

## Head and shoulders above the rest?

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### As Brazilian law firms grow rapidly and approach the 500-lawyer mark, how is that affecting the careers of tomorrow's leaders? Rosie Cresswell reports

On the wall of the impressive new offices of [Araújo e Policastro Advogados](#) in São Paulo is a trenchant reminder of the past. Amid the sleek glass and wood of the design sits a small, black-and-white notice board with the names of the two founders pinned upon it, which hung outside their first offices in 1962. Then, they were two lawyers with big ideas; now, they oversee more than 30 lawyers, and are still fairly small for the city's business law firms.

This is just one example of the extent and speed of growth and sophistication in Brazil's legal market. The profession now has more than 550,000 registered lawyers, over 150 per cent up from 2000. Foreign companies are ever more keen to invest, bringing with them more sophisticated business practices – and expectations.

In the race to stand out from the crowd, while meeting these expectations, young lawyers are having to use a variety of tactics to succeed, with subtle but important effects on the legal profession as a whole. We examine what ambitious young lawyers need to do to lead in their field, then look at just some of those who seem to be succeeding.

Brazil's legal community is one of the more youthful in Latin America. Partnership is achievable at a younger age and its law firms are home to far more young lawyers than Mexico, for example. Take the top five law firms of each country. In Brazil the average age of the partners is just 34, while in Mexico partners are on average five years older.

Although there are clearly opportunities for young lawyers to progress rapidly in Brazil, competition is also fiercer. A quick look at the four Brazilian firms that have consistently ranked highest in terms of size for the last eight years demonstrates this. Three of them – [TozziniFreire Advogados](#), [Demarest e Almeida Advogados](#) and [Machado, Meyer, Sendacz e Opice Advogados](#) – have trebled in size. However, just one – Demarest e Almeida – has increased its partner base proportionately. The others have only doubled theirs. There are far more associates per partner now, and standing out from a crowd of 350 is harder than from a field a third of that size.

Younger firms demonstrate a perhaps even more drastic imbalance. [Souza, Cescon Avedissian, Barrieu e Flesch Advogados](#) was founded in 2001. It has grown from nine partners and 12 associates to some 110 lawyers today, of whom just 15 are partners – with a further 60 trainees.

Young lawyers' efforts to stand out risk being drowned in the sea of associates competing for recognition. Meanwhile, the kind of work those at the top of the pile are being asked to do is changing all the time. Take capital markets work as a particularly relevant example. Companies seeing the opportunities in the booming domestic market, plus those available on foreign markets, have ever more sophisticated and individual needs. Derivative products, dual floats in São Paulo and Luxembourg through an offshore vehicle, start-up launches – these types of deal are all new in only the last few years. Counsel advising on such packages in the US had a decade or more to learn with the growing sophistication of the market, as derivatives, for example, became more developed.

At the very least, this means the number of talents considered prerequisites has grown, and any lawyer working for one of Brazil's leading law firms must tick a number of boxes. Business sense, communicating with clients from different cultures and an extra language are now a baseline.

A stint with a US law firm or an MBA also smoothes the way, as this client testifies. "Brazil's capital markets are much more sophisticated and demanding than 10 years ago," says Marcos Ferraz de Rezende, a director at ING. "To be successful in Brazil a young lawyer has to have a deep local knowledge and an international expertise to deal with cultural differences."

Rainmaking of course remains the surest route to partnership – so all the lawyers we profile in this article pay tribute to making friends early on and the usefulness of bulging address books. Máximo Luis Bomchil of Argentine firm [M & M Bomchil](#) is on the law firm management committee of the IBA, and spoke at a young lawyers' panel at the IBA conference in Singapore last month. "Networking plays a big part in opening and closing doors. The challenge is

competing with peers with the same idea and the same means to do so,” he says. “A young lawyer has to be consistent, register contacts and reference them so as to follow up the person and remember him.”

### **To specialise, or not to specialise?**

Beyond these basic requirements, young lawyers today can feel extra pressures. With the sophistication of the legal market developing as fast as it is, specialisation could be the answer. Carving out a niche at an early age is a viable option for an ambitious lawyer looking to get ahead fast.

