



# **Clinical Experience:** **Translating Theory into Practice**

# Tina Wescott Cafaro



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*Professor Tina Wescott Cafaro*

**E**ach fall and spring, School of Law students are taking exhilarating first steps to realizing their dreams. Law clinics provide upper-class students the opportunity to step into the courtroom, under the close supervision of a faculty member, and translate classroom learning into real life practice. Thanks to the creation of the first full-time clinical professorships in the School of Law’s history, students are receiving an enhanced training in “real life lawyering” while gleaning valuable information from educators focused solely on clinical education.

“Learning to ‘think like a lawyer’ is the foundation of legal education, but law clinics give students the opportunity to explore the ‘nuts and bolts’ of practicing law and reflect on those experiences,” says Lauren Carasik, a full-time clinical professor who runs the Legal Services Clinic, one of five law clinics offered by the School of Law. Her colleague and good friend Tina Wescott Cafaro is the other full-time clinical professor and oversees the Criminal Law Clinic.

Law Clinics offer students a tantalizing combination of real courtroom experience—including advising and representing clients in the courtroom—with classroom simulations. Students fine-tune their lawyering skills and are critiqued on their performance in areas such as delivering an opening or closing statement. A broad range of other essential skills, including interviewing, counseling, and negotiation, are taught and honed as well.

In the past, each clinic was offered just one semester and was often run by a professor who taught other classes the other semester. When Carasik and Cafaro joined the School of Law as adjunct professors in the late 1990s, many law schools, including our own School of Law, were recognizing the value of creating clinical professorships



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in which professors would focus solely on clinical education rather than having their attention divided with other courses. By 2001, both Carasik and Cafaro were named full-time clinical professors.

“I don’t have to split my attention between teaching the clinic and teaching a traditional law course. This allows me to focus 100 percent on my clinical duties,” says Cafaro. “And with clinics offered in both the spring and fall, students who wish to participate in a law clinic have more opportunity to do so.”

Growing up with several family members involved in law enforcement, including a police officer father, Cafaro knew from an early age she wanted to be a lawyer. Her connection to the School of Law actually traces well back before her professorship—she herself is a graduate of the School of Law.

“I always wanted to work in a DA’s office and be a criminal prosecutor, and I’ve always loved teaching, so it’s been wonderful to be able to do the two things I’m passionate

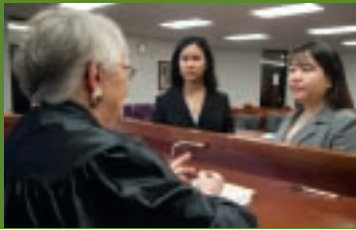
about,” she says, admitting that it was an “interesting” experience to return to the School of Law and adjust to her former professors becoming her colleagues.

One of the new faces she encountered when she returned to the School of Law was Lauren Carasik.

“We’d never met but were sent to attend a conference together in Montreal,” Tina recalls. “After spending five or six hours in the car, we really hit it off. We come from very different backgrounds, but I think we complement each other, each having knowledge of different areas of the law.”

Lauren Carasik’s first job after graduating from college was working in a homeless shelter and soup kitchen. Working as a housing advocate, she helped shelter residents with subsidized housing vouchers and fight discrimination as they worked to find places to live. The experience solidified her interest in law school and specifically public interest law. After graduating, she went on to open a solo practice and also worked in the elder unit of a Legal Services office and for an organization focusing on mental health and disability rights. She has run a Disability Clinic and Anti-Discrimination Clinic at the School of Law.

Today she runs the Legal Services Clinic in conjunction with Western Massachusetts Legal Services, the principal provider of civil legal services to the poor in western Massachusetts. Students practice law under the license and supervision of attorneys working for the organization, and may work on cases ranging from family law cases involving domestic violence to denial of unemployment benefits to defending clients who are being evicted unfairly.



“It’s very exciting and rewarding for me to watch these students who are, after several years of classroom education, getting out and trying their hands at real life lawyering,” says Carasik. “One of the hallmarks of clinical legal education is for students to take on primary professional responsibility for their cases.

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If there is one frustration to an otherwise rewarding clinical teaching experience, she adds, it’s that “it seems like what we’re doing sometimes is just applying a band-aid solution to poverty rather than addressing its structural roots.”

Despite the real and complex issues facing low income people, many of her students approach their work in the clinic with fresh-faced enthusiasm, often commenting on not just their excitement with putting theory into practice, but also their sense of fulfillment at being able to make a significant impact in the lives of their clients.

Students in Cafaro’s Criminal Law Clinic are discovering their newfound influence as well. Criminal law students prosecute cases in Springfield District Court for the Hampden County District Attorney’s office, where Cafaro was and continues to serve as a special assistant DA. Under her law license, students are authorized to practice in any District Court case. Typical offenses litigated by students include larceny, assault and battery, possession of narcotics, and driving under the influence.

“A student’s particular experience will obviously depend on the ‘luck of the draw,’” says Cafaro, “but each student can expect to gain substantial exposure over the course of the semester to the entire process of litigating a criminal case.

“My challenge,” she adds, “is to build my students’ confidence level to the point where they can walk into a courtroom and represent the Commonwealth of Massachusetts, and do this with confidence and competence.”

While they may at times approach the practice of law from different perspectives and are guiding their students through quite different real life law experiences, Carasik and Cafaro see their differences as enriching their professional and personal relationship.

“While we have very different styles and don’t always see eye to eye on issues, we have an incredibly collegial relationship,” says Carasik. “I’ve learned a lot from Tina. I have tremendous respect for her both as a teacher and as a lawyer.”

Whatever their differences, the women mirror each other in their passion for the practice of law and joy in guiding students through what may be their first tangible taste of their future careers.

“An important part of the student’s legal education comes from hands-on experience,” says Carasik. “Our law clinics provide experience and legal training that helps to prepare them for the nuances and complexities of practicing law.”