

# *“Finding Your Niche”*

BY KEVIN C. MURPHY

As an aspiring law student, I always wanted to be a “Jack of all trades.” I thought I’d be able to help anyone who comes into my office with a valid claim. However, as a practicing lawyer I quickly realized that there is just too much law out there to know it all or perform competently. Now I firmly believe that the “General Practitioner” is in its extinction. It is a recipe for malpractice. There are just too many procedural nuances and protocol guidelines to dabble in various fields, without setting yourself up for trouble. **The goal then is to find a niche and excel in it.**

Luckily, a year or so after I graduated from law school I partnered up with my mentor (and mom) Kathleen Jones, and focused on her specialty – Administrative Defense of medical professionals. Having been a nurse for 12 years prior to becoming an attorney, Kathleen developed a niche practice based on her medical experience: representing healthcare practitioners in licensing and discipline matters before State Boards (i.e. Nurses, Pharmacists, Dentists, Occupational Therapists, etc.) Because our Administrative law practice concerns intricate details of medical treatment the most difficult part of the learning curve for me has not been mastering the subtle rules under the Administrative Practice Act (and applicable provisions of Cal. Codes relating to medical professionals), but the hardest part has been learning the medicine in order to (1) understand the basis of administrative complaints, (2) have informed conversations with our clients, and (3) develop and proffer arguments to protect our clients. Fortunatley, as the kid of a single-mother registered nurse I was playing around the hospital and observing medical staff from a very young age, and I grew up with an understanding of healthcare professions. I am by no means an expert in the medical field, but I have begun to gain

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a greater understanding about the duties and responsibilities of these professionals and how to best protect their licenses and rights.

**So my advice is “go with what you know.”** If you had a prior career in biology, focus on biological issues (pharmaceutical patents, bio engineering business formation or transactional work). Or if you were a Police Officer focus on criminal issues or constitutional law (As an aside, another recommendation I have is NEVER explain the appropriate levels of “probable cause” or “due process” to a traffic cop giving you a citation...they *really* don’t like it.) Or if you worked as a waiter, which many of us did, concentrate on restaurants or equipment manufacturers. Even if you haven’t had a prior career, focus on what you know. Use the information you learned while studying for your degree in college, or even better...follow your dreams! If you want to get into politics, focus on legislation or unions. If you are into baseball or boxing, focus on sports representation. If you love movies or video games, then pursue a practice in entertainment law. Whatever your life story, use your experiences and interests to make you a better lawyer and more marketable in today’s crumbling economy. Any edge you can bring to an organization, no matter how seemingly small, may be a great benefit that goes unrealized until you demonstrate your legal knowledge coupled with real-world practical understanding.

**After you’ve selected an area to pursue, learn as much as you can about it.** Follow news relating to your practice area, international, national and local. I spend an hour or so each morning going over recent healthcare industry news, developments and cases. (Actually, with all the healthcare reform stuff going on right now it’s about an hour-and-a-half because there are a

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lot of changes throughout the medical field – and we have a Facebook fan page/Twitter account/legal Blog that keeps people informed about healthcare industry trends and advances.) In addition to keeping up to speed with news, you should also get practice guides and manuals for reference – and READ them (don’t just use them to make your office library look professional)! Lastly, join professional groups and organizations relating to your practice area and network with colleagues and clients.

**Reap the Rewards.** The benefits of specializing in one area of practice are many, but some important ones are: (1) Referrals from colleagues not familiar with your practice area. What attorney is going to send you cases that they could just as easily handle? Answer: None...at least not any good cases. (2) Targeted marketing. Advertising effectively is easier because you know *who* your clients are and *where* they are located. (3) Legal Mastery in your field. After a while you will actually be able to fully understand, memorize and effectively apply a particular body of law, which will alleviate anxiety and stress...and help you to focus on the real goal – winning for you clients!

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