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## Becoming a Lawyer in a Large Law Firm: The Idea of the Unstoppable Worker

**Abstract:** This article proposes a reflection around the organizational-based professionalism model and its interconnections with the state and the market through the lens of young lawyers' discourses. The professional pathways of young business lawyers were investigated using a mixed-methods design based on life histories interviews and observation. The findings explore the dynamics of professional socialization, highlighting the importance of the training and the career plan in the inculcation of professional values based on the idea of promoting an unstoppable worker.

**Keywords:** Professional values, managerialism, organisational-based professionalism, professional internships, lawyers, working conditions

Business lawyers are a group with distinct characteristics within the legal profession. Over the years, many studies in the areas of professions and organisations have been committed to this form of professional practice emphasising its global diffusion (Flood, 2011; Morgan & Quack, 2005) and its growing social and economic recognition (Dezalay & Sugarman, 1995). This article has a double objective. First, to discuss and present data on the process of entrance into the profession, reflecting on the learnings at a formal and informal level that enable young lawyers to practice law. This objective will be addressed by discussing the ways that professional socialization moulds and transforms the individuals into professionals, based on the life stories of a group of nineteen lawyers placed in large national and international law firms. And associated with this socializing process, the role of this type of organization, its forms of organizing the work and its different agents in the construction and dissemination of professional values will also be considered.

Second, to raise awareness on the contemporary Portuguese reality traversed by complex processes of "financialization" of the economic activity supported by law and its actors, integrating it in international studies and thus contributing to a more encompassing vision of the transformations of lawyering highlighting the importance of the social, economic and political contexts.

Thus, the development of this article will seek to answer the question: what professional values are instilled in young lawyers during their professional internships in large law firms? This will be assisted by two subsidiary questions. What is the role of the training and the career plan? And how these working conditions interrelate with socialization for professional autonomy?

The article is divided into five parts. It starts with a review of the concepts of profession and professionalism, attempting to summarize various theoretical perspectives in light of the economic, political and social context, trying to establish bridges between neoliberal ideology and its vision of the world and the ways that the

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professions organize themselves and form relations with States and markets (Abbott, 1988; Freidson, 2001). At a second point, we present a series of transformations in the profession underlining the growing importance of the roles performed by business lawyers in the various spheres of social life, using the Portuguese case as the main example. At a third point, dedicated to professional socialisation and professional values, the impact of managerialism in this professional group is discussed based on the organisational professionalism model proposed by Evetts (2010). The fourth presents the methods and collection of information. In the last point, the results are examined and leads for future investigation are suggested.

## **Profession and professionalism in market-driven societies**

Recent studies highlight the contributions of different theoretical affiliations (Dent, Bourgeault, Denis, & Kuhlmann, 2016). Neo-Marxists point out that a distinctive feature of the professions in contemporary societies is their proletarianization (Ackroyd, 2016; Davies, 1996). The growing number of liberal professionals developing their activity in large organisations removes a certain margin and autonomy for action, while at the same time it integrates them hierarchically and controls them in terms of work hours, position and salary. In this regard, it is essential to take account of the studies that, by incorporating the concept of cultural capital (Cook, Faulconbridge, & Muzio, 2012) and social struggle of Bourdieu, emphasize the new forms of commercial professionalism (Hanlon, 1998, p. 45). Commercial professionalism stresses the growing predominance of the tasks and skills linked to management and entrepreneurship, combining three factors: 1) technical ability: technical competence and specialisation; 2) managerial skills: the ability to manage the work of others; 3) entrepreneurial skills: the ability to bring in business (new clients). Hanlon observed this type of professionalism in large law firms of the City of London, having collected data on their exponential growth at the turn of the decade, as the 1980s rolled into the 1990s (Hanlon, 1998). The proletarianization of professions has been associated with the growing number of professionals, and the case of Portuguese lawyers is a good illustration of this phenomenon. The Portuguese Bar had in 1960 a total of 1.964 lawyers, in 2016 the number raised to a total of 30.475 lawyers (Pordata 2018). But also, with changes in the division of work, the lack of autonomy and hierarchical control. We will stress this triple condition on new lawyers by examining the training plan, defined by the set of conditions and obligations presented by the law firm in the beginning of their internship which will follow them through the all process.

