



**LAWYER TO LAWYER MENTORING PROGRAM  
WORKSHEET N1  
JOB SEARCHING FOR LAWYERS**

WorksheetN1 is intended to facilitate a discussion about a legal job search if your new lawyer is currently not employed in a legal position or is looking for a new legal job.

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- Discuss with your new lawyer the difference between a job and career. Example topics include:
  - Should you take any legal position just because it is a legal job?
  - Should you take any job just for the money?
  - What are the advantages and disadvantages of working as a clerk for a firm or legal organization? What are the advantages and disadvantages of working on a contract basis?
  
- Discuss with your new lawyer strategies and tactics you have used in successful job searches. Recount how you found your first legal position and how that position measured up to your expectations. Explain how you continued on in that legal position or later left it behind for the next step in your legal career.
  
- Discuss the pros and cons of utilizing job-hunting resources, including:
  - Head hunters and job search firms
  - Résumé banks
  - Online job posting boards (moster.com, careerbuilder.com, careers.ohio.gov, etc.)
  
- Networking
  - Discuss how a new lawyer may network at the following entities:
    - Bar associations
      - Events for the full membership
      - Committee meetings
      - Educational programs
    - Civic organizations
    - Religious organizations
  - Discuss how a new lawyer can network online by using social media such as LinkedIn, Facebook, Networking for Professionals, etc.
  
- In regard to interviewing, discuss the following:
  - How does a new lawyer best prepare for a job interview?
  - What is a potential employer looking for during a job interview?



- What kinds of questions should a new lawyer expect to be asked?
  - What kinds of questions might/should a new lawyer ask a potential employer?
  - How should a new lawyer follow up with an organization after an interview is completed?
- Discuss the attached article, “The Riley Guide: Network, Interview, and Negotiate or How to Job Search.”
- New lawyers who are unsure of what practice area is the best fit for them should review the attached materials from *The Legal Career Guide, From Law Student to Lawyer*, Fifth Edition, by Gary A. Munneke and Ellen Wayne, 2009. Appendix D.
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### RESOURCES

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- Nonlegal Careers for Lawyers 5<sup>th</sup> edition by Gary A. Munneke, William D. Henslee and Ellen Wayne. ABA Law Practice Management Section and ABA Law Student Division. 2006. Chapter. 6.
- Networking and Interviewing: An Art in Effective Communication. Journal article by Catherine Smith Macdermott; *Business Communication Quarterly*, Vol. 58, 1995.
- The Riley Guide - <http://www.rileyguide.com/netintv.html>

# **The Riley Guide: Network, Interview, & Negotiate or How to Job Search**

## **Networking to Enhance Your Job Search**

January 2011

Revised January 2011

### **What is a Network?**

I bet you have a network you don't even recognize.

According to Merriam-Webster, one of the definitions of network is "a usually informally interconnected group or association of persons". These associations can be personal relationships with friends, family, and others you meet in an informal gathering. They can also be business relationships you develop with vendors, customers, supervisors, subordinates, and even competitors you encounter during the course of your career.

In her article, *Everyday People Key in Job Networking* (Denver Post, March 30, 2003), Kelly Pate wrote that "Friends, friends of friends, a barber, a neighbor and former co-workers are often the best resources for job seekers, especially in a market with far more people out of work than job openings, job placement experts say." Your network is only limited by the company you keep, both on and off the job. Just don't think the only time you are networking is during a job search.

You are networking when you...

- attend professional meetings, conferences, or conventions
- visit with other parents during your child's sporting or music events
- volunteer for "clean-up" day at the park
- visit with other members of your social clubs or religious groups
- talk with your neighbors
- strike up a conversation with someone else waiting at the veterinarian's office
- search out friends (current as well as former) on Facebook
- re-connect with former colleagues on LinkedIn
- talk to sales persons visiting your office

### **In Terms of a Job Search, Networking is the way to Go!**

**Networking is consistently cited as the Number 1 way to get a new job.** You know how everyone says that "80% of the jobs available never get advertised? This is how you find them and get them!

According to CareerXRoad's 9th Annual Sources of Hire Study (Feb 2010, PDF) "referrals make up 26.7% of all external hires (new employees hired from outside the organization). [...] The yield for referrals is one hire for every 15 referrals, making this category the most efficient source by far." (Since I know you will ask, "Hires attributed to Job Boards represent 13.2% of external hires.")

Those who make the actual hiring decisions would much rather talk to someone who has been recommended by someone they already employ. This is your first reference check, which saves the hiring

## Advantages of Online Networking

- There are thousands of discussion groups and community forums covering hundreds of subjects.
- You can "break the ice" before meeting someone in person.
- You can listen, engage, or be engaged as you wish. No one can see you sweat, and you don't have to feel like a wallflower since no one can see you standing off by yourself.
- Many recruiters are lurking the lists to find potential candidates.

## Disadvantages

- Networking online is just as difficult as networking in person! It may actually be even more difficult because you can't establish a true connection online.
- First impressions count even more. Be very careful with your first public posting.
- Your online behavior matters more than you think. Don't be a jerk! I really mean it!

You may chuckle at that last one, but a friend of mine who participated in a mailing list for professional engineers told me that one participant on the list was so nasty online that no one would attend his presentations at conferences nor refer business opportunities to him. *Talk about having your online persona affect your offline reputation.*

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## Netiquette: The Fine Art of Correct Behavior on the Internet

The basic rule:

### **Do not go boldly where you have never gone before!**

1. **Stop** and learn the rules of behaviour in effect in this particular group and follow them!
2. **Look** for a list of Frequently Asked Questions (*the FAQ*) so you don't ask the same questions that everyone else has many times before.
3. **Listen** patiently to the discussion groups you have joined and learn the tone, language, and culture of the group.
4. **Never** post your resume to the list nor openly tell the entire list you are job searching and ask if anyone can help you unless the group is specifically set up for this kind of service.

We have several articles discussing Netiquette on our page of **Networking Tips** along with some alarming information on The Internet As A Job Reference. **They are required reading before you start strutting your stuff online.**

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## Where to Network Online

- In mailing lists and discussion boards, look for postings by someone who seems to be knowledgeable about the topic being discussed. Note his or her email address at the top, and look for signature information citing their organizational affiliation, position in the organization, and more complete contact information.
- In a social networking site, limit yourself to contact with whom you can claim a valid (if limited) connection -- you are both former employees of X, you are both graduates of X, you are both members of X association, mailing list, or discussion group. If you cannot make any of these claims but you know someone in their network who is also in your network, ask that person to introduce you.

