

IMPLEMENTATION OF TALENT MANAGEMENT ON INDOONESIAN CIVIL ADVOCATES

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ABSTRACT

This research aims to understand the talent management and its implication that are very significant to be explored due at the ontological level and sociological level. The problem is very interesting to be analyzed by conducting a qualitative research method based on strategic human resource management theory. Data were collected through in-depth interview to several advocates in Indonesia, supported by observation and documentation. Data were analyzed by using interactive models are data reduction, data display, data verification, and supported by triangulation. The results were based on ontological level and sociological level using talent management perspective and its implementation that are needed for providing information to stakeholders related regarding to update the regulations in advocates policy. This result provides inputs for making better regulation and policy for state agencies as public officials, academicians, and practitioners.

Keywords: Soft Skills, Hard Skills, Competency, Talent Management, Civil Advocate.

INTRODUCTION

The phenomenon that occurs in many young advocates in Indonesia today is that they can immediately open a legal consulting service practice even though senior advocates have to go through a long process. This causes the image of advocates who are supposed to defend human values to become unclear. Talent management for civil advocates in Indonesia should be an added value for clients. Talent management needs to be managed properly to create good performance standards and integrate a framework for advocates. More in-depth research is needed to explore talent management for advocates and the supporting factors.

Every advocate has a different way and mindset in dealing with legal cases that occur (Wall et al., 2016). The experience of lawyers is one of the causes of differences. Experienced advocates will offer greater mediation pathways (Agapiou & Cheung, 2017). The increasing number of advocates at this time is in line with the development of problems outside the judicial process and the growing legal needs of society in an increasingly open life in social relations. Advocate organizations are required to use accurate information and knowledge about the external and internal environment in making strategies (Harrison, 2014). Strategy is considered as an approach used by organizations to achieve success in competitive advantage. Therefore, advocate organizations must have a management strategy to achieve success and competitive advantage. One of the management strategies implemented is the Human Resource Management (HRM) strategy. HRM is related to employee attitudes, behaviors, job satisfaction, that affects performance and related to talent management (Lengnick-Hall et al., 2011).

HRM can turn to the crisis although there are potential problems. HRM identify all effects as well as corrections for limitations and practical (Ones et al., 2017). Training is a

major concern for organizations creates a specific accountability and considers relevant work to adopt appropriate accountability in order to enhance learning. Accountability consists of clarity of roles, perception of ownership, and control of learning useful for facilitating transfer in different workplace contexts (Grossman & Burke-Smalley, 2018) Large degree of heterogeneity in terms of training proves that all training programs mostly using methods of delivering training materials and varying in duration and number of training sessions (Eby et al., 2019). Job interview results are prone to bias or misinterpretation. There is a need for an interview based on social interaction, information processing, and decision making. Situational factors explain their impact on the interview results (Derous et al., 2016).

Individual differences in intellectual abilities are important for success in the modern business world. Cognitive abilities influence successful behavior at work. Paying attention on skills and competencies needed for success in the workplace need decision making and strategic thinking skills (Reeve et al., 2015). The selection system in organizations has improved. The extent of this system affects the effectiveness of recruiting job applicants (Stone et al., 2013). Organizations are developed through human resource management to create competencies. Three important elements for developing organizational capacity are specific cognitive abilities, behavioral characteristics, and contextual conditions with the support of individual-level employee contributions (Lengnick-Hall et al., 2011).

The differences of above previous research on talent management have to be managed by enforcing standards to be setup. Following up previous study gap and the phenomena, so this study analyzes a multi policies approach regarding on talent management and its implementation in Indonesia. This research should be able to develop science in talent management, expand knowledge among academics, develop the concept of talent management, as well as become a reference material for deepening and enriching scientific repertoire regarding talent management. Based on the epistemological and sociological description of talent management theory for refining the research, it can be stated that making multi-policies and regulations is a part of talent management. This research should be able to provide an input for the executive and legislative parties in making reforms in the field which is feasible, comfortable and safe for the community. This research can also be used as input for related institutions in reviewing any policies related and its implementation. This research is expected to be able to give a caring attitude in order to understand the inconsistencies in talent management.

LITERATURE REVIEW

Indonesian Civil Advocates

Legal institutions or law enforcement agencies are officers who carry out law enforcement. Traditionally, in Indonesia legal institutions that enforce law are the Police, Prosecutors' Office, Judiciary and Advocates. In carrying out their profession, an Advocate is bound and must submit to their respective professional ethics (code of ethics). Professional ethics (code of ethics) can be said as a guideline in carrying out the profession and generally contains obligations, rights, and prohibitions that must be obeyed.