Neo-Weberians emphasize the strategies of professional groups in control of access to the profession, with social closure maintaining the monopoly as a form of assuring a high status and financial rewards. However, the operationalisation of the concept of social closure does not define merely the privilege of control over the professional activity as noted by Larson (1977), with an analysis of the advantages for public service being developed in parallel (Saks, 2012). Social closure is important to understand the barriers to entering the profession (Freidson, 1982, 2001). We will explore the dynamics of the access and control by analysing the use of career plan by the firms. The career plan is both a definition of the labour conditions and a mechanism of regulating control and autonomy.

Based on the concept of governmentality (Foucault, 1986), Neo-Foucauldians discuss the inter-relation between the state and the professions and its ensemble of ways of governing (Johnson, 1995). Another major contribution from Foucault's work is the importance of the internalisation of the discipline by the subjects (Foucault, 1995/1975). The idea that citizens follow the discipline and actually become their own disciplinarians, self-controllers and punishing themselves. In this way, we can propose an interpretation on the value of time and long working hours has a result of individual's internal disputes to become a good professional, and in the

relation with peers by promoting an ideal of worker. In this sense, the predominance of self-regulation fosters an increased number of work hours and the creation of the unstoppable worker as the prototype of the good worker.

What appears to be the lowest common denominator of the different theoretical approaches is the social change of the last few decades which, in the European case, has been characterized by the neoliberal turnaround. This turnaround, which various authors identify temporally with the Thatcher governments of the 1980s in the United Kingdom and that progressively spread to different European countries (Schmidt & Thatcher, 2014), reached its climax in the response to the financial crisis of 2008, both from a supranational point of view with the initial response of the European Commission and European Central Bank, and from a national perspective with the imposition of austerity measures in the great majority of the countries.

The instability in the Eurozone and in the Portuguese economy has been understood as a great opportunity to business lawyers, not only to improve their services in the national but especially in the international market. The debt crisis functioned as a sort of mechanism to reduce internal debt by constraining national consumption (lower salaries, increase of unemployment, emigration in both qualified and unqualified workers, but with more effects on the youngest and more qualified of the working force) and to search for international investment in all sort of ways—by selling infrastructure companies like energy, telecommunications, postal service and transportation and by attracting investment to tourism and property households with new legislation like golden visa.

The golden visa programme is a good example. This programme created by the Portuguese government allows non-EU citizens to obtain a full valid residency permit in Portugal which allow the investor and his family members to live and travel in all the Schengen space. To apply the investor needs to buy a property above €500.000 to create a minimum of ten jobs or to transfer funds above €1.000.000 (Juridical regime of entrance, residence, and exit of foreigners from the Portuguese territory, 2012). The programme created a new demand for juridical counselling that all law firms responded with new offices and specialized services on immigration, real estate and private investment.

Another example is the new nationality law that allows foreign citizens to apply for Portuguese nationality if they have a Portuguese grandparent. This new amendment to the law caused impact with the attribution of Portuguese nationality to thousands of Brazilian citizens (Oliveira, Gomes & Santos, 2017), especially those from middle and upper classes which intended to escape political and economic crisis in Brazil.

## **Lawyers in large law firms: Mediators and merchants**

The legal elite—a subset of the professional universe of lawyers with access to the main judicial, political and economic decisions of a country whether by their presence in the offices of large law firms, their belonging to political parties, their holding of positions of governance or in ministerial bureaus, their presence in boards of directors of major companies or their participation in international bodies—are the basis for reflection on the transformations and continuity of professional values.

Various studies demonstrate that the transformations have created categories in the profession. Although, in quantitative terms, the vast majority of lawyers continue the exercise the profession in an isolated manner (Caetano, 2003; Olgiatti, 1995) and continue to be a relevant and significant presence in the professional associations (Flood, 2011).

It is important to make a distinction between large law firms and individual practice in order to observe, in a controlled form, the role of the organisation in the profession (Faulconbridge & Muzio, 2012). The corporate model entails a hierarchical

and specialized organisation composed of various legal departments assisted by supporting departments of accounting, invoicing, information technology, human resources, public relations and knowledge management<sup>1</sup>. With a differentiated range of services, designed for the client's needs who requests a full service (Galanter & Henderson, 2008), especially business customers, offering a plethora of legal services including advisory, negotiation, current management and litigation (Dezalay, 1992; Flood, 2001), in all types of business models, from start-ups to big conglomerates.

Large law firms have a strong division of labour, first between lawyers and non-lawyers, and second between lawyers according to the stage in the career plan and the position occupied in the power relation structure. On the top of the pyramid, there are the equity partners who are members of the administration board, besides them the partners of industry, and below the coordinators of the department, principal associates and associates and in the end, the trainees. The division corresponds to substantial differences in salaries, control over work and direct relation with clients<sup>2</sup>.