Once you have identified some persons you want to contact, prepare your initial contact carefully. Be professional and especially polite, and double-check for grammar and spelling errors before sending your message.

1. **Be sure to contact the person directly and not through the list.**
2. **Be concise.** Identify yourself, state why you are contacting this person, and list some of your interests and where you noticed some correlation with his or her interests as noted in the postings you've read.
3. **Do NOT send this person a copy of your resume.** You are networking, trying to establish a relationship that extends far beyond just "please help me find a job." A resume will blow everything to bits at this point. Just relax and let the relationship build to a point where a resume will be requested or you feel comfortable asking for advice on preparation.
4. **Request a follow-up to this email, via phone or email.** Give your contact the choice of how to continue.

If you are trying to make a connection through a site such as Facebook or LinkedIn, I suggest you add a personal message to your request. Again, keep it concise but also cite your connection, such as "I recognize you from last year's alumni gathering at X university. May I add you to my professional network?" This type of introduction and request will garner many more positive responses than the standard "may I add you to my professional network" generated by these services.

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## Need More Info or Assistance?

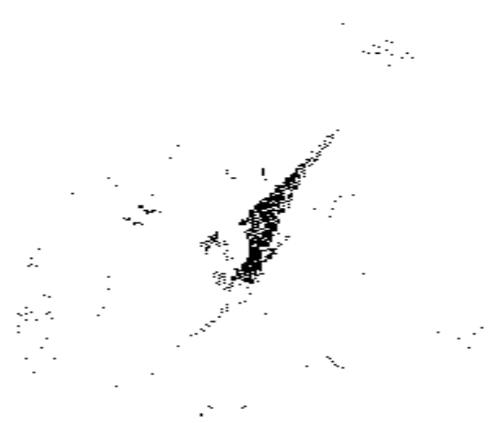
We also have information on [Networking and Support Groups](#), [How to Network Online \(and Why\)](#), and [Networking and Support Groups](#). The resources on our page for [Job Search Guidance](#) may also have helpful ideas for you.

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More job search activities: [Find Job Leads](#) || [Target through Research](#) || [Prepare & Post Your Resume](#)

Return to [Network, Interview, & Negotiate](#) or [How to Job Search](#)

Career Series



**The**  
**Legal**  
**Career**  
**Guide**

FROM LAW STUDENT TO LAWYER

**Fifth Edition**

**Gary A. Munneke | Ellen Wayne**

## Appendix D LAW FIRM PRACTICE STUDY

The information in Appendix D was developed by Major, Lindsey & Africa, a leading legal search firm. The study describes a broad range of substantive practice areas with key elements of each. The authors appreciate this contribution to *The Legal Career Guide* by MLA.

### ADMINISTRATIVE LAW

Practice Area	Description
Administrative	<ul style="list-style-type: none"><li>• These attorneys represent companies before government agencies such as the FCC, FTC, FDA, Consumer Product Safety Commission, etc. They aid clients who are the subject of enforcement actions, ensure corporate compliance with regulation and challenge regulation. Challenges are typically brought on constitutional grounds.</li><li>• Federal practice is heavily concentrated in Washington, D.C. There are smaller state practices in state capitals.</li><li>• Attorneys in this practice typically focus on one agency, so there are FDA attorneys, FTC attorneys, etc. The SEC is the most glamorous.</li><li>• The day-to-day work involves drafting, negotiation and client counseling. The drafting includes a wide variety of documents, including everything from constitutional briefs to license applications to disclosure documents.</li><li>• People who like this profession like working at the intersection between government and business, and appreciate that this is a recession-proof industry. Many partners in these practices come from agency commissions.</li><li>• People who leave this practice typically do so because they are frustrated by governmental bureaucracy.</li></ul>

BANKRUPTCY LAW	
Practice Area	Description
Bankruptcy	<ul style="list-style-type: none"><li>• This practice combines the representing and counseling of clients who are considering or going through bankruptcy, or the representation of creditors of such companies. The basic premise is that there is a limited pool of assets and all the creditors are fighting to get the greatest amount possible. This practice is a hybrid litigation/counseling/contract practice.</li><li>• The day-to-day work includes standard litigation tasks plus drafting agreements such as loans documents, licenses, etc. The trials, though, are not jury trials, and there is only a limited right to appeal. There is a lot of negotiation involved in this practice.</li><li>• Bankruptcy is governed by a special set of rules and can take a while for new attorneys to master.</li><li>• This practice is great for people who like deals and who enjoy negotiation. Also, the lawyers tend to drive the terms and take much more of a business role than most litigation attorneys.</li><li>• People who don't like this practice can be frustrated by the litigation process (the judge has a lot of discretion so parties tend to raise arguments without much merit), by the complexity of the practice, or by the lack of a predictable schedule. The cases move quite quickly and demand a great deal of time.</li><li>• This practice is counter-cyclical.</li></ul>

## CORPORATE LAW

Practice Area	Description
Asset Finance	<ul style="list-style-type: none"> <li>• Help companies finance the purchase of equipment (e.g., aircraft, trucks, etc.).</li> <li>• Parties are banks on the one hand and large companies on the other. Relatively balanced negotiating power between sophisticated parties.</li> <li>• Like many finance practices, this practice is focused in New York but appears in some other major markets to a lesser degree.</li> <li>• Demands logistical organization skills as there are often multiple people involved (sometimes in many countries), each responsible for a portion of the transaction.</li> <li>• Requires excellent drafting skills as contracts tend to be fairly complicated.</li> <li>• Reward is helping businesses obtain a significant tangible asset. Attracts people who like to be able to touch the results of their efforts.</li> <li>• Very detail-oriented practice, contracts must all align with each other so not the most creative drafting in some cases.</li> <li>• It is primarily a project-based practice; deals take a couple months to close. There are ongoing compliance and maintenance responsibilities because the assets may need to be repossessed at the end of the lease or upon default.</li> </ul>

