

Balado Bevilacqua, Mercedes

The road to specialization

A hunch from her teenage years was what led Mercedes Balado Bevilacqua to study Law. Today she leads Beretta Godoy's Labor Law area, providing legal, labor and social security consultancy services to corporate clients. In spite of her many years as a professional, she is still natural and spontaneous. "We can see that sacred fire in young lawyers", she says charmingly.



[Interview with MERCEDES BALADO BEVILAQUA - IJPROFESIONAL]

From Buenos Aires to Connecticut



For Mercedes Balado Bevilacqua, who loves to travel, run, do yoga and read several books at the same time, Law has been part of her life since childhood. "Since I was a little girl, I was always called on to defend what I thought was right, whether at school or at home, and my parents always told me that I had a pretty clear inclination towards Law. However, I also enjoyed drawing and making house plans so I used to say that I would become an architect –she remembers-. The truth is, I followed a hunch." Today she leads the labor area of the law firm Beretta Godoy and has been singled out by Chambers & Partners as a leading labor lawyer in the latest guide, Latin America's Leading Lawyers for Business 2011.

At 22, she graduated as a lawyer from the School of Law and Social Sciences of the University of Buenos Aires. "I used to see things as being black or white back then; I thought Law was essentially about doing justice. I felt a contradiction between what I had studied and what I experienced in practicing", she explains. The search for answers led her to apply for an LLM at the University of Connecticut, in the United States, with the purpose of coming into contact with Common Law, different from the civilian tradition she had studied at the UBA. By interacting with

foreign colleagues, she found out that her teenage hunch was right: "I found wonderful people and points of contact between traditions that are so different. I also became aware that Law implied much more than litigating; it is broader", she adds.

In the corporate world of Law, Mercedes Balado Bevilacqua found the possibility of applying what she learnt in Argentina and the skills acquired abroad. "I have tried to focus my professional career on providing assistance to international clients to help them materialize their expectations, adjusting those expectations to local law, so that these clients become more confident in Argentina and in the local legal certainty offered for their projects", she summarizes.

Today, almost fifteen years after she graduated, Mercedes considers that practicing law does not have to do only with a feeling of justice. "Other issues are involved, such as starting from a previous stage; framing a certain situation under the applicable social and legal scenario, analyzing its implications with a view to preventing conflicts, cooperating with the flow of relationships, looking for solutions, being creative and acting according to the principles and values instilled and acquired both in my professional and personal life", she concludes.

"In the U.S. I became aware that Law implied much more than litigating."

Knowledge gained from experience

For Mercedes Balado Bevilacqua, director in charge of Beretta Godoy's Labor Law area, success is a subjective concept. "From my viewpoint, it means standing out not only for professional skills but also for personal qualities and the inclination to train the younger lawyers: it is acting and providing advice in a way that is consistent with the ethical values acquired in life, acting in good faith, being generous with those with less experience, giving them a chance to grow, instilling the ethical values of the legal profession in them and exploring interesting issues that may make a difference. It also implies understanding the client, the client's needs and concerns –she affirms. And she concludes –Being available and building a relationship based on trust, among other values, also counts".



She also states that the combination of work and time devoted to academic activities –as a professor or by writing specialized articles- with the purpose of contributing towards the training of businesspeople and lawyers as leaders valuable to society, is also part of the legal profession.

Part of her career includes her time at the Public Administration. For two years, Mercedes Balado Bevilacqua worked at the International Affairs Area of the Argentine Government's Legal Counsel's Office. Her main activity there was to defend Argentina from claims filed by international investors under bilateral investment treaties. "It was a unique experience, not only because of the national sentiment of defending my country and, thus, being able to give back something of what the UBA had given to my professional training, but also because of the skilled professionals with whom I had the chance of interacting. It was a highly enriching experience that has marked my career in a very special way", she remembers.

“Professional skills, personal qualities and the inclination to train younger lawyers is what makes for a successful lawyer.”

Ethics as a principle



As viewed by Balado Bevilacqua, renowned specialist in burnout and mobbing issues, the vision and values of a law firm are crucial factors for a professional in deciding whether to stay or not. "In my case, the ethical and human values of the founding partners of Beretta Godoy, as well as the excellent rapport with the clients, made me feel that this was "my place" in which to finally settle down and helped me decide to accept the position as partner", she adds.

According to her vision, the relevance of a law firm is not in its size but rather in having a structure that includes the necessary areas for its professionals to practice law as comprehensive corporate lawyers, but without neglecting the quality of the work. "In our case, we are concerned with excellence more than size, but to maintain that ideal, we need employees who are committed and responsible, and who uphold the same ethical values as the partners", she states.

The same thing happens when we recruit junior lawyers. We also expect them to be team players, with a solid academic background, common sense and a good command of English. "When lawyers are fresh out of university and there is not much previous experience by which to evaluate them, the impression they give through their personality and enthusiasm for the profession is what makes us sense that "sacred fire"; and a lot of the time it has decisive influence in our choice. We don't often get it wrong! – she assures. Instilling values in the new hires and younger members is a daily task; we do it by interacting with them, encouraging them, providing them with incentives and training them to learn from their hits and misses."

