

The Importance of Clinical Experience

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The idea that law students learn better when they are given the opportunity to work on real legal issues, in real-life legal settings, is a relatively new concept and is the guiding force behind experiential learning. The most common form of hands-on work experience is the internship. These temporary summer positions allow students to work alongside veteran attorneys and are usually given work that is commensurate with their education level and position. Internships not only offer law students an educational benefit, but also serve to enhance their résumés.

The newest concept in hands-on legal work experience is the clinical program. Through clinical programs, law schools offer legal assistance and representation to the public, generally for free, while simultaneously giving students the opportunity to practice law. All clinics focus on teaching students proper advocacy skills, but each individual clinic differs in focus, i.e domestic violence, prisoners' rights, etc.). The student receives in-class instruction in the specific area of the law and the clinic's design is to allow the student to be the primary advocate for their client — whether serving an individual or organization. The student may be required to advocate on behalf of their client by submitting a brief to an appeals court or to appear in front of a judicial or administrative body. The student's job is to effectively and zealously advocate for their client and the schools job is to adequately train them to do just that.

When students choose a clinic in which to participate, they should consider the following:

1. What skill does the clinic focus on improving?
 - a. Courtroom advocacy
 - b. Negotiations and hearings
 - c. Brief and memorandum drafting
 - d. Legal research
 - e. Factual Investigation
2. Does the University charge the clients for participation in the program?
3. Is the faculty in charge of the clinic national recognized for their contributions in that area of law?
4. How often is the clinic offered per year?
5. Does the clinic offer client contact?
6. Does the student receive credit or compensation for the practicing in the clinic?

The Domestic Violence clinic offered at Northeastern University School of law provides upper year law students a wonderful opportunity to learn advocacy hands-on. This clinic focuses on violence prevention, restraining order enforcement and criminal intervention in an urban Massachusetts District Court. The student's primary responsibility is to help the victim secure temporary restraining orders and permanent injunctions against the alleged abuser. Furthermore, the student's are given the opportunity interview and counsel clients on safety and lethality issues. Each student receives credit for taking the course and donates more than 150 hours of legal representation to their clients. Out of the 16 hour per week commitment, the students spend 12 hours in the courthouse advising and advocating for their clients. At the completion of the course students have not only strengthened their advocacy skills, but have also strengthened their community but providing assistance to those with the greatest need.

Clinics offer a dynamic, interactive opportunity to fuse theory, substantive information and practice to provide students with a more comprehensive approach to the law. The consensus, from law school administrators, faculty and employers, is that experiential learning is a necessary tool in progressive legal training. Students who are given the opportunity to “learn by doing” are far more likely to succeed in law

school and, similarly, far more likely to enjoy their legal training experience. Additionally, these students are also more likely to succeed in the real world because the combination of classroom and experiential training allows them to thoroughly grasp both theoretical and abstract concepts, and to apply their knowledge and skills to tangible issues. Compared to their counterparts who lack clinical experience, the students are more attractive to employers who are looking for more than just book smarts.

Note: At a recent workshop for a minority pre-law student organization at the University of Wisconsin-Madison, Michelle Allison advised students to look closely not only at course offerings but also at clinicals. Noting that all clinicals are different, she exhorted students to think about their own desires for developing particular skills. As an example, one clinical may focus on documents while another may involve client consultation. To begin the process of exploring clinical offerings, ask yourself about the skills you want to develop and the opportunities to pursue them.