CORPORATE LAW	
Practice Area	Description
Banking/Finance	<ul style="list-style-type: none"><li>• Representing banks or companies with respect to lender agreements (lines of credit, loans, restructurings).</li><li>• Wide range in size of transactions, traditionally focuses on large series of loans.</li><li>• Transaction, contract driven, restricted by banking/contract law.</li><li>• Small firms may not have as a separate group.</li><li>• New York is the geographical heart of this practice. New York attorneys represent the major banks.</li><li>• When operating in support of another practice, the deadlines can be tight. Schedule can fluctuate dramatically between busy and quiet periods.</li><li>• This practice tends to be a support or ancillary practice in many markets.</li></ul>
Broker-Dealer	<ul style="list-style-type: none"><li>• This is a subset of securities law in which the focus is on SEC broker-dealer rules.</li><li>• Typically these attorneys represent investment banks. Most client contact is with the in-house lawyers at the bank.</li><li>• A lot of broker-dealer work is compliance work. Successful broker-dealer attorneys must be comfortable with rules and regulations.</li><li>• Investment banks also have in-house litigators to handle arbitration regarding typical broker dealer claims including fraud, churning, NASD violations, etc.</li></ul>

## CORPORATE LAW

Practice Area	Description
Capital Markets	<ul style="list-style-type: none"> <li>• Facilitates movement of money from one place to another within the market. This practice overlaps with securities practice.</li> <li>• There is a New York City focus to this practice, although it can be found in some other major markets.</li> <li>• The practice divides into both public and private deals. The typical scenario is that an individual or a fund is purchasing an interest in a company.</li> <li>• There is a compliance piece to this work involving applicable state, federal and foreign securities laws, SEC rules, etc.</li> <li>• Clients are often investment banks.</li> </ul>
Cross-Border	<ul style="list-style-type: none"> <li>• The deals in this practice area can vary widely, but always involve transactions with foreign entities.</li> <li>• Although U.S. attorneys must be familiar with the applicable foreign law, they often work with local counsel who advise them.</li> <li>• Currently, hot countries include Israel, Canada, China, and India. Much of the work in Europe is done in or through New York City and a lot of the work in Asia funnels through the West Coast.</li> <li>• The deals can be more challenging than domestic deals. You have to understand the needs and challenges of dealing with a company in a foreign country, not just laws but also cultural and communication differences. Also, there can be gray areas when the foreign laws are not as well developed.</li> <li>• This practice can create a crazy schedule (e.g., conference calls at 3:00 a.m.).</li> </ul>

CORPORATE LAW	
Practice Area	Description
General Corporate	<ul style="list-style-type: none"><li>• What constitutes a general corporate practice varies by geography. New York/East Coast practice tends to focus more on finance; Silicon Valley/West Coast practice tends to focus more on venture, securities, IPOs, start-up and high tech counseling. New York attorneys tend to specialize more. There is more private company work on the West Coast.</li><li>• A corporate generalist deals with a number of different practice areas and can often serve as an "outside general counsel" to a firm.</li><li>• Client relationships tend to be positive. Companies are glad to have your help and view you as part of the team seeking to get the deal done.</li><li>• Corporate law is a substantive field and you can become expert in it (most people say it takes ten years).</li><li>• The practice is collaborative in general, although direct negotiation can sometimes be adversarial.</li><li>• People who like corporate practice tend to get satisfaction from helping companies grow and protect themselves. In the grand scheme, corporate practice is a practice that deals with money.</li><li>• People who don't like corporate practice complain that they always have to think negatively (e.g., what could go wrong here?) and do not get satisfaction from the nebulous nature of the work or from helping corporations.</li></ul>

## CORPORATE LAW

Practice Area	Description
Investment (40 Act)	<ul style="list-style-type: none"><li>• An investment practice combines the corporate, tax, and ERISA practices.</li><li>• The practice divides between registered and unregistered funds. For mutual funds (registered), both the Investment Advisors Act and the Investment Companies Act apply. For hedge funds and private equity funds (unregistered), only the Investment Advisors Act applies.</li><li>• This practice is more prevalent in major markets. Secondary markets may have only a few firms that offer this practice.</li><li>• Day-to-day work focuses on drafting and reviewing documents, negotiations, and answering clients' questions. There is not a lot of research after you become familiar with the Act.</li><li>• Registered work involves SEC filings and can be somewhat repetitive. Unregistered work is slightly more complex, involves tax issues, ERISA and allows more flexibility in structuring relationships (partnerships, LLCs, etc.).</li><li>• Intense client contact and the deadlines can be short. It can be a high-stress practice and is best for people who enjoy the service aspect of law.</li></ul>

## CORPORATE LAW

Practice Area	Description
M&A	<ul style="list-style-type: none"><li data-bbox="683 296 1243 359">▪ Help companies acquire, be acquired by or merge with other companies.</li><li data-bbox="683 365 1243 457">▪ This practice can allow an attorney to work on big deals that make headlines and are significant events for the client.</li><li data-bbox="683 464 1243 722">▪ Day-to-day work involves a lot of drafting and revision of documents, negotiation, due diligence and overseeing compliance with applicable law. At senior levels, there is significant client contact. Also, these attorneys often supervise or organize the service contributing attorneys (tax attorneys, etc.) on the deal.</li><li data-bbox="683 728 1243 919">▪ The general feeling of the transaction and the client relationship is win/win. All parties and attorneys are working to get the deal done. This is not to say there won't be acrimony, just that the overall practice is constructive as opposed to destructive.</li><li data-bbox="683 926 1243 1052">▪ Intellectual challenges from rules changing/ different geographic rules. There is more of an emphasis of business issues as opposed to strictly legal ones.</li><li data-bbox="683 1058 1243 1150">▪ Project-based work can be slow at times and hectic at other times. Attorneys have very little control over their schedule.</li><li data-bbox="683 1157 1243 1220">▪ Deals often take place over holidays to lower risk of press.</li></ul>

## CORPORATE LAW

Practice Area	Description
Municipal	<ul style="list-style-type: none"><li>• In this practice, attorneys represent a governmental entity or agency or a party acting on behalf of or dealing with such an entity or agency. For example, in addition to cities and counties, these attorneys could be dealing with utilities.</li><li>• This is fundamentally a general transactional practice. There is a lot of contract work involved, though the subjects can range from real estate to bonds to corporate work to other types of matters.</li><li>• In many markets, there are certain firms that are known as municipal practice boutiques; not many big firms have a municipal practice group.</li><li>• People who like this practice enjoy that they are acting in best interest of people or local/regional governments and like the variety of work. They also can feel that they are working on matters that will really affect people's lives.</li><li>• People who are frustrated by this practice may not like the fact that there is not much work with companies and may be frustrated by dealing with bureaucracy and politics.</li></ul>