In the mainland Europe, large law firms developed with the evolution of a new legal elite dedicated to international business, the *marchands des droits* (Dezalay, 1992)—in countries such as France, Germany, and Spain that benefited from an economic scenario marked by neoliberalism associated to a political context of European integration and the flourishing of European public and private law.

In Portugal, the transformations in the profession of lawyer date back to the 1980s, with accelerated growth of the number of professionals (Caetano, 2003) and, from the 1990s onwards, with the creating of law firms producing dynamics of differentiation and segmentation in the profession (Chaves, 2010). During a first wave through the establishment of partnerships with international firms and subsequently via a process of mergers between small and medium-sized firms and the entrance of international companies, in particular, Spanish and British firms. The German case is particularly interesting for its parallel with recent transformations in Portugal. Business lawyers played an important role in the privatisation of companies of the former GDR, having been drivers and operators of the market economy in the strategy of German unification, working directly with foreign investors (Rogowski, 1995, p. 114). Nowadays, Portuguese business lawyers have benefited from the economic crisis and, in particular from the European political response to the crisis, positioning as mediators and merchants for international investors.

The lawyers' capacity to adapt to change has been documented in various studies that highlight the constant search for power and recognition portrayed in different professional strategies: the ability to embrace and "swallow" other disciplines (Jung, 2011), the capability to compete with large consulting companies and accountants (Dezalay & Sugarman, 1995), their role in the construction of a new worldwide economic order (Dezalay, 1992; Flood, 2011). The differentiation and segmentation of the legal profession confirm the ability of lawyers as a professional group to adapt to social, political and economic transformations and at different times in order to assure the closure and integrity of the group. The process of social closure is not identical in all groups. Business lawyers, due to their integration in large organisations benefit from a series of features, namely: i) engagement in a number of areas of legal advice—M&A, finance, banks, investment, arbitration; ii) own recruitment patterns, iii) powerful forms of organization, iv) higher salaries; v) high social status within the legal and the economic systems.

The comparative studies highlight singularities in the growth strategies and options of European law firms which arise from specific circumstances related to national contexts (Faulconbridge & Muzio, 2008), their relationship with the economic structure, the role of the State, their social recognition and, finally, their relations

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<sup>1</sup> This was the standard division found in the law firms observed in this study.

<sup>2</sup> As observed in the field work.

with other legal professions.

The transformations within the profession are accompanied by the development of new legal professions which enter into competition for the provision of different services. In the case of Law, the State's creation of the figure of justice of the peace (Guibentif, 2007) and the pressure of international markets towards the practice of commercial arbitration demonstrate the diversity of requests and institutional and professional arrangements to accommodate duties that had hitherto been performed only by lawyers and judges. As stated by Evetts, "professions do sometimes initiate projects and influence governments but as often professions are *responding* to external demands for change, which can be political, economic, cultural and social" (Evetts, 2003, p. 403).

It should also be highlighted that these phenomena—derived from the economic globalisation and the intensification of trade of goods and services between states, citizens and enterprises—can be observed at a national scale, for example, the case of consumer arbitration. And seen at an international scale with investment arbitration, typically between states and companies or, commercial arbitration between companies, being responsible for the creation of a legal system with actors and instances of transnational scope (Dezalay & Garth, 1996).

## Professional socialisation and professional values

Professional socialisation entails the forms of integration of an individual in a profession or occupation, encompassing the formal rules relative to the acquisition and use of skills and knowledge acquired in a general manner through the accomplishment of prolonged internships.

In Portugal, the internship is mandatory for every graduate student of Law who wants to become a member of the Bar Association. The internship programme is developed by the Bar and its regional councils and consists in six months of classes dedicated to technical, procedural and knowledge aspects of the profession, followed by practice with a patron lawyer, and written and oral exams. There has been a restructure in 2015, to diminish the internship to eighteen months. In general, the duration was expected to last from two to three years. The patronage system does not oblige the patron to pay for the work of the trainee (Cruz & Fernandes, 2016). The existence of a salary during the internship is facultative, except for medium and large law firms who have created parallel internship programmes. In these type of firm's trainee lawyers is introduced in a training plan specially designed, which combine professional and organisational values.

The professional organisation is a *milieu of socialisation* (Dubar, 2000) where philosophy is developed, a vision of the world that includes thoughts, values and meanings directed towards the continuity of the organisation and its members. For this reason, entering into an organisation, in this case, a law firm, will bring in a series of values, thoughts and forms of working to the new member through a long process of professional socialisation (Montagna, 1968). This is especially so if this is the individual's first professional experience and if his/her recruitment is conducted through an internship programme (Boon, 2005).