PERADI is one of advocate organization that has management strategies to achieve success and competitive advantage. The development of human resources can be carried out in all sectors such as in the legal institution sector with the aim of having workers who apply the law so that the rules are made is fair. The law office is one that applies human resource development so that it can get a talented Advocate who can provide added value to clients and to build organizational uniqueness.

Objective evaluation is needed to maintain talent management so that the talents of each Advocate can be identified and can know in detail the information about the relative

talents of each Advocate. This information is important for management decisions as well as for individuals as feedback in improving their abilities. At the law office, the term of talent is equivalent to the term of high-performance people who are recognized that having the potential to become partners in the future.

Advocate's job is as a legal advisor, the main thing to do is find answers or interpretations of the law, then talk to clients and offer a choice of what the client needs. Searching for information that needed in handling client problems is also one of the important things that Advocates must pay attention to. So that it can set and achieve goals in providing services to clients.

Advocate skills include hard skills related to legal knowledge, analysis, and legal solutions. Soft skills such as client and businesses related skills such as communication, client relations, project management, and business development and advanced leadership skills related to advocate management at the law office. Advocates' skills will affect job satisfaction and career success. Talent management in the law office aims to choose high-performance Advocates for career advancement. Advocate is part of law enforcement systems that obligated to provide legal assistances for society that need ones.

Talent Management

Human resources are considered as important strategically for company to achieve its competitive superiority. Therefore, law firm must have strategic management to accomplish its superiority in competitive atmosphere. One way to achieve it by implementing Human Resource Management (HRM). HRM is a system that contains practices in human resources management.

Practices or process related to HRM, among others, is talent management. The policy in HRM has long-term objectives, since talent management is considered as key element for sustain organization, in which human resource planning is integrated with business development.

Talent Management makes it possible to objectively evaluate and identify overall talent on an advocate. Objectivity in evaluation is important to support management decisions and provide feedback to advocate. Therefore, the advocate could compare his talent as well as able to manage his career. Talent management is important to identify the most talented advocate and to ensure the career escalation that gives additional value to clients and business. In law firms, the term of talent is recognized as high performance, as the person with that acknowledgement is potential to be offered with future partnership.

The development talent management program, law firm and decision makers on law firm management will start to think about potential skills that should be retained. This should be conducted to identify skill behaviour designated to achieve success, where in its implementation considers the skill of the most talented advocate, company's culture, strategic objectives, and benchmarking with other firms. The success of every company relies on the ability of human resources, which presumes as the component that its quality will affect the result of company's achievement. Human resources should have skills that divided into 2, which are soft skill and hard skill.

The development of human potential, through formal and informal education is a necessity. It was appointed not only formal education, but informal education should also be involved in soft skill development. This informal learning is acquired by a person in his family and neighbourhood. The point is it could be learnt from someone's daily life.

Soft Skills and Talent Management

Soft Skills is a personal competence such as social aptitudes, communication capability, friendliness, and ability of working in team. Soft Skills are strategic to be

successful in personal and professional life then is essential for a candidate when he tries to obtain any kind of job. Soft skills are not only the technical expertise and knowledge needed for a job. Soft skills are interpersonal qualities, also known as people skills, and personal attributes that one possesses.

The competency research related to management, essential competencies include skills that can be classified as soft skills. Professionals are a vital resource to the firms and the industry at large. Employees' skills, knowledge and competence contribute in great measure to organization's business performance. The highest contribution of our environment was in the effectiveness of the teamwork and the overall development process of the project.

A survey was conducted with 108 project management professionals in Partial least square (PLS) structural equation modelling was employed and results showed that soft skills of project managers significantly contributed to project success factors and hence the project success. The relationships between employees' acquisition of soft skills, the training methodology adopted by the trainer, and work performance indicate that soft skill acquisition and training methodology significantly predict employee performance.

This is especially true for the types of training that have been traditionally referred to as hard-skills (technical) and soft-skills (intrapersonal and interpersonal) training. The work on training transfer has almost been exclusively based upon soft-skills training. This focus on soft skills may be warranted by the specific difficulty in transferring soft skills (intrapersonal and interpersonal) rather than hard skills (technical). Soft skills could be developed through a holistic comprising family, self, industry, academia, and resources. Further research could be to delve into the cultural factors. Skills set which is fundamental for the development of an innovative mindset of young people and consequently their personal development are understanding of the characteristics of leadership, creativity, self-efficacy, energy and risk-propensity.

