



# Leadership and ethics in the organizational management of law firms

Liderazgo y la ética en la gestión organizacional de los consultorios jurídicos

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## ABSTRACT

Managing organizations as complex units presupposes structural changes in the existing types of management. These progressive processes find in management (coordination, execution, and control of decisions and efforts to fulfill the *raison d'être*) a bridge to intervene between what is desired to be and what is achieved as performance through progressive effort. To subsist through the desired performance, it is necessary to glimpse in the management the participation of the elements or agents that intervene in the organizational part, that is why it is necessary to explore to conceive a new model of organizational management. Therefore, leadership and ethics present a different alternative, focused on participation and cooperation, in the construction of institutional social relevance. This study makes a theoretical approach to leadership and ethics, as a support for strategic management in law firms, in order to establish the important aspects that affect the performance of this type of organizations.

## RESUMEN

Administrar organizaciones como unidades complejas, presume cambios estructurales en los tipos de gestión existentes. Estos procesos progresivos

encuentran en la gestión (coordinación, ejecución, y control de las decisiones y esfuerzos para cumplir con la razón de ser) un puente para intervenir entre lo que se desea a ser y lo que se logra como desempeño mediante esfuerzo progresivo. Para subsistir a través del desempeño deseado se requiere vislumbrar en la gestión la participación de los elementos o agentes que intervienen en la parte organizacional por eso es necesario explorar para concebir un nuevo modelo de gestión organizacional. Por lo tanto, el liderazgo y la ética presentan alternativa diferente, centradas en participación y cooperación, en la construcción de pertinencia social institucional. El presente estudio realiza una aproximación teórica al liderazgo y la ética, como soporte de gestión estratégica en los consultorios jurídicos, para de este modo establecer los aspectos importantes que inciden en el desempeño de este tipo organizaciones.

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### **Keywords / Keywords**

Legal consulting, ethics, organizational management, leadership

Consultorios jurídicos, ética, gestión organizacional, liderazgo

### **Introduction**

Nowadays, the changes in the environment caused by globalization require a reconversion in the structure and management of organizations, especially in the way they should be managed. For this reason, decision makers within the organization must obtain, process and analyze internal and external information in order to know the situation and be able to anticipate or respond in accordance with the law.

The aforementioned processes are conducted through management, which is conceived as the planning, organization, execution and control of the set of actions, decisions and efforts produced by an organization to fulfill its mission. In order to guarantee good organizational performance, it is necessary to observe the elements or agents involved in it, so as to be able to foresee the future based on the current reality of the organization.

However, when a management model is proposed, it is necessary for the organization to consider that its components are human beings and that they are the ones who make the decisions, therefore they are not free to make mistakes, which will not be attributed to the

individuals of the organization in isolation, but to the organization as a whole. Therefore, it is important that organizations have a vision that considers the values and the imperative ethical duty for each of the components that make up the organization to make a political-social decision and respond institutionally for the same.

Legal clinics are generally understood as an institution that promotes experimental legal education, therefore their administrative management is the same as that of any organization. These types of organizations provide free legal services that contribute to meet the legal needs of the poorest people in the country and, therefore, to decrease the high levels of inequality that exist in a political community such as Ecuador (Recalde, Luna, & Bonilla, 2017).

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Paradoxically, however, empirical information and academic literature on law clinics is scarce and its quality has notable ups and downs. Administrative management in these offices is an almost unexplored field in universities because this topic has been approached but from the consideration of the power structures of the university and not on how the university as an organization identifies the most appropriate forms of management to fulfill the mission, vision and strategic objectives, as there are key, strategic and support processes.

The public officials in charge of regulating the clinics and supervising their activities usually do not have a precise knowledge of the theory underlying them or the practices they develop, which causes serious difficulties for these organizations, which is reflected in the poor fulfillment of their objectives, low levels of effectiveness and efficiency. Many of the problems faced by this type of organizations can be avoided or solved if proper management is carried out, for this it is necessary that the people involved are prepared or accredited to perform the assigned positions, in addition to this it is important to indicate that leadership and ethics play an important role in organizational management, since the leaders through their decisions and ethical actions interact with the rest of the organization, and from this perception by the workers will depend on the greater commitment and performance (Chalen, 2017).