This implies that the professional socialisation involves the profession, the organisation and the instilment of professional values, being combined with other social aspects of life.

The professional values are undergoing a transformation: adaptation to the new requirements of clients, the predominance of management in the training of the professionals, the logics of efficacy and efficiency, the form of organisation of law firms with the transformation of the rules of collegiality into boards of directors with distinct powers. All these aspects should, in principle, influence the way that each lawyer experiences the profession and how it will be conveyed to trainee lawyers what they should expect from their professional activity.

The proposed model of two professionalism models (Evetts, 2010, p.130): organisational-based professionalism and occupational-based professionalism in knowledge societies is the starting point for the analysis of the experiences of integration of a set of nineteen lawyers in large-sized firms. As emphasized by the author, this attempted categorisation is a simplification of the complexity of the professional values that combine diversity in the development of the professions which are permeated by different national contexts. We put forward the idea that the transformations in the profession towards the incorporation of organisational type values of professionalism, in particular, the use of standard procedures, managerialism, target-setting and performance review, are more present in the first few years of activity. And that we can interpret this as the result of strong market pressure towards the adoption of new practices more commensurate with the rules and expectations of major business clients.

The strong presence of organisational-based professional values in the training of trainees marks a rupture with other forms of experiencing the profession closer to the occupational type values of professionalism.

### **Methodological strategy**

In order to capture the dynamics of the entrance and integration of young lawyers in large law firms, we decided to pursue a strategy of mixed-methods research with interviews, observation and document analysis. Thus, the first phase involved access to the law firms and lawyers through institutional websites and the LinkedIn platform and by the continuous reading of specialized journals, magazines and websites. The selection of the law firms obeyed four criteria: 1) the presence of at least three years in international rankings from independent entities like Chambers and Chambers, Best Lawyers, The Legal 500, Financial Times—Innovative Lawyers, among others; 2) more than a hundred lawyers; 3) auto-reference, firms citing other firms; and, 4) firms represented in the major financial operations in Portugal (Santos, 2015). The contacts with the lawyers were made by an invitation letter. From more than hundred invitations it was possible to have an appointment and then an interview with nineteen young lawyer's men and women, aged between 24 and 34 years old, trainees and associates working in six of the ten major law firms in the country. The data collection had a duration of fifteen months, from August 2015 to November 2016.

The interviews followed the biographic interview model (Bertaux, 1997) with a non-structured script, covering five aspects: family and sociability, education and schooling, professional trajectories, leisure, and lifestyles. In figure 1, the academic and professional trajectories are presented. From the scheme, we can describe that all participants had completed a Law Degree on prestigious law schools, and only one of the interviews didn't follow post-graduate studies. Eleven had continued studying before applying to an internship, and seven started a post-graduate after entering the law firm. Half of the participants had frequented a summer internship in a law firm. In terms of the relationships with the Bar Association, five of them are still trainee lawyers (only one in the new format of eighteen months internship), twelve interviewees had a three-year programme to become accepted as members and, two of them took a total of four years from the inscription to the last exam in the Bar. The four-year period occurred in 2006, as a direct result of the Bologna agreement on tertiary education combined with a crisis in the model of lawyering accreditation in the Portuguese Bar. Those inscribed in the Bar in this period have waited to confirm the acceptance of their degree in Law, which has changed from five to four years.