## CORPORATE LAW

Practice Area	Description
Outsourcing	<ul style="list-style-type: none"><li>• The outsourcing attorney helps a company move a portion of its operations (typically manufacturing or a call center, etc.) overseas. This is a recently created and still developing practice area.</li><li>• This function is sometimes fulfilled by technology transaction attorneys rather than devoted, full-time outsourcing attorneys, although the latter do exist. Tech trans attorneys do this because outsourcing deals create an ongoing relationship between the parties just as a license does.</li><li>• This practice area is relatively narrow. Although the outsourcing itself contemplates a variety of areas such as real estate, employment, etc. The agreements themselves are unlike most other agreements. Think of them as complicated, cross-border service agreements.</li><li>• Because it is a relatively new area of importance to many major companies, attorneys tend to work very closely with their clients. Clients tend to be major companies.</li><li>• This is a contract driven practice. It requires great attention to detail. The deals tend to take a fairly long time to negotiate and implement and the expense to the company can be great.</li></ul>

## CORPORATE LAW

Practice Area	Description
Private Equity/LBO	<ul style="list-style-type: none"><li>• This is a subset of an M&amp;A practice. These attorneys work with banks, companies, and funds who want to invest in companies or perform leveraged buyouts or management buyouts to obtain control of a company.</li><li>• This practice is centered geographically in New York, though it can appear in other major markets. It is not as common in Silicon Valley.</li><li>• These deals break into two parts: the M&amp;A part of the transaction and the finance part of the transaction. The M&amp;A part is similar to a public M&amp;A, except there are continuing covenants and warranties between the parties. The debt finance piece involves getting a loan against the assets of the acquired entity and is typically done by finance attorneys.</li><li>• This is a deal-based practice so the schedule can fluctuate some, but not as much as the debt finance attorneys' schedule.</li><li>• People who don't like this practice are often frustrated by its narrowness.</li></ul>

## CORPORATE LAW

Practice Area	Description
Project Finance	<ul style="list-style-type: none"><li>• The goal is to finance the construction of large construction projects such as power plants, dams, etc.</li><li>• The practice is geographically focused in large markets.</li><li>• This practice can involve a significant international component: Africa, Middle East, Latin America. Can involve a lot of travel.</li><li>• Day-to-day work involves document drafting and negotiation. Typical closing for a big New York deal can have a 50-page closing checklist of documents. It's a very document intensive practice.</li><li>• In-house opportunities can include development banks like World Bank, so can be good for people interested in such public interest positions.</li><li>• Attractive to people because it incorporates political components and international components that allow the attorney to interact with governments and large international institutions.</li><li>• Challenges include the fact that the deals can take years to close, are very complex and require extraordinary organizational skills.</li></ul>

## CORPORATE LAW

Practice Area	Description
Securities	<ul style="list-style-type: none"> <li>• The primary division is between '33 Act (issuance of securities) and '34 Act (reporting and compliance, mostly public companies) and practices differ geographically. Securities work is still centered on the East Coast, particularly in New York. On the East Coast, most junior associates start by working almost exclusively on due diligence. On the West Coast, attorneys represent more private companies and junior associates get more responsibility earlier. West Coast attorneys often act as "outside general counsel" to companies.</li> <li>• Day-to-day work involves due diligence, drafting documents, interfacing with SEC, negotiating the offerings and/or financing documents, writing memos, etc. On the West Coast, attorneys can also handle stock plans, option plans, employment matters, and the entire gamut of corporate issues.</li> <li>• Good for people who like to be experts, and enjoy rule-driven practices. Attorneys handle strategy questions when dealing with the SEC. You are helping corporations to run smoothly and obtain capital.</li> <li>• People who leave this practice don't like that the practice can be repetitive, especially with public company reporting, and that it is very deadline-driven, particularly under Sarbanes-Oxley.</li> <li>• Private company work is great for someone who wants to be a general advisor but can be frustrating to others because there's a lot of hand-holding involved.</li> </ul>

## CORPORATE LAW

Practice Area	Description
Structured Finance	<ul style="list-style-type: none"><li>• Basic concept is the securitization and sale of loans to manage the risk of default. The attorney documents the parceling up of the loans and ensures compliance with SEC rules and state laws.</li><li>• Day to day work involves drafting of offering memoranda, interacting with rating organizations, representing buyers or sellers, maybe even with negotiations of loans that are securitized.</li><li>• The principles in these transactions, banks and experienced investors, are sophisticated entities.</li><li>• This is a project-based practice. It usually two to three months to close a sophisticated deal.</li><li>• There can be ongoing compliance obligations, but unlike some other practice areas, the problems can usually be solved with money.</li><li>• Structured finance can be frustrating for people who want to see a tangible benefit or who don't like complicated transactions.</li></ul>

## EMPLOYMENT LAW

Practice Area	Description
Employment	<ul style="list-style-type: none"><li>• Employment law offers a mix of litigation and counseling. In large firms, the litigation work tends to dominate and it is unusual for a large firm to maintain a purely counseling position. The proportion of each type of work varies from firm to firm. Employment attorneys also can support corporate deal teams on due diligence and drafting of executive employment agreements and handbooks.</li><li>• Counseling can be rewarding because the attorney can encourage their client to resolve employee issues in an equitable and efficient manner.</li><li>• Complex regulatory schemes, evolving laws and differing state provisions provide some intellectual challenge.</li><li>• These attorneys can become experts in a discrete area of law.</li><li>• Many employment lawyers provide training to clients and their employees.</li><li>• It's usually a low-profit margin, service practice where it can be tough to make partner and there is an increased pressure to be efficient.</li><li>• This can be an emotional practice area.</li></ul>