Based on the explanation of soft skills and the relationship with talent management can be develop hypothesis 1 is *"Soft Skills has a positive influence towards Talent Management."*

Hard Skills and Talent Management

Human Resource Management is a comprehensive and strategic approach in managing the human resource and culture in work environment. This is the baseline of statement that the improvement of performance quality in law firms could be achieved by implementing Human Resource Management. Several cases indicate that an advocate is demanded for additional skills beside his legal skill. Hence, an advocate as an individual is considered important in a law firm. Therefore, it is necessary to maximize human resources' skill as the reflection of organizational success.

Skill development could be added value for advocate in developing human resource, one of them building the relationship with clients. The improvement of human resource has 4 models that cover career planning career development, organization expansion and work assessment management.

The success and the superiority of an organization could be accomplished by developing advocate's hard skill in law firm, as one of the strategies. There are two factors that could influence hard skill, which are environment and physical ability. Challenging work environment and complex work environment provide certain impact on skill escalation. Skill escalation positively influences to work duration. Therefore, to create longer work time, skill enhancement is required. The talent of an advocate could be identified by using skill approach. One of the skills that could be easily identified from an advocate is hard skill. Hard skill is defined as a skill that correlated with knowledge about law, analysis, and legal solution. Hard skill of an advocate could influence his activity towards client in legal service.

Hard skill (technical skill) is required in one's career. Assessment on hard skill for its development is necessary to be performed, thus the development could be carried out because of evaluation and the requirement of advocate's hard skill. Hard skill development is important for innovation, social welfare and productivity based on the demand of digital era and work's automation. The development and hard skill design are influenced towards competitiveness of a company that in line with existing development. Based on the explanation of hard skills and the relationship with talent management can be develop hypothesis 2 is "*Hard Skills has a positive influence towards Talent Management*".

Competency and Talent Management

Competency is the ability to do something work based on skills and knowledge and on support by the work attitude demanded by the job. The conceptual model of competency seeks relationships between variables followed by related indicators. The purpose of this model is to find advocate competency to support quality advocates.

In measuring competence at the law firms, it could be performed by identifying the behavior or the active of an advocate specifically that represents performance's characteristics of an advocate. The characteristics are highly related to document, referring to documents in accomplishing a case or documents that related to clients. The competence's measurement at the law firms is more important managing and developing education to advocates. Using the competence approach, law firms will have superior and consistent method in making improvement and decision that represent the value of an organization as well as providing clear information to advocates so they can run the task effectively for their career escalation. Through the competency improvement, law firms or other service organization could start to think about skill and critical ability that have already.

Advocate is a lawyer of law expert that has obligation as an advisor or case defender in the court of law. Terms of Advocate has been noted for hundreds of years and identically with advocate, attorney, rechtsanwalt, barrister, procureurs, advocaat, abogado amhothers in Europe that later was taken over by other countries that colonized by it. It was mentioned in constitution No. 18, year 2003, that advocate is a person that has practice to provide legal services, inside or outside the court of law that fulfil the requirement set by existing constitutions, as am advocate, lawyer, legal advisor, or legal consultant. Service provided, among others are legal consultation, assisting, defending and running the attorney process on behalf of the client. In developed countries, recently the advocate plays important role besides the provider of legal services, in managing broader social matters. Hence advocate should run important role in accomplishing dispute in handling the case.

Due to higher demands on cases in line with quality development of advocate that lead to many complaints due to untrained advocates in production management, project or commercial and tends not to develop his skill properly. Therefore, it is considered as important to conduct research regarding to that issue. Based on the explanation of competency and the relationship with talent management can be develop hypothesis 3 is "*Competency has a positive influence towards Talent Management*".

Performance and Talent Management

Performance is the achievement of employee duties and reflects how well employees meet the requirements of a job. The conceptual model of performance seeks relationships between variables followed by related indicators. The purpose of this model is to find advocate performance to support quality advocates. Human resource management considered as a tool to gain beneficial competition, since this HRM practice is considered in line with organization's strategy to obtain higher organizational performance. HRM is a human

resource distribution pattern that is well-planned by organization and objected to achieve organization's goals.

The development of human resource could be employed on every sector, including law sector, with the purpose of having the individuals that could apply law for implementing righteous regulation. Law firms are one of the offices that apply the development of human resource, hence a talented advocate could be found to provide additional value to clients and to generate the uniqueness of an organization. HRM practices are designated to enhance the employees with the knowledge, skills, ability, motivation, and opportunity to contribute on positive things. The activities or processes that correlated with HRM, one among others, are talent management could be employed as the development of several potential talents that have high performance.

Recent reality tells the opposite, since many reports from clients are found regarding to the unsatisfaction towards advocate's performance. It is possible to happen due to the absence of training about quality management and commercial that leads to the lack of skill in solving the cases.