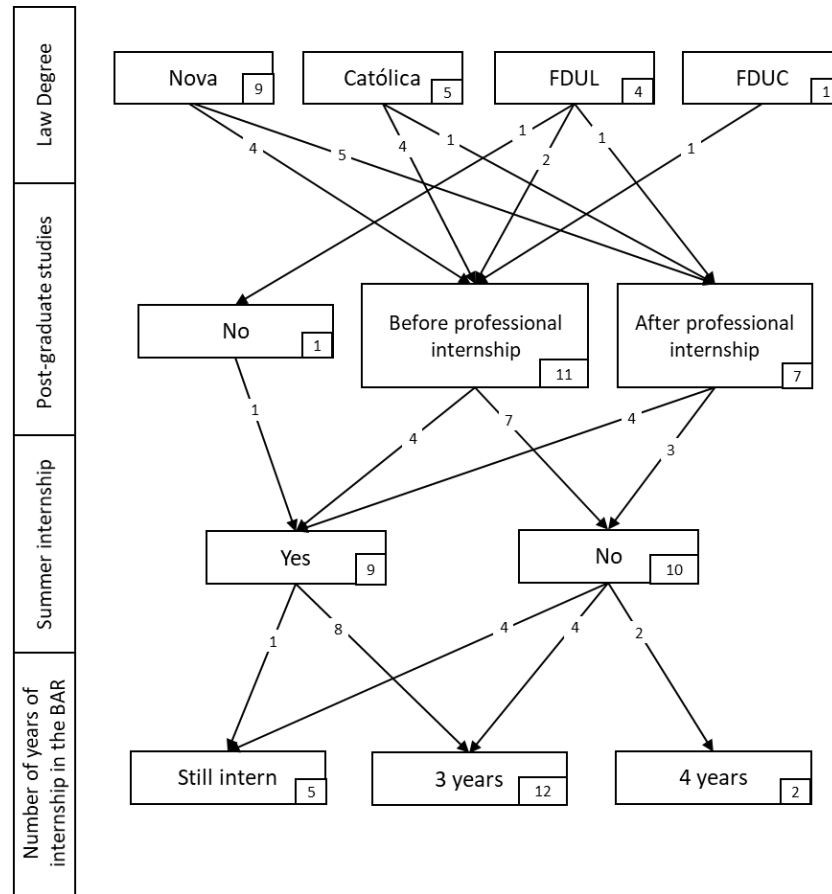


Figure 1. *Academic and professional trajectories of the nineteen lawyers' interviews*

After the transcription, the interviews were analysed, with the method of analysis of discourse (Kohli, 1981). The discourses produced by young lawyers are important tools for comprehending contemporary professional practices and bring in interesting leads on the ways that these individuals internalize and integrate professional values in their daily life.

## Findings

The introduction of the trainee in the law firm is her/his first contact with organisational professionalism albeit at some moments characterized by forms of occupational professionalism. The first days are engaged in getting to know the building, the form of organisation and compartmentalisation into departments, the computer programme for clocking in and out, recording time and tasks grouped by projects and/or clients. The lawyers responsible for the integration of the trainees are named internship coordinators that are, from that moment onwards, the trainee's point of contact and appraisal, creating the first connection that will subsequently, over the following weeks, be enlarged by connections to lawyers of the department where the trainees will be allocated. In some cases, the internship coordinator is also the formal patron for the inscription in the Bar. At this first stage, the preparation for daily life is marked by an introduction to the values and history of the firm, promoting professional occupational values like collegial authority and professional ethics, whether in the form of guided tours and meetings with founding or older partners, or in the case of international firms with a visit to the head office.

We were a group, here they do one week, which they call ... they don't call it integration week, but it could have been, where the trainees in the entire D., so, Madrid, Barcelona, Bilbao, Valencia, Lisbon, go during that initial week, we all go to Madrid, where we have a week of conferences and lectures. (Associate, 26 years old)

In one of the firms, the informal position of the coach was created. The coach is not responsible for promoting professional values, but instead labour values, as the distribution of work, problems between members of a team, and others, and it's a clear influence of the business world in the organisation of the law firm (Galanter & Henderson, 2008).

## Training plan

Each firm develops its own training method, albeit with many similarities between practices of the same size, that are based on and inspired by the exchange of information and knowledge with international offices, through partnerships and especially through the possibility of accomplishing a secondment<sup>3</sup> of their own lawyers that will subsequently bring back learnings on the mode of organisation and production of legal activities. This practice is highly valued by lawyers, as confirmed by L., an associate in a large national firm:

S. went to Skadden, S. is a lawyer here in the office, she went to Skadden for four months to do arbitration, when she returned, she implemented the best, for me, the best in-house training measure of the last ... since I have been here, it was during the lunch hour. The training lunches given by litigation to corporate, we have to eat anyway, and litigators train us on important topics where we debate the part of the solicitor and the barrister and have a brainstorming session to see how we can improve clauses, resolve problems, and how to improve the service to the client.

The training method incorporates all the types of activities that the lawyer will carry out: how to investigate, how to write procedural documents, how to invoice, how to behave before the client, how to write emails, whom much time is given to carry out a task, partition of a project into small tasks divided by various team members with different hierarchical levels.