ERISA LAW	
Practice Area	Description
ERISA Litigation	<ul style="list-style-type: none"> <li>• ERISA litigation involves administrative agencies and courts.</li> <li>• Cases are almost always in federal court.</li> <li>• The ERISA Bar is relatively small. The attorneys tend to know each other and behave in a civilized and friendly manner.</li> <li>• Day-to-day work consists mostly of research and writing.</li> <li>• ERISA trials often do not involve any dispute of fact, so trials are often held on a written record and not conducted live in court.</li> <li>• ERISA litigators don't acquire traditional litigation skills. There is no examination of witnesses and discovery is very restricted. There are very few, if any, depositions.</li> <li>• People who don't like this practice say it can be isolating or too narrow.</li> </ul>
ERISA Counseling	<ul style="list-style-type: none"> <li>• This practice involves employee benefit plan drafting and requires an understanding of code provisions. Similar to tax practice in that much is governed by codes.</li> <li>• There has been increased scrutiny of pension plans and 401(K) plans since Sarbanes-Oxley.</li> <li>• These attorneys often support M&amp;A departments. This support involves review of seller's plans for funding/diligence/compliance issues and review of buyer's plans for integration/comparison purposes.</li> <li>• There is not much in-house demand for ERISA lawyers.</li> <li>• It's not an adversarial practice.</li> <li>• These attorneys face economic challenges similar to employment lawyers.</li> </ul>

## ERISA LAW

Practice Area	Description
Executive Compensation	<ul style="list-style-type: none"> <li>• Very rule-driven practice (securities, tax, corporate and accounting rules).</li> <li>• These attorneys are usually part of the employee benefits or tax practice.</li> <li>• This practice is rather lawyerly, less business-like.</li> <li>• Since Sarbanes-Oxley, shareholders have sued over allegedly excessive compensation.</li> <li>• Also, there is a right answer to most of the legal issues raised and the hours are more predictable than in many areas.</li> <li>• This practice can have an international aspect if the client has executives abroad.</li> </ul>
Immigration	<ul style="list-style-type: none"> <li>• Immigration attorneys help individuals in most cases, even when the work is company-sponsored.</li> <li>• Day-to-day work involves research and drafting, client counseling, court appearances.</li> <li>• People enjoy this work because it can often help to reunite families, etc. Also, cases are leanly staffed and young attorneys get a lot of client contact and take on a great deal of responsibility, including appearances at hearings.</li> <li>• People who don't like this practice get frustrated by the statutory framework and tire of wading through bureaucracy.</li> <li>• This practice is done mainly by small firms and solo practitioners, though some big firms have a small department.</li> </ul>

ERISA LAW	
Practice Area	Description
Labor	<ul style="list-style-type: none"><li>• This is a subset of employment law that deals mainly with labor unions and unionized employees. The work here is governed by the National Labor Relations Act, though the decisions are often affected by politics.</li><li>• The day-to-day practice involves a heavy counseling component as well as quasi-litigation. Cases are usually arbitrated or handled by an administrative law judge, which allows for fewer formalities and rules than ordinary litigation. Provides a chance for young attorneys to appear at hearings.</li><li>• Elections, picketing, and grievances can be intense. Personal campaigns against client representatives are not unusual. Election and campaign work allows attorneys to be creative and to work with other professionals (such as public relations people, etc.)</li></ul>

## ENVIRONMENTAL LAW

Practice Area	Description
Environmental	<ul style="list-style-type: none"><li>• This practice differs greatly depending upon the type of client. Attorneys can defend/counsel big companies or work for a public interest group trying to preserve the environment.</li><li>• Typically this practice involves both counseling and litigation.</li><li>• Environmental assessments and remediation efforts are commonly part of a real estate development plan, especially in urban areas.</li><li>• It's a regulatory practice with a host of federal and state laws governing air, water, waste disposal, etc. The practice can also be extremely political.</li><li>• These attorneys should be comfortable with science and numbers.</li><li>• There is some cross-over with the "takings" cases, especially when development or use is halted by protection efforts, so there can be some interesting appellate work.</li><li>• This tends to be a practice that generates strong feelings. Small businesses can be wiped out by preservation efforts or species can be eradicated by development.</li><li>• Working for big industry can be frustrating for those who wish to work more actively to preserve the environment.</li></ul>

## ENERGY LAW

Practice Area	Description
Energy	<ul style="list-style-type: none"> <li>• This practice divides between old energy (oil, gas, electricity) and new energy (deregulated gas and power as a commodity).</li> <li>• Old energy practice deals with exploration, production, property and mineral rights, maritime (offshore drilling), environmental, eminent domain, even probate. Day-to-day involves coordinating logistics, drafting documents, conducting diligence and dealing with geologists. Many of these lawyers are in-house at oil companies. Also includes pipeline work, which is a highly regulated area.</li> <li>• New energy practice breaks down into project development, buying and selling energy commodities and monetization of the energy commodity (derivatives, swaps, hedging, etc.). The new practice began twenty years ago when natural gas was deregulated. Parts of the practice are heavily regulated (FERC) and contain a finance aspect.</li> <li>• These practices are geographically concentrated in Texas, Oklahoma, etc., except that New York investment banks are getting into the new energy practice. FERC litigation is very specialized and located primarily in Washington, D.C.</li> <li>• Unique overlay in this practice are the complications of power transmission and how you buy/sell it. Electricity, for example, is not a tangible asset like pork bellies. CFTC regulates the trading of energy commodities.</li> <li>• This is a good practice for someone who wants a balanced practice, dealing with both tangible assets and sophisticated finance. Compensation for new energy practice is very high on the in-house side.</li> <li>• Challenges are that the industry is cyclical and that there has been a lot of consolidation recently so there are fewer clients to go around.</li> </ul>

## ENTERTAINMENT LAW

Practice Area	Description
Entertainment	<ul style="list-style-type: none"><li>• Geographically centered in Los Angeles and, to a lesser extent, New York City.</li><li>• Very hierarchical and sometimes crass industry with lawyers at the bottom of the heap. Every lawyer wants to be a business-person, every business-person wants to be creative (a producer or studio executive).</li><li>• The day-to-day work can involve drafting agreements, negotiation, counseling clients, researching IP questions, and drafting memoranda.</li><li>• Agent-style star representation can feel like babysitting, but does occasionally provide contact with the stars.</li><li>• Work for studios is like normal contract and corporate work, except the people have bigger egos.</li><li>• This practice is very competitive and it can be difficult to get into.</li><li>• Challenges are the lack of respect, the large egos and the simplicity of the practice.</li></ul>

