. She also spoke with us about the qualities that an in-house lawyer should have today and what factors have marked the evolution of this profession over the last 25 years. In this sense, María highlighted that, over the last 25 years, there have been three key factors that have marked the evolution of the in-house profession: globalisation, the irruption of new technologies and the generalised incorporation of women into the legal departments of companies, many of whom, she said, were in management or highly influential positions. On this last point, she assured that “there is still a long way to go to achieve that there are many more women in management positions within companies.”

“THE IN-HOUSE LAWYER MUST HAVE HEIGHT OF VISION AND MUST BE PART OF THE DECISION-MAKING PROCESS WITHIN THE COMPANY”

Also in February, we had the pleasure of getting to know more closely **Mafalda Marcarenhas**

Garcia, who joined **IBM Portugal** seven years ago and now heads the company's Legal department, which was then "in full transformation". Among other issues, Mafalda assured that, for the in-house counsel, it is essential to keep up to date with technologies in order to provide the best possible advice to the company. At that time, when IBM was undergoing a major business transformation, in the midst of the digital revolution, creating new business models and new business opportunities, Mafalda stated that "in the company, we are always outside our comfort zone. Everything is constantly changing. We have moved from the traditional legal role, from smart technicians to more strategic advisors. We also have to bring more value to the business and in less time."

"THE CHALLENGE FOR US, AS IN-HOUSE LAWYERS, IS TO KEEP UP WITH THE DIGITAL TRANSFORMATION AND ADOPT THE TECHNOLOGY. WE HAVE TO BE CONSTANTLY EDUCATING AND LEARNING AS WE ADVISE THE BUSINESS"

MARCH

Teresa Mínguez, Legal director & Compliance officer of **Porsche Ibérica** and representative of the ACC in Spain, was the protagonist of this section in March. When the issue came out at the beginning of this month, the impact that the pandemic would have on the Iberian Peninsula was still unknown at that time. On her firm and the sector, Teresa stressed that "working for Porsche is a source of pride and constant inspiration. Its values as a brand, of self-improvement, sportiness, transformation and constant struggle, and customer service can be extrapolated to personal development and other areas of life, but at the same time, it carries with it a great responsibility. The changes arising from the revision of business models and technological disruption, the constantly changing regulatory framework and the level of uncertainty, the growing focus on corporate culture and conduct, corporate governance standards and ethics, place us squarely in a new business reality, which places increasing emphasis on sustainable development and the creation of long-term value, and this requires a continuous learning process from the lawyer. The automotive sector is in the midst of a transformation process, and at Porsche we want to lead the way in electric sports, contributing to the overall objective of decarbonisation, which is a great professional challenge."

"WE WOMEN MUST BE AWARE OF THE NEED TO TAKE A MORE LEADING ROLE AND OVERCOME OUR OWN PERSONAL BARRIERS IN ORDER TO SEEK NEW CHALLENGES AND MOVE OUT OF THE COMFORT ZONE"

The podcast "Iberian Lawyer Legal Talk" we interviewed **Stephanie Silva**, general counsel of **Tap Portugal**, and Bruno Ferreira, partner of the Banking and Finance and Capital Markets practices of PLMJ. Both spoke about the growing importance of sustainability and how a woman in a decision-making position can make a difference as a role model in one of Portugal's largest companies. Stephanie Silva has been involved at a crucial moment in the history of the Portuguese company. As she explains, TAP's numbers, which this year celebrated its 75th anniversary, do not lie and demonstrate the relevance of this company in the market. Stephanie also pointed out that TAP had at that time nine thousand employees, being one of the largest employers in the country. "Internationally, TAP has become increasingly important as well. In the first nine months of 2019, 77 per cent of TAP's ticket sales were made outside Portugal, so you can see our relevance in the market."

"FOUNDED IN 1945, WE ARE A COMPANY THAT HAS ALSO BEEN PART OF THE HISTORY OF PORTUGAL. IT HAS A TREMENDOUS IMPACT ON THE COUNTRY'S ECONOMY AND TOURISM"

APRIL

Iberian Lawyer interviewed **Carlos González Soria**, then director-general of Legal Affairs and deputy secretary of the Board of Directors of **Indra**. The lawyer left the company last October to work on other projects. By April, the health alert by COVID-19 had begun, and González Soria spoke with us

about the measures implemented by Indra. He also assessed the consequences of BREXIT for Iberian Lawyer, and we talked about cybersecurity. Portugal Anabela Nogueira de Matos, head of Legal of the Sonae Capital Group was our interviewee in the in-house.