As a labor law specialist, Balado Bevilacqua considers that the current context is conducive to her role being increasingly creative. She clarifies that "with the increase in union power, along with new case law and protectionist laws, we have adjusted international expectations to the current legal framework, which, in principle, are clearly conflicting. However, we have

managed to do so by turning to creativity, reasonability and solid but innovative legal interpretations with regard to certain issues.”

“Instilling values in the new hires and younger lawyers is a daily task.”

Listening to provide better service

“Building a trust relationship with the client is essential to understanding and addressing their needs – contends Balado Bevilacqua – Clients cannot mistrust their lawyers; that is why we strive to clear up any doubts and work with them as needed so they feel understood and supported in the development of their business or in resolving an issue.” Although the firm she practices with provides corporate advisory services, it is open to working on individual issues within its field of Law.



“A relationship based on trust with clients is essential to understanding and addressing their needs”.

An ever changing context



One of the characteristics of the current corporate world is the increase in responsibilities placed on directors with regard to legal issues. In this sense, labor lawyer Balado Bevilacqua remarks that there are no longer “desk managers” and that the responsibilities that go along with these positions nowadays include, mostly, a comprehensive understanding of the situation and of the company’s problems, with the purpose of optimizing management.

Acknowledged as one of the first specialists in Argentina in researching mobbing and burnout issues, Mercedes advises companies so as to raise their awareness of these problems, organizing workshops at the companies, writing articles for publication and giving conferences - for both the firm’s clients and external clients – on how to avoid situations that result in a hostile work environment. “Over the past year, we have noted a growing business tendency to gain awareness of these issues and create applicable human resources policies”, she summarizes.

Another special characteristic of the day-to-day scenario is the high level of litigation. “Negotiation manages to reduce this, provided it is carried out in good faith and with common sense by the professionals involved”, she remarks. And she goes on to say that in the City of Buenos Aires, the requirement of engaging in a mandatory administrative conciliation proceeding with the Ministry of Labor (SECCLO) prior to filing a complaint with a court of law, “provides the parties with the possibility of discussing and attempting to reach an agreement that will resolve their differences of opinion before reaching the court stage”.

Used to working with her clients’ Human Resources departments, she considers that the relationship between both is about coordination. “It’s all about teamwork in an attempt to avoid risks and conflicts, resolve issues and create policies for streamlining how a company’s human resources are managed, among other matters”, she states.

Precisely, the team of the Labor Law division led by Mercedes Balado Bevilacqua at Beretta Godoy also includes Joaquín Carrillo, semi senior lawyer, Madelaine Geuzi-Karaian, junior lawyer, Cecilia Lopez Pablos, junior lawyer and Martina Grimaux Ortiz, paralegal.

And in relation with the importance given to local lawyer rankings, Mercedes Balado Bevilacqua explains that, in her view, it is an objective fact that speaks about the professional quality and recognition among peers, and which clients can use as a reference. However, given that the firm she represents does business mainly with foreign companies, its priority is to be listed among international consulting firms.

“Negotiation reduces the level of litigation if carried out in good faith and with common sense”.

Academic training under the microscope

“Choosing a public or private university depends on the personality of each student and how they wish to approach their studies. I don’t agree with the idea that something is better or worse. I chose the UBA and I would do it again due to many reasons, some of which are the academic quality, the international recognition and the people factor”, mentions Balado Bevilacqua, currently a partner at Beretta Godoy.

She goes on to say that the grade point average as well as work experience is important to a lawyer’s training. “If that is combined with the desire to learn the practical matters, the student will find doors opening to interviews, postgraduate study, etc. Once already practicing law, I believe that the combination is maintained and that it doesn’t cease to be an important factor throughout a career.”

From her university experience, the lawyer mentions that disciplined study, along with common sense, leads to the quickness of mind to reason and apply knowledge to concrete situations. Drawing on her postgraduate experience abroad, she unhesitatingly ventures to propose changes in the current academic education in Argentina. “At the UBA, for instance, I would set up entrance and graduation systems to optimize the excellence of new students and graduates and, thus, make a difference. I would also limit the course of studies to a maximum of eight years, to avoid eternal students that take up a place without really being interested in graduating”, she contends.

Additionally, she says she would apply theory to case studies so that students can better understand the subjects taken and which would prepare them for the everyday situations of the real world, such as drafting résumés, letters of introduction, interviews, etc. And for advanced students with good grade point averages, she would organize job fairs.

Finally, she adds that “it would also be interesting for the more practical or procedural subjects to be organized in such a way that they are taken by students towards the end of their course of studies, or after the theory courses relating to that branch of Law. It is absurdly possible for students to study procedural subjects without having first taken the substantive courses”, she concludes.



“At the UBA I would set up entrance and graduation systems to optimize student excellence.”