The training period is very extensive in E., and involves a training period in Portugal, in all the areas, what each area does, what each supporting area does, what software we use, we do a series of specific training and then we have another period of one week in London, where they basically give us the foundations, tell us what is expected of a trainee of E., what type of tasks we will be called upon to do, how these tasks should be done, how the revision of texts should be done, how legal texts should be drawn up, then we have classes of legal English, we have classes in other languages. (Associate)

Standard training is the most visible form of assuring that the trainees learn and internalize the firm's work modes and can reproduce them, whether in the manner that they write an email, investigate an issue, write a procedural document, or start the preparation of a contract. Standardisation offers advantages to the organisation, but likewise to the lawyer. From the perspective of the organisation, this type of training

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<sup>3</sup> Period of permanence in another firm or company for acquiring new professional skills and practices or more closely supporting a client in the implementation of a project.



enables greater control and assurance that the work to be accomplished complies with the rules imposed by the firm and provided to the clients. It also permits an easier transfer of work from one lawyer to another and tighter control by the partners or other hierarchically senior employees that, at any given time, may consult the progress of the work.

From the lawyer's perspective, standardisation is the beginning of a form of conquering autonomy, by knowing that she/he was taught in that manner and is precisely reproducing it, helping the lawyer to manage the anxiety associated to the new professional environment.

When you start working in a law firm, the pressure is enormous, and we feel that we don't know anything, even writing an email just to say "hello" we think about it 50 times, wondering if it's written properly and if we're saying something wrong. (Trainee lawyer)

Standardisation is still a brand image of each firm. Although the literature points to a greater change in the ways of working and to the growing influence of the forms of organisation and management of the North American large firms in law firms throughout the world (Faulconbridge & Muzio, 2012). Each firm has its own particularities which combine their history, their partners, their relations with the social environment in which they are placed, in sum their professional values and that can be observed in the work of their lawyers. More than the authorship, the signature of a lawyer, the distinctive mark is the form of organisation and work of the firm.

In contracts, it is also perfectly perceptible when a contract was produced by C., or when it's a contract of D., even when they don't come with the letterings, we can already understand this because we know what it is, but it cannot be said "this contract was definitely produced by the lawyer X". I think it's rather something of the past, the contracts have been done so many times, it's difficult to find any vestige of authorship in work, but I think it's not only that ... perhaps, in E. due to this issue of all of us having to present work in a certain manner, in the end, E's signature is more important than the actual lawyer's signature. (Associate)

The investment in the specialized training of the lawyers is determined according to the needs of each department. This investment could vary between the total or partial payment of the training or time off from working in the office or even unpaid sabbatical periods. One of the most common forms entails financial support for post-graduate training at a reference university, in exchange the firm enrolls several of its lawyers to take a course and/or also counts on some of its lawyers lecturing. As was reported, it is common for the office to make a specific training proposal to one or more of its lawyers, according to the type of involvement of the firm in academic training at any time and the interests of the lawyers.

Every year, the firm's lawyers can participate in various training modules, in fact, last year I did it. I didn't have to pay anything. But there is a place every year, as the course is then sponsored by other firms as well, for each firm to select a person to do the LLM without paying. In that year, they asked me if I wanted to do it, I accepted because I thought it was an excellent opportunity. (Associate)

### ***Career plan***

The career plan is presented to each trainee and accompanies that person throughout the years of employment at the law firm. The plan reflects the shift from a closer division of traditional practice between associates and partners, more closely to occupational professionalism, to law firms with a strong hierarchical division with five professional categories: trainees, associates, principle associates, senior associates

or coordinators, industry partners and equity partners<sup>4</sup>.

The plan establishes the relations between the lawyer and the firm, in replacement of the employment contract, considering that as a liberal professional the lawyer works for the firm under an arrangement of the payment an agreed upon amount. Nevertheless, the career plan establishes a relation of dependency, creating a different type of professional autonomy. What the lawyer will internalize is autonomy in a dependent relationship with the hierarchy of the firm and not in a collegial form, where all lawyers are autonomous on their practice and based their decision on their internalized knowledge of the profession.

The plans are designed pursuant to the short, medium, and long-term interests of the organisation and bind the parties to comply with a series of objectives with distinctly detailed salary per year of progression. The career plan is, in the words of many of the interviewees, the assurance of a greater capacity of control and comparison with the other lawyers, allowing them to know, at any given time, just what is expected of them and whether their performance enables them to achieve the proposed goals. In the words of T., an associate, we can surmise the internalisation of the objectives, “the ultimate door of arrival” the time limit to accomplish them, “the 15 years” and, the difficulty in accomplishment.