The activities that conducted by advocates not limited only to legal arguments inside the courts, but also cover professional tasks, such as proposing or receiving legal documents, gathering evidence, and proposing appeal on behalf of clients and other judicial activities. Advocate should dedicate himself to serve a client in anyway, unless if the efforts are against the law or restricted by the rules of advocate's ethical code. Good advocate is an advocate who professionally pursues the clients' benefits. In running the task, advocate acts as guided by advocate's ethics code appropriately and competently. Based on the explanation of competency and the relationship with talent management can be develop hypothesis 4 is "*Performance has a positive influence towards Talent Management*".

Success and Talent Management

The research on advocate about development of human resource stated that with higher demands on cases settlement will lead to decreasing advocate's quality. To overcome this, a consistent advocate is required to solve problems and handle a law case professionally by obeying the ethical code of advocate properly. In both internal and external environment, a thought about strategy should be considered optimally for accurate information that able to obtain proper success in resolving existing cases to be faced by an advocate.

Advocate's role in developed countries is very important in resolving dispute in a law case. Therefore, services such as legal services to broader social matters should be considered. To achieve impartial law process, advocate has right to represent clients during law process. Every advocate has perspective, mindset, and various kinds of law training to be able to solve a law case effectively.

One of the strategic managements is a human resource management (HRM), in which there are practices of Human Research Management (HRM). The focus of Human Resource Management is how an employee could adapt to environment change. At this point, an objective synchronization is required to be fitted with employee's necessities. Hence, an employee will be able to develop and describe the existing skills that he has. Success determination in performance management could be seen from organizations that success in implementing performance management.

There are influences from certain variables and indicators that have been analyzed in the success of an advocate. The assessment towards clients and law firm's uniqueness are related to the knowledge and talent of an advocate. In this case, talent management paradigm is closely related to with human resource management. A talent from an advocate should be maintained by performing evaluation addressed to detail identification. The activity of identification, maintaining to more talented employee's development is the definition of

talent management. Career enhancement and higher performance with certain benchmark to improve standard performance to be later integrated in the framework of competency. Based on the explanation of competency and the relationship with talent management can be develop hypothesis 5 is “*Success has a positive influence towards Talent Management*”.

METHODOLOGY

A qualitative research strategy can be applied if the research problems need to be explored deeper or followed up on previous quantitative research due to a previous theory or concept that is still considered unable to capture the complexity of the problem under study. A qualitative research approach produces descriptive data in the form of words or writings and behaviors that can be observed from the subject and object of the study itself. The qualitative approach was chosen because it is in accordance with the aims of the research to describe and understand the phenomena, events, social activities, attitudes, beliefs, and perceptions of people (Creswell & Poth, 2016).

Data collection in this research was interviews, observation and documentation. In-depth interview was conducted and performed to key informants. Participant observation was conducted by authors and team to obtain records in the field of study. Related documentation was gathered from many sources such as internet media and library documents. Data analysis was using 3 steps, which were data reduction, data display and data verification refers to the interactive model. Data reduction is to sort out the main data, data display is to present the data, and data verification is to conclude the main themes of the results (Miles & Huberman, 1994).

Validity and reliability used triangulation based on the observation, in-depth interviews, and documentation analysis to obtain valid and reliable data coping credibility, transferability, auditability, and conformability. Credibility was related to the truth aspect by means of triangulation to compare the results of an interview with the results of interviews with colleagues. Transferability shows the applicability of research to other studies that readers can understand the results of qualitative research. The report is made in a detailed, clear, and systematic manner. Auditability means that it can be tested by examining the entire research process, since designing case studies, determining data sources, data collection, and data analysis, make conclusions, can be traced and showing the processes and results. Confirm ability relates to the objectivity that the research results are agreed and accepted (Creswell, 2009).

RESULTS AND FINDINGS

Based on the data collection by several interviews to key informants, supported by observation, and related documentation, and then data were analyzed use data reduction, data display, and data verification, it can be resulted as follows.

Talent management advocate means more on talent and managing talent for advocates. There are two possibilities for successful people, because of talent and self-development. Not entirely talent alone, but there are those that come from self-development. Although people do not have talent, they can learn and develop themselves so that they can be successful. This will determine the indicators related to talent management. If you don't have talent but are painstaking, you can graduate quickly. So there needs to be a point of contact between talent management and self-development so as not to be confused. Talent cannot be separated from the background that will affect the mindset of the small brain to imitate what his family used to be like. Background can be added as an element of talent. There needs to be an additional indicator that comes from the background or background of the advocate.

