

# Environmental Law



# Table of Contents

## Index of Alumni Narratives

## Index of Student Narratives

### Chapter 1 An Overview of Environmental Law

- A. Government
  - 1. Federal Government
  - 2. State Government
  - 3. Local Government
- B. International Organizations
- C. Nonprofit Environmental Organizations
- D. Law Firms
- E. Corporate Counsel
- F. Conclusion

### Chapter 2 Resources within the Yale Community

*\*Please note: Some sections of this public guide have been removed due to their proprietary nature.*

### Chapter 3 Internet Resources

### Chapter 4 Personal Narratives

- A. Practicing Attorneys
  - 1. Federal Government
  - 2. State Government
  - 3. Local Government
  - 4. Nonprofit Organizations
  - 5. Private Firms
  - 6. Business
- B. Summer Interns
  - 1. Federal Government
  - 2. State Government
  - 3. Nonprofit Organizations

# Index of Alumni Narratives

## Government

### Federal

U.S. Attorney's Office-Southern District of New York, *Jeffrey Oestericher*  
U.S. Environmental Protection Agency, Office of Criminal Enforcement, Forensics and Training, *Mike Fisher*

### State

Colorado Department of Public Health and Environment, *Howard Roitman*

### Local

New York City Law Department, Environmental Law Division, *Hilary Meltzer*

## Nonprofit Organizations

Earthjustice, *David Henkin*

Earthjustice, *Colin O'Brien*

Environmental Defense Fund, Earthjustice, & CAELP, *Peter Heisler*

Georgetown University Law Center, Institute for Public Representation  
(Environmental Program), *Hope Babcock*

The Open Philanthropy Project, *Lewis Bollard*

Natural Resources Defense Council (Water Programs), *Larry Levine*

University of Maine, Maine School of Law, *Jeffrey Thaler*

Penn State Law School and School of International Affairs, *Hari Osofsky*

Syracuse University College of Law, *David Driesen*

## Private Firms

Bryan Cave LLP, *Roberta Gordon*

Primmer Piper Eggleston & Cramer PC, *Jon Anderson*

Lozeau | Drury LLP, *Richard Toshiyuki Drury*

Shook, Hardy & Bacon LLP, *John Barkett*

Van Ness Feldman PC, *Doug Smith*

## Business

Apex Clean Energy, Inc., *Steve Vavrik*

Kimberly-Clark Corporation, *Ken Strassner*

# Index of Student Narratives

## Government

### Federal

U.S. Department of Justice, Environment & Natural Resources Division, Environmental Crimes Section, *Rachel Saltzman Tennis*

### State

California Attorney General, Environment/Natural Resources/Land Law Sections, *Kathryn Boudouris*

## Nonprofit Organizations

Appalachian Mountain Advocates, *Casey Arnold*

Indian Law Resource Center; Earthjustice, *Whitney Angell Leonard*

Earthrights International; Earthjustice, *Helen Li*

Interamerican Association for Environmental Defense, Human Rights and Environment Division, *Jonathan Smith*

Natural Resources Defense Council, *Juliana Brint*

---

# CHAPTER 1

## AN OVERVIEW OF ENVIRONMENTAL LAW

---

Environmental law includes both the regulation of pollutants as well as natural resource conservation and allocation. It touches on energy, agriculture, real estate, and land use, and has expanded to include international environmental governance, international trade, environmental justice, sustainable growth and development, food law, and climate change. Environmental law practice often requires extensive knowledge of administrative law and aspects of tort law, property, legislation, constitutional law, and land use law.

Directories and career guides sometimes distinguish between environmental law and natural resources law. Natural resources law is the body of law governing the acquisition, ownership, development, allocation and conservation of naturally occurring resources like water, oil and natural gas, minerals, wildlife, crops, and forests. This includes the areas of energy law, mining, fishing, and forestry regulation and relates to the common law doctrines including riparian rights, nuisance, and public trust. Environmental law is a broader category incorporating both resources law and the law of pollution control, which regulates human environmental impact. Federal and state statutes such as the Clean Air Act, the Clean Water Act, the Safe Drinking Water Act, the Comprehensive Environmental Response Compensation and Liability Act (CERCLA), and the Toxic Substances Control Act largely dictate the confines of this body of law. This guide will discuss both bodies of law as “environmental law.”

