Is Being a Family Lawyer the Right Choice for You?

Are you right in choosing family law as a career for yourself? The answer depends on many things: your legal and "people" skills, your personality, and your personal and professional goals.

Several of the family lawyers surveyed for this article quickly point out that law students should do some research and reflecting before choosing this field to make sure it is a good match for them.

"Look before you leap!" advises a lawyer with 25 years' experience whose own practice is 90% family law. "Family law is not for everyone. You need to examine your own biases and psychological problems, if you have any"

Law students who are considering this field can purchase a student membership in the ABA's Family Law Section for only $6 a year.

This entitles them to discounts on Section programs and subscriptions to Family Advocate magazine and the Family Law Journal. Membership would also allow them to network with practitioners through regional or national programs. Law students may also want to check out local bar associations for several networking opportunities and discounted CLE programs.

"Students need to develop an action plan in the first year of law school," explains Ronald Fox, director of the Center for Professional Development in the Law in Cambridge, MA, who counsels lawyers on career decisions. "They should sign up for as many family-law related classes as possible, including clinical, trial, mediation, child or juvenile law, and health law."

He also recommends students sign up for local family law bar committees. "They should join school or outside women and family groups," according to Fox, "and if there aren't any, they should form them."

He warns students that they must keep their ears open for openings since they will not be advertised and family law firms do not participate in on-campus interviews.

"Let everyone know that you will be in that field when you graduate" says Fox.

Using the Internet and Other Tools

The internet can be an incredibly useful career planning tool. To become familiar with the field of family law, students can go to Find-Law (www.findlaw.com) and click first on Legal Subject Index and then on Family Law to find out more about the field. They can then search other sites, such as Divorce Net (www.divorcenet.com).

Those looking for a mentor can try West Law Directory (www.wld.com) or Martindale-Hubbell (www.marhub.com) where they can search by city and area of practice. They can also check out the ABA'S Family Law Section (www.abanet.org/family) for upcoming meetings and CLE programs or to join.

A list of career planning guides can be found in Appendix B as a starting point for law students. Appendix C includes other professional groups, many of which offer student memberships or allow students to attend conferences.

"Don't think of yourself as a law student; you are a family law practitioner-in-training," advises Fox.

Real World Experience

"Students should go to the Family Law faculty to be assigned to alumni mentors immediately," according to Fox. "They should find term time work with a practitioner."

Many lawyers agree that law students get some hands on experience before committing themselves to this area of law.

"Work six months with a family law practitioner at least while in law school to see if you like it," suggests a family lawyer who has practiced for over 19 years.

"Talk to experienced practitioners about working in the family law area before entering it," advises another who has practiced for 24 years.

"If you're not a caretaker, don't do it," warns one practitioner "If you're in it for the money, don't do it."
One attorney with 13 years' experience, whose practice is 100% family law, comments that law students considering this area should think again because "this is tough stuff and it's sad work." She adds that "the only joy I find in the work is successful mediation and cases which have been settled and litigation avoided."

Fox remembers clearly when he became a mediator, rather than a litigator:

I had practiced divorce law for five years in 1974 and realized that the adversary system doesn't work. Old friends who I had fixed up were getting separated. I said I would sit with them and answer any questions as long as they were both there. A couple heard what I had done and asked me to help them draft an agreement. I then read about something called divorce mediation and said, 'Hey, that's what I do,' and told folks I was a divorce mediator Even those who enjoy litigating family law cases admit that it takes a certain kind of personality.

"It is very stimulating and rewarding," says Bostonian Chouteau Merrill, who has practiced for eight years, "if you have the temperament for it."

"It's a great field, challenging and interesting," according to Lori Shemtob of West Conshohocken, PA. "You have to like people and be willing to listen to their problems. If you are not willing to listen, do something else."

Keep in mind that many aspects of family law which make it particularly challenging-long hours, hard work, frustration with clients or the court system, and the difficulties of staying current in a changing field-will generally be found in other areas of the law as well.

While being part of a large corporate firm may seem like a dream job to some law students, the reality is that many new lawyers who join a larger firm soon find out that they have minimal contact with clients and very little sense of helping others or doing important work.

Those who are adverse to handling certain types of family law cases, such as contested divorce or custody, can choose to do mediation or limit their work to other types of cases, such as adoption, juvenile law, or elder law. Remember that all careers have their advantages and disadvantages. And there are choices to be made in any profession, just as in life itself.

The Rewards of Being a Family Advocate

Many of those surveyed, however, remain enthusiastic, even after years of practicing family law and would not choose any other field. Lawrence Stotter of San Francisco says he continues to enjoy the things that attracted him to family law in the first place: "the personal involvement with clients and the ability to guide parties legally who are in distress."

For many, years of experience have not dimmed their vision of what their most important role is: being an advocate for children or others who need them most. Gary Skoloff of Newark, NJ, believes the best part about being a family lawyer is "saving the children from parents who love them but lose their sense of perspective."