And it is certainly possible to do so, and to do so well. One example is Barbara Rosenberg, the antitrust partner at [Barbosa Müssnich & Aragão](#) (whom we profile below), who has covered significant ground for her young age through hard work and focusing on developing a name in an area of practice that barely existed two decades ago.

But this trend of specialisation is having a wider effect on the legal profession as a whole, and it is one that some of the older generation lament. Paulo Cezar Aragão of Barbosa Müssnich laments the “vanishing spark” of his country’s legal profession: the ability to work hard with creativity built upon a sound knowledge of the law.

“Clients need brilliant executors. I admire many of today’s lawyers, but a touch of creativity makes all the difference when clients need you to help them to make the impossible dream come true,” he says.

So might this race to the top actually disadvantage both individuals and firms as a whole? Specialisation could have pitfalls – it may elevate you faster, but it could be a stumbling block later on if the right foundations are not in place.

Marcelo Lamy of [Pinheiro Guimarães - Advogados](#), another of the lawyers we profile, believes this needs to be considered by partners fostering talent in their lawyers. “To be able to provide the best service to its clients, the law firm must balance the market requirement for highly specialised lawyers with an internal policy that such specialised lawyers also have an understanding of Brazilian law as a whole,” he says.

This is not necessarily an easy balance to strike. Rodolpho de Protasio, a partner at [Mundie e Advogados](#), agrees strong roots should come as first priority, but says the growth of firms and sophistication of the profession means it can be difficult for a lawyer to avoid specialising from an early age. “Ideally, a lawyer should experience different areas of law, but sometimes that’s not easy because of legal education as it is in Brazil and the fact that when a young lawyer joins a firm he or she is generally already assigned to a specific area of practice,” he says.

We consulted general counsel of several leading companies for this article and they agree that a sound knowledge of Brazilian law is fundamental. For example, over-using that knowledge gained during your LLM can leave your deal open to challenge. Paulo de Gouvêa, general counsel of Brazilian mining group MMX, speaks of a widening gap between US and UK-style agreements and Brazilian courts.

“International experience is good as it means talking on the same level in the global market, but it’s also taking Brazilian practices further from Brazilian courts,” he explains. “Some lawyers are moving away from Brazilian public administration when they create ‘Anglo-Saxon’ agreements. When these are challenged in the courts they are not always interpreted as intended.”

The pressures of modern practice mean successful young lawyers must cover all bases – a broad fundamental understanding plus enough specialist knowledge in their practice area. Below we profile eight lawyers put forward by their peers, superiors or clients because they have demonstrated the ability to take on modern day requirements while sticking to the fundamentals of a career in law. Our selection does not pretend to be an exhaustive list, rather a sample of a far larger group of Brazilian lawyers who are successfully competing on a global playing field every day.



### **Barbara Rosenberg**

Firm: [Barbosa Müssnich & Aragão](#)

Practice: Competition law

Date of birth: February 1974

Years qualified: 6

Years partner: 2

Other qualifications or experience: LLM, University of California, 2000–2001; foreign associate at [Cleary Gottlieb Steen & Hamilton LLP](#), 2001–2002; director of the antitrust division at the secretariat of economic law, 2003–2006

Despite her achievements, Rosenberg remains aware of the next generation at her heels. “I always joke that if I was to apply for a job competing with any of the young lawyers from my team, my CV would likely be discarded,” she jests.

A love of the game has got Rosenberg where she is today. She insists she has never thought about strategies and tactics. “I think I was lucky to come across great opportunities and new challenges,” she says. “Even though accepting challenges may be burdensome, they allow one to develop.”

Rosenberg began working on antitrust cases in 1997 – just three years after Brazil’s competition law was enacted in 1994. She decided to do her LLM and PhD in the area as a result. “I only decided that I wanted to focus on competition matters once I joined the secretariat of economic law,” she remembers.

She has moved up without exercising force. Rosenberg plays the “cooperative game far better than the competitive one”, relying on a recipe of good relations with peers, acting as an ally for clients, and, of course, passion for the job. Perhaps unsurprisingly given her career history, her clients praise her ability to penetrate Brazil’s competition agencies.

John Davies, a partner at [Freshfields Bruckhaus Deringer](#) in the UK, thinks this will put her in good stead for her next challenge. “Brazil’s competition lawyers now need to convince international clients to take CADE seriously,” he says.