



21st Century Legal Career Guide

Where the Jobs Are: The Hottest Attorney and JD-Advantage Opportunities

Establishing a satisfying legal career in this challenging, competitive legal employment environment requires a law student or graduate to research and investigate opportunities beyond traditional practice areas. To be successful, you also need to know what the future will bring. Is today's hot practice area or work regularly providing substantial billable hours or a secure job with decent pay and benefits, going to be there when you graduate and beyond?

No one has a crystal ball, but **Richard L. Hermann** has spent his career— more than 30 years— researching, evaluating, and accurately predicting where the career opportunities will be for law graduates. He has counseled attorneys from new lawyers to 20-year practitioners on how and where to hunt for the next, best option. Even during times when law firm jobs were more readily available, Hermann also always looked to see where else a legal education could be put to work. In the 1990s, he wrote three editions of *JD Preferred: 600+ Jobs You Can Do with a Law Degree (Other Than Practice Law)* and says today the number of that type of job exceeds 1,100.

As many law students have only a vague notion of what they want to—or can— do with a JD, Hermann's latest endeavor, the *21st Century Legal Career Series*, focuses on a wide range of emerging career opportunities that are hot today and sustainable for tomorrow. These concise booklets describe the work, highlight employers, provide resources to dig into options and guidance to position yourself for a successful job search in the career fields or practice areas of interest.

This **21st Century Legal Career Guide** is intended as an introduction to the range of employment opportunities available to JD graduates. In it Hermann uses his "Practice Area Analysis Template," developed over several decades, to evaluate emerging practice areas and future growth in both mainstream and JD Preferred (a.k.a. JD Advantage) employment. To qualify for inclusion in this Guide and therefore be a "hot" and sustainable legal career, the field had to satisfy most, if not all, of the following Template criteria:

- 1. Supply and Demand.** *Does the demand for talent exceed the supply of qualified individuals?*
- 2. Number of Job Opportunities.** *Does the practice area offer a large number of job opportunities relative to other practice options?*
- 3. Sustainability.** *Does the practice area have staying power?*
- 4. An Upward Curve.** *Is the practice area a growth industry?*
- 5. Geographic Scope.** *Are jobs available nationwide, or at least in a large number of geographic locations?*
- 6. Affinity Group Growth.** *Are organizations of like-minded professionals increasing their membership rolls?*
- 7. Relative Ease of Entry.** *Can the learning curve be ascended rapidly by a novice attorney? Is affordable supplemental education or training available?*
- 8. Ideally, It Should Be New or Different.** *Does the practice area allow opportunities for practitioners to be among those who are "first-past-the-post?"*
- 9. Distinctive Value Proposition/Competitive Advantage.** *Is practice area knowledge able to provide elements of a unique selling proposition for a future job campaign?*
- 10. Compensation.** *Does this practice area allow someone to manage his/her student debt repayment obligations effectively?*
- 11. Threat Analysis.** *Is the practice potentially subject to substitution of a human lawyer by a disruptive technology such as artificial intelligence (AI)...or something else? If so, how soon could this happen?*

This Guide:

Highlights practice areas and employment opportunities for you to explore as you consider what courses to take in law school and where to find success in your legal career. Once you identify career fields of interest to you, take the next step and investigate further with Hermann's *21st Century Legal Career Series*. The Series booklets provide an in-depth look at each emerging hot employment area including sections on: The Work; Where the Jobs Are; What Does It Pay; Breaking In; JD Advantage Job Opportunities; How to Get Advance Notice of Job Opportunities. (The publications are available in print at <http://nalp.org/bookstore>, e-version at <http://amazon.com> and through <http://legalcareerview.com>.)

Where the Jobs Are:

Data Protection Law: The Brave New Legal World

The current—and future—demand for attorneys who understand the legal implications of privacy and cyber threats and how to manage and defend against them, and both assess and control the damage they wreak, is intense. Data protection law is one of today's hottest practice areas and one that is likely to be just as hot an arena of business, personal, and legal concern for many years to come.

