



## LEGAL SPECIALTY AREAS

As you look for a job, you need to be extremely familiar with different legal specialty areas. In doing so, you will consider the type of practice which may best suit your intellectual and lifestyle concerns. Below is a list of common legal specialty areas, each with a brief description, to help you begin to discern where your interests lie. Remember this list is not exhaustive, but it is a guide from which to initiate further inquiry.

**Administrative Law:** This practice area encompasses the work of regulatory agencies and federal, state, and municipal departments that monitor, regulate, and enforce statutes and regulations. It represents a hybrid of constitutional law and administrative procedure. Lawyers in this field become experienced in drafting, interpreting, and enforcing regulations; drafting opinions and briefs; and conducting investigations and hearings.

**Admiralty Law:** Admiralty or maritime law encompasses the legal issues surrounding business transactions that occur by way of oceans, rivers, and lakes, and the general use of bodies of water by commerce. Most claims involve litigation in one of the following areas: cargo loss, personal injury and wrongful death claims, collision, salvage, marine insurance, and maritime pollution. A transactional maritime practice often involves ship financing, negotiating and drafting contracts and letters of credit, and pier leasing.

**AIDS/HIV:** This specialty area concerns itself with expanding legal protections for people with AIDS/HIV, enforcing laws against AIDS/HIV discrimination, providing routine legal services to affected persons on housing, family, disability, health benefits, estate, and other issues, and developing educational programs.

**Alternative Dispute Resolution:** This practice, commonly known as ADR, assists parties in the resolution of disputes without resorting to costly and time-consuming litigation. Its processes include mediation, negotiation, and arbitration.

**Animal Rights:** This field is dedicated to enforcing and strengthening laws against cruelty to animals.

**Antitrust:** This area focuses on monopolies and concentrations of market power that are believed to be injurious to the public because of an adverse effect on competition. Antitrust attorneys deal heavily with the Sherman Act and address issues such as price fixing, monopolization, mergers, boycotts, and exclusive dealing arrangements.



**Appellate:** The appellate stage of a case occurs when the losing party to a dispute seeks to persuade the higher court that errors render the lower court proceedings unfair and that the lower court decision should be reversed. In bringing an appeal or defending the lower court decision, appellate lawyers become skilled in analyzing trial and hearing records, choosing which issues to appeal and how to frame them, writing briefs or memoranda, and conducting oral arguments.

**Arts:** This practice is devoted to providing legal service to individual artists and art groups on such issues as contracts, copyright, taxation, and freedom of expression.

**Aviation Law:** Aviation law involves basic tort law concepts of negligence, breach of warranty, and strict liability, as well as contract law. Such a practice can range from the representation of clients involved in litigation arising out of the crash of a large commercial airliner to defending a lost baggage claim. Many aviation law claims involve technical issues as well as international treaties or agreements. An aviation lawyer may represent the manufacturer of aircraft or aircraft parts, an airline itself, a passenger, or a party interested in purchasing or selling an aviation-related entity.

**Banking Law:** This specialty area encompasses a variety of legal issues concentrating on the requirements of financial institutions that operate under myriad federal and state banking laws that govern deposit-taking institutions and their affiliates. One such requirement is commercial lending, which is the process through which corporations borrow large sums of money from commercial banks. Banking lawyers negotiate and document these complex lending deals and provide client counseling. These institutional clients may include bank holding companies, banks (including, especially, investment banks), trust companies, savings and loans, credit unions, and non-bank companies such as securities firms. Bank regulatory laws, bank mergers and acquisitions, bank consumer law, and banking transactions constitute the major sub-specialties in this area.

**Bankruptcy Law:** This practice concerns the rights of creditors (lenders to whom a debt is owed) and debtors (borrowers or recipients of credit, goods, or services). The U.S. Bankruptcy Code governs bankruptcy practice and disputes are heard in U.S. Bankruptcy Courts. The purpose of bankruptcy law is to provide overburdened debtors with a fresh start in their financial affairs, while equitably dividing assets among creditors.