## FAMILY LAW

Practice Area	Description
Family	<ul style="list-style-type: none"><li data-bbox="623 302 1162 464">▪ These attorneys assist clients with child custody, divorce, child support, paternity, guardianship, and other matters. They can also assist in dealing with the tax and financial aspects of these events.</li><li data-bbox="623 468 1185 596">▪ This is a highly emotional practice. The attorney is at the center of life's most personal disputes. There is a lot of client counseling that is not limited to legal discussions.</li><li data-bbox="623 600 1156 695">▪ Clients are mostly individuals, there is a lot of client contact and good people skills are required.</li><li data-bbox="623 699 1149 894">▪ Most of the work can be highly confrontational, although recently collaborative approaches have been growing in popularity. Practitioners can specialize in either the more combative or more collaborative approach.</li><li data-bbox="623 898 1175 1060">▪ This practice is found almost exclusively at small firms and boutiques. A few large firms have small family law groups, and these groups tend to focus on the financial aspects of family events.</li></ul>

## HEALTHCARE LAW

Practice Area	Description
Healthcare	<ul style="list-style-type: none"><li>• This practice divides into three pieces: transactional (provider operations counseling, standard corporate work), regulatory and litigation.</li><li>• This is a highly regulated environment.</li><li>• The standard hospital practice can include a significant amount of work for non-profit institutions. The day-to-day work centers on disputes regarding medical reimbursement, allegations of fraud, compliance with regulatory issues, etc.</li><li>• In Washington, D.C., some healthcare practices focus on compliance issues for the National Institute of Health and can include such cutting-edge issues as stem cell research.</li><li>• Successful attorneys are typically interested in the subject matter and the primary exit paths are to healthcare providers and hospitals.</li><li>• Provider operations is a low-profit margin practice, corporate practice is higher margin.</li><li>• Geographically centered in state capitals and Washington, D.C., although some big firms in other markets have small departments.</li><li>• This practice tends to be a service practice and it can be difficult to make partner.</li></ul>

## INSURANCE LAW

Practice Area	Description
Coverage	<ul style="list-style-type: none"> <li>• Most attorneys do both insurance coverage and insurance litigation.</li> <li>• This practice is very contract driven. The meat of the work is interpretation of the scope of coverage of insurance contracts (auto, home owners, renters, general, employers, directors and officers, etc). Directors and officers liability insurance, or "D&amp;O," is the hot area since Sarbanes-Oxley.</li> <li>• Attorneys in this practice review the facts of insurance claims in conjunction with insurance contracts and advise insurers or insureds with respect to coverage questions.</li> <li>• This is a good practice for people who like contracts and who don't want to do only litigation.</li> <li>• The practice can be intellectually challenging because the coverage disputes arise in a variety of areas. Also, resolving issues can involve untangling layers of verbiage.</li> <li>• People who don't like this practice find analyzing and debating over insurance contracts to be tedious.</li> </ul>
Defense	<ul style="list-style-type: none"> <li>• Most attorneys do both insurance coverage and insurance litigation.</li> <li>• These attorneys litigate whether the insurer's decision regarding coverage was appropriate under the language of the policy.</li> <li>• It is a good litigation practice for someone who wants to limit themselves to a discrete subject matter. It's better for someone who wants to lean towards becoming an expert.</li> <li>• One challenge with this practice is that insurance claims may be gory, heart-wrenching and the insurer's position may be distasteful. Also, these cases tend to be very large and move very slowly; they rarely go to trial, so practice focuses on prep work and motion practice.</li> </ul>

## INTELLECTUAL PROPERTY LAW

Practice Area	Description
Licensing and Technology Transactions	<ul style="list-style-type: none"><li>• This practice can include licensing, supporting M&amp;A and even outsourcing.</li><li>• Straight licensing is a very discrete body of law. Not many terms vary between agreements. It's mostly negotiation with light drafting. Patent and biotech work may require a technical degree.</li><li>• Geographically centered in technology areas (Silicon Valley, Boston, etc.).</li><li>• Great for someone who wants to focus on negotiation and deal-making and for someone who enjoys learning about technology.</li><li>• These attorneys are sometimes responsible for cease and desist letters, although litigators can also do that work. The language of the letter must be carefully crafted to avoid giving the other side a chance to seek a declaratory judgment.</li><li>• This is project-based work that typically demands a very quick turnaround time.</li><li>• When operating in support of another practice, the deadlines can be especially tight. Attorneys' schedules tend to fluctuate, with busy and not-so busy periods.</li></ul>

## INTELLECTUAL PROPERTY LAW

Practice Area	Description
Litigation	<ul style="list-style-type: none"><li>• This practice divides into patent, copyright, trademark, and trade secrets. Patent and copyright disputes are governed primarily by federal law. Trademarks and trade secrets arise mostly under state law. Most litigation is done in federal courts.</li><li>• This is a very adversarial practice. The stakes are high and for technology companies this can be "bet the company" litigation.</li><li>• Special hearings, such as claim construction hearings are required in this litigation.</li><li>• Research involves not only legal issues, but also factual issues such as the scope of the market, competitors, and competing technologies and products.</li><li>• These actions are generally not very document intensive.</li><li>• This practice is good for people who are interested in learning about new technologies, products, businesses and markets. These attorneys work with experts often.</li><li>• People who dislike IP litigation generally don't like the adversarial nature of the practice or are not interested in technology.</li></ul>

## INTELLECTUAL PROPERTY LAW

Practice Area	Description
Prosecution	<ul style="list-style-type: none"><li>• This practice is divided by type of product: biotechnology, electrical, mechanical, medical devices, software, etc.</li><li>• Most attorneys who prosecute patents have advanced degrees, often Ph.D.s.</li><li>• These attorneys must be qualified with the Patent and Trademark Office. A science degree is required to sit for the Patent Bar Examination. It is possible (and advisable) to sit for the Patent Bar before passing a state bar examination.</li><li>• This is administrative work. Attorneys assist clients in obtaining patents (and occasionally trademarks, although that is relatively simple work). They evaluate whether the client's request impinges on other intellectual property, defend against opposition to client's applications in administrative trials, and oppose applications that impinge on the client's property.</li><li>• This is a very detail oriented practice that requires knowledge of new technologies, businesses and markets. There is not much interaction with other people.</li><li>• The deadlines in this practice are long and rather flexible.</li></ul>

