



Richard L. Hermann's

LEGAL CAREER VIEW

News You Can Use

In our 24 hour cable, Twitter, Facebook, Instagram, texting world, the news is right at our finger-tips. Yet how often do your job-seeking students or lawyer coaching clients think to use that news in their legal career planning?

The news may be troubling or politically divisive, but often within it are golden opportunities for today's law graduates. Consider these topics in the headlines:

Opioid Addiction

Since 2002, opioid-related deaths are up more than 300 percent and are now the leading cause of death for people under age 50. The monetary cost to governments at all levels for public healthcare, treatment facilities, law enforcement, criminal justice, and jail expenses amounts to tens of billions of dollars each year.

Lawyers are likely the only industry destined to benefit in the near term from the opioid crisis devastating America. As is invariably the case with any calamity, attorneys tend to profit because they can play on both sides of the equation.

Local and state governments nationwide have had to expend massive resources combating the opioid crisis. They view the legal path as a way to recoup some of that expenditure. It is not only Big Pharma and distributors who are the targets of this litigation flood. Governments are also going after physicians and pharmacists.

Self-Driving Cars

The first pedestrian death associated with self-driving technology occurred on March 18th. Uber, the company operating the test vehicle, suspended tests in Arizona where the accident happened and elsewhere across the country. The incident may become a rallying cry for further proof self-driving car and truck technology is safe, but autonomous vehicles are on the verge of breaking through and turning both the movement of individuals and goods, and the legal profession, inside out and upside down. The kind of creative destruction self-driving vehicles will bring about does not happen very often. When it does, everyone has to sit up and take notice.

Mid-term Elections and Beyond

With the November 2018 mid-term elections rapidly approaching, state and local election administration offices are in something of a panic mode. Their angst is the result of the threats to registration and voting integrity resulting from the tumultuous 2016 presidential election, when Russian government probes and intrusions along with multiple hacks from both domestic and foreign evildoers could have compromised the entire electoral process.

The consequences are good news for attorneys interested in election law and administration. For years, this practice niche was a quiet backwater consisting of a handful of lawyers who came out of hibernation every few years to ply their trade, then disappeared again between election cycles. Not anymore. Today, election law is a full-time, year-round business fraught with confusion, complexity, and controversy. Given the creative efforts of potential hackers and their ilk, you can expect it to heat up even more moving forward beyond 2018

Five federal agencies have a role in election administration, but the real action, in terms of attorney numbers and 2018 job opportunities, are in the 50 states and parallel jurisdictions (primarily Attorney General offices and Secretary of State offices) and at the local level (city and county attorney and election administration offices). Together, the total number of state and local administrative and enforcement agencies heavily involved in elections amounts to more than 3,200.

Elder Financial Abuse

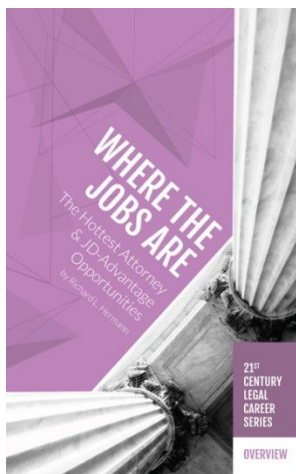
Baby Boomers are turning age 65 at a rate of 10,000 a day and will continue to “age up” at this rate until 2029. Currently, Americans over the age of 50 account for 77% of personal financial assets in the United States. Unfortunately, 1 in 5 seniors have been victimized by financial fraud, and seniors lose at least \$2.6 billion annually to financial exploitation (virtually every expert who follows these developments believes that this number greatly understates the extent of the problem).

On February 5th, Financial Industry Regulatory Authority (FINRA) Rule 2165 *Financial Exploitation of Specified Adults* went into effect, binding 635,000 securities brokers and dealers. Additionally seven states adopted senior protection laws in 2017 with other jurisdictions working on similar legislation.

Elder financial abuse/senior fraud is rapidly becoming one of the hottest subsets of Elder Law practice. Elder Law, traditionally the province of sole practitioners and small firms, is exciting interest from major law firms who see great potential for developing a lucrative practice area.

In addition, the hundreds of thousands of U.S. financial institutions that manage senior assets, as well as federal and state financial regulatory agencies and prosecutorial offices, are hiring attorneys for positions dealing with these matters.

Using the news as a tool in a job search or career plan, makes a law student or graduate a proactive rather than a reactive job-seeker! For timely law job-related news, visit legalcareerview.com.



21st Century Legal Career Series

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 law graduates for a successful job search in the career fields or practice areas of interest.

This guide to the *21st Century Legal Career Series* is intended as an introduction to the booklets and the range of employment opportunities available to JD graduates. For the *Series*, 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 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?*

The **21st Century Legal Career Series** publications highlight practice areas and employment opportunities for law students to explore as they consider what courses to take in law school and where graduates can find success in a legal career. They provide an in-depth look at each of the following 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.

Vol. 1 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.

Vol. 2 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.

Vol.3 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.

Vol.4 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.

Vol.5 "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.

Vol. 6 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.

Vol. 7 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.

Vol. 8 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.

Vol. 9 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.

Vol. 10 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.

Vol. 11 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.

Vol. 12 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.

Vol. 13 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.

Vol. 14 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.

Vol. 15 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.

Vol. 16 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.

Vol. 17 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.

Vol. 18 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.

These are 18 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.

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

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

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