I think that the people who are here in that spirit know the ultimate door of arrival, being a partner, finally becoming a partner, and, so, yes, at this particular moment I am an associate, I am in my last year as an associate. By next year, I will be eligible to be a principal associate, and then I can't say when, once again, it's a goal.

The goals established in the career plan are internalized by each lawyer. In view of their dynamic nature, which interlinks the firm's interests at any given time with the interests of the lawyer, it is to be expected that the firm's objectives and those of the lawyer will not always be synchronized. There are various reasons for this imbalance. From the side of the law firm, the global economic instability, the growing competition between law firms and the overlapping of legal services are factors that influence their ability to attract new clients and maintain or enhance their relations with existing clients. This combination of factors was experienced by several of the interviewees that were contracted immediately before and during the worldwide financial sovereign debt crisis, which showed particular incidence in Portugal following the bailout of 2012. The context of crisis led, at a first stage, to the adaptation of firms with a reduction in the number of trainees per year, especially during the years of 2009, 2010, 2011 and 2012.<sup>5</sup>

The Lehmann Brothers went bankrupt on the day that we entered this office. We were recruited in one context, and by the next day the world had completely changed, it's necessary to understand what happened here, a profound crisis. Those were years when law firms were recruiting half and that, I believe must have been complicated. (Associate)

The global expression of the activities of large-scale law firms, even in semi-peripheral contexts such as Portugal, help to explain the need for constant adaptation to the markets which does not coincide only with national economic cycles.

From the side of the lawyers, the collected discourses indicate a diversity of expectations in relation to the career plan. The first explanatory factor is well referenced in the literature (Davies, 1996) and separates the expectations between men and women. Among female lawyers, it was more common to find a discourse which

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<sup>4</sup> Organisational structure common to the six law firms involved in the study.

<sup>5</sup> Information gathered during the interviews.

curtails the expectations of actually becoming a partner, with reference to various difficulties of reconciliation between familiar, personal and professional life. Although only one of the female interviewees had children<sup>6</sup>, this expectation is placed on a close horizon and is perceived as a motive for finding a new professional placement. Here, the ambition entails shifting from being a lawyer of a law firm to being a company lawyer (in-house lawyer).

According to the interviewees, failure to achieve the objectives could imply leaving the law firm, which generally happens by mutual agreement. For such, as we were explained, this leaving is anticipated for a period of time not less than one year while the lawyer and the firm fine-tune the best strategy and, in some cases the firm is actively involved in the search for new job placement at another firm or client. The perceived reasons for such conduct are related to the need to uphold a good exterior image of the law firm, whether in terms of its relations with other law firms or in its relations with the business world and civil society. Hence, the interviewees of various firms stated that an attempt is made to preserve the relations between a former lawyer and the firm over several years with invitations to events.

Former employees of T. come to the open-air festival (*arraial*) and the chestnut feast (*magusto*), it's good to keep this up and say that everything's fine, it does no harm, they left, but everything's fine, we are still here as friends. (Associate)

### ***The professional value of time and long working hours***

First, it is taught that they will have to work long hours and always be available, and later the value of the billable hour is taught as the unifying principle of all the firm's activities. Everything rotates around the billable hour. In order to enable carrying out other activities that are considered important such as attending specialized training, teaching, writing newspaper articles, giving lectures, providing support to leisure activities, it is necessary to have a notion of how much has already been invoiced, what the situation is regarding billable objectives. As stated by J, an associate in her second year: "studying is good, but it's not a billable hour." Even when at an initial stage of the internship like M., a notion is gradually grasped of two basic principles: management of the time devoted to each activity, and detailing and entering the number of hours in the computer programme.

Learning about the billable hour is a continuous process that implies negotiation and internalisation of working times and their conversion into invoicing the client. During the internship period, the lawyers are integrated into the firm's invoicing system and progressively learn from the more experienced lawyers what is expected to be considered as time allocated to each task. Very often this learning is carried out through mechanisms of self-discipline. In the lawyers' discourse, the word "hours" and "billable hours" are the most used. Expressions such as "does not have sufficient hours", "it took me three hours to study, but I'm only going to impute one hour", "knowing our pace", "write off" and "write down", "the trainee takes more time", "not detailing the hours of study of law" were identified in the discourses. As we were explained:

I can't, I am never going to describe in detail the real time that I spent there, in other words, the detailing and invoicing, it's always estimated because very often the issues take a lot longer than what the client realizes. This was something that was instilled in me by my work team right from the very beginning. (Trainee lawyer in her second year)

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<sup>6</sup> This lawyer exercises her activity in a supporting department (Knowledge Management Department) which allows her to have shorter working hours than her colleagues.