**Children and Youth:** This specialty involves many issues that impact children and adolescents, including issues surrounding the education of disadvantaged and disabled youth, foster care, custody, abuse and neglect, and juvenile justice.



**Civil Rights/Civil Liberties:** Practice in this area involves advocacy to enforce and expand various state and federal constitutional provisions and statutes barring discrimination on the basis of sex, age, race, color, religion, creed, national origin, ancestry, marital status, handicap, or sexual orientation. Civil rights attorneys can advise businesses, pursue civil claims, or help property owners avoid unlawful use of their property. They also seek to defend protections afforded by the Bill of Rights, such as freedom of the press and freedom of religion.

**Community Economic Development:** Attorneys involved in this practice area help communities improve their physical environments and structure tax incentives to attract businesses. They develop housing and community infrastructures, advise neighborhood nonprofit organizations, and provide legal resources to small businesses attempting to initiate and expand commercial ventures.

**Communications Law** This specialty area involves a combination of transactional work, government regulatory work, and constitutional analysis. Clients may include national and international multimedia corporations, manufacturers of communications equipment, and entrepreneurs with new communications technology, and cable, radio, or television stations and operators. Statutory law and rules promulgated by the Federal Communications Commission govern the bulk of any communications law practice, yet lawyers who serve media and telecommunications clients are often called upon to handle court appeals and legislative lobbying duties, as well as negotiations for mergers and acquisitions and counseling on a variety of business issues.

**Consumer Law:** This area concerns itself with enhancing the safety of consumer products, curbing anti-competitive and unfair market practices, and protecting the rights of those who purchase and use goods and services.

**Constitutional Law:** This broad area encompasses the interpretation and enforcement of the U.S. Constitution. Attorneys practicing in this field may be faced with issues concerning the constitutionality of federal, state, or local laws dealing with free speech, freedom of religion, due process, equal protection, and other rights addressed, explicitly and implicitly, by the Constitution.

**Corporate Law:** Attorneys who practice corporate law represent clients ranging from individual entrepreneurs to multinational corporations. These clients can include manufacturers, financial institutions, energy and transportation companies, health care entities, or public agencies. Corporate law practitioners counsel clients, negotiate deals, and prepare legal documents for all types of business transactions, including sales agreements, financing documents, complex joint ventures, and business mergers, acquisitions, and dispositions.



**Criminal Law:** The essence of this legal specialty area is the prosecution and defense of person's accused of crimes, at trial and on appeal. Prosecutors address cases involving crimes against persons, narcotics and money laundering, organized crime, economic crimes, and public corruption. Criminal defense lawyers must determine whether their interests and talents are more suited toward trial or appellate work. White-collar criminal defense lawyers usually represent individuals and business entities in connection with allegations of fraud and criminal violations of, for example, securities, banking, antitrust, environmental, and tax regulations.

**Death Penalty/Prisoner's Rights:** This practice area focuses on the post-conviction stage of a criminal matter: the representation of inmates sentenced to death and the representation of prisoners seeking to improve the conditions of their confinement.

**Disability Law:** Disability law addresses the unique legal needs of people with disabilities, including efforts to combat discrimination against the disabled and to enforce the Americans with Disabilities Act. Attorneys in this area may address issues of discrimination in education, employment, housing, and related topics.

**Domestic Law:** Domestic law, or family law, involves pre-marital advice and planning, issues of child support, custody, visitation, adoption, paternity, and divorce or dissolution planning. These specialists are often well versed in negotiation, mediation, and other forms of alternative dispute resolution involving issues of alimony, child support, and property division. Family law practitioners are found primarily in smaller firms, but some do practice in larger firms and public offices. Practitioners in this field are likely to encounter a wide range of legal matters, including tax, real estate, corporate and finance, contract, estate planning, employee benefits, and conflicts of law.