"CYBERSECURITY HAS BECOME A LEADING TECHNOLOGY SECTOR, WITH A HIGH LEVEL OF DEMAND, IN CONSTANT GROWTH (AN INCREASE OF CLOSE TO DOUBLE DIGITS PER YEAR IS EXPECTED IN THE SPANISH MARKET UNTIL 2023) AND IN FULL TRANSFORMATION"

Anabela Nogueira de Matos, head of Legal of the **Sonae Capital Group** was our interviewee in the in-house Portugal section in April. Anabela told us that she has been involved in almost all the company's projects and teams and that working with so many different countries and cultures is one of the great challenges, and the aim is to always be ahead of the game. She stressed that the company wants to be an "important part of the solution that the different business areas provide to their customers, always with the aim of contributing to a sustainable environment and market differentiation, ensuring the creation of value for Sonae Capital and its shareholders." To this end, "it is essential to anticipate problems and solutions, and this is what we strive for every day," she stated. "That is why it is crucial to hire only people who like to work hard and, when possible, who are already familiar with the company's way of working," she said.

"WHEN I SEEK EXTERNAL ADVICE I LOOK FOR EXCELLENCE (...) AND IF THEY ARE PEOPLE WHO ALREADY HAVE A PREVIOUS KNOWLEDGE OF OUR BUSINESS, OUR VALUES AND OUR CULTURE, THIS FURTHER ENHANCES ALIGNMENT AND INCREASES TRUST"

MAY

This month we offered the view of the general counsel of a health care multinational during a pandemic, **Elmar Büth**, general counsel of Supply Chain & Healthcare Business EMEA at **3M**, who revealed to Iberian Lawyer how COVID-19 has changed his work, what the main legal implications are and how this crisis could shape the future. This month we also discussed diversity with **Shannon Thyme Klinger**, general counsel of **Novartis**. Klinger told us about the Preferred Firm programme, through which the legal department intends to re-imagine its relationships with external counsel providing legal services to them. She told us that, among other things, when they engage one of their preferred firms to support them in a particular legal matter, they expect at least 30 per cent of the associates' billable hours and 20 per cent of the associates' time to be provided by women, professionals of various races and ethnicities, or members of the LGBTQ+ community. If a firm fails to meet its diversity commitment, Novartis retains 15 per cent of the total amount billed for the duration of that specific matter.

"I HAVE NOT SEEN ANY CRISIS BEFORE WHICH AFFECTED THE WORK OF SO MANY LAWYERS IN OUR LEGAL GROUP AND PROBABLY IN ANY COMPANY AT THE SAME TIME" (Elmar Büth, 3M)

With the first half of 2020 almost over, banks were preparing for an unprecedented global financial crisis. The COVID-19 pandemic was still affecting the markets and the worst -it seemed- was yet to come. **Rita Rendeiro**, head of Legal and Compliance at **ABanca** Portugal, told Iberian Lawyer how this fully digital bank was managing to balance existing businesses with new market demands. About her history and career, Rita told us that, in 2015, she became the head of Legal of Deutsche Bank in Portugal, and when the bank was bought by ABanca Portugal, she accepted the position of head of Legal and Compliance. Before that, Rita worked as a lawyer in Banking and Financial Law at Vieira de Almeida and Clifford Chance, in London. She has also been part of the Portuguese Securities and Exchange Commission team.

"I BELIEVE THAT THIS CRISIS IS THE OPPORTUNITY FOR BANKS TO REDEEM THEMSELVES. THE FIRST CRISIS IN 2008 WAS DESTRUCTIVE; THIS SECOND ONE WILL BE REDEEMING FOR US, I WANT TO

JUNE

In June, in the middle of the race to find the coveted vaccine, we were fortunate enough to interview **Victoria Fernández**, legal director of **Janssen Iberia**. Victoria told us about her main responsibility: to provide legal support to the pharmaceutical sector companies of the international group Johnson & Johnson in Spain and Portugal, and she told us that her team is made up of a direct group of six people, to which we must add the structure dedicated exclusively to clinical research contracts.