21st Century Legal Career Series Volume 1

Careers in Compliance: JDs Wanted

Compliance is exploding all over the map. The U.S. Department of Labor's Bureau of Labor Statistics (BLS) (www.bls.gov) says that compliance is one of the fastest growing occupations in the U.S. A cascade of laws and regulations, plus vigorous government enforcement, has also upgraded the nature of the compliance function. Consequently, candidates armed with law degrees are viewed very favorably by employers seeking compliance professionals.

21st Century Legal Career Series Volume 2

Health Law: Career Opportunities in a Fast-Changing Environment

Health law jobs are abundant, due to: the Affordable Care Act (ACA) and the continuing turmoil surrounding healthcare reform; HIPAA and its Omnibus Rule; healthcare costs, which have risen at three times the inflation rate for 30+ years; poor quality care—the

World Health Organization (WHO) ranks the U.S. healthcare system a dismal 37th in the world; technological innovation; globalization; an aging population; and regulatory burdens affecting millions of businesses and individuals.

21st Century Legal Career Series Volume 3

Energy Law: Fueling a Dynamic Legal Career

Six factors, including energy independence and technological innovation, have transformed energy law from a niche practice confined to a narrow geographic area into a wide-ranging endeavor that has gone global. Energy law is destined to be a central focus of legal concern as far out as the eye can see; consequently, an arena that is a job-creating juggernaut and one that aspiring attorneys should carefully consider.

21st Century Legal Career Series Volume 4

"Soft" Intellectual Property Law: IP Opportunities for Non-STEM Attorneys

This is the best time in history to contemplate a legal career in intellectual property (IP) regardless of your educational background aside from law school. Whether you combine your law degree with a STEM (Science, Technology, Engineering, Mathematics) background, or come to law from a purely liberal arts orientation, there are exciting opportunities for you in intellectual property.

21st Century Legal Career Series Volume 5

Risk Management: The Indispensable Profession

Risk management is the process of identifying and managing threats to an organization, including its very survival. Risk management has been a rising JD Advantage profession for almost two decades, and one in which attorneys can enjoy a very rewarding career. It is estimated that approximately 20 percent of risk managers have a law degree.

21st Century Legal Career Series Volume 6

The Administrative Law Revolution: Learning to Litigate in a Forgiving Environment

Administrative litigation is one of the hottest law practice areas going, and it is heating up even more, due to demographics. Two demographic phenomena are hitting the U.S. at the same time: (1) Age. 78 million Baby Boomers (Americans born between 1946 and 1964) are “aging up” at a rate of 10,000 per day); (2) Veterans. The U.S. now has 26 million veterans. In addition to the “Big Three”—Social Security Disability Income cases,

Medicare appeals, and Veterans appeals, a variety of other federal and state forums hear administrative cases.

21st Century Legal Career Series Volume 7

Digital Assets Practice: Three New Practice Opportunities in One

The march of technology has created a vast storehouse of individual and corporate digital assets. Until very recently, these were not included in people's estate plans. But since estate plans are designed to pass assets to one's heirs, digital assets are becoming increasingly important factors in estate planning. Digital assets have also become central to business success and survival, and must be addressed in business succession plans and in mergers and acquisitions.

21st Century Legal Career Series Volume 8

The Education Sector: Overwhelmed by Law

American education is experiencing tectonic shifts that bode very well for legal employment. These result from a variety of factors—globalization, technology, dissatisfaction with dismal academic results, runaway tuition costs, and regulatory complexity. Education is undergoing creative destruction that is throwing over old ways of doing things such as delivery of learning while creating new opportunities in both mainstream legal venues and JD Advantage realms.

21st Century Legal Career Series Volume 9

Law Teaching and Training: Law School and Way Beyond

U.S. law schools are a mature industry and not a great place these days to be looking for teaching positions. But that does not mean that law teaching jobs are static or disappearing. There are far more law teaching positions available outside of law schools than within. Attorneys now teach law courses in undergraduate institutions, graduate departments, paralegal schools, foreign universities, government, corporations and even law firms.

21st Legal Career Series Volume 10

Insurance Legal Careers: Opportunity in Expected—and Unexpected—Places

The Insurance industry is doing very well and continues to thrive regardless of the ups and downs of the global or national economies. Insurance jobs for attorneys are proliferating. The number and diversity of both mainstream and law-related jobs favoring candidates with a JD is large and growing. The insurance industry knows from experience that lawyers bring both a strong skill set and dogged work ethic to their jobs.