Chicagoan Donald Schiller says he enjoys "taking people at a very low point in their lives and giving them a fresh start." Schiller also gets a lot of satisfaction from "building a quality firm to pass on my concepts of practice in this field to others."

Many family lawyers credit their chosen profession with giving them greater sensitivity which strengthened their own marriage and their relationships with their children. Several practitioners list the disadvantages, but go on to say they prefer to focus on the many rewards of being a family lawyer.

"It is the most rewarding and most frustrating area of law," according to Gail Nunn of Everett, WA. "It's a good area if you like dealing with people more than paper and you like to be in court."

Family law can be stressful, admits Gerald Nissenbaum of Boston, who has practiced for over 30 years, but it is also emotionally and financially rewarding.

"Learn it! Do it! Teach it! Love it!" he urges prospective family lawyers.

Barbara Shah of Bethel Park, PA, along with many other experienced practitioners, encourages law students and new lawyers to enter the field because "There are never enough good family lawyers."
Divorce practice can be very rewarding professionally. However, it must be approached with the same professionalism and commitment as any other legal area. It is far more than just "handholding expertise in the sub-disciplines, such as ERISA, bankruptcy, taxation, and property law, enable your skills to make a difference.

Realize that you are not going to be able to fix all the problems for everybody and that you cannot save the world by yourself. You owe it to your clients to take proper care of yourself. If you become exhausted and burned out, you are not going to be able to help any one, including yourself.

Talk to someone (or as many as possible) who practices family law about what they like and don't like about it. Honestly consider your own reasons for selecting this field. Do it for the right reasons, because you want to, not because you think you have to. Read some of the major cases to get a sense for the type of complicated issues that come up. If you do choose it, be proud of the contribution you make to this important field of law.

Understand and appreciate that no one ever "wins" in a divorce case and settlement is always easier for the parties to cope with than a court order drafted by a third party.

Realize the paradox of having to be patient and caring with clients who are going through a crisis and a trauma, but having to be aggressive and tough with attorneys and sometimes judges.

Do adoptions rather than divorces.

It's a great field for people who still believe the practice of law is a service to others, not just a money-making endeavor. You can gain a great deal of personal satisfaction by helping others successfully get on with their lives.

It may be helpful to not only study psychology, but to spend some time on self-analysis. The best suggestion would be that you spend time clerking for a family practitioner or as an internal family law court.

If you are looking for monetary return, there are much more rewarding areas of the law. If you enjoy helping people through one of the most stressful experiences of their lives—a divorce—and gain satisfaction from assisting your client in surviving and moving on, then family law is the field to practice in.

Think about it three times before you select this field.

Think carefully whether you have the commitment to stay within and the breadth of interests to cover all of its legal, psychological, economic and tax aspects. It is not a good choice if you want to avoid dealing with financial details.

You will find there is always two sides to every story concerning divorce. Even though you represent your client, that client is going to tell his/her story slighted to their advantage and it is incumbent upon you to factually determine what the true circumstances are concerning your case. Sometimes that means talking to witnesses, reviewing documents, and questioning your own client. Clients frequently believe that not only can they hide information from their spouses, but also from their attorney. It is important to seek out the "skeletons in the closet" so you will be prepared in the event that these are brought up in trial. It is imperative to uncover this type of information early, so you can be fully prepared to defend them.

If you genuinely like people and want to help them solve their problems, this is a great field. It is an area of law that is constantly changing and calls on you to use your creative skills to help your clients reach an acceptable solution to a generally awful situation. However, if you don't like hearing about people's misery, you should consider another area of law.

Do not practice criminal law first! It is often very difficult for lawyers who have done criminal law to avoid slipping into the adversarial mode in family law settings which ordinarily do not need attorneys adding to the hostilities.

It is gratifying, rewarding, frustrating. You must be willing and able to look inward for satisfaction for a job well done and not expect the client to understand or appreciate your efforts.

Take your work seriously. Don't take the attitude, as many lawyers do, that this is "just" domestic work. You will lose your cases and your clients.

Know yourself and be secure in who you are. Family law is more than "winning" or "losing" cases, especially when children are involved.
If you want to be a legal counselor, working with more than strictly the legal options clients have, it can be a very rewarding way to use your legal training. It is not necessarily a high money-making field, but has other valuable satisfactions related to helping families through difficult times in the healthiest way for them.

It is interesting because you learn about so many different things. Your clients' businesses and issues will differ.
As much as you would like to make significant advances in the field, in daily practice you will only be able to make incremental positive changes in peoples' lives. Be satisfied with that, but be persistent in that you continue in your efforts daily. You will come away with some positive reinforcement to offset the many occasions where you observe people hurting and children having to endure significant pain and suffering. However, you cannot be the problem solver and salvation for everyone. Keep your goals reasonable and attainable and gradually refine and enhance your skill.

It is a very rewarding field. You are helping people under high stress to restructure their lives. One cynical note: be sure to get a high enough retainer. It is hard to get paid.

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