The purpose of this study is to provide a theoretical point of view based on empirical evidence on how ethics and leadership influence the organizational management of legal clinics in universities and thus establish which aspects of organizational management are a key

element in the continuous improvement of quality in this type of organizations linked to universities. It is worth mentioning that the information contained in this document is part of the Doctoral Thesis entitled "Organizational management of law offices in the province of Guayas-Ecuador: a study from the point of view of ethics and leadership".

## Materials and Methods

Organizations in the world require strategies and guidelines that allow their sustainability, which work with the interaction of people, constantly exchanging values with their stakeholders. Additionally, they carry out their activities to achieve the objectives defined in the short, medium and long term. An organization as a system maintains relationships with its internal and external environment. Internally, it requires technological, human, financial and logistical resources that together allow it to generate its value proposition. In addition, when it relates to the external environment, it is able to establish relationships with suppliers, customers, governments and institutions that generate information and strategic resources for its operation.

Organizational management was born as a singular strategy to improve the organization, based on group dynamics and theory and practice related to planned changes, until it became "an integrated structure of theories and practices capable of solving or helping to solve most of the important problems faced by the human side in organizations" with the sense of promoting the development of organizational potential (Campoverde, 2016, p.10).

## Results

Paez (2017) indicates that organizational management "is a space that considers the structure and procedures of the company throughout its internal value chain, its mission and vision; and the mechanisms of development, according to the trends of change in a globalized and increasingly competitive economy" and that also considers in a remarkable way the human resource and its alignment with the strategic direction of the organization (p. 35).

Noguera (2014) highlights that organizations that maintain good management achieve a higher degree of sophistication, however, it is necessary to admit that to reach this level it will be necessary to design and implement conciliatory policies between the hegemony of economic values and the recognition of the human, since in the decision-making process it is necessary to visualize the organization as a composite whole, in order to be able to respond to the objectives, mission and vision.

Noriega (2013) indicates that organizations depend, in order to grow and endure, on the leadership of their leaders, and this is valid for both for-profit and not-for-profit organizations. Leadership is an interaction of members of a group, which involves the structuring or restructuring of situations, perceptions and expectations of the members, according to Bass (2013, p.32) "leadership occurs when a member of the group modifies the motivation or competence of others or when it directs their attention to the goals or the way to achieve them."

Directors and managers who are in charge of the management function in the organization exercise leadership, which is defined according to Soto and Cárdenas (2007) as the process of leading work teams to achieve the expected results. To this end, the leader leads those who accompany him or her towards success, and success means obtaining real, effective and indisputable progress.

Based on the above, organizational management focused on achievement will be effective to the extent that the leadership invites the actors such as employees and collaborators to carry out the operations of their processes within the framework of "should be", i.e. from the deontological point of view, addressing compliance with the precepts described in the corresponding codes of conduct.

To ensure success in organizational management, where people and processes are involved, it is necessary to relate it to ethical conduct and management supported by effective leadership. To this effect, according to Soto and Cárdenas (2007), ethics "is a part of philosophy that deals with the morals and obligations of man". Ethics systematically studies the nature of axiological concepts such as good and evil, right and wrong.

Organizational managers face ethical issues in their professional lives on a daily basis, rarely having to make decisions that do not involve some ethical dimension or facet. In addition to the ethical aspects that

decision-making brings, they also face ethical dilemmas in the course of carrying out their leadership responsibilities. Soto and Cardenas (2017, p.113) state that organizations "whether they are engaged in planning, organizing, motivating, communicating, or carrying out some other function proper to it, have to face the fact that issues of right and wrong, fairness and partiality, and justice or injustice, creep surreptitiously into their decisions, acts, or behaviors," and no matter what level they are managed within the organization ethical factors will always play a decisive role.

Fischer (2014) indicates that a corporate culture focused on ethics has positive effects on business. Leaders who understand the importance of acting ethically are more likely to attract better employees and customers, therefore, it is important to program ethical leadership within organizations through the establishment of ethical guidelines and procedures.

