

Communications Law

1. What is *communications law*? What does it cover?

Communications law includes everything from defamation, libel and slander in newspapers to solicitation, mass media mailings, and Spam. Litigation has recently become more popular with a lot of antitrust issues in regards to big media organizations following specific guidelines imposed by the Federal Communications Commission (FCC). Other regulations that are specific to the media communications industry include the "Do Not Call" registry and specific media, communications, and advertising regulations. Communications law also covers a broad spectrum of issues like broadcast, radio, TV, wireless and telephone issues. Communications law deals with these issues on the federal level through the FCC and the state level through the appropriate state agencies.

2. What does an attorney do who works in *communications law*?

Attorneys can be transactional or litigation oriented. Communications law attorneys need to be familiar with mergers and regulations promoted by the FCC. Attorneys also need to have a good understanding of statutory litigations and be able to analyze them based on statutes. Communication law attorneys work with defamation, libel, slander, and common law applications. A communications law attorney's biggest role is helping their clients get through telecommunications issues, dealing with clients who are not familiar with the FCC, and getting the appropriate applications and forms necessary for a given project.

3. What is an average day like for an attorney who practices *communications law*?

An average work day would include talking with clients on the phone, drafting purchase agreements, negotiating with sellers and buyers and keeping in contact with the FCC. Dealing with the FCC is a very specialized area of the law; outside of Washington D.C. there are few firms that deal with the FCC. Attorneys that deal with the FCC also go to meetings with legal departments and commissioners to get a sense of the current issues that may help their client's point of view. Communications law attorneys rarely go to court and spend most of their time resolving issues over the phone, attending meetings, and *writing*.

4. What is the average salary for an attorney who practices *communications law*?

The biggest factor in salary is mostly driven by what market an attorney is in and depends on the location of the firm. For example, communications law attorneys in Washington D.C. will make more money than in Salt Lake City.

5. Is there currently a demand for *communications law* attorneys?

The current demand is strong because there is more activity in the area of large communication companies that are merging and dividing, so attorneys who have an expertise in the area are staying busy. There may be more of a demand in terms of internet, wireless, and telephone issues than in broadcast, radio, and TV related cases because technology is advancing rapidly and the demand for attorneys in broadcast, radio and TV is not as great as it used to be.

6. Is there more of a demand for *communications law* attorneys in one area of the country over another? Yes, Washington D.C. is the place to be because there are more cases dealing with FCC regulation violations and so much of what a communications lawyer does revolves around the FCC. Los Angeles and Chicago also have a high demand for communications attorneys.

7. How difficult is it for students right out of law school to get a job in *communications law*?

If a law student decides to strictly practice communications law, it is fairly difficult. Communications law is specialized enough that to find a job, one would need to do well in school and do intense research to find a good communications firm. A lot of firms tell people they specialize in communications law but once attorneys get in, the work they do is just "small potatoes" and most end up working only on the state level. The best way to get a job in communications law right out of law school would be to do substantial research and specialize in communications work. Also, some attorneys are forward with a firm and tell them what kind of work they want to do, sometimes even requesting to work with certain partners to get more experience in the communications law field.

8. In what type of a work situation can an attorney practice *communications law*? Big firm? Small firm? Government work?

If you specifically want to work for the FCC you can work in a big firm or in secondary government settings. There is not much work in small firms or even mid-sized firms for communications law. Most cases are handled by larger firms.

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9. What are the most rewarding things about practicing *communications law*?

Communications law is fast-paced, consistently changing, and provides intellectually challenging opportunities for attorneys to work in. Many find this rewarding, because much of an attorney's work in this area of law results in public policy. For other attorneys, the most rewarding aspect of practicing communications law is the impact of their work on ordinary people's lives and seeing it put into a detail-oriented process of law that results in achieving their client's goals.

10. What are the most difficult things about practicing *communications law*?

The most difficult aspect about communications law from the litigation end is dealing with a lot of frivolous lawsuits against media companies. Also, people are always claiming defamation and are frequently very emotional and upset. Not only is this practice of law time-consuming, but it is also frustrating to be at the whim of the FCC and have to wait for their approval. Sometimes the FCC commissioners even change policies for political reasons, which complicate things even more.

11. For students who are interested in practicing *communications law*, are there certain undergraduate classes they should take? Majors that are better? Minors that are better?

A business background is encouraged for students pursuing a career as a transactional attorney. For defamation, the more litigation-oriented a person is the better. Even though a communications background, like journalism or broadcasting, is also helpful, English is the best option because law school is mostly reading and writing. A basic understanding of federal agencies and the administrative processes of the federal government is helpful, as well as learning the history of organizations like the FCC and how they function. Basic government and political science courses and a background in computer science or information processing are good too.

12. For students who are interested in practicing *communications law*, would it be better to go to a school that holds itself out as having a specialty in *communications law* or just the best ranked law school the student can get into?

Getting into the best ranked law school is definitely better than getting into a specialty school. Even though USC and Indiana University have good communications law programs, few firms know (with exceptions) that they have good programs, and quite frankly the firms don't really care. Firms just want their attorneys to do really well and worry about specializing once hired.

13. For students who are interested in practicing *communications law*, are there certain law school classes they should take?

First Amendment, constitutional and administrative law classes, sports and entertainment law, and transactional classes are all good classes to take. Students interested in doing litigation work should take moot court, trial advocacy, evidence and administrative law classes.

14. For students who are interested in practicing *communications law* is there anything else they should do to prepare themselves for that field of law?

The only thing that would be beneficial is to stay current in the news with FCC related issues by reading newspapers, going to the FCC website and being up-to-date. Working in the communications industry before law school is also helpful.

Information compiled based on interviews with the following attorneys:

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