"THE REAL CHALLENGE FOR LAWYERS OF INNOVATIVE PHARMACEUTICAL COMPANIES LIKE JANSSEN IN THE COMING YEARS WILL BE HOW TO INTEGRATE DIGITISATION, BIG DATA AND ARTIFICIAL INTELLIGENCE INTO HEALTH RESEARCH"

With **Larissa de Araujo**, **Glovo Portugal**'s global Legal counsel & Compliance, we understood how a "home delivery service" application, created as a startup in Barcelona in 2015, is now a major player in the delivery sector worldwide, with a presence in over 20 countries. The urgency of this type of service became more relevant than ever with the COVID-19 pandemic, which in the previous months had forced us to maintain the most restrictive confinement. Larissa told Iberian Lawyer how the company had adapted to this situation to continue offering the best service in a safe manner.

"GLOVO HAS NOT ONLY BEEN CONCERNED ABOUT ITS EMPLOYEES IN THE DIFFERENT MARKETS, BUT ALSO ABOUT THE WHOLE BUSINESS SCHEME AFFECTED BY THE PANDEMIC: PARTNERS, CUSTOMERS AND DELIVERY STAFF"

JULY-AUGUST

By this time of year, at the start of the summer campaign, we knew that the tourism and hospitality sector had been one of the worst-hit during the state of confinement and that the hotel industry had been considerably reduced. That Iberian Lawyer we wondered how one of the most important chains in our country was experiencing the standstill, and we interviewed **Juan Ignacio Pardo**, head of the Legal and Compliance area of **Meliá Hotels International**, who, in spite of everything, was optimistic and assured us that "the opportunities for change are out there and we must be attentive to identify them and assume them as soon as they arise." However, the damage was undeniable. Juan Ignacio explained that "in the tourism industry, every day that passes without being able to develop its activity, in our case, without selling a room, is an unrecoverable production [...] the total paralysis of our activity, means the simultaneous reduction of our income to zero."

"IT WOULD HAVE BEEN IMPOSSIBLE TO DEAL EFFECTIVELY WITH ALL THESE FRONTS WITHOUT A PREPARED, COMMITTED, ENTHUSIASTIC TEAM AND ALSO, OF COURSE, THE SUPPORT OF OUR NETWORK OF LAWYERS AND EXTERNAL FIRMS"

We had a refreshing interview with **Filipa Salazar Leite**, head of Legal and Compliance at **SUMOL+COMPAL** Marcas S.A. Filipa told us that what began as a part-time job has become a lifelong mission. Regarding the pandemic, Filipa commented that "from the beginning, we adopted a very active attitude, firstly, to guarantee the safety of our employees and then, of course, the continuity of the business." She stressed that as a company in the agri-food sector (which, in addition to drinks, produces and markets canned vegetables and tomato derivatives), it had assumed a special responsibility throughout this period to continue supplying the market with its products. "This is why we have given priority to the safety of our manufacturing facilities by introducing protective measures for workers and very strict access restrictions," she said.

"WE HAVE ALWAYS BELIEVED IT IS ESSENTIAL TO PROVIDE SAFETY TO ALL THOSE WORKING IN THE SUPPLY CHAIN, FROM PRODUCTION TO LOGISTICS AND CONTACT WITH OUR CUSTOMERS, SO

SEPTEMBER

In September, the need to take care of the planet we inhabit came to the fore, and we focused on renewable energies. To talk about the subject, we interviewed **Javier Cabezudo Pueyo**, Legal director for Southern Europe and Africa and head of the Legal department in Spain at **Siemens Gamesa Renewable Energy**, a technological leader in the wind energy sector. The Spanish Government had also recently given a boost to the renewable energy sector through the measures contained in Royal Decree-Law 23/2020 of 23 June. With Javier, we spoke about the improvements that these and other measures would bring to the environment and also to the economy, which has been battered by the pandemic. Cabezudo told us how, despite the adversity, the Spanish multinational had been able to rise to the occasion.