In view of the above, it can be established that ethics is a mandatory element for command management and leadership to be effective in any context, becoming an imperative to achieve effectiveness. Leaders have to court the goodwill of employees so that they put their talents at the service of the organization's objectives (Espinosa, Contreras, & Barbosa, 2016).

The procedures carried out in the legal clinics are related to State entities and seek to respond to a series of challenges where the person in charge of the legal clinics must have qualities such as charismatic, enthusiastic, sense of belonging, entrepreneurial, know how to manage work teams, be innovative, work based on values, plan and strategic thinking.

Organizational management in the legal clinics is exercised by a Coordinator who is responsible for the proper management of the legal services provided by the legal clinics, and therefore, must implement mechanisms for the registration, follow-up and evaluation of the cases sponsored and the personnel under his/her charge. Each Coordinator of the legal clinics is "responsible for the proper management of the legal services provided by the legal clinics, and therefore, must implement mechanisms for registration, monitoring and evaluation of the cases sponsored and the staff in charge" (Defensoría Pública del Ecuador, 2015).

This is done in order to ensure the quality of its services and access to justice for priority groups, which will be possible if the "leader puts

into practice the competencies inherent to his role" (Universidad Benito Juárez, 2017), including the practice of his social skills, which allow him to communicate effectively with his team. Also, he must be empathetic and ensure that team members do not work individually, but rather as a team for the welfare of the group and the organization.

In order to provide a quality and warm service to priority groups, legal clinics must be strengthened by improving their competencies and providing them with complementary management tools, which will allow them to continue providing their services and project prospects for their growth and development.

The optimal performance of law firms depends on the ability of management to define its objectives and organizational guidelines in relation to the staff working in the office, giving the organization its own identity. The top management, in this case the coordination of the practice, has a relevant role since it must be in charge of aligning the strategies of the organization to the organizational structure and culture. In this area, the head of the free legal clinic must implement management mechanisms related to aspects of planning, availability of technical, human and physical resources, organizational structure, among others, that allow the legal clinics to provide their services in adequate conditions. Based on the bibliographic review, we proceeded to identify the key elements or indicators to measure the performance of an organization in relation to ethics and leadership, which can be used by law clinics to improve their administrative management, as shown in the following table:

**Table 1.** *Main aspects to consider for the organizational management of law firms considering ethics and leadership.*

<b>Indicator</b>	<b>Description</b>
<b>Ability to plan and meet objectives</b>	-To have a strategic plan built in a participatory manner and to be known by the personnel, in order to establish objectives and goals. -To have mechanisms in place to monitor compliance with the strategic plan and the annual operating plan.
<b>Legal documentation</b>	-Possess and maintain updated legal documentation for its operation (legal status, bylaws, regulations, personnel documentation, among others).

<b>Management and Follow-up Mechanisms</b>	To have physical and/or digital mechanisms for the evaluation and follow-up of the services offered. -To have physical and/or digital mechanisms for the evaluation of staff, lawyers and students.
<b>Leadership and Management</b>	-To have a minimum operating structure: coordinator, specialists by legal area, administrative personnel, interns and/or trainees.
<b>Organizational management and communication</b>	-Encourage communication between the coordinator and the work team through meetings and training.
<b>Human Resources</b>	-Having the necessary personnel to carry out the organization's activities.
<b>Technical capacity and equipment installed</b>	-Sufficient and appropriate furniture with physical or digital work material, updated for use by staff and students.
<b>Ethics</b>	-Special attention to the ethical demands of workers and managers at all levels.

Source: (Public Defender's Office, 2015).

Associated with the new missions of the organization, leadership and ethics were considered as fundamental elements for the management of the law offices as an entity that generates social welfare, the proposed indicators will allow improving the management carried out within the law offices, and will also serve as a basis for the design of strategies aimed at improving organizational management. It cannot be ignored that material and financial resources are factors of the first order for successful management, but despite their predominant place, every manager must recognize in human capital, the engine that sets those resources in motion and the benefits they bring (López, 2018).

## Conclusions

Ethics and leadership are key factors that contribute to the organizational management of law firms, according to Uribe (2013) when these factors concur in the direction of the organization, individualistic thinking is left aside, resorting to moral conduct

governed by inspiring values and highlighting their real vocation of service, thereby maintaining a congruence, which translates into the necessary confidence to generate changes through participation in the citizenship involved.

The study presented through its development has demonstrated the synergy that exists between organizational management, ethics and leadership, therefore it is necessary to strengthen the organization through the preparation of an ethical leader that generates a favorable organizational climate for all and gathers the necessary knowledge and skills for the optimal management of the legal offices.

It is also necessary to see the law offices as functional units, in which each of its components is important for the proper functioning of the same, therefore it is necessary that each of the members, from interns to coordinators, fulfill the role that corresponds to them acting in an ethical, exemplary and responsible manner. It is necessary to consider that in order for the organization (law offices) to offer a quality service, it is necessary to have all the necessary resources, such as furniture, computers, etc., since these aspects are also part of organizational management.

## References

- Brown, M. (2013). Ethical Leadership: A Social Learning Perspective for Construct Development and Testing. *Organizational Behavior and Human Decision Processes*, 117-134.
- Campoverde, A. (2016). Organizational management to improve work performance. *Uniandes*, 9-12.
- Castro, S., Chiluisa, M., Borja, G., & Gonzalez, L. (2016). The quality of education in Higher Education institutions under a new curricular reform. *Dialnet*, 86-87.
- Chalen Ramirez, J. F. (May 2017). *Institutional Repository of the Escuela Superior Politécnica de Chimborazo*. Retrieved June 29, 2019, from Institutional Repository of the Escuela Superior Politécnica de Chimborazo: <http://dspace.esepoch.edu.ec/handle/123456789/6922>
- Correa Meneses, J., Rodriguez Cordoba, M., & Pantoja Ospina, M. (2018). Ethical leadership in organizations: a literature review. *AD-minister*.

- Public Defender's Office (2015). Project Alliance and strengthening of legal clinics.
- Public Defender's Office of Ecuador (January 2015). *Project: Alliance and strengthening of the Legal Clinics accredited by the Public Defender's Office of Ecuador*. Retrieved June 29, 2019, from Project: Alianza y fortalecimiento de los Consultorios Jurídicos acreditados por la Defensoría Pública del Ecuador: <https://www.defensoria.gob.ec/wp-content/uploads/2018/10/plan-fortalecimiento.pdf>
- Espinosa, J., Contreras, F., & Barbosa, D. (2016). Leadership practices and their relationship with Leadership practices and their relationship with. *Diversitas*, 303-317.
- Fischer, L. (2014). Ethical Leadership. *Realizing Leadership in Conversation*, 5-15.
- López, Z. (2018). {Entrepreneurial ethics and leadership: theoretical considerations. *Caribbean Journal of Social Sciences* .
- Medina León, A. M., Nogueira Rivera, D., & Hernández Nariño, A. (2017). Relevance of Process Management in Strategic Planning and Continuous Improvement. *Ute.edu.ec*, 68.
- Noguera, L. (2014). Organizational strategy: a study proposal. . *Estudios Gerenciales*, 3, 131.
- Noriega, M. (2013). The importance of leadership in organizations. *Temas de Ciencia y Tecnología* , 25-29.
- Paez, I. (2017). . *Ethical Leadership*. In *Encyclopedia of Business and Professional Ethics*. Springer International Publishing.
- Recalde, G., Luna, T., & Bonilla, D. (2017). Justice of the poor: A genealogy of legal clinics in Colombia. *Revista de Derecho*, No 47.
- Soto, E., & Cárdenas, J. (2017). *Ethics of organizations*. México: The McGraw-Hill .
- Benito Juárez University. (July 2017). *The Role of Leadership in Human Talent Management*. Retrieved June 29, 2019, from The Role of Leadership in Human Talent Management: <https://www.ubjonline.mx/rol-del-liderazgo-en-la-gestion-del-talento-humano/>
- Uribe, A. (2013). Leading high performance teams: a major challenge for today's organizations. . *Universidad & Empresa*, 53-71.