



## Why should you find a niche?

NARROWING YOUR FOCUS WILL STRENGTHEN YOUR BRAND, AND FOLLOWING YOUR INTERESTS MIGHT MAKE YOU AN EXPERT

When someone needs a lawyer to help their child who has been bullied, sexually abused, or harassed at school, I want them to think of me first – or, at the minimum, I want to be among a small group of lawyers who are thought of for this work. Finding your niche is a gift. For a lawyer in the Los Angeles market, it is necessary to stand out. We need car-crash lawyers, don't get me wrong. But the personal-injury world is highly competitive. There are a lot of us, and it is hard for us to stand out. Plaintiffs' attorneys compete for business and clients within the same pool. I can also speak from experience, having a more specialized niche within the personal-injury world will make marketing you and your firm more manageable and affordable.

The best way to stand out is to find a specialty that separates you from the competition. That does not mean that you cannot take other opportunities that come up. However, I feel comfortable knowing I am now among a smaller group of people recognized as having this focus on representing children who are survivors of bullying, harassment, and sex abuse, thereby giving me a competitive advantage. The added benefit is that my practice is now something for which I have considerable passion. Narrowing your focus will strengthen your brand and your marketability of that brand. (Black, Paula, *Why Finding Your Niche Is Key To Business Development*, Forbes, <https://www.forbes.com/councils/forbescoachescouncil/2022/06/30/why-finding-your-niche-is-key-to-business-development>, June 30, 2022.)

Finding a niche area within a plaintiff's practice made me stand out. The world does not need another car-crash lawyer. It certainly did not need me as one. I also believe, rightly or wrongly, it is a highly masculine area of law – trial lawyer for car-crash victims. Protecting children is naturally softer, more

nurturing, and feminine. I am not competing with a lot of men. Additionally, when I am competing against men, mothers often prefer another mother in representing their child who has been injured.

### Your career – it's not always a straight line

Since I focused on my specialty practice, I have found that I am more driven and happier working in what is known to be a high-stress profession. Finding my niche was part of the journey to discovering my professional purpose. I did not attend law school to become a plaintiffs' personal-injury or car-crash attorney. Honestly, I did not go to law school to practice civil law either. I went to law school because I felt a calling to be a prosecutor. I did not even consider that I would be a civil trial attorney. This story can be shared another time, but in the end, as you all know, I did not become a prosecutor. I am a plaintiff's side civil attorney, and I love it.

I worked at the Los Angeles District Attorney's Office as a certified extern during law school. It was an incredible experience. I worked in the preliminary hearing unit. It solidified my belief that I wanted to be a trial lawyer. I wanted to advocate on behalf of victims. It was my plan to stay there after graduation. Unfortunately, they were on a hiring freeze at that time. I could have moved to Riverside, Orange County, or another jurisdiction to work as a district attorney. However, I didn't want to relocate, so I remained in Los Angeles and found another job for the time being.

During my final year of law school, in addition to working for the LA District Attorney's Office, I worked at a large, well-known personal-injury and workers' compensation firm with multiple offices across the state. We were doing excellent work. I represented all sorts of clients within a variety of practice areas,

including representing clients who were victims of violent crimes with civil claims, as well as those harmed by civil negligence rather than criminal acts. I realized this was a good fit for me. While I may not have been putting criminals behind bars, I believed I could contribute to making the world safer in other ways. I was satisfied with my decision to work as a civil personal injury attorney. This choice allowed me to learn from the best attorneys at the start of my career. It also provided me with the avenue to try cases, which was important to me as well.

During that time, I represented clients in asbestos cases and handled third-party cases from our workers' compensation department. These cases primarily involved injuries from construction sites, although some also included product defects. Additionally, I handled negligent security, premises liability, and some car-crash cases. I enjoyed this work. When I was transferred to the workers' compensation team at the Ontario office, however, I quickly realized this wasn't the right fit; I lacked passion for the work. This isn't to say it's not meaningful work, but it simply wasn't where my interests lay. I was a trial lawyer. This was administrative work. It felt like I was going through the motions, and it wasn't intellectually stimulating. I knew I needed to move on.

Following this, I worked with two different firms specializing in medical malpractice. I enjoyed this work; it checked many boxes for me. Once I established my own firm, I continued to handle medical-malpractice cases, but most of these cases were not suited to me. Med-mal was not the right niche for me. Over time, my practice began to pivot toward a more traditional personal-injury focus on car crashes and slip-and-falls. I was okay with this change, as I was developing my skills as a trial attorney. During this period, I tried enough cases to qualify for membership in the

American Board of Trial Advocates (ABOTA). This was time well spent.

### Developing my niche

The move to represent clients who were the survivors of bullying, sex abuse, and hazing was gradual. It was also an outgrowth of my experiences as a mother raising two kids in Los Angeles. My daughter had some experiences in elementary and then middle school. These were stressful for us to manage as a family. I remember feeling like the school was not listening to us or her. I was spending a lot of time doing what a trial lawyer does; I was scouring school district policies, learning the correct procedures to complain. I was also learning my rights as a parent. I also found there was an unbelievable amount of reporting of stories of kids committing suicide as a result of severe bullying by students during this time.

In fact, there were a significant number of stories making national news. There was a story of a 13-year-old child, Seth, who hung himself after relentless online bullying about his sexual orientation. Seth was a student at Jacobsen Middle School in Tehachapi, California. The police, after an investigation, determined the children who bullied him did not commit any crime. (Curwen, Thomas, "Gay teen endured a daily gantlet," *Los Angeles Times*, October 8, 2010.)