21st Legal Career Series Volume 11

JD Advantage Jobs in Corporations: Expanding the Legal Function

As a rule, corporations do not hire new law graduates for their in-house counsel offices. Instead, they favor lateral candidates armed with a few years of experience. That is not the case, however, for JD Advantage jobs that have emerged in corporations in large numbers in the 21st century. The mere fact of having a law degree is becoming increasingly prized by companies for these positions.

21st Century Legal Career Series Volume 12

Tricks of the Trade (and Professional) Associations: A Huge “Hidden” Legal Job Market

Almost 1.5 million nonprofits are registered with the Internal Revenue Service. Associations do not come immediately to mind when you encounter the term “nonprofit.” They should, because many of them share four features that should be of interest to every attorney: (1) They have substantial assets (more than \$2 trillion in the aggregate); (2) They employ tens of thousands of attorneys; (3) You can find these attorneys in places other than just the in-house counsel office; and (4) They are corporations. Consequently, they share many of the structural features of their for-profit counterparts. Lawyers who work for their in-house counsel offices have many of the same responsibilities as their commercial company brethren. Like commercial corporations, associations also hire lawyers for a variety of JD Advantage jobs.

21st Century Legal Career Series Volume 13

Trains, Planes, and Automobiles: Reinventing Transportation Law

We are poised on the cusp of the biggest revolution in transportation since the invention of the automobile in the late 19th century—self-driving car and truck technology. This revolution is going to affect everyone’s daily existence and a lot of attorneys’ livelihoods.

This topic demonstrates how one of the most important job-search and legal career strategies you can adopt is to understand as much as you can about the technology as well as the law.

Transportation is one of those dynamic industries where technological innovation has accelerated far beyond the law's ability to understand, manage, or regulate it. Anytime this happens, such a "law-technology gap" creates attorney and often JD Advantage job and career opportunities.

21st Century Legal Career Series Volume 14

I, Robot Lawyer: Opportunities and Threats in an Orwellian World

Robotics law has emerged because robots are such an increasingly important presence in society and the economy. They are central to innovation and advanced manufacturing, are rapidly moving beyond the factory into homes and transportation, and are being "outfitted" with increasingly sophisticated artificial intelligence (AI). Robotics and AI will require a vast body of law and regulation. This, in turn, is guaranteed to generate job opportunities for attorneys.

Attorneys who understand the emerging law as it develops will have an enormous advantage as AI/robotics continue to develop and expand into every corner of global society. The ones who master this practice will have a decided market advantage as time passes. Moreover, those lawyers who also learn about the technology will rise to the top.

21st Century Legal Career Series Volume 15

Financial Services: A Wealth of Evolving Opportunities Financial services is an immense and increasingly complicated industry, comprised of tens of thousands of private sector organizations (banks and insurance companies being the most numerous) as well as a large number of public sector regulators and monitors at both the federal and state levels. A number of major legislative developments have transformed the financial services industry in the 21st century, kindling dramatic attorney and JD Advantage job creation.

Anytime you run across a practice area in which change is a constant and populated by multiple players, that is very good news for attorneys. It keeps demand high in addition to offering interesting work that is intellectually challenging and ongoing.

21st Century Legal Career Series Volume 16

Elder Law: Riding the Age Wave

Elder Law is a practice area often overlooked or deemed slow-moving and stodgy by legal job seekers. Not anymore. That all changed on January 1, 2011, when the first Baby Boomer turned 65. Baby Boom demographics are unprecedented. Beginning in 2011 and not ending until 2029, 80 million have, are, and will turn 65 at the rate of 10,000 a day every day. That's a lot of potential clients.

This most populous and prosperous generation ever is now confronting both the health and financial issues attendant upon age.

Elder Law also encompasses the growing epidemic of financial fraud targeting older Americans, which costs seniors an estimated \$2.9 billion annually. Elder financial abuse is where financial services meet social services. It is also where legal practitioners can hop on board an emerging, highly remunerative practice area that is creating legal and JD-Advantage jobs throughout the nation.

