

Constitutional Law

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

Constitutional law is primarily concerned with Bill of Rights issues with much concentration on the 1st Amendment and protection of civil rights claims. Some aspects of constitutional law include discrimination in employment situations, issues of due process, and fair trials. Constitutional law sometimes overlaps with criminal law, although criminal law concentrates more on the 4th and 6th Amendments.

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

Attorneys who practice constitutional law are involved in either litigation or transactional law. Litigators are more experienced attorneys that spend more time in court and are involved more in lawsuits regarding the First Amendment. Transactional attorneys work more behind the scenes doing research and desk work. Constitutional law attorneys generally do a lot of research and writing. They need to stay on top of caselaw and make sure they are updated on the different jurisdictions. Attorneys also read a lot of cases, office memos, court documents, motions, and constantly research the internet. Constitutional law requires a lot of computer work.

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

A typical work day for an attorney who practices constitutional law is relatively demanding. The work hours are long and there is a lot of writing involved since this type of law is very policy-oriented and requires a lot of creative thinking. A typical work day is from 8:00 A.M. – 6:00 P.M. although work hours do tend to be flexible. Constitutional law attorneys who work in larger firms usually do not go to court until they have established themselves. In smaller firms, constitutional law attorneys will be in court more mostly as public defenders or prosecutors.

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

Constitutional law attorneys who work as public defenders, prosecutors or public interest attorneys usually make around \$30,000 - \$50,000 a year. Attorneys who work in bigger private firms start off making between \$80,000 - \$90,000 a year in Salt Lake City. Attorneys working in the coast cities start off in the six figure range.

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

There is more of a demand for qualified attorneys who practice constitutional law for public interest because the pay is significantly less. The demand for constitutional law attorneys in larger firms is not very high, therefore the competition is fierce. In order to secure a job in a top firm, most students need to be in the top ten percent of their class. For example, many law school graduates from BYU are interested in working for Kirton & McConkie in Salt Lake because it is the hired legal representative for the LDS church. Since so many applicants apply, in order to be competitive, a law school graduate should not only be at the top of his or her class, but also have a good undergraduate record, be a good writer, have an amiable personality and do well in the interview.

6. Is there more of a demand for *constitutional law* attorneys in one area of the country over another?

There might be more of a demand in larger firms because they hire more attorneys, but it is a relatively difficult specialty to get into anywhere in the country.

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

Since constitutional law is such a specialized area, most attorneys do not primarily practice it alone. Because most attorneys cannot practice constitutional law full time, they practice other types of law as well. The difficulty of getting employment right after law school is more dependent on the size and reputation of a firm as compared to the type of specialty a student wants to practice. In order to get a good job with a respectable firm, a student needs be in the top 10%-15% of his or her class. Students also have a better chance of getting employed if they performed well during their clerkships.

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

Attorneys can practice constitutional law in any type of work situation, although the salary is reflective on the size of firm an attorney works in.

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

Constitutional law is rewarding because attorneys enjoy being on the right side of the fight and working for something they believe in, which is rare in many other types of law. Also, constitutional law is a very interesting area of the law that allows attorneys to be very creative when arguing about policies. Attorneys also enjoy that what they learned about constitutional law during law school is very applicable once they practice it. It is a very exciting type of law that frequently makes the headlines with hot issues such as the Ten Commandments in government buildings and the legalization of same-gender marriages.

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

This area of the law is sometimes difficult because it requires a lot of critical thinking. Constitutional law also demands a lot from an attorney and is sometimes described as a solitary profession because attorneys are required to do a lot of research and writing alone. This may be difficult for people who like to interact with others and who need consistent change. Also, it is not recommended for people who dislike writing because constitutional law demands a lot of reading and writing documents, which has proven to be very challenging.

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

Philosophy, English, and political science are all good majors for law school. These majors are all equally helpful because political science gives you a good background, philosophy trains you to think more critically, and English strengthens your writing skills. Regardless, the necessary classes required to best prepare future attorneys for this specialty are the actual constitutional law classes taken in law school. Overall, doing well in any major in order to maintain a good GPA is probably the best preparation any student can make in their undergraduate education.

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

Since all law schools teach constitutional law during the first year, it does not matter if the law school has the best program for constitutional law. By far, it is most important to get into the best ranked law school as student can get into because that is a large determining factor as to the success of future employment.

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

Constitutional law is required for most first year law students; also, other elective classes like First Amendment, common law, and criminal law are all very helpful.

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

Students need to know that if they want to work in a big firm, it is very competitive. They need to study hard enough to be on a law review and work hard for good grades.

15. Other Comments

Constitutional law is great fun and is well worth all the hard work.

Information compiled based on interviews with the following attorneys:

David C. Reyman
University of Chicago 1999
Parr Waddoups Brown Gee & Loveless
April 15, 2005

Karina F. Landward
BYU 2002
Kirton & McConkie
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