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Students Trade Classes for Court Cases; Widener's Budding Lawyers Gain Experience and Help those in Need

By Esteban Parra, The News Journal

Butterflies fluttered in Rachele Wells' stomach as she entered Family Court in Wilmington to represent her client, a victim of domestic violence whose protection-from-abuse order had been violated.

As the hearing went on that September day, Wells said, she gained poise and confidence - even though she was a third-year law student who still hadn't passed the bar.

"I was pretty confident, actually," Wells said. "The only thing I was nervous about was the unexpected."

Wells is one of 16 Widener University law school students practicing in the state under Delaware Supreme Court Rule 56, which permits eligible third-year students to act as lawyers in Family Court, Court of Common Pleas and Justice of the Peace Court, as well as before the state Human Relations Commission.

Wells is in the Delaware Civil Clinic, a Widener program that provides free legal services to indigent clients with civil legal problems. It also provides legal representation in Family Court, which in turn gives the students on-the-job experience.

"You're dealing with real people, not just classes," said Wells.

Widener's clinic is similar to programs across the nation that give law students the opportunity to use their developing skills at all courtroom levels, from lower courts to federal courts. Some landmark decisions by the Massachusetts Supreme Judicial Court began as student-represented cases in the Boston University law school's Civil Litigation Program.

Since the mid-1980s, law students in their third years have been given limited authority to practice law in Delaware, said Dana Harrington, director of the Delaware Civil Clinic.

Harrington said students handle issues such as domestic violence, landlord-tenant disputes, wills and power of attorney - all under the close supervision of faculty members.

Despite their limited experience, the students have the confidence of many attorneys and judges, including State Prosecutor Steven P. Wood and Family Court Chief Judge Chandlee Johnson Kuhn. Both said the students are always ready and prepared to represent their clients or the state.

Wood said the program gives his office a closer look at potential deputy attorneys general.

The program helps people who would otherwise not have access to attorneys, Delaware Supreme Court Justice Randy J. Holland said. Such programs also should inspire a commitment to public service, something Holland said all lawyers should strive for.

“You just feel that’s what lawyers should be doing,” he said.

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The Delaware Civil Clinic provides free legal services to indigent clients with civil legal problems. To reach the clinic, call 478-8850.

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