Environmental lawyers generally practice one or more of the following kinds of law: regulatory, transactional, litigation, or public policy advocacy. Regulatory lawyers help draft environmental legislation and regulations relating, for example, to waste cleanup, air quality, water quality, coastline management, land use, and other protective measures; they also take part in site inspections, advise clients on compliance with environmental laws and regulations, and provide representation in administrative and rulemaking proceedings related to the development and implementation of environmental policies and procedures. Transactional attorneys help identify the environmental and land use issues involved in a variety of transactions, including the purchases and sale of property and businesses; they often draft agreements, engage in negotiations, assess the costs and risks of decisions that impact the environment, and help clients develop solutions to environmental problems that could impair business transactions. Litigating attorneys bring cases on behalf of individuals, groups, or government entities to enforce environmental laws and regulations; they also litigate with insurance carriers for coverage of environmental liabilities and defend against agency enforcement actions as well as toxic tort lawsuits. Other environmental attorneys work at many levels to influence the development of public policy—sometimes focusing on specific issues in an area of the environment, like species protection or water pollution prevention and sometimes focusing on broader issues like sustainable strategies, alternative energy sources, or green initiatives; they frequently engage in organizing and lobbying to affect policy.

Environmental law attracts lawyers who are interested in how we impact the geology and biodiversity of our planet. Environmental law practitioners perform a wide variety of functions, often helping to shape governmental and corporate policies and actions on a national and international level. Since federal statutes drive much of environmental law, attorneys often work for or with administrative bodies, such as the Environmental Protection Agency, the Department of the Interior, the Department of Agriculture, and their state-level equivalents. However, environmental lawyers also work for nonprofit organizations, private law firms, and corporations; many environmental attorneys work in several of these settings during the course of their careers. The following is a brief overview of these settings, accompanied by examples of each.

## A. Government

---

### 1. Federal Government

---

The federal government employs a large number of environmental lawyers in a range of settings. Several executive branch administrative agencies take part, either directly or indirectly, in implementing and enforcing federal environmental law. These agencies are responsible for managing and preserving natural resources and ensuring that private and government organizations comply with federal environmental statutes. Lawyers in these agencies help to develop policy, assist in the drafting of legislation and regulations, represent the agencies in hearings before courts and administrative law judges, and monitor compliance with environmental statutes and regulations. In some agencies, the legal functions are handled by a single office, and in others they are divided (e.g., enforcement may be handled separately from counseling on administrative law).

Several federal departments and agencies are responsible for specialized areas of environmental and natural resource policy. For example, the Department of the Interior operates the National Parks, administers federal mining leasing programs, and manages federal lands. The Department of Agriculture, through the Forest Service, also manages vast tracts of federal land. The Department of Energy (DOE) influences and develops national energy policy. The DOE also has environmental lawyers working on the cleanup of government facilities where nuclear testing and weapons production has been undertaken. The Environmental Protection Agency (EPA) is responsible for overseeing the implementation and enforcement of key environmental regulatory statutes, such as the Clean Water Act and the Clean Air Act. In this capacity, the EPA often delegates enforcement authority to individual states and reviews the performance of state regulators. It also promulgates regulations and issues guidance documents to assist states and the regulated community, and brings its own enforcement litigation where necessary. EPA lawyers perform a mix of counseling and litigation and work closely with the Department of Justice (DOJ) in environmental litigation. The Department of State has an environmental section that draws on principles from both international and domestic law to develop an effective environmental foreign policy.

Other executive branch agencies deal with environmental law and policy, albeit less directly. For example, the Department of Transportation, the Occupational Safety and Health Administration, and the Food and Drug Administration all have environmental lawyers on staff to ensure compliance on matters like toxic waste management, worker safety, and herbicide and pesticide regulation. The Department of the Army employs environmental law experts to assist and advise the Army Corps of Engineers, which, among other things, issues permits for use of U.S. navigable waters and wetlands. The Department of Commerce has environmental lawyers in its National Oceanic and Atmospheric Administration.

These agencies tend to focus on administrative proceedings but also work closely with DOJ attorneys, who handle most federal environmental litigation, to secure compliance with the laws and regulations that the agencies are charged with enforcing. In addition to civil enforcement, U.S. Attorneys may also prosecute individuals and organizations for criminal violations of certain federal environmental statutes. DOJ attorneys also represent the U.S. as a defendant in environmental lawsuits brought by private organizations or individuals. Within DOJ, the Environment and Natural Resources Division has responsibility for all environmental, land management, and natural resources litigation on behalf of the federal government.

Environmental attorneys also shape environmental law in the legislative branch. For example, attorneys work on the staffs of the House and Senate committees with significant environmental jurisdiction (e.g., the House Committee on Resources, the House Committee on Energy and Commerce, the Senate Committee on Environment and Public Works, and the Senate Committee on Energy and Natural Resources).

---

## 2. State Government

---

State environmental agencies play a leading role in implementing both federal environmental statutes and state regulatory regimes. Examples of such agencies include the Florida Department of Environmental Protection, the Texas Commission on Environmental Quality, the Massachusetts Department of Conservation and Recreation, and Connecticut's Department of Energy & Environmental Protection. Agency counsel may be involved in drafting legislation, designing regulatory systems, monitoring compliance, educating the public, enforcing existing statutes, and furthering environmental policy. Utility regulatory commissions also play a major role in developing energy policy in most states.

