

Family Law

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

Family law covers divorces, annulments, modifications, adoptions and custody. For example, cases when there is a foster child taken out of the home, child support disputes, cases involving parent's visitation rights and grandparents' rights to have contact with grandchildren when there is a divorce or a death.

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

Family law attorneys do a lot of client control since most of the cases they work on are emotionally charged. They draft documents and do a lot of paperwork and court appearances. For example, in divorce cases attorneys can either counsel the couple together or represent one person, but they cannot do both. Some attorneys also mediate, and in those types of cases they must be neutral to both parties. Since judges prefer for people to figure out their own agreements, attorneys try to do as much as they can to avoid going to court and thus, are good at negotiating views when people are separating their lives from each other.

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

Most attorneys who practice family law also have other specialties since it is very uncommon for someone to solely practice this type of law. An average day for attorneys who practice this type of law includes talking with other attorneys about cases, pleading cases, or talking to clients over the phone. If you are a family lawyer, you will spend some time in court, but unlike most people think, for every 20 hours an attorney is in the office only 1-2 hours are spent in court. More time is spent writing agreements, preparing divorce papers, talking to attorney on the other side, and talking to clients. Often things are worked out in session with the judge and the judge's clerks are good at helping to broker the deal because they read what the agreement is and help the clients figure out the process.

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

The average salary for family law attorneys is lower than other specialties. Most clients use up all of their assets to pay for lawyers, so a responsible family law attorney tries to do things efficiently and charges fees according to what their clients can pay. Most family law practitioners work alone or in a small firm, so their pay is based more on an hourly rate than an annual salary. Attorneys in a more general practice make between \$40,000-\$50,000 a year, whereas those in a larger firm may make around \$60,000 a year. It is lower on the scale compared to attorneys whose clients are huge corporations.

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

There is a demand for family law attorneys because there is a lot of work, but unfortunately it is difficult for recent law school graduates to find a job right away because most law firms are looking for attorneys with prior experience. Finding a job in family law is probably not the easiest, but if you get a job in a firm where they do general litigation that is where you get the experience. If you go to court for one thing, then you will get the skills needed for any type of law and this is useful because most people get trained by trial and error.

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

Probably not because problems related to family law are pretty much evenly spread out in the country.

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

I think it is a fairly easy area to get into because it is not very complicated and there is a demand for it since there are so many divorces. But once again, it is easy to get in to once you have the type of experience that can be gained by working in general litigation.

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

Big law firms don't usually have a specialty in family law, but occasionally they will have a small corner. A small firm, solo practitioners, and the government will practice family law. The best way to get experience is by working for government agencies since many courts assign attorneys to represent children who are being taken away from their families or other similar cases. Also, jobs are easier to get in the government sector first than in a firm and it will make it easier for an attorney to market their services in the long run.

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

This type of law is most rewarding if you think you have helped people cooperate for the sake of their children and done a good job assuring that the children do not suffer and have the best that they can possibly have. That makes you feel good. Adoptions are an arduous process, so after a family has worked for so long and the case is finally a success, that is rewarding because you have had a hand in uniting a family. Those two are both very rewarding.

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

The most difficult thing about practicing family law is the salary since most clients cannot afford to pay for how much work they need done. Also, it is heart-breaking to see what agony people go through because in this type of law you deal with a lot of emotional cases. Working with people becomes exhausting.

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

There is not a major or minor that is necessary for people interested in this type of law, but most people who have a natural affinity for family law have usually taken classes that are related. Some of these include psychology and any other classes that teach you about human behavior. MFHD would be an ideal major.

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

Students should try to get into the best ranked law school they can get into because the best ranked schools will usually also have good family law programs. Law is law, therefore the subject doesn't really matter since students will have to learn how to analyze law and read statutes and read case law regardless. Also, since family law is very state specific, students will have to become familiar with the statutes of how family law works in that state. Another reason why students should try to get into the best ranked law school instead of a school that holds itself out as having a good program in family law is because no one ever really knows for sure what specialties to choose and law school is very well rounded and provides many options where students can see where they can hone the skills they learned in law school into whatever area they choose to get into.

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

At BYU, they had a basic family law class which you should take. You should understand how to separate money and have a mathematical mind (issues about taxes and estate planning and how to divide pensions and stuff like that). You should know something about estates and taxes, but you need that knowledge to pass the bar anyway.

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

Students who are interested in this field of law should observe it in court since court is open to the public. They can watch judges decide the futures of juvenile delinquents or watch parents have their children removed from them because they can not care for them. This real-life exposure will help students decide if family law is something they want to pursue. Students interested in family law need to understand how people work, whether they learn that in life or in class is unimportant. Some helpful things students can do to gain such experience are volunteering in women's shelters, centers for child abuse, etc.

15. Other Comments

It is possible to have part of your practice be family law, but if it is your whole practice then you may risk getting burnt out. Other specialties that go well with family law are real estate law, setting up small family businesses, and wills and estate planning. Students interested in family law should think about starting a general practice. Litigation and estate planning courses would be good classes to take in addition to family law. Also, since there is so much work in this area, practicing family law is flexible and a great part-time job for working parents.

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