## INTERNATIONAL TRADE LAW

Practice Area	Description
International Trade	<ul style="list-style-type: none"> <li>• These lawyers help facilitate the movement of goods and technology across borders. Deals with import-export laws, trade laws, tax laws, many of which are derived from treaties or national statutes of different sovereigns.</li> <li>• This is a mix of counseling and litigation. Counseling clients on how to import or export and defending them against allegations of breaching regulations. Hot area now is compliance with security laws.</li> <li>• Unfair trade laws play a large part in the litigation aspect of this practice. These cases tend to look like antitrust cases. These complicated actions involve economic analysis and depend upon expert testimony. The litigation itself takes place before administrative agencies, including International Trade Commission.</li> <li>• Geographic gravity of this practice is in Washington, D.C. Very few practices elsewhere.</li> <li>• The day-to-day work includes counseling clients and engaging in most litigation activities, similar to administrative law attorneys. The litigation cases tend to be very intense: the relevant statute provides for very tight timelines. All proceedings have to be concluded in less than eighteen months.</li> <li>• There is an overlap with intellectual property because U.S. laws are designed to prevent importation of infringing goods.</li> <li>• People who like this practice enjoy the international aspects of the practice, there's some travel involved but it's not constant usually, and the demands of the practice change with the international ebb and flow of global economics and politics, so it is always changing and interesting.</li> <li>• People who don't like this practice often would prefer to work with smaller businesses or individuals.</li> </ul>

## LITIGATION LAW

Practice Area	Description
Antitrust	<ul style="list-style-type: none"><li>• These attorneys help companies navigate restraint of trade issues, including those created by organic growth or acquisition.</li><li>• The practice focuses primarily on litigation, although there can be some counseling involved as well. The litigation tends to be very high stakes for the companies and can be civil or criminal in nature.</li><li>• Many antitrust attorneys come from the Department of Justice or spend at least part of their careers working for state or federal government. These cases are often litigated against the federal government.</li><li>• This is a complicated area of law that is good for people who like sophisticated issues, who want to learn about industry segments and who like economics, market analysis and intellectual property.</li><li>• Antitrust suffers from the same challenges as any general litigation practice, with the addition that since you are litigating against the government, success rates can tend to be rather low.</li></ul>

## LITIGATION LAW

Practice Area	Description
Appellate	<ul style="list-style-type: none"><li>• This practice is very prestigious and hard to break into.</li><li>• The day-to-day work involves only legal research and writing. There is no fact development work such as discovery, depositions, etc.</li><li>• It is not as adversarial or time-sensitive as trial litigation; it's great for introverts who want a predictable schedule.</li><li>• Pure appellate practice is focused in Washington, D.C. There is some pure appellate in New York and Los Angeles, but not that much. Appellate work in other cities tends to mix with trial practice.</li><li>• These cases can be morally difficult. The defendants appeal because they were hit with large damages because they did something very bad. Damage reduction cases can involve difficult arguments regarding how valuable a person's life was.</li><li>• Aside from damage reduction cases, questions can be arcane: such as, how the 7th Amendment would have been interpreted in 1791 on a subject it doesn't directly address.</li><li>• Discrete projects tend to be shorter than general litigation.</li><li>• Students interested in this should try to write for a law review and obtain a federal appellate clerkship, if possible.</li></ul>

## LITIGATION LAW

Practice Area	Description
General Litigation	<ul style="list-style-type: none"><li>• These attorneys are the consummate generalists. They're always learning something new and never expected to be an expert at anything.</li><li>• This is the quintessential adversarial practice. The interactions between the parties can be rancorous. This means you can spend a lot of time drafting arguments that you may never need to use.</li><li>• The reward is victory. You must get satisfaction from winning.</li><li>• People who like this practice like the intellectual diversity and the fact that the attorneys have more direct influence over the case than the client. It's also easier to bill hours as a litigator than it is in many practice areas (depositions, hearings, strategy meetings can involve hours of sitting around, all of which is billed).</li><li>• People who are dissatisfied with litigation typically don't like the fact that matters can last for years, the overall practice can feel destructive rather than constructive, it can be difficult to predict your schedule (fires tend to flare up and need attention), and you can spend hours, days, or weeks working on items that may never be used.</li><li>• Clients can look at you as an unwanted but necessary expense.</li></ul>

## LITIGATION LAW

Practice Area	Description
Product Liability/ Toxic Tort	<ul style="list-style-type: none"> <li>• Product liability practice is litigation involving the production, manufacturing, marketing and use of a business product or service. It may involve anything from traditional product liability theories such as design defect or strict liability to antitrust and consumer class action claims.</li> <li>• Toxic tort practice typically involves harmful agents such as asbestos, etc.</li> <li>• People who like this practice enjoy the fact that there are lots of depositions and that that they are allowed to assume every role from scientist to corporate counsel. Also, these attorneys feel that they are essential to a company's business. The lifeblood of many businesses is the revenue from goods sold, and product liability lawyers are seeking to protect that revenue flow.</li> <li>• People who don't like this practice are frustrated because these cases rarely go to trial and they typically involve graphic personal injury and death. Also, the cases are very document intensive, sometimes involving literally millions of documents and take a long time to resolve.</li> </ul>

## LITIGATION LAW

Practice Area	Description
Securities	<ul style="list-style-type: none"><li>• These attorneys represent individuals and corporations in securities class actions, stock-drop cases, and derivative actions. They perform internal investigations on behalf of corporate audit committees (whistleblower investigations), represent audit committees, individuals and companies in SEC investigations, advise corporations regarding director and officer liability insurance, and advise law-firm corporate departments regarding disclosure questions.</li><li>• The day-to-day work involves most usual litigation tasks with a focus on pre-trial activity. Associates spend a lot of time drafting, counseling and interviewing clients and on factual development (these cases can have intense discovery demands). Partners spend a lot of time on the telephone advising clients in addition to drafting. The hours can be fairly long and the cases can be rather complicated.</li><li>• Attorneys who like this practice enjoy helping accused individuals: this is closest you can get to doing criminal defense work without worrying that your client will go to jail. Client relationships with the individuals and company management tend to be very close. These attorneys also enjoy working in a variety of industries and learning about various companies' businesses.</li><li>• People who don't like this practice are frustrated because these cases rarely go to trial. Also, it is a lawyer-driven industry.</li></ul>

