

Leading the Progression of our Society

A pioneering force in both the Italian and international legal sectors, Professor Sara Valaguzza is unmatched in her commitment to bettering society through law. Following her recent award for Most Influential Woman in Administrative Law 2021 – Italy, Professor Valaguzza tells us more about her journey so far and offers her insight on the future of public law.

Based in the city of Milan, Studio Legale Valaguzza (SLV) is an experienced and innovative legal firm dedicated to supporting national and international clients through practical, creative and sustainable legal solutions. A multidisciplinary firm, SLV is highly specialised in matters pertaining to administrative and public law, public services, construction and infrastructures, grants and project financing, sustainable development, town-planning and urban regeneration programs.

At its inception, however, SLV was a much smaller operation, powered by founder and well-established practitioner in the field of administrative law, Professor Sara Valaguzza, Attorney at Law. In the firm's infancy, Valaguzza began as an advisor to the Municipality of Milan, working on a big infrastructural project in project financing related to an extension of the metro line Number 5, which spread all over this thriving city.

Valaguzza's work on this project proved pivotal, laying the foundations for the career to follow. "I studied every detail of procedures and contracts," Valaguzza tells us, "I reviewed international best practice to use them; I knew almost every document by heart. Day after day I started thinking as a public official."

"Now, I am perfectly aware of the strengths and weaknesses of public authorities as well as the ones of the businesses engaged in a public contract. It was a great opportunity that I used to the best I could."

Since then, SLV has seen significant and rapid growth, broadening its expertise and service offering around an approach that aims to guarantee excellence and innovation through a solid, creative, and sustainable practice, in order to fulfil the clients' needs in a faster way. Working with public administrations, public owned companies or private subjects cooperating with public entities, SLV has been involved in major projects throughout Italy, especially within the strategic infrastructure sector which encompasses metro lines, gas distribution systems and waste treatment plants.

For Valaguzza and her legal team, building partnerships between public administrations or public owned companies (subject to public rules) and private companies is essential to enhancing the performance of public interest in response to public need.

"A public lawyer can make the difference when they are able to provide the client with tailor-made solutions exploiting all the positive interactions of the relevant strategic framework," explains Valaguzza. "These solutions look for flexibility and efficacy on one hand, and comply with the general principles of the administrative law - neutrality, transparency, impartiality and advertising, on the other hand."

"A precise knowledge of the relevant market is also required in order to ensure to the client the best possible solution."

Fortunately, SLV boasts unmatched legal expertise in its field, and constant development of this expertise is championed by Valaguzza. "In my mind, the law is an instrument for the progress of society and lawyers play a social role," she explains. A Full Professor of Administrative Law at the University of Milan, Scientific Director of the Center of Construction Law & Management (CCLM), founding member and President of the European Association of Public-Private Partnership (EAPPP) and author of more than 50 scientific publications, Valaguzza's passion and commitment to furthering legal expertise is clear.

"We never stop doing legal research," she states. "The academic profile and the practical one can benefit each other. My academic activity is strongly linked to SLV's approach: the more I study, the better I solve complex problems. The more I teach, the better I update. A bit of sacrifice and a lot of passion. Continuous academic work makes us analyse problems in a very comprehensive dimension. As a lawyer, it is very important not to be satisfied with a single point of view."

At the moment, Valaguzza and SLV's focus is on the current discussions surrounding administrative law and the implications of the ongoing economic crisis for both the theory of law and the practice. Today, public policies must evolve to become more efficient and more resilient.

"Public administrations are also in a crucial position as they take the lead in the European economic recovery actions, under the Next Generation EU plan," Valaguzza continues. "In this context, the administrative action shall be driven by the European sustainability targets, promoting environmental protection and inclusive policies, valorising young people and women. Legal instruments, in the field of administrative law, are crucial to achieving this result. I believe relevant efforts should be directed to create a faster and simpler public procurement framework."