It is also necessary to evaluate the phenomenon on why it is easy to become an advocate. It is necessary to examine the decision of the Supreme Court which declares advocates as a single bar as the norm in the appointment of advocates. Managing the talent of advocates will be easier by being given freedom, but the drawback is that it is difficult to absorb the aspirations of the advocates. There is no standardization so it will be difficult to develop yourself. The next issue was that the Supreme Court issued a decision on cassation which became a contradiction and made advocates agitated. In associated with the organization of advocates, it will be a single bar or multi bar, then all there are consequences. When you become a single bar (single organization) it will be easier, including in carrying out discipline. But its weakness is that it is very possible that it is not able to absorb, accommodate the aspirations of the interests of advocates. Multi bar adjusts the freedom of association of organizations so that their right to set up an advocate. The downside is that they go their separate ways.

Talent management for advocates also needs to be sharpened by highlighting practical advocates versus visionary advocates. It is necessary to add references to civil law and common law and then by bringing up ideas about self-development for advocates. Emphasis is needed on practical studies so that it can lead to the view of advocates as a noble profession. Talent management for advocates must also master the field of information technology. The selection team at law firms needs to select candidates who have talents related to information technology. And later there will be natural selection which is not easy for everyone to become an advocate.

It is also necessary to distinguish between law of school and faculty of school. Indonesia is an adherent of the faculty of school, in other countries it is law of school. The first lesson is contracts, agreements, and engagements; it is given at the first year. In the third year, business contracts, including marketing, have been introduced. The practice of an advocate must emerge by highlighting its position as a practicing advocate whose substance is visionary and practical. In accordance with the objectives, namely developing and strengthening the advocate profession, maintaining and developing the advocate profession, and people who work in the area or advocate's office must have high performance. It is recommended to come up with ideas that would not hurt if in the future the advocate profession will become more respectable.

Talent management must be able to promote by digitalization. The advocate profession must be IT literate. Talent management for advocates must master good technology. In the digital era, any profession must adapt to the development of information technology, including the advocate profession. Along with the rapid advancement of technology in this digital era, it requires the advocate profession from any advocate organization to develop their own ability to develop technology or commonly called cyber lawyer. The challenge for cyber lawyers is in the era of increasingly rapid digital technology because case registration in court already uses the e-court system. There is still a lot of space that advocates can use in the digital era, such as online consulting services to information on other technology-based services. Advocates must be able to adapt to this. Service to the community is not only legal assistance in court, but also provides legal information services for the community. Such as creating creative content regarding various legal problems in society. In addition to sharing knowledge with the community, the community can assess the quality of advocates in assisting cases in court and out of court.

Talking about advocates has to do with superior quality. When it comes to advocates, they also talk about regulations as a differentiator. What are the variables that affect talent management as a cumulative of a theory? Separation of problems discusses the problem of advocates or the role of advocates. Soft skills and hard skills of advocates whether considering values, morals, or ethics as an advocate's integrity. Ethics is about someone being an advocate following the rules outlined, whereas if the ethics is formalized as a guide, then it

becomes a code of ethics as the foundation. Ethics refers more to behavior. Ethics is higher than morals. An advocate's oath should have a clause to protect colleagues, not only clients. Ethics talks about how an advocate follows the rules outlined and formalized into a code of ethics. Advocates do not maintain ethics, therefore a code of ethics and morals and an oath are needed. Talent management advocates related to the selection process and the interests of advocates. There needs to be skills and performance to achieve success. Talent management for advocates explains that the role of advocates is not yet optimal. Talent management needs to consider information technology and commercial also needs to be considered. In addition to the ethics of the advocate, it is also necessary to pay attention to the background of the advocate. Talent management is not only analyzed mechanistically, there needs to be a humanistic analysis to get results, so there needs to be talent management efforts by enriching ethical factors, information technology, and the family background of the advocate. In the aspect of human resources, it is necessary to have a system of recruitment, selection and development of human resources so that they can create practical contributions.

CONCLUSION

Based on the analysis and discussion of the research result above, it can be concluded that conflict resolution and its implementation requires interaction, collaboration, and decision-making. The interaction between government, community, private sector, and stakeholders, to reach the best of conflict resolution and its implementation is the priority step. Implementation is an important stage, because no matter how good a talent management that has been developed, it will be in vain if there is no effort to implement it because it will not bring the desired goal. Without effective implementation in, the decision making of will not be successfully implemented. The success of a talent management and its implementation has several variables that influence it, such as soft skills, hard skills, competency, performance, and success. It is suggested that in making multi-policies related have to be involved and implied for revising better talent management. The related institutions in making regulations should be conducted for making better and covering the holistic talent management policy and its implementation.

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