

With Family Law Booming, NJ Practice Leaders Say Talent Can be Hard to Find

By Nicholas Malfitano

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As the demand for family law work grows in the Garden State, New Jersey practice leaders tell Law.com that finding qualified attorney candidates to fill the need can be difficult.

Firm leaders point to a combination of factors making that task more challenging, including the unique rigors of the practice, the cultural challenges that arise from bringing formerly solo practitioners into larger firms, and finding a candidate who combines the skills needed to succeed in the field.

David M. Wildstein, family law department chair at Wilentz, Goldman & Spitzer, said there is “a shortage of capable family lawyers available” to meet the growing demand for such work in New Jersey.

“The ongoing discussions among family lawyers are, ‘Do you know any capable person that I can hire? Because we can’t find them,’” Wildstein said.

Supply and Demand

According to practitioners, demand for family law work has been on the rise for several years, with some factors being particularly acute in



Courtesy photos

L-R: David M. Wildstein of Wilentz Goldman & Spitzer, Stephanie J. Zane of Archer & Greiner and Tremain L. Stanley of Chiesa Shahinian & Giantomasi.

New Jersey. Divorce has been rising across the country, as has the number of unmarried couples with children. However, the practice really began to spike when the COVID-19 pandemic led to a surge in cases as court shutdowns that left many unhappy couples unable to separate or divorce, which then led to other issues, including financial fights, custody battles and even domestic violence incidents. All of those situations required attention from lawyers.

Many law firms have recently announced expansions of their family law ranks, including New Jersey’s Einhorn Barbarito and A.Y Strauss, as well as New York boutique Sterlington.

Practitioners also say the issue has been particularly acute in the Garden State as judicial shortages led to a suspension of matrimonial trials and severe backlogs, which the courts are still continuing to wrestle with. As a result, the workload for family law attorneys has grown significantly.

As demand continues to soar, attorneys are now finding it harder than ever to find lawyers.

“Right now, I’m looking,” Wildstein said. “I’m looking for some experienced lawyers with a book of business, I’m looking for lawyers who know family law that may not have a book of business and they’re in their earlier career, three to five years.”

Wildstein credited the dearth of candidates to multiple factors. For one, some—especially those earlier in their careers—may have put in years at their firm and may be eyeing a future partnership there or a prominent place at a large firm elsewhere, or otherwise be reluctant to make a move, Wildstein said.

Tremain L. Stanley, chairing the family law department at CSG Law, said family law requires a range of different skill sets, including having a conscientious and settlement-driven mindset but also courtroom know-how. That can be difficult to find in a single candidate.

“That is a rare combination. Because a lot of times, we see with our adversaries, people who don’t know how to settle a case and only know how to let a judge decide, or people who try and force settlement, so they’re missing the forest for the trees and they’re really doing a disservice to their clients,” Stanley said.

Further, Stanley added recruiting attorneys who are looking to focus on family law can be a challenge, because those considering the

practice area may find their perception is not the reality. While some attorneys believe they will be able to focus on areas like adoptions, other family law-related work tends to be more present on the dockets, such as divorces, cases of domestic violence, and, for her specific team, premarital agreements.

“Rare is the occasion when people go to law school thinking, ‘Ah, I want to be a family lawyer!’ A lot of times when people do think they want to be a family lawyer, their perception as to what that may involve is very different than what happens in actual practice,” Stanley said.

But, according to these firm leaders, candidates who do fit the bill will find no shortage of work awaiting them.

“I think there are people that have recognized that there is always someone looking to get divorced or looking to get married and get a prenup, and things like that,” Stephanie J. Zane, family law department chair at Archer & Greiner, said. “I think there’s a constant flow of business and recognizing that, I think, people realize it’s a more stable environment of practice.”

Recruiting and Onboarding

Wildstein noted firms are willing to pay good salaries for qualified family law attorneys, but, he suggested that offering a more flexible working environment, such as a hybrid or even remote structure, is another way firms can attract top talent.

“A lot of lawyers today, whether they’re family lawyers or any other area, they want to work remotely and be more flexible in the remote work that they may be able to do,” Wildstein said.

But some attorneys say remote work can be difficult when it comes to hiring family law

practitioners, particularly those who are moving from solo practices to a larger firm.

Zane said the collaborative nature of family law practice makes an in-the-office working arrangement optimal at her firm, as opposed to a hybrid or remote environment.

“Laterals need to be willing, especially if they’re coming from a different type of firm, to change how they practice in order to fit into the larger firm world. That makes it difficult, I think, to get people who want to leave on their own and change their mindset to come with us,” Zane said.

Zane said there are “significant benefits” to working in family law at a larger firm, in part because of the resources available to attorneys within other departments—such as wills and trusts, which can make a bigger firm more of a one-stop shop. She added the importance of ensuring lateral hires in family law have mindsets matching the culture of the firm where they want to work and advised candidates to adapt accordingly. Those arriving from bigger firms may have an advantage, according to Zane.

“That transition is a little easier than if they’re coming from a solo or a small firm, to then come into big firm life and recognize the need

to fit into that culture, as well as maintain the practice,” Zane said.

Retention

Attorneys added that the practice is also ripe for burnout.

Zane noted that family law attorneys need to be honest and supportive and have the social skills to accept hearing someone’s fears, failures and successes, as they’re going through a difficult situation.

“Being able to listen, understand and appreciate, but still guide your client in a way that they trust you and you build that rapport. That’s key, being able to have that personality that people trust and people look for, when they’re just not going to be their best self at that moment,” Zane said.

According to Stanley, the practice takes dedication. She noted her firm’s attorneys regularly get calls about cases on Thanksgiving, Christmas Eve or Christmas Day.

“You are living your client’s life problems with them, holding their hands. And that’s not for everyone, and people don’t go to law school thinking that that’s what they’re going to be doing,” Stanley said.