21st Century Legal Career Series Volume 17

Nontraditional Family Law: Serving the "New Normal"

This emerging and burgeoning specialty practice is scrambling to catch up with the demographic and social upheavals affecting the American family. The traditional family model—a mother, father, and children—is now found in only about 25 percent of the nation's households.

The legal needs of nontraditional families are often different from those of the traditional family and present a growing opportunity for legal representation. Nontraditional family law is an evolving practice. There are many different family structures and family law is in the early stages of dealing with them in an organized way. Representation includes counseling clients on formalizing domestic partnerships, pursuing benefits, domestic and international adoption, alternative reproduction, financial matters, as well as all of the issues customarily associated with the end of relationships.

21st Century Legal Career Series Volume 18

Food Law: Bulking Up a Formerly Quiet Practice

For most of our history food safety regulation has been the poor stepchild of federal regulatory concern. Within the two federal agencies with primary responsibility for food safety (U.S. Department of Agriculture and Food and Drug Administration,) this mission historically played second fiddle to more primary concerns. Not anymore. Thanks to a

recent, sweeping legislative reform of food regulation, food safety is on the cusp of a robust expansion that has dramatically changed the landscape for attorneys interested in jobs and careers in food safety practice.

Fashion Law: Refashioning a \$375 Billion Industry

Fashion Law, a practice area buried deep under the radar until very recently, is emerging as a hot new opportunity for attorneys. Moreover, the \$300 billion fashion industry offers both exceedingly deep pockets and a practice that is both dynamic and global in scope, as well as profoundly affected by technology.

Marijuana Law: Splendor in the Grass

Where there is big money, attorneys will not be far behind. Whereas California had only one marijuana lawyer in 2014, today it has many more. In Colorado, the first state to permit and implement recreational pot, there has been an explosion of interest in a marijuana law practice, including a rapidly growing number of attorneys and small law firms that specialize exclusively in this practice area. Mid-size and larger law firms are establishing niche practices.

Now that other states are jumping aboard the recreational marijuana bandwagon, you can expect their attorneys to emulate what has been happening in Colorado over the last two years.

Wine and Viticulture Law: Flowing and Growing

Fifteen years ago, there might have been 20 full-time wine law attorneys in the entire country, almost all of them practicing their craft in the small geographic area from San Francisco north to the Napa Valley and Sonoma County, California. Not anymore. Today, the explosion of viticulture and winemaking encompasses 239 federally-designated wine regions in 25 states and climbing, representing exponential growth. Along with this comes new job and career options for legal/wine connoisseurs interested in a practice that combines general legal knowledge with experiences unique to a most pleasant legal endeavor.

Gaming Law: Job-Hunting with House Money

Gaming law is one of the hottest practice areas to emerge in the 21st century. It has gone far beyond the days when it was limited to Nevada and New Jersey practitioners and is now a national practice, in fact, one that can be engaged in from anywhere. The demand for gaming lawyers is ever-expanding and, while the practice is complex and constantly evolving, the learning curve is not that steep.

Contracting and Procurement: Old Regime...New Opportunities

Contracting and procurement, one of the oldest of all law practice areas, is undergoing a rebirth. First, because there are more deals than ever going down. Second, because what was formerly a little-known, but very lucrative, specialty practice reserved for a few lawyers is rapidly becoming a very big deal and one that is open to any attorney. The U.S.

government is becoming much more aggressive about investigating what it deems questionable contractor and grantee behavior, and apparently there is a lot of that. As a result, the number of suspensions and debarments of federal contract and grant recipients is growing. And that means legal jobs and business opportunities.

Labor and Employment Law: Alive and Thriving

Labor and employment law have, for some time now, been going in opposite directions when it comes to legal and law-related job and career opportunities. Private-sector unions now represent less than 7 percent of the U.S. work force, down from 24 percent a generation ago. However, there are hints of a turnaround here.

In contrast, employment lawyers are doing better than ever. The demise of organized labor – and consequently of labor law – has been “offset” by the prodigious rise to prominence of employment law. Employment law practice is incredibly diverse and includes an immense array of issues.