“When deciding how to formulate a request to the market, what to assess and what to demand from the contenders, the public authority can become the main player in initiatives orienting and guiding the country’s growth.”

In her recent book, ‘Government By Contracts: How To Create Value in Public Contracts’, Valaguzza’s thesis explores how public procurement and the contracts that arise from it are fundamental tools in governing the economy and business policy, to the same extent as the law and any regulations. “We could say that ‘governing by contract’ means governing from the bottom up, since in public tenders the initiative arises from real cases which express specific community needs,” she elaborates.

During this period of economic recovery, it is the implementation of relevant public-interested projects that will prove essential, and it is public bodies that have been charged with ensuring the fastest realisation of those projects and programmes for recovery. Consequently, SLV has been called upon to shape and manage a roster of new procedures and contracts with its clients, a welcome challenge that will dominate the next few years for the firm.

“In this regard, it is very important to set a constant dialogue process with the client on the ongoing strategy on the basis of the project,” says Valaguzza. “In our experience, clients appreciate a transparent and face-to-face consultancy on the legal and strategic aspects of the projects, managed in an informal context that is nonetheless inspired to solve issues step-by-step.”

SLV therefore offers an approach that differs from that of many in its field. This is an approach that is precise, informal, decisive and concise, which pairs with an obsessive attention to ethics to avoid conflicts of interest and a constant drive towards innovation. “We are continuously engaged in looking for innovative paths,” Valaguzza elaborates. “We try to keep up with the times both by giving flexibility to those working at SLV, and by introducing into our actions innovative legal tools that can improve our response to our clients’ needs.”

Operating on a non-hierarchical structure, SLV is a dynamic team predominantly made up of under-40s. The team is also conscientiously over 50% female, a decision made to promote equality and equity in the workplace through ensuring that women have just as many opportunities for success as men.

“I feel very fortunate to work with extremely talented people, with deep legal intelligence and values that we share,” reflects Valaguzza. “I can’t mention all of them, but I can assure our clients that each of them has been chosen because they are the best in their field.

“Eugenio Pizzaghi, Head of Real Estate and Environment infected me with his interest in urban regeneration. Monica Lauro, operating in

the strategic consulting sector, completes our consultancy for aspects relating to criminal law. Morgen Miragoli defends our clients in complicated litigation. Chiara Pagliaroli recently joined the firm and improves us with her accuracy in the analysis of tenders and contracts. We all have the opportunity to confront the most complex issues with Maria Rita Surano, from whom I learned the work and who today assists the firm as an off council.”

This team is complemented by consultants with strong expertise in energy, environment and sustainable development, as well as experts in communication and digital. This multidisciplinary firm is united by its values of deep knowledge, flexibility, collaboration, transparency and open-mindedness, values that SLV continues to uphold as it looks to the future.

Indeed, the future looks busy for SLV, with its focus directed on several key areas of interest. Among them will be the firm’s work with the European Committee’s National Recovery and Resilience Plan (PNRR), in which SLV will test a green public procurement system that is able to ensure the best competitive measures and introduce green and social purpose between the tender indicators.

SLV will also continue to push development in Italy of strategic litigations. Successful strategic litigation contributes to bringing political, economic or social changes and developments to the existing law, encouraging progress in the social and legal system of behaviours and rules. For Valaguzza, this work has already begun:

“Last January I had the privilege to discuss, before the Constitutional Court of Italy, a dispute concerning the right to the recognition of the legitimate status of child born to a same-sex couple through medically assisted procreation. In that judgement, the Court invoked the urgent action of the Legislator in order to fill the legislative gap and protect the rights of the child (decision no. 32 of January 28th, 2021). As a woman, I am very proud to have had the chance to offer my professional ability to such an important objective.”

After all, for Valaguzza, the law is a pivotal tool in the resolution of complex issues through clarity of logic and rationality. With it, we can generate sustainable social and economic growth.

“Being a lawyer is full of value for the community, not only for ourselves,” she concludes. “It is a way to contribute to making our society a better society.”

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