Around this same time, I saw a story of an 18-year-old Rutgers University student who jumped off a bridge after learning that his roommate posted his sexual activity captured on a webcam online to Facebook. The two boys who were responsible for the posting of the videos online were indicted criminally, although not for the death of Tyler Clementi. ("Suicide of Tyler Clementi" Wikipedia, [https://en.wikipedia.org/wiki/Suicide\\_of\\_Tyler\\_Clementi](https://en.wikipedia.org/wiki/Suicide_of_Tyler_Clementi).)

Then there was Jamey Rodemeyer, who was a teen activist against homophobic bullying. He had a YouTube channel to help victims of bullying. Jamey died by suicide after being tortured himself by

bullying. (Jamey Rodemeyer Suicide: Police Consider Criminal Bullying Charges," *ABC News*, September 21, 2011 <https://abcnews.go.com/Health/jamey-rodemeyer-suicide-ny-police-open-criminal-investigation/story?id=14580832>.)

The story of Jamey was startling. There were no laws regarding bullying in New York at the time. This is when I immediately began looking into California laws. I wondered how we were protecting our children in California. I came across AB 746. At this time, The California Education Code defined bullying as an act committed by electronic means. Even so, what that meant was not clear. This amendment to the Education Code, section 3261, included in the definition of bullying by electronic means to include "a message, text, sound, or image, or a post on a social network Internet Web site..." (Assembly Bill No. 746, 2011-2012 Reg. Sess.) This meant posts and messages on Facebook, Instagram, Snapchat, and other online sites were now clearly within the meaning of bullying by electronic means.

### Cyberbullying law comes of age

This was an incredible change. This law enables educators and administrators to hold students accountable for the most pernicious form of bullying – cyberbullying. Social media was still in its infancy then by some standards. Facebook was available to anyone older than 13 years in 2006. Nevertheless, it was only six years later that it went public in its initial public offering. By this time, it had grown to over 1 billion users. (Holt, Madison, *Startup Savant*, From College Project to Global Behemoth: Facebook's Origin Story, July 2, 2024, <https://startupsavant.com/startup-center/facebook-strategy-story>.) Parents and educators had little idea of what was happening online. We were all trying to figure it out. Despite that, our children were learning about it and using it faster than we were.

During this time, adolescents communicated by text, online message boards on Facebook, and direct messages.

The fact that communications are online made it easier for children to be more and more ruthless in how they treat one another. Bullying is made easier and more frightening because it is online. It is easier to be mean when you are not looking someone in the face when you say the mean thing to them. In 2014, the National Institute on Public Health published an article on the impact of cyberbullying. By this time, 95% of adolescents were communicating online. There was a shift from face-to-face communications to online. (Nixon, Charisse, Current perspectives: the impact of cyberbullying on adolescent health, August 2014, <https://pmc.ncbi.nlm.nih.gov/articles/PMC4126576>.) What is even more startling is the anonymity involved in online bullying. It is reported that more than half of those bullied did not know their bullies. (*Ibid.*) Even more startling is that victims of cyberbullying were more likely to think about suicide, as well as attempt suicide, when compared to their peers who were not involved with cyberbullying. (*Ibid.*)

So, how can schools be held responsible for their students' online behavior? Cyberbullying does not necessarily occur on campus; it exists online. This curiosity drove my research further. Soon, I learned there were ways to hold schools and school districts accountable for the harm caused by other students. Los Angeles Unified School District's policy on bullying encompasses the definition of bullying in Education Code sections 48900.2, 48900.3, or 48900.4. When cyberbullying places a student in reasonable fear of harm, and when there is "a substantial interference with the student's ability to participate in or benefit from the services, activities, or privileges provided by the school," the school has a responsibility to do something. (*LAUSD Policy Bulletin No. BUL-5212.3*, Bullying and Hazing Policy, March 11, 2022.)

After this research, I did what any lawyer would do: I wrote an article and posted it on my website. Parents are not helpless in protecting their children from

bullying. After more than a decade of handling these cases, I know much more about what a school should do to protect children on and off its campuses. Shortly after this article was posted, my practice began to shift, and I embraced this shift.

It was slow at first. However, I received calls from parents, not referral attorneys, about potential cases. I was blown away because I did not pay to push this article out online through some big SEO marketing campaign. I wrote this article to put down what I was learning. I had no idea that it would begin a shift in my law practice.

Notwithstanding the lack of marketing in this article, it ranked my website in Google. I think this was

because few lawyers were writing about it (although I have no proof). Over time, these cases became my practice and the focus of my writing and speaking engagements. Now, my practice is 100% the representation of children who are survivors of bullying, sexual harassment, sexual abuse, and hazing. Also included within this are adult survivors of childhood sexual abuse.

Now, when I write an article or speak at a conference, I am focused on my niche. When I teach deposition or trial skills, I incorporate my niche into the topic. When I am not in a room, and someone needs someone who knows what to do when something happens at a school, my name is mentioned

because I am an authority on the topic. The last several years of only representing clients in these cases, I can honestly say my work is more rewarding than ever.

If there is something that drives you, an area of law of high interest, I encourage you to research it. Explore the possibility that you might have a need to focus your practice and develop a niche of your own.

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