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Grant Whelan '18
Assistant District Attorney,
Cumberland County

Maine Law graduates thrive as prosecutors

The University of Maine School of Law is preparing students for careers as criminal prosecutors with unique course offerings, access to relevant externship and internship opportunities, a creative blend of hands-on skills training, and connections to the Maine legal community.

As an example of its innovative approach to education, last spring the Law School began offering a new evidence and trial advocacy course that combines the two subjects into one course. Students enrolled in the course learned the rules of evidence and then immediately put that knowledge to work in an advocacy setting. There are only two other law schools in the country that are teaching a combined course like this.

Associate Professor Thea Johnson, who teaches courses on plea bargaining, criminal law, and criminal procedure taught the evidence portion of the course.

“You learn a rule of evidence, like what’s the rule of impeachment through prior convictions,” said Johnson when describing the new course. “Then you go through and practice that skill because really the only way to learn evidence is to do it out loud. You can read the book all day, but if you aren’t practicing the rules they won’t seep into your brain.”

The trial advocacy portion of the class was taught by Visiting Professor Jeffrey Thaler and Adjunct Professor Jon Chapman.

“It took a lot of work to put together a new syllabus and new trial advocacy exercises,” said Thaler. “But in the end, students greatly improved their advocacy skills and knowledge of the evidence rules.”

Students also have the benefit of a strong externship program and access to other opportunities like internships through the

Office of Career Services. In addition to providing valuable experience and building connections, the externships and internships let students see if the career is the right fit.

For Grant Whelan '18 an internship with the Cumberland County District Attorney’s Office led to full-time employment after he graduated.

Said Whelan, “Early in my internship, I realized Cumberland had a dedicated group of lawyers and staff, and I wanted to learn from all of them.”

Another source of real-world skill-building is the Cumberland Legal Aid Clinic (CLAC). While CLAC doesn’t explicitly offer prosecutorial experience, it does help students develop the fundamental skills needed to be a successful lawyer – skills like how to write well and how to advocate persuasively and forcefully.

Finally, the direct connections Maine Law students make with the Maine legal community are very beneficial for their future careers as prosecutors.

Said Professor Johnson, “If you want to be a prosecutor in Maine the best idea is to come to Maine Law because, unlike some positions, prosecution work is very, very local. The ideal prosecutor is someone who knows the community.”

As illustrated in the prosecutor profiles on these pages, the Law School’s approach is yielding success. For all of the profiled alumni, local clearly matters, with each citing the importance of helping their own communities as a top reason for their career satisfaction.

As Assistant District Attorney Amanda Doherty '08 explained, “There’s not a day that goes by that I don’t feel like I’m working hard for the greater good of my community.” **ML**

Jackie Sartoris '10

Assistant District Attorney, Kennebec County



What is involved in your work?

I prosecute regular cases and am the prosecutor for two of Kennebec County's alternative courts: Veterans and Co-Occurring Disorders. These courts allow defendants to enter guilty pleas then work intensively with mental health and substance use treatment providers to address the underlying issues that inform their criminal conduct. Most often, they achieve the better outcome in their plea agreement, generally avoiding a felony conviction and moving toward a better life. The skills I need: fact- and law-informed skepticism, picking battles carefully, and deference to the court.

Other than the latter, this is similar to parenting – but with clearer rules!

What is the best part of your work?

It's quite rewarding to create resolutions in a criminal case that provide good outcomes for victims and defendants, but winning a trial turns

out to be awfully satisfying. The work that I do in the alternative courts involves the greatest investment in each participant, so there's a constant tension between hope and disappointment. Seeing folks truly change is remarkable. Seeing them fail is hard.

What is the greatest challenge?

A prosecutor's heightened duty is to do justice, not merely try to win. To look beyond the demeanor of a particular defendant or their attorney and strive for a just result notwithstanding the occasional slings and arrows sometimes requires a deep breath. Or two.

How did Maine Law prepare you for your career?

Although I never considered becoming a prosecutor while a student, Maine Law gave me the confidence I needed as a lawyer to take on new challenges and continuously grow. That experience enables me to thrive here.

Why should Maine Law students consider careers as prosecutors?

It's an incredible honor to get to do justice – it's like being gifted a superhero power – but my colleagues themselves are the best case I could make for this career. I'm privileged to work alongside people I respect so highly, and from whom I learn every day.

Natasha Irving '09

District Attorney, Prosecutorial District 6, Waldo, Knox, Lincoln, and Sagadahoc Counties



What is involved in your work?

I was elected district attorney in Prosecutorial District 6 in November of 2018. The skills of being elected district attorney and being district attorney are similar, though the day to day is very different. As an elected position, the district attorney is an executive and public policy position in which you develop, shape, and implement criminal justice policies as the chief law enforcement officer of the district, whether that is one-on-one with staff, prosecutors, and local police, or working

on legislative reform at the state level. Running for office is really about connecting with voters, sharing your vision with them, and listening to their experiences and their hopes for a justice system that keeps their families safe and reflects their values. The most important skills in my work are listening skills, the ability to be dynamic and always incorporate new information into policy goals, and the ability to advocate for my community and for the ideals of justice.

What is the best part of the job?