Alternative Dispute Resolution: Maturing and Expanding

ADR has become an omnipresent means of resolving disputes of every type and is now a fixture in American society. The concept of a cheaper, less contentious, and more efficient dispute resolution process as an alternative to expensive, protracted and highly contentious litigation has been incorporated into the daily operations of many industries, courts, government agencies, collective bargaining agreements, etc.

Entertainment, Sports, and Media Law: A Dream Career

Many of my former company’s male clients seeking legal career transition assistance expressed a “dream” desire to become sports agents. A substantial number of their peers—both men and women—harbored similar dreams of careers in either media or entertainment law. While such careers may, at first glance, appear unattainable, a number of recent developments have brought them from the realm of dreams closer to being a more realistic aspiration.

Six phenomena combine to make such dream careers achievable: Money; Technology; Scandal; Regulation; Proliferation; and Credentialing.

White Collar Crime: Fraud...The Gift That Keeps On Giving

White collar crime practice is white hot. The more enforcement takes center stage, the more it appears to incentivize evildoers to commit more crimes and fraud. This presents an array of job opportunities for both “sides”: government enforcers and private sector advisors and defenders.

Court Administration: A JD Advantage Job Market under the Radar

The United States is the “court-richest” country in the world by far. In addition to 207 federal tribunals, there are hundreds of federal administrative courts and boards. These are dwarfed by the more than 25,000 state courts. The vast majority of these courts have professional staffs consisting of many different disciplines, including many attorneys working in numerous capacities.

Government Relations: Everybody’s Doing It

Government Relations is a booming field populated by tens of thousands of lawyers and non-lawyers at the federal level in the Washington, DC area, state capitals, and within trade and professional associations and other organizations with interests affected by government action. The profession values multidisciplinary skills and diverse talents, including a legal background, marketing, communication, and management skills.

Immigration Law: A Two-Tier Practice

There have always been two completely different, unrelated strains of immigration practice: the better-known “individual” practice; and the lesser known “business” practice. Immigration is certain to continue to be a hot-button issue for a long time to come, which means a central role for attorneys in dealing with its complex resolution.

Real Estate Practice: The Ultimate Countercyclical Practice...With Some New Twists

Real estate has had its ups and downs in the 21st century. What many law students and practitioners don’t realize is that attorneys can insulate themselves against the ups and downs if they plan ahead. For example, every time interest rates go up, the downside is that real estate projects—the development side—get put on hold and business declines. However, the “distress” side of real estate—foreclosures, short sales, bankruptcies, etc.—booms. When rates go down, the opposite occurs and “upside” real estate lawyers thrive

while the distress practice wanes. One of the “insulation” keys is to be able to handle both scenarios.

Taxation: Demand is Always There

Taxation is always a fertile field in which lawyers can ply their trade with the assurance that it will always be with us. Tax practice consists of four major sub-specialties: Tax Planning; Tax Compliance; Tax Transactional; and Tax Controversy.

Workers’ Compensation: An Ancient Practice Heats Up

The very long-in-the-tooth practice of Workers’ Compensation law is suddenly not quite as mundane as its long-time reputation. It is heating up due to (1) demographics and (2) attempts at process reform. This can be a rewarding practice for both plaintiffs’ and defendants’ attorneys, with a number of collateral, derivative practice opportunities that are also at the nexus of medicine and law.

Economic Development Law: Assisting in the Scramble for Business

Every U.S. state and municipality is engaged in a fierce competition to attract and retain businesses. The economic development universe consists of more than 2,500 organizations that both hire attorneys and engage outside counsel to advise and assist them in their business attraction and retention efforts. In addition to raiding other U.S. jurisdictions for new business, globalization has expanded these efforts—and competitions—far beyond U.S. borders.

These are 35 of the hottest legal fields in the 21st century... to date and into the future. Some of these are traditional practice areas that have been energized by recent developments, such as Nontraditional Family Law; others are entirely new, such as Digital Assets Practice. Much more detailed information about these specific hot fields can be obtained from the 21st Century Legal Careers Series by Richard L. Hermann that debuted in 2017; available in print at nalp.org/bookstore and e-book at amazon.com.

For advice on job hunting strategies and career management skills, as well as updates on the Series publication schedule, visit LegalCareerView.com.

And.... don't believe the prevailing, uninformed mantra that there are no jobs out there for attorneys!

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