**Education:** This practice involves such issues as equal access to educational services for poor and disabled people, special education, services for at-risk youth, students' rights, fair testing, and school reform. School finance issues and the representation of school districts and educational institutions are also included in this area.

**Elder Law:** This area focuses on the needs of older adults, including issues of estate and probate law, guardianship, equal job opportunities, and access to health care, housing, and public benefits.

**Employment/Labor:** These related areas involve two sets of issues: (a) employee matters in the workplace, including issues such as wrongful discharge, discrimination, Title VII, plant closings, minimum wage violations, occupational health and safety, due process rights of workers, and employee benefits; and (b) issues that impact workers with respect to labor unions, such as unfair labor practices, organizing campaigns, collective bargaining, and fair representation.



**Energy:** Energy lawyers represent a diverse group of clients that includes natural gas, oil, electric, and hydroelectric companies, public utilities; exempt wholesale generators, independent power producers, and power marketers. Regulatory matters and administrative law proceedings constitute the main components of an energy practice; however, it also includes traditional litigation, corporate transactions, domestic and international project finance, and, increasingly, mergers and acquisitions.

**Entertainment & Sports Law:** Entertainment and sports law specialists represent individual athletes and performers, as well as large entertainment conglomerates, networks, education institutions, labor unions, and sports federations. An entertainment and sports lawyer will deal with issues such as individual contract negotiations, financing deals, grievance and arbitration proceedings, institutional audits, and corporate law.

**Environmental Law:** Environmental lawyers provide regulatory advice to businesses, participate in administrative proceedings that often involve substantial negotiation, assist clients in Superfund and other hazardous waste-related matters, and provide advice on real estate transactions, acquisitions, and divestitures. Environmental lawyers concern themselves with protecting the environment and promoting the safe and efficient use of energy sources, including such issues as waste disposal, toxic torts, the Clean Air Act and the Clean Water Act, natural resources management, deforestation, land use, nuclear safety, offshore drilling, pesticides, conservation, and protection of wildlife.

**Federal Indian Law:** This area involves problems that are unique to Native Americans, including enforcement of statutory and treaty rights, federal recognition of tribal status, enforcement of the Indian Child Welfare Act, and the preservation of culture.

**Health Care Law:** A health care lawyer not only acts as a counselor and problem solver for clients encountering legal problems, but also as a transactional lawyer who assists the client in achieving new goals and objectives. Among the clients a health care lawyer represents are hospitals, physicians, and other health care professionals and health sector payers. Advocates in this area work to increase access to health care, ensure food and drug safety, and monitor and lobby developments regarding health insurance, medical malpractice, and other regulatory matters.

**Homeless/Housing Law:** Advocates addressing homelessness and housing issues seek to achieve safe and affordable housing for low-income persons, combat housing discrimination, and address landlord/tenant issues. Attorneys in this area also work on such issues as the purchase and sale of housing, foreclosure of properties, code enforcement, and subsidized housing.



**Insurance Law:** Insurance is fundamentally based on a contract between the policyholder and its insurer; therefore, lawyers seeking employment in this field must have a firm understanding of contract law and commercial transactions. Brief writing and oral advocacy skills are also essential as disputes between the insurer and the insured arise frequently. Insurance defense work, coverage disputes, counseling of corporate clients regarding their insurance needs, and insurance fraud or bad faith claims make up the bulk of an insurance lawyer's practice.

**Immigration Law:** This practice addresses issues such as refugee and asylum law, deportation, legalization, immigration law reform, and the special needs of immigrants. Clients may include not only refugees and immigrants, but also large corporations seeking to move employees or potential employees across borders.

**Intellectual Property/Computer Law:** The practice of intellectual property law has grown dramatically in recent years as society has recognized the importance to a thriving economy of promoting human creativity. Intellectual property law is divided into several substantive law areas, including patents, trade secrets, copyrights, trademarks, and unfair competition. Computer law incorporates all areas of intellectual property and contract law as they apply to the clients' software and hardware advances. This area also includes legal issues relating to the Internet and electronic transactions.