The prosecutor's main goal is justice. Whether it is fighting for a victim's safety and making their voice heard, or diverting a defendant into treatment instead of jail for substance use disorder or mental illness,

being able to represent the values of my community through the justice system is a real privilege that invigorates me and my staff every day.

What is the greatest challenge?

The greatest challenge in my work is fighting it out for a victim at trial and getting a not guilty verdict or breaking the news to a victim that we are not able to prosecute a crime due to lack of evidence that we can present at a trial. Victims deserve justice, and that is something that cannot always be accomplished through the criminal justice process.

How did Maine Law prepare you for your career?

Maine Law taught me how to do a lot of work in a limited time, which is especially critical when it comes to high volume reading. You need to be able to read a lot and find what you are looking for to build your case or your argument. These skills are essential to any good and productive lawyer.

Why should Maine Law students consider careers as prosecutors?

Because prosecutors make more real time decisions about justice than anyone else in the legal system. Do you seek a jail sentence for drug possession, or do you help someone get into treatment? Do you ask for cash bail that will hold a poor person in jail pre-trial, or do you ask for a pre-trial contract so they can keep their job and their home? Do you believe a survivor of sexual assault, or do you call it a "he said, she said" and close the file? Do you fight for the person that discloses sexual abuse five years after the fact, or do you say that too much time has passed and decline prosecution? These are the decisions prosecutors make every minute of every day, and if you are a caring, conscientious attorney who wants to see justice that reflects our community values, then we need you to be making these decisions.

Amanda Doherty '08

Assistant District Attorney (Team Supervisor), Cumberland County



What is involved in your work?

As an assistant district attorney, I review cases that are submitted to our office from police departments throughout Cumberland County, make a decision on if there is enough evidence to formally charge someone with a crime, and if there is, process the case by filing a charging instrument with the court or submitting proposed felony charges to a grand jury. I also have a unique role in our office of handling all probation violations, so I am privy to the interesting perspective of seeing whether people are successful when placed under post-conviction supervision and conditions,

with a chance to earn their way out of a more significant sentence.

What is the best part of the job?

The most enjoyable part of my work is being part of a law enforcement team, trying to bring justice to our communities. In our current national climate, it is often overlooked how long and hard police officers work and the passion they have for helping people. It's a privilege to review their work, move forward with the case if appropriate, offer training to officers seeking to be the best they can be, to the benefit of us reaching fair and just results in a courtroom – which does not always involve a conviction and jail time, but rather an individualistic result, that still takes into account our role to seek justice for victims and keep our communities safe.

Grant Whelan '18

Assistant District Attorney, Cumberland County



What is involved in your work?

Our office is organized into teams that coordinate with certain law enforcement agencies. My team works mostly with Portland and Falmouth police departments. We handle a variety of cases in a very fast-paced environment. Basic trial skills are obviously required, but relationship-building skills make all the difference as well. Ensuring a good rapport with officers and defense attorneys can save time and reduce frustration.

What is the best part of the job?

The best part is easily the people. Early in my internship, I realized Cumberland had a dedicated group of lawyers and staff, and I wanted to learn from all of them. Additionally, I enjoy anything in the courtroom. While I enjoy the research aspect of criminal work, I am happiest on my feet, making an argument.

What is the greatest challenge?

It's when I review a case where it is obvious that a particular defendant harmed a victim (physically, financially, sexually, etc.), but that based off the rules of evidence I am not confident that there is enough admissible evidence for a neutral fact-finder to be convinced that I proved my case beyond a reasonable doubt. It can make a prosecutor feel like he or she is letting a victim down – but we ultimately have to act in the interest of justice, which includes all levels of law enforcement following the rules set by the courts and legislature.

How did Maine Law prepare you for your career?

The most significant way Maine Law prepared me for my career was the Advanced Trial Advocacy class (now called Trial Team) that I took as a 3L. Preparing for a national competition and feeling comfortable with every facet of a trial (to include preparing victims and witnesses for testimony) was invaluable, and I find myself using the skills and tactics learned there in my everyday work life. It's an honor for me to now coach this Trial Team as an adjunct professor and hear similar feedback from students after they graduate.

Why should Maine Law students consider careers as prosecutors?

They should consider a career as a prosecutor because of the meaningful way you can help protect public safety with your legal knowledge, and thus ensure citizens are following the laws they've agreed to abide by living in Maine. I worked in criminal defense in law school, and for about eight years as an attorney, and that was extremely rewarding for the time I did it. However, since I made the change three years ago to prosecution, there's not a day that goes by that I don't feel like I'm working hard for the greater good of my community. I'm very lucky.

What is the greatest challenge?

Finding the right solution in a system with limited resources. Prosecutors have immense discretion, and that comes with the responsibility to seek justice. In a substance abuse or mental health context, limited treatment availability frustrates that purpose.

How did Maine Law prepare you for your career?

I cannot overstate how useful the trial team competition was in my professional development. Attacking a fact pattern from both sides and seeing how other students do the same was invaluable. Additionally, Professor Mel Zarr taught us the importance of a collegial bar where prosecutors and defense attorneys get along and can trust each other. I think about this often.

Why should Maine Law students consider careers as prosecutors?

The work is challenging, and it can be more emotionally taxing than other practice areas. That is compensated by a deep connection to your community through work with law enforcement and other local organizations. I chose to be a prosecutor because I wanted to have a positive impact on the community where my kids are growing up. I'm getting there.