"THE HIGHLIGHT OF THIS CRISIS HAS BEEN OUR ABILITY TO CONTINUE MANUFACTURING AND SERVING OUR CUSTOMERS, IN MAXIMUM SAFETY, ANYWHERE IN THE WORLD AND IN SUCH ADVERSE CIRCUMSTANCES. THIS CRISIS HAS ALSO BROUGHT OUT LITTLE BIG HEROES WITHIN OUR ORGANISATIONS"

Leaving the pandemic aside for a moment, this month we put the spotlight on **Sporting Clube de Portugal**, a myth in Portuguese football where renowned players such as Cristiano Ronaldo and Luis Figo, among others, began their stellar careers. We spoke with **Patrícia Silva Lopes**, one of the heads of the club's Legal Department, better known as The Lions. She talked to us about the particularities of the legal consultancy work in the football industry in general and, specifically, in Portugal. In this regard, she explained to us that: "In addition to Portuguese laws and collective bargaining agreements that may be applicable to football players and coaches, at the international level we have to know above all Swiss laws because international disputes are resolved by CAS, based in Lausanne." She also told us how it is usual for sports club lawyers to be confronted with other more specific situations, such as insolvency or executive actions, in which the national laws of the country in question are applicable, and how, in such situations, legal support is usually provided by lawyers from those countries.

"A CLUB'S REPUTATION IS PRICELESS, SO WE MUST TAKE EVERY PRECAUTION TO SAFEGUARD IT"

OCTOBER

With the aim of changing the tone of the pandemic, in October we spoke with **María Rodríguez Pardo**, Legal director of **Suntory Beverage & Food Spain**. During the pandemic, many brands in the consumer sector wanted to do their part to help the hotel and catering industry, which has been so badly affected by the confinement and restrictions caused by the health crisis, and the company Schweppes Suntory Spain, which recently changed its name to Suntory Beverage & Food Spain, and which produces such popular drinks as La Casera or Schweppes Tonic, has been one of them. Among other matters, Rodríguez Pardo spoke to us about the actions carried out by the company in this regard, such as the distribution of more than three million drinks and a plan for aid of up to €20 million in credit terms for its distributors and clients.

"WITHOUT A DOUBT THE IRRUPTION OF TECHNOLOGY IN THE LEGAL SECTOR IS THE GREAT CHALLENGE THAT WE FACE, ESPECIALLY OF ARTIFICIAL INTELLIGENCE, LEGAL PROJECT MANAGEMENT AND BLOCKCHAIN, WILL FORCE US LAWYERS TO LEARN NEW SKILLS AND ALLOW FIRMS AND COMPANIES TO USE RESOURCES MORE EFFICIENTLY"

This month we travelled virtually to Portugal to meet **Joana Martins Mendes**, Legal manager of **Finerge Portugal**, a company that has been asserting itself as one of the leading companies in the Iberian energy sector. It is the second company in wind energy generation in Portugal, and its recent operations have taken it outside the Portuguese borders to start managing several solar plants in the

south of Spain. But beyond all that, it is a company committed to the future, and one of the fastest-growing in recent times.

"FINERGE AIMS TO ENSURE UNIVERSAL ACCESS TO RELIABLE, CLEAN, MODERN AND AFFORDABLE ENERGY BY PROMOTING SUSTAINABLE ECONOMIC GROWTH AND A FAIR ENERGY TRANSITION"

NOVEMBER

At the end of a year that showed us that uncertainty was already the most important part of the equation, in November we interviewed **Carlos Menor**, Legal director of the **Renault Spain Group**, after having led the Legal department of Thyssenkrupp Elevator Iberia and Africa. Carlos told us about his process by which he decided to become an in-house lawyer and spoke to us about the role of the in-house lawyer in a company, which in his opinion cannot be limited to strict legal advice. He also told us about his new role in the automotive sector and explained his concept of change as an opportunity to move forward. This lawyer, who preaches by example, revealed himself as a charismatic, accessible, practical and avowedly optimistic person, as well as a great communicator.

"FACING CHANGE, MORE THAN SHOWING COURAGE, IS AN OPPORTUNITY TO CONTINUE GROWING AND DEVELOPING PROFESSIONALLY AND PERSONALLY"

Patrícia Pais Leite, Legal director of the **Vinho Verde Commission**, introduced us to the captivating world of wine and its legal ins and outs. A world of inexhaustible experiences, in which she immersed herself, twenty years ago, when she first entered a beautiful 19th-century mansion in the centre of Porto to attend a job interview "in a certification body" as a "lawyer with knowledge of Industrial Property". That was the moment she became aware that he was at the Vinho Verde Wine Commission and that the vacancy was the head of the Legal department. In the interview, she talked to Iberian Lawyer about the legal peculiarities of this sector and about her personal journey in the "legal world of wines", which has become her passion today.

"THE WINE SECTOR IS ONE OF THE MOST REGULATED SECTORS OF AGRICULTURE: THERE ARE RULES FROM THE VINEYARD TO THE BOTTLE"

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