The billable hour and the computer system to record the hours are preeminent instruments of hierarchical control and management of human resources. The immediate availability of consultation enables each partner of the department to have a portrait in real time of the activity of each lawyer. The way that each lawyer is taught to use the system facilitates this monitoring, as indicated by an associate:

I begin working, I put the time that I started working, when I finish, I write it down. I started at two-thirty, finished at a quarter past three and then at the end of the day I enter it, probably it's the next day in the morning.

The best moments of learning are recounted by the interviewees as those that take place outside of normal business hours. The expression “through the whole night” is described as a special moment in the professional insertion of a trainee or young associate. In these situations, the trainee has the privilege to be working closer to the partner or senior associate, being able to directly access their teachings and benefit from a more informal attitude, a closer relationship, because they are spending many hours together, they have a common deadline, they feel they are working towards the same objective and feel that their supervisor needs them and is looking at their work. These moments are also occasions to slip in a few details on the personal life and the interests and motivations in professional life, letting down some barriers during momentary breaks when the conversation can revolve around the family, the football club, books, travel, and hobbies. So, working through the entire night could be interpreted by the trainee as a privilege. Having been chosen for this operation or for that project is an exterior sign of recognition of the quality of the trainee's work, of her/his potential and/or spirit of sacrifice that is expected to be recognized and rewarded later, whether through a bonus, or something in the medium term such as an invitation to remain at the firm, or even a faster career progression. The idea of working late through the evening and night was attested by different observations in the six firms as a common practice. In our field notes we signed:

Arrive at the door office at 9 p.m. someone opens the door before we rang, is a lawyer finishing her day of work. There is no one at the reception desk, we enter, and our contact approaches to showing us around. We go to the basement, a large open space with some transparent divisions. In one of the divisions, a young lawyer consults *linguee* portal<sup>7</sup> on her laptop. (23/09/2015)

These situations reinforce the idea of the unstoppable worker, always available for the client and for the firm. In the discursive sphere, we found remarks such as: “I worked 38 hours nonstop”, “I sleep three hours and resume working at home” “a normal day is from 9 in the morning through to 9 at night” “a necessary evil.” Narrated as an identity mark of the profession, the ability to show self-sacrifice and surpass oneself is what transforms trainee lawyers into members of the group.

## Conclusion

This article aims to contribute to the debate around professionalism and professional values of lawyers in social and economic contexts marked by the predominance of neoliberal policies. In the study, we have formulated three questions. Through the analysis, it was possible to describe and deepen the mechanisms used in the internship to inculcate professional values oriented to the market and designed to the fulfilment of corporate client's needs. Firstly, the training plan—a mechanism that sim-

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<sup>7</sup> Website specialized in juridical translations.

ultaneously decreases professional autonomy and increases control and the integration in a chain supply of legal services—results in forms of proletarianization of the profession (Ackroyd, 2016; Davies, 1996) and in hierarchical segmentation. The ability to succeed along the training plan is a direct result of the capacity to inculcate in their daily practice forms of commercial professionalism, in particular, the combination between technical and entrepreneurship skills (Hanlon, 1998).

Secondly, the career plan is not only a mechanism of integration in a hierarchical and complex organization but fundamentally a social closure tool operated from above (Larson, 1977). The career plan is a permanent system of evaluation and control which allows partners to maintain their privileges in the firm and to reward lawyers on an individual basis.

Competition is a distinctive mark that signs the place of each individual, separating equity partners—equals among peers—from different seniority positions inside the firm ladder. The end of the internship arises as a recognition of the law firm that the lawyer has by this time internalized this notion of competition in her/his work and daily practice, and therefore can perform in accordance with the individually-based system.

Finally, through the analysis, it was possible to validate the idea that young lawyers in their professional socialization trajectories' inculcate and put in practice a myriad of mechanisms of self-control and self-discipline (Foucault, 1995/1975) in order to become closer to an ideal worker. This ideal professional is performed as the unstoppable worker, always available to accept new projects, work through the night and/or accumulate different tasks.

The long work hours, the repetitive nature of many of the tasks, the pressure exerted by the goals, the need to integrate in her/his practices a series of aspects that were not formerly known, the necessary requirement of knowing or at least recognising business language in combination with an accelerated learning of knowing how to present oneself, what to say, how to write, what to wear, how to speak and how to listen, help to explain their concordance with, or at least, their acceptance of a professional model driven by business and profit/bonuses in the short-term.

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