What is Privacy Law?

Privacy law refers to those laws that protect individuals’ personally identifiable information and those laws that protect their private material property. Personally identifiable information includes healthcare, financial, education, and government records. Privacy laws include communication privacy laws, information privacy laws, online privacy laws, protections against trespassing, and protections against deceptive trade practices. Privacy lawyers can be involved in transactions and contracts, litigation, and advising on companies’ privacy policies. Most work of privacy lawyers, however, is in preventative legal work, not litigation. Many privacy lawyers work in-house as advisors or for federal and state regulatory agencies (Georgetown).

Major American privacy laws include the 1970 Fair Credit Reporting Act which protects consumer credit information, The Family Educational Rights and Privacy Act of 1974 which protects the educational records of college students, the 1996 Health Insurance Portability and Accountability Act which protects healthcare records, the 1998 Children’s Online Privacy Protection Act which regulates certain websites targeted at children, and the 2002 E-Government Act which protects digitally stored private information.

Privacy law continues to adapt as consumer and business data is increasingly stored online. Another emergent issue in the privacy law field is contact tracing for infectious diseases including the novel Coronavirus (Sekar and Harris).

Where Do Privacy Lawyers Work?

Government
Federal Communications Commission—Jobs and Internships
Federal Trade Commission—Careers
Department of Justice—Computer Crime and Intellectual Property Section
Department of Health and Human Services—Office of National Coordinator for Health Information Technology
Senate Judiciary Committee—Subcommittee on Privacy, Technology, and Law
Senate Select Committee on Intelligence
Tennessee Attorney General—Jobs

Public Sector
Nongovernmental Organization with domestic or international privacy concerns such as:
Electronic Privacy Information Center—Jobs, Internships, and Fellowships
Center for Democracy and Technology—Careers
Open Technology Institute—Jobs and Fellowships
Privacy International—Career Opportunities
Privacy Rights Clearinghouse—Internship Opportunities

Private Sector
Law firms that handle privacy law cases
In-house at large companies, especially technology companies such as Google, Apple, Facebook, and Wikimedia—Google Policy Fellowship
Professional Associations

American Bar Association
All University of Memphis law students have free membership to the American Bar Association. Their website provides routinely updated information and interest-specific career advice. Join different sections to find out what they offer. Check out the Section on Science and Technology.

International Association of Privacy Professionals
The International Association of Privacy Professionals provides resources for professionals who want to develop and advance their organizations’ ability to manage security risks.

Information Systems Security Association
The Information Systems Security Association provides networking, career development, and leadership opportunities for systems security professionals. Join the Mid-South Chapter.

Resume Boosters for Privacy Law
Complete a Master of Laws in Cybersecurity Law or Technology Law
Complete an MBA
Pursue a certificate related to privacy law from the International Association of Privacy Professionals or CompTIA
Learn to code
Gain related experience by working in banking, finance, data security, information technology, forensics, or another industry that handles data security
Join the International Law Society
Intern or extern with a company that deals with data security or other privacy issues

What Classes Should I Take?
Administrative Law
Consumer Law
Information Privacy Law
Insurance Law
International Business Transactions
National Security Law
Public Health Law

Privacy Law Links
“Is Instagram the Next Frontier for Data Privacy”
This article by Patrick McKnight explores the regulatory possibilities of new bills to restrict the harmful effects of Instagram. American Bar Association, October 8, 2019.

“Who Am I Talking To?—The Regulation of Data Collected By Voice Connected Consumer Products.”
This article examines the legal issues related to data privacy and devices such as the Amazon Alexa or Google Home. American Bar Association. May 20, 2016.