

Law Clinics by Lauro Fava

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It is a pity that our faculty has either not yet realized the benefits of, or lacks the resources to establish a law clinic. The law course in Malta teaches you the law but fails to teach good lawyering. Graduates find themselves incapable of finding their place in the market simply because they lack sufficient training to be able to contribute to their employers' bank account. It is true that some of this training is done by means of practicum, but a law clinic would certainly provide a more holistic experience as to how to deal with a case.

By providing legal services to the indigent law clinics increase access to justice, a fundamental quality of a modern democratic European state.

What is a law clinic? A law clinic allows students to work with real clients on real cases. The students deal with the case from beginning to end. Most of this work is done pro bono for clients who can't afford the fees a working lawyer would charge. They benefit society and such benefit should justify governmental assistance and cooperation with the faculty to set up such a clinic in Malta.

The students' work does not go unchecked. Students are supervised by lecturers who would generally present the oral argument to the court when the case gets there. Some countries even allow law clinic students to deliberate before the court. This supervision is what makes clinical training more expensive as each student's work must be checked since mistakes could mean a lot for the client.

The law clinics would also generally organize negotiation exercises, court simulation and offer internships to students. In Malta negotiation is thought in the unit called 'Drafting and Negotiation of Commercial Contracts', a moot court is organized by ELSA Malta, and students are required to do practicum before they get their warrant. However a

legal clinic would centralize all these and offer much more. Maltese students seem to have access to all the secondary benefits which a law clinic would provide but lack the actual legal aid clinic. There cannot be holistic learning if all the above-mentioned are kept separate, a law clinic would bring all together and students are given the opportunity to experience a case from beginning to end.

The skills which students could acquire working in such a clinic could not be acquired elsewhere, other than when the students graduate and find work with a firm. One should not underestimate the importance of good communication skills, presentation skills and the ability to build an interpersonal relationship with clients in the legal profession. Moreover students get to do research for real cases and realize how important their work could be. It would undoubtedly be an inspiring experience which would help students take their studies more seriously.

It is a pity that the Chamber of Advocates has failed to recommend the establishment of such a clinic in its consultation document 'Regulating the Legal Profession for the 21st century' in which several proposals are made which will directly affect students. The document rightly asserts that law students require more training, especially in the new millennium which has seen unprecedented changes to the profession.

But we should not expect experienced lawyers to speak for what students need. It is high time that the hundreds of law students at University mobilize themselves and speak up. It is true that the course structure and University system does not motivate students much but it is up to the students to seek what is best for their future. Law students should stop being disinterested and leaving matters to fate and should pressure the faculty and the government to increase funding and provide training especially in the form of a law clinic. We are lucky to have not just one but two student organizations representing us, the Faculty-based GHSL and the international organization ELSA. This SHOULD be enough to make our voice heard and maybe get us somewhere.