## LITIGATION LAW

Practice Area	Description
White Collar Crime	<ul style="list-style-type: none"><li>• This is narrow practice area and is very different from other litigation practices, which tend to be civil in nature if not in tone. Criminal rules differ from civil rules.</li><li>• The community of white collar practitioners is usually relatively small. They all know each other and, for the most part, behave with a higher degree of civility than general litigators.</li><li>• Day-to-day is similar to civil litigation with research, drafting, factual development and argument, but with more significant client contact.</li><li>• This can be a tough practice area for associates because there is not much leverage: clients whose lives are on the line want to work with partners. The usual path is to come from government practice, so the practice contains many senior attorneys.</li><li>• Client relationships tend to be very close.</li><li>• These attorneys have to like battling the government. They see themselves as "The Fixer," called in at the last minute to clean up a bad situation. Crisis management.</li><li>• Clients require 24-hour access to you because of the stakes. High stress practice.</li></ul>

## REAL ESTATE LAW

Practice Area	Description
Finance	<ul style="list-style-type: none"><li>• The goal of this practice is to help clients finance construction of hotels, office buildings, business campuses, even residential development and baseball parks. It is similar to project finance, though the types of projects tend to be slightly different.</li><li>• This work divides between attorneys who represent borrowers and those who represent lenders. When the attorney is representing the borrower, this work can be done by the same attorneys who do transactional practice. Lender work is a separate practice (that conflicts with representation of borrowers).</li><li>• On the borrower side, clients tend to be developers.</li><li>• On the lender side, the work can be very routine. Large banks will have standard agreements and standard concessions. It is easy for a junior associate to learn.</li><li>• Real estate finance attorneys are attracted by the size of the projects, which can be significant, news-making buildings. There is a great sense of accomplishment when the building is built and these attorneys like the tangible results.</li><li>• Attorneys who don't like this practice can be frustrated by the repetition.</li></ul>

## REAL ESTATE LAW

Practice Area	Description
Land Use	<ul style="list-style-type: none"><li>• This practice focuses primarily on helping real estate development companies use or develop their property. It's common for this practice to have a transactional aspect as a follow-up to the permitting process.</li><li>• This is a pseudo-governmental practice as these attorneys help clients manage the local and state approval processes.</li><li>• The day-to-day work involves project management, organizing logistics with regard to a wide range of professionals on a schedule to get the development through approvals, counseling clients with regard to these processes, presentation to and negotiation with governmental agencies, and advising regarding local and state regulations regarding development and use of property. This practice is less drafting intensive than the transactional practice but these attorneys do review documents drafted by experts such as architects and planners.</li><li>• People who are drawn to this practice are interested in public policy. The results are very tangible. There is a lot of opportunity for coming up with creative solutions and a fair amount of negotiation.</li><li>• Partner intensive practice. It demands experience and connections. Can be tough to break into.</li><li>• People can get frustrated in this practice because they are dealing with bureaucratic agencies.</li></ul>

## REAL ESTATE LAW

Practice Area	Description
Transactional	<ul style="list-style-type: none"><li>• In this practice, there are three fundamental tasks: help entities acquire property, help them lease it, and help them dispose of it. The attorneys also work on property rights and easements, but that's usually a smaller portion of the practice. This practice can include finance work if the attorney represents borrowers.</li><li>• The day-to-day work focuses on negotiation and documentation of transactions.</li><li>• People who like this practice like the fact that you can see the results of your work, buildings are tangible. It's a practice area where you can become an expert.</li><li>• This practice provides a great deal of client contact, for better and worse.</li><li>• This work is project-based with a pretty quick turnaround, which gives you a feeling of accomplishment.</li><li>• People who are frustrated by this practice are bored by the repetition. The deadlines can be tight, particularly in leasing.</li></ul>

TAX LAW	
Practice Area	Description
Tax	<ul style="list-style-type: none"> <li>• In big firms, this work divides up into federal and state/local tax. State/local tax attorneys tend to work more on litigation issues (mostly people seeking refunds or appealing an assessment). Federal tax attorneys divide up into tax controversy (audit and litigation support) and transactional.</li> <li>• The federal transactional practice varies by firm and can include cross-border transactions, M&amp;A support, REITs, mutual fund work, etc.</li> <li>• These attorneys do not handle tax returns for companies and individuals. Those are usually done by accounting firms.</li> <li>• This is a very complex, regulation and rule-driven practice. There are many state-by-state differences and the federal law changes all the time. There is a heavy burden to keep with current developments (daily).</li> <li>• Day-to-day work for tax controversy or state tax practice is similar to litigation. For federal transactional, there is a lot of research (more than in most practices), drafting of memoranda, and reviewing documents from other departments.</li> <li>• There is not much client contact as a tax associate at a big firm.</li> <li>• It's a service practice and it can be difficult to make partner because the departments tend to be smaller.</li> <li>• This practice can be extremely deadline intensive. Business lawyers tend to consult tax lawyers at the last moment.</li> <li>• People who like this practice like the intellectual challenge and like being the expert in an arcane area. It is perfect for those who enjoy intellectual challenge and like problem-solving.</li> <li>• People who leave the practice do so because it can be exhausting mentally, because they don't like the statutory work, or because they feel like they're not really building anything (deals tend to be business-driven, not tax-driven).</li> </ul>

## TRUST &amp; ESTATE LAW

Practice Area	Description
Trusts & Estates	<ul style="list-style-type: none"> <li>• The goal is to efficiently transfer wealth between generations and within families.</li> <li>• Similar to tax practice, this is a complex, statutory practice. The law evolves very quickly and there is a wide variety of authority, including case law, revenue rulings, statutes, etc.</li> <li>• This is mostly a non-adversarial practice.</li> <li>• The day-to-day work involves drafting of estate plans and sub-documents, counseling clients, and administering estates both in and out of court.</li> <li>• This practice does not have many deadlines.</li> <li>• This practice is most commonly found in boutiques, although most big firms have a small group. It's a service practice and it can be difficult to make partner.</li> <li>• The goal is to preserve client wealth.</li> <li>• People who fail in this practice sometimes have problems discussing the complex law in plain English, don't like the complexity, or get pigeon-holed into one small section of the practice, which can be boring.</li> <li>• This can be a tough practice to break into. It can sometimes be class-oriented. Interested students should spend a summer doing T&amp;E and take appropriate classes or have a financial background.</li> </ul>

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