

# Making Her Case

## Carla Newton Focuses Her Career and Community Work on Family

It was late summer of 1972, and Carla Newton, then a recent graduate of Boston's Leslie College, was awaiting word from VISTA (Volunteers in Service to America) about where her first assignment would take her.

"I had no idea where I was going, and I really didn't care; I was open to anything" she told *BusinessWest*, adding that when the call came, there were no marching orders — merely a question, about whether she spoke Spanish. When she replied in the negative — she studied Latin and French instead — she was informed that her placement was going to be put off for 10 months or so.

It was a development that would in many ways alter her career track, and also accelerate it.

An education major at Leslie, Newton was faced with the start of a new school year and no job. So she took what she could find, which turned out to be a position at a children's home in Nashua, N.H., where she worked as a house parent for children who were wards of the state. It was the first step down a path that would eventually lead her to not only a legal career specializing in family law, but also community involvement in education and family-oriented institutions such as the Big E, the Sisters of Providence Health System, and Bay Path College.

Newton, a partner with the Springfield firm Robinson Donovan and the subject of *BusinessWest's* latest installment in its ongoing series of profiles of local attorneys, also specializes in banking and corporate law. But she spends the bulk of her time handling family law matters such as divorce, custody issues, adoption, pre-marital agreements, and others.

She said there have been pro-



*Carla Newton says work in her specialty has changed considerably over the years to accommodate changing definitions of the terms 'marriage' and 'family.'*

found changes in this area of the law, which correspond to evolving societal trends, such as same-sex marriage and a broad redefining, or expansion, of the terms *family* and *marriage*.

"There are all kinds of different ways in which families are created today than were necessarily contemplated as the laws were developed concerning families and what families are," she explained, referring to such trends as surrogate parenting, second-parent adoptions, and co-habiting adults with children. "And case law in Massachusetts evolves as these cases become more prevalent."

Meanwhile, there have been many changes in the way some family matters are handled. Citing divorce as merely one area that has seen great change since

she began practicing law, she said there are now several methods to achieve that end. These include the traditional path — "you get your lawyer and I'll get mine," as she described it — but also increasing use of mediation, in which a third-party is hired to craft a settlement, and a relatively new process called Collaborative Law."

The latter, an emerging phenomenon in Massachusetts and elsewhere, is an alternative to litigation in which parties and their lawyers (trained in the process) essentially agree to negotiate a settlement rather than slug it out in court.

"It's a cooperative process, one that it is becoming more prevalent in this area," she explained. "It's an interesting alternative to both traditional

divorce and mediation that can save parties some money and time."

In a wide-ranging interview, Newton talked about the many changes that have come to her practice area, and about her broad focus on family.

### Grade Expectations

While working at the children's home in Nashua, Newton also volunteered at a local elementary school during the day. That work led to a job substitute teaching and, eventually, a second-grade teaching position.

Within a year, Newton would begin taking graduate courses in counseling at the former Boston State University. "I was thinking about becoming a probation officer or taking some other work that would enable me to work with children and families in some level of need," she said, adding that, eventually, her career focus shifted to law, specifically family law. She attended Suffolk University in Boston and, upon graduation, took a job with the Boston firm Daniels & Goldman, P.C. There, she acquired experience handling work in banking, finance, and real estate closings.

Desiring to return to Western Mass., Newton, a native of Holyoke, took a job with the Springfield-based firm Kamberg, Brown, Hendel, Gold & West, where she handled mostly real estate work.

One of that firm's partners, Philip Hendel, specialized in family law work, and Newton approached him about working on cases in that specialty. "That's how I got started in this field," she said. "I still had a lot of work in banking and real estate, but I enjoyed family law and took more and more cases in that area."

When that firm split up, she joined Hendel and several others in a firm that would eventually

become Hendel, Collins & Newton. She joined Robinson Donovan in 1998, and has become the firm's primary family law practitioner.

In her more than 20 years practicing family law, Newton has seen the specialty — and case law — evolve as society has. The changing face of both marriage and family has created opportunities for lawyers in the field, she said.

In the case of same-sex marriage, for example, which became law in Massachusetts one year ago, many people had questions and legal needs that had to be addressed.

"We did a lot of work as a firm to take a look at the impact of the Massachusetts law on individuals who might marry who were gay," she explained. "Because there are tax aspects, inheritance aspects, and estate planning aspects, as well as marriage, children, and adoption, all of which land differently for gay couples than they do for heterosexual couples, mostly due to federal law."

Changes in the way divorce is handled have also created different types of opportunities for

many in this field, she said, noting that she has mediated some divorces while also becoming trained in Collaborative Law, specifically divorce.

While seven out of 10 divorces are still handled by traditional means, she explained, both mediation and Collaborative law are becoming increasingly popular because they can take some of time, expense, and emotional toll out of the divorce process.

"Any divorce is better when people keep control of their own destiny instead of handing their problems over to judge," she explained, adding that mediators work with the parties involved to facilitate a settlement agreeable to both. "Mediators help people reach their own agreement — when a case is mediated, the parties own it and take responsibility for it."

With Collaborative Law, both parties have lawyers who advocate on their behalf, which differentiates it from mediation, she said, but all those involved in the process do so with the intent of staying out of the courtroom.

"There's an attempt to collaborate, and hire, for example, one

accountant to address those issues, and hire one appraiser, so it's not 'four set of experts versus my set of experts,'" she explained. "It's a less-adversarial process that is more open; the premise is: 'we want a divorce, but we don't want to litigate.'"

While education, family, and children have been the focal points of Newton's career track, they have also been the foundations of her work within the community, as well.

In 1989, Newton became a corporator at Mercy Hospital, beginning a long period of service to that institution, as well as its parent organization, the SPHS, and also the larger Catholic Health East, a system of Catholic health care facilities, including SPHS. Other current community involvement includes work with the Eastern States Exposition, which she has served as a director since 1995, and Bay Path College, where she currently serves on an advisory board.

In the past, she volunteered her time and energy to assist Elms College, for which she was worked as an advisor for its Paralegal Institute, and also the

Greater Springfield Chamber of Commerce and its Women's Partnership, Mount Holyoke College, the Carew Hill Girls Club in Springfield, and the Girls Club in Holyoke.

### Closing Statements

When asked what she likes about family law work, Newton said it is rewarding — especially in successful adoption cases — but it also brings variety and, especially in recent years, a chance to resolve matters in non-adversarial ways.

"Adoption is the happy part of any family law practice," she said, noting that has worked on a number of successful adoptions in recent years, including some for lawyers at Robinson Donovan.

Her career has taken several twists and turns since the VISTA assignment that never happened, but her focus has always been on children and families — and it will stay there.

"I really enjoy doing this kind of work," she said, referring to both her profession and community involvement. "It's rewarding, and you can make a difference in someone's life." ♦