Another avenue for practicing environmental law in state government is through the environmental department of the state Attorney General's office. The Attorney General in all states can file lawsuits on behalf of a state environmental agency, and many states provide the Attorney General's office with jurisdiction to bring environmental lawsuits directly. The [National Association of Attorneys General website](#) lists the websites of state attorneys general with information on the environmental department of each office and its arrangement with state environmental agencies.

---

## 3. Local Government

---

Large urban areas often have municipal environmental agencies that employ in-house counsel. The New York City Department of Environmental Protection, for example, has a Bureau of Legal Affairs where attorneys are involved in maintaining and upgrading the city's water and wastewater infrastructure, advising the city on compliance with federal and state environmental laws, protecting the city's watersheds, as well as enforcing local codes governing air and noise pollution, asbestos abatement, and emergency spill response. City law departments, like the New York City Law Department, sometimes have environmental bureaus. In addition, many cities and towns have local planning, zoning, conservation, and wetlands commissions, which employ attorneys or contract for their services. City councils may also be actively engaged in the development of local environmental law and policy and employ legal staff to undertake this work.

Municipal attorneys and agencies serve many of the same functions as the state and federal agencies, but they focus on more localized resources and local ordinances. For example, municipal environmental attorneys frequently play a role in waste disposal issues that affect their municipalities.

## B. International Organizations

Environmental issues, like deforestation, over-fishing, and damage to the ozone layer, are often worldwide problems. Emerging economies add to global concerns as they struggle to balance environmental needs with the growing demand for new products. Foreign governments, multinational bodies, nongovernmental organizations (NGOs), and international corporations all employ lawyers with environmental expertise to help address these widespread problems. The World Bank, World Trade Organization, U.N. Environmental Program, and Treaty Secretariats are just some examples. As the world becomes more interdependent and international laws become more extensive, opportunities to practice environmental law on a global scale are growing.

Like environmental lawyers in the United States, international environmental lawyers handle a wide range of issues. Lawyers at the Center for International Environmental Law (CIEL), for example, work on climate change, human rights and the environment, international financial institutions, international environmental governance (including democratizing international dispute settlement), law and communities, trade, toxins, and sustainable development. Among other things international environmental

lawyers may seek to strengthen international environmental protections by negotiating and drafting international treaties and agreements that address global environmental problems; they may bring lawsuits challenging environmental violations in international courts or seek to resolve disputes in arbitration tribunals; they may develop new strategies and standards to improve financial regulations that impact environmental concerns and increase corporate accountability; and they may work to empower local communities to address the impact of environment-related activities on their rights.

The differences among environmental organizations make it important for applicants to research organizations carefully to find the best fit.

### **C. Nonprofit Environmental Organizations**

Nonprofit environmental organizations seek to shape the development and implementation of national, international, state, and local environmental policy. Their activities include litigation, negotiation, policy development, lobbying, research, education, public campaigns, and direct collaboration with industry. Some seek to cooperate with government entities and to shape law, regulations, and policies from the inside. Others are more confrontational in their approach, working as outside critics.

Though few environmental groups fit into neat categories, there are several broad areas of distinction. Some groups, especially the larger ones, have a very diverse practice. Well-known examples are the Natural Resources Defense Council and the Environmental Defense Fund, both of which employ a wide variety of professional staff, including lawyers, scientists, economists, and technical experts, and undertake the full array of environmental advocacy work to advance policy and market solutions. Organizations like Earthjustice have more specialized litigation practices that focus on representing other environmental and citizen groups in court.

Many major groups are not litigation-centered and instead focus their work on education, research, lobbying, and grassroots action with the intention of improving and enforcing environmental laws and regulations and bringing greater public attention to environmental issues. Greenpeace, Sierra Club, Environment America, and Clean Water Action exemplify this orientation. Since these grassroots organizations focus more on developing lobbying power, they tend to be less attorney-driven than the litigation-focused groups.

Another type of organization focuses on specific issues or a specific environmental resource. For example, Conservation International, The Nature Conservancy, and the Open Space Institute work to protect specific ecosystems from destructive impacts of development, in large part by purchasing land or securing protective easements. The National Wildlife Federation and Defenders of Wildlife focus on habitat protection and restoration. The Audubon Society works to protect bird habitats. The Adirondack Council and the various Riverkeepers and Baykeepers work to improve the quality of geographically specific natural resources. In addition to these high-profile national organizations, many organizations, like the Connecticut Fund for the Environment, Environmental Advocates of New York, and the Natural Resources Council of Maine, focus on local, state, or regional concerns.

