

Tirado goes solo

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Over three decades, Joe Tirado has watched arbitration go from a niche pursuit to big business. Now he is stepping out from private practice to become an independent arbitrator, targeting the US, Latin America and beyond.

At the end of 2024, **Joe Tirado** reached a crossroads in a career that has passed through many of them. Having reached the mandatory retirement age at Spanish firm **Garrigues**, where he had been co-head of international arbitration since 2016, he was keen to continue in a working environment and was looking for the right fit.

“I reached that stage where I am thinking about the next 10 years,” he says. “I’ve been pretty independent since being at Garrigues anyway, partly because I’m not based at the mother ship [in Spain].”

Although he considered joining another firm, Tirado – slightly ruefully – explains that the opportunities for lawyers at 60 are perhaps not what they should be. “There aren’t a lot of options. Inevitably most people are looking at a different demographic.” There were approaches from chambers and boutiques, but in the past year Tirado had been taking on more arbitrator appointments as he transitioned towards his exit from the firm, so as a Spanish-speaker with his eye on more work from Latin America and the US, he [decided to take the plunge as a neutral](#).

Based in London, but regularly travelling to Europe and the US, Tirado will sit as an arbitrator and mediator with the **London Court of International Arbitration (LCIA)**, **Permanent Court of Arbitration (PCA)** and **International Centre for Settlement of Investment Disputes (ICSID)**.

Regarding law firm life, “the one thing I do miss is the team environment. I’ve always considered myself a team player, not really operating in a silo despite having operated independently [at Garrigues]”. Going it alone means “coming to terms with the fact that, after nearly 35 years of being in a firm, now you really are the firm”.

He will stay in touch with private practice through some consultancy work and will also receive

support and appointments from alternative dispute resolution (ADR) institution **JAMS**, which he hopes will provide increased access to US-related cases. “The US is such a huge market and the international aspect [of JAMS] could be so much bigger,” he says. “Even if it’s not really specifically US-focused, the US has such an influence over whom parties appoint as arbitrators.” The institution should also go some way to recreating life at a firm: “The collaboration with JAMS will give me the physical stuff that I need in terms of offices. I will be doing quite a bit in the US, which is also the gateway for Latin America, particularly Miami.”

EVOLUTION OF A PROFESSION

Arbitration has changed a great deal over the course of more than 30 years. For one thing, specialist arbitration practices are no longer a minority pursuit. “Many firms considered [arbitration to be] litigation by another name and often would look down on you as if to say, ‘why do we need a specialist?’” Now, “there’s an acceptance that if you are serious about offering it as a service you need specialists and a recognition that it works differently. That’s a good thing and there’s greater diversity in the sense that it’s not just Paris or London-centric. It’s truly become much more global.”

“There’s still quite a lot of work to do, both on the gender and ethnicity side of things, but that’s all going in the right direction,” he continues. “The perennial problem is that arbitration has become a real cash cow” and he questions the need for some of the large law firm teams assigned to cases.

Beginning the millennium at US firm **Baker Botts**, Tirado had stints as co-head of international arbitration at Norton Rose (now **Norton Rose Fulbright**) and **Winston & Strawn**, before Garrigues recruited him to give the firm a foothold in the English-speaking common law world.

“I was an outlier in the sense that I was an experimental addition to the team,” he says, but the aim “was to give the Anglo-Saxon firms a run for their money. They had been very good at accumulating and establishing and building very successful international groups and so we thought we’d try and do that primarily to service our existing client base, the Spanish multinationals that you’re seeing increasingly in construction and energy and hotels”.

New business, breaking down the preconceived preference for UK or US firms, proved to be “a much more difficult sell”, unless clients had a Spanish or Latin American-specific case, but in that time, his arbitrator practice grew, which helped the firm grow its profile and set him on the path to this new venture, which he estimates will be around 80% arbitrations, 15% mediations and 5% consultancy.

Aside from his ties to Latin America, he has experience of Central and Eastern Europe, including working for Russian and Ukrainian oligarchs, and India, surmising, “that’s one of the beauties of arbitration, it is pretty varied.” The energy sector, including renewables, remains an interest since his days at Baker Botts, while he expects more technology related work to be on its way for arbitrators.

ISDS AND THE PR BATTLE

As someone who will be taking on more appointments, Tirado believes more can be done to challenge [the critics of investor-state arbitration](#) - “the NGOs and some journalists, who are either misinformed or are well informed but are anti the system because they have a particular agenda”.

“We’ve sat back and allowed it to happen; we can be a little bit better at promoting the benefits and pointing out what the alternatives would be,” he argues. That includes [investor-state mediation](#) and he believes “you need to be open to all solutions. What makes the difference between a good and a great lawyer is trying to create those opportunities for your clients, all within the strategic framework of what your client wants or needs. But most [clients] want to get rid of the issue as quickly and as

cheaply as possible”.

He is aware he is in a privileged position when it comes to international dispute resolution. “English law still being such a dominant force in international disputes really benefits us,” he says, and “London is still very much seen as the international dispute centre,” but Tirado is taking nothing for granted. “If you’re serious as an arbitrator, particularly if you’re presiding, you need to dedicate full time. Frankly there are too many people who will dabble in it as a part time thing, and you can tell the difference from those who are full time arbitrators, giving it the attention it deserves.”