**International Corporate Practice:** With an increased integration of the global economy, attorneys (especially in major U.S. cities, such as New York, Washington, D.C., Chicago, San Francisco, and Los Angeles) increasingly represent U.S. and foreign clients in international corporate transactions. U.S. attorneys work with domestic and/or foreign attorneys to structure the most advantageous deals in accordance with the laws, regulations, and customs of the United States and a foreign country or countries. Some of the principal areas of international practice include mergers and acquisitions, securities and commercial lending transactions, joint ventures and direct investments, intellectual property rights, trade, tax, representation of foreign governments, litigation, and international real estate matters.

**International Human Rights:** Lawyers practicing in this area defend basic human rights internationally, such as freedom of thought and expression, due process, and equal protection under the law. They may also advocate against human rights abuses, such as disappearances, torture, arbitrary imprisonment, exile, and censorship.

**Litigation:** This broad specialty area refers to handling cases in court, either in a civil lawsuit or a criminal case. Litigators become proficient in all aspects of trial work and/or appellate practice, including researching legal issues; drafting pleadings, memoranda, and briefs; conducting and defending depositions; exchanging documents with the opposing side(s); preparing and arguing motions; and conducting trials and appeals.



**Military Law:** This area involves issues relating to the government of persons in the Armed Forces. Attorneys practicing military law will become familiar with the Uniform Code of Military Justice and deal with topics such as court martial proceedings, administrative actions, discharges, and criminal actions against military personnel.

**Municipal Law:** This practice involves representation of municipalities, as well as private sector entities dealing with local governments, and includes a variety of substantive areas such as public finance, environmental issues, education, elections, zoning, transportation, and real estate law.

**Patent Law:** A major subset of intellectual property law, this specialty area comprises, among other things, the prosecution of patents before the U.S. Patent and Trademark Office, licensing, infringement litigation, and drafting validity opinions. To be a registered patent attorney, one must have a technical background and pass a federal patent bar exam.

**Real Estate/Zoning:** The skills and job descriptions of land use and real estate lawyers are similar and involve business skills, negotiation, litigation, and regulatory expertise. A real estate lawyer focuses primarily on transactional issues, although he or she may be involved in litigation matters. A land use lawyer's practice may overlap with that of a real estate attorney but more often focuses strictly on regulatory matters.

**Securities Law:** This specialty focuses on federal and state regulation of the purchase and sale of securities, including stocks, notes, bonds, and investment contracts. Practice in this area may require an attorney to represent parties involved in the allegation of fraud in relation to securities transactions, to prepare and analyze registration statements, and to interpret rules promulgated by the Securities Exchange Commission.

**Taxation:** Federal and state taxation practice involves planning the formation of corporations, partnerships, and limited liability companies. Tax planning is also involved in distributions, partial and complete liquidations, mergers of businesses, and reorganizations. A tax lawyer analyzes the tax consequences of transactions and develops alternative methods for transactions to achieve the most desirable result for the principals and the entity. Tax planning also includes interacting with the Internal Revenue Service to obtain rulings and writing opinion letters to clients.

**Tort Law** Broadly speaking, tort law covers all injuries arising from civil wrongs that are not solely the breach of a contract. Negligence claims, products liability issues, defamation, and intentional torts make up the basis for most disputes arising in this specialty area.



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**Trusts & Estates Law:** This practice area is unique in that it brings the practitioner in close contact with the personal lives of clients. The estate planner works to ensure that the client's intentions with respect to the distribution of his or her assets will be effectuated precisely as the client wishes and minimizes, to the extent possible, the tax burden inevitably associated with this process. The services an estate planner routinely provides include client conferences; the preparation of estate planning recommendations; the drafting and execution of estate planning documents, such as wills; and addressing the special needs with respect to guardianship or trust matters. Trusts and estate attorneys are also involved in the process of identifying, appraising, marshaling, and distributing property that a decedent owns at the time of death.