Though most environmental groups are advocacy organizations, some operate more as think tanks that employ attorneys and scientists to conduct research and policy analysis, participate in drafting of domestic and foreign regulations, track and document developments in federal environmental decision-making, and build the capacity of nations to advance and implement environmental law and policy. Examples include the World Resources Institute and the Environmental Law Institute. Unlike most other national organizations of their stature, they engage in neither lobbying nor litigation but work to forge cooperative relationships across sectors by joining governments, industry, and public interest groups in



dialogue about pressing environmental problems. Lawyers interested in research and policy analysis also work in academic settings teaching environmental law, studying environmental problems, writing, and consulting.

In addition to the national organizations that undertake some international environmental work, there are several nonprofit organizations, such as EarthRights International, that focus on international environmental issues. For additional information about international opportunities, see *The International Public Interest Law Guide*.

## D. Law Firms

There are many opportunities for attorneys to practice environmental law in the private sector. Environmental lawyers work in the environmental or natural resources departments of general law firms, boutique firms that specialize in environmental law or in handling niche environmental issues, environmental consulting firms, or firm sponsored pro bono activities.

The environmental or natural resources practice group at a firm might handle the representation of clients such as oil and gas companies, mining companies, industrial corporations, lumber and paper companies, electric or natural gas utilities, construction companies, or waste disposal companies. In the modern regulatory environment, environmental laws affect almost all businesses. The varied activities of a firm lawyer representing such a company might include negotiating contracts in conformance with environmental regulations, advising companies as to their compliance obligations with respect to environmental laws, handling real estate transactions, working with zoning laws, obtaining permits, and handling enforcement actions. Some firms also lobby and litigate to shape environmental policy.

Under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, or the Superfund Law), environmental lawyers have also been working on Superfund cases for over 20 years to clean up contaminated sites. Due to the significant progress that had been made, direct Superfund work, which can entail litigation, negotiation, or real estate counseling, may be somewhat on the decline. On the other hand, CERCLA and federally mandated hazardous waste handling and disposal programs have necessitated detailed environmental reviews of virtually every business and real estate transaction for potential environmental liabilities and issues. This due diligence requirement has created an increasingly vital and vibrant domestic and international practice area.

Typically, U.S. businesses manifest a compliance ethic and seek to avoid enforcement actions by maintaining vigorous internal compliance programs. However, environmental lawyers in private firms may also find themselves defending their clients from lawsuits by a governmental agency or nonprofit organization.

Public interest law firms are private, usually small firms that represent municipalities, NGOs, citizen groups, and individuals in actions and advocacy that promote the public interest. These firms are, for example, hired by environmental nonprofits to assist in litigation, policy development, or other work, and may also represent individuals, or citizen groups, in environmental actions ranging from toxic torts to zoning challenges. Many of these firms are listed on [PSJD](#). You can also find information on [CDO's website](#).

[Martindale-Hubbell](#) and the [NALP Directory of Legal Employers](#) are two online resources for locating law firms with environmental practices. In addition, see *The Environmental Law Careers Directory* in the CDO library.

## **E. Corporate Counsel**

An environmental lawyer may serve as in-house counsel for a company that regularly deals with environmental law and regulation. In-house legal departments for smaller companies employ fewer attorneys, requiring each attorney to work across a range of legal specialties. Larger corporations may have enough in-house environmental attorneys to allow for specialization. Environmental lawyers often work as in-house counsel for oil, gas, mining, and manufacturing companies, but environmental lawyers can be found in any company whose products or activities might have an impact on the environment, including start-up companies seeking alternative solutions to environmental problems.

An in-house lawyer's activities generally mirror those of a firm lawyer representing the same type of company, but involve a more intricate knowledge of the company. The corporate attorney tends to have considerable contact with other environmental professionals, especially those employed by or consulting for the corporation, in a problem-solving atmosphere. A corporate attorney routinely works with technical professionals to achieve and maintain compliance with environmental regulations and to identify and address environmental considerations related to business and real estate transactions. Legal work might include analyzing new regulations and legislation to assess their impact on the company's activities, supporting in-house efforts to achieve compliance with environmental regulations, helping obtain permits and licenses, drafting business practices, overseeing on-site government inspections, training company personnel about environmental regulations, reviewing and maintaining relevant legal documents and contracts, and participating in litigation. Activities generally left to outside private attorneys include active litigation in state and federal court, involvement in novel issues, and highly visible or contentious business and real estate transactions.

In-house practice gives the attorney a greater opportunity to link his or her legal practice with business planning and strategies. The corporate attorney must be concerned with long-term risk in lending, capital formation, acquisition, and development activities due to environmental issues. In-house environmental legal jobs can lead to environmental management positions, as well as opportunities to set corporate environmental policy and to manage both legal and technical professionals in the field. In addition, jobs with large, responsible multinational corporations offer opportunities in international environmental law practice.

## **F. