CAREER PATHWAYS: INTERNATIONAL LAW

I. Overview

International law was traditionally divided into two sub-fields, public international law (dealing with relations between states) and private international law (dealing with relations between natural persons, or corporations situated in different states and operating on the international plane). Over the past decades, these traditional divisions have been further fragmented into a vast array of specialized sub-fields of international law, including international environmental law, international criminal law, international economic law, international trade law, international commercial arbitration, etc.

A. Survey of Substance

Most attorneys wishing to pursue an international law practice typically start by advising clients who have an international presence or encounter cross-border issues in their usual course of business. Many law students will be surprised at how often international or cross-border issues arise. In fact, it is increasingly likely that even attorneys who intend to practice exclusively in a domestic practice area (say, family law) will encounter a situation with an international facet at some point in their careers. Accordingly, understanding cross-border implications of these transactions—and the ability to counsel clients to favorable outcomes—is a very valuable skill set.

B. Typical Practice Settings

For aspiring American public international lawyers, careers in the traditional public international law realm usually start at the U.S. Department of State, Office of Legal Adviser (the chief legal affairs bureau of the State Department). Please be advised, however, that career appointments in the Office of Legal Adviser are extremely competitive, with hundreds of applicants (if not more) for each available position. Alternative career routes exist. Many law students and attorneys apply for career Foreign Service Officer positions with the State Department. Although a law degree is not a technical prerequisite for a diplomatic career, many successful diplomats have previous legal training, and exposure to international law courses is a natural plus in the application process. Moreover, another classic point of entry for aspiring public international lawyers is the JAG Corps of a given U.S. military branch. Given the global reach of the U.S. armed forces, JAG officers are tasked with researching and resolving international law disputes on a daily basis, whether the dispute stems from international maritime borders, a status-of-forces agreement with a foreign nation, or a family law issue involving an
American service member and a foreign spouse. Regardless of their posts of duty, JAG officers become extremely adept at working within foreign legal environments and with counterparts from other foreign military and civilian bodies.

With respect to private international law, attorneys are likely to practice in this area if their clients negotiate service or purchase contracts with firms abroad or attempt to arbitrate a dispute before an international commercial arbitrator. Most large law firms have dedicated departments devoted to international commercial arbitration. However, smaller firms or even solo practitioners with expertise in a given field, or with particular language expertise, are able to develop a very lucrative niche practice given the demand for multi-lingual, U.S.-trained attorneys.

In addition to working in private practice or in-house, private international lawyers can also find practice positions in international organizations or in the legal affairs departments of large international, non-governmental organizations (NGOs). Large philanthropic organizations that distribute grants abroad also rely on private international lawyers to navigate the complex regulatory climate of cross-border financial transactions, including tax implications in the home and client countries.

C. Typical Tasks

Given the breadth of positions falling under the aegis of “international law,” it is difficult to characterize certain tasks as typical or atypical. As a general rule, however, a requirement that all international law positions share is the ability to understand foreign legal cultures and institutions. International lawyers routinely deal with practitioners from different legal backgrounds, and an understanding of different languages, cultures, and social conditions is critical. Similarly, international lawyers typically review documents drafted in other languages, legal documents prepared in countries with different evidentiary standards than the U.S., or financial documents prepared to comply with foreign financial disclosure laws. The ability to work effectively with support staff from different disciplines, including translators, accountants, executives, and government employees is vital.

D. Related Areas of Practice

Immigration law is often a related practice field, both in the traditional sense (individuals applying for adjustment of status in the U.S.) but also in the increasingly diverse corporate immigration field (immigration issues that arise following executive corporate relocations, mergers, etc.) and the like. Similarly, international family law is a growing field, particularly with respect to international adoptions, international child custody disputes, and disputes arising under the Hague Convention on the Abduction of Children.

II. Courses

A. Primary Courses

- Public International Law
• Private International Law
• International Business Transactions
• International Economic Law
• Comparative Law Seminar
• International Economic Law

B. Secondary Courses

• Conflicts of Law
• Immigration Law
• National Security Law
• Admiralty Law
• Summer Abroad Programs
• U.S. Taxation of International Income

III. Related Opportunities

Like career appointments, internships within the State Department are extremely competitive, with several hundred applications for each available position. Internships with particular U.S. embassies or consular offices abroad may be less competitive but are awarded on a case-by-case basis. It is usually advisable to contact the Political Affairs Office in the U.S. Embassy or Consulate and inquire as to any available internship opportunities for U.S. law students. Please keep in mind that these positions—including unpaid internship positions—often require U.S. citizenship, an extensive background check, and other conflict-of-interest checks.

At the University of Memphis, students working at the Child and Family Litigation Clinic may encounter cases arising under the Hague Convention on the Abduction of Children or cases involving immigration issues. An externship in immigration law is offered with the Community Legal Center. Experience in a clinical or externship setting will greatly improve your opportunities for pursuing a longer term position in international law.

The U.S. Agency for International Development (USAID) also administers a very large number of development programs throughout the world. Often, these contract activities create opportunities for students to work on USAID projects under the supervision of USAID contractors or subcontractors.

Furthermore, there are a number of civil rights and human rights organizations that provide opportunities for students to research issues of international law, foreign law, or conflicts of law.

IV. Resources

• Practicing Law in the Office of Legal Adviser
  o http://www.state.gov/s/l/3190.htm
• U.S. State Department
  o http://careers.state.gov/students
V. Contacts

A. Law School Faculty

• Prof. William Kratzke
• Prof. Boris Mamlyuk

B. Law School Adjunct Faculty

• Gen. Albert Harvey
• Elisa Mascoupulos Mulrooney
• Hon. Charles Pazar