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Administrative and Constitutional Law

Francisco Montes is the partner in charge of the Administrative Law Department in Andalusia and the Canary Islands.

Lawyer in the Andalucía Regional Government (on leave of absence), ex lawyer of the Supreme Court.

Degree in Law, Universidad de Sevilla.

Experience

Francisco Montes is the partner in charge of the Administrative Law Department in Andalusia and the Canary Islands.

Tenured civil servant in the Legal Service of the Andalucía Regional Government, which he joined based on his law degree. He began his professional career as a lawyer in the Andalucía Regional Government in Seville in 2005, and was the highest-performing student in his graduating class.

During the first stage of his career, in the area of litigation, he handled numerous court proceedings in the various jurisdictions, acquiring extensive experience in litigation, particularly in the judicial review jurisdiction.

In 2009 he was seconded to the Supreme Court (Madrid), as a lawyer in the Technical Office of Chamber Three, consolidating his career in the field of litigation.

From 2010 to 2014, he was made head of the Legal Service, in the Environment and Territorial Planning area, of the Andalucía Regional Government and subsequently of the Department of Economy, Innovation, Science and Employment, as well as of the Employment Service of Andalucía. During this time, he also assumed board secretary duties for the Governing Board and Advisory Board of the Andalucía Energy Agency and provided advisory services at the Andalucía Knowledge Agency.

From 2014 to 2022 he was granted voluntary leave of absence, taking over as head of the public law area of prestigious national and international law firms in Andalucía, Extremadura and the Canary Islands. In this area of the private sector, he handled numerous cases in the judicial review jurisdiction and provided legal advice to public, private and public-private entities.

From 2022 to 2023 he was Director of the Legal Department of the Provincial Tax Agency of the Huelva Provincial Government, increasing his knowledge of the local area. During this period he was chairman of the Huelva Provincial Government's Contractual Appeals Tribunal.

In August 2023 he was named Managing Director of Tourism of the Andalucía Regional Government.

In addition to the duties inherent in that position, he has also been the director-trustee of numerous agencies, companies and public foundations (Empresa Pública de Turismo Andaluz, Fundación Real Escuela de Arte Ecuestre, Agencia de Medio Ambiente y Agua de Andalucía, Agencia de Puertos de Andalucía, Fundación Legado Andalusí, INTURJOVEN, Red de Villas de Andalucía, etc.). He has also been a member of the Andalucía Tourism Department, of the Andalucía Territorial Planning Advisory Board, of the board that drafted the Andalucía Master Plan, of the Andalucía Self-Employed Workers Board and the Andalucía Bullfighting Affairs Board.

Over the course of his long professional career in both the public and private sector, he has acquired an in-depth knowledge of administrative law. He specializes, among other areas, in public procurement, competition and the single market, penalties, the environment and energy, costs, the integral water cycle, property regime, public employment, condemnation, land planning and zoning, subsidies and financial and accounting liability. He has handled cases in all jurisdictions, including the Constitutional Court, Supreme Court and Court of Auditors. He has participated in the drafting of multiple statutory and regulatory provisions, in the negotiation of constitutional disputes, proceedings involving the infringement of Community regulations and public compliance plans.

He has completed his professional experience with ongoing training at the main, specialized Spanish institutions (Training Service of the General Council of the Spanish Judiciary, Spanish National Public Administration Institute, Spanish Markets and Competition Commission, Spanish Energy Club, etc.).

Academic background

Degree in Law, Universidad de Sevilla.

Teaching activity

Universidad Loyola Andalucía, lecturer on the specialist course on public contracts at Instituto de Estudios Cajasol, lecturer on the Master's Degree in Public Procurement at Universidad Internacional de Andalucía and lecturer on the Master's Degree in Administrative Law Public Finance Law at Instituto de Estudios Cajasol, among other postgraduate schools.

He is also a regular speaker in several specialist legal forms, professional schools and training institutes for civil servants (Instituto García Oviedo, COSITAL, INAP, IAAP, FAMP, Escuela Internacional de Servicios Públicos, etc.) and an in-company trainer on public contracts and compliance in public and private companies.

Memberships

He is a member of the Legal and Economic Affairs Board of the Archbishopric of Seville and a trustee of Fundación Francisco de Paula de Protección de Menores, among other institutions.

Publications

Francisco has published numerous articles in specialized journals and collective works, including:

- “Comentarios al Estatuto de Autonomía para Andalucía” (Commentary on the Charter of Autonomy for Andalucía). Co-author (collective work), Asociación de Letrados de la Junta de Andalucía. Ed. IAAP, 2008.
- “El trámite de audiencia en el procedimiento de elaboración de disposiciones normativas que suponen riesgo cierto de fuga del Derecho Administrativo” (Hearings in the procedure to prepare legislative provisions that involve a certain risk of moving away from administrative law). Revista de Jurisprudencia, núm. 1, November 2010. Ed. El Derecho.
- “Protección del litoral y lucha contra el cambio climático en Andalucía a la luz del Proyecto de Ley de modificación de la Ley de Costas. Necesidad o conveniencia de articular mecanismos de colaboración realmente eficaces contra los efectos del cambio climático” (Protection of the coastline and the fight against climate change in Andalucía in light of the Bill amending the Coastal Law. The need for or advisability of putting genuinely effective collaboration mechanisms in place to combat climate change). Co-author. Revista Andaluza de Administración Pública, núm. 84. 2012.
- “Manual sobre Responsabilidad Patrimonial de la Administración Pública (Handbook on the Financial Liability of the Public Authorities). Co-autor (collective work). Ed. Instituto Andaluz de Administración Pública, 2015.
- “Régimen Jurídico del Sector Público y Procedimiento Administrativo Común” (Legal Regime of the Public Sector and Common Administrative Procedure). Co-author (collective work). Ed. Thomson Reuters Aranzadi 2016.
- Co-author of the Practical Handbook “La compra pública de innovación en la contratación del sector público” (The public purchase of innovation in public sector contracts). Instituto Nacional de Administración Pública. 2019.
- “Comentarios a la Ley de Contratos del Sector Público” (Commentary on the Public Sector Contracts Law). Co-author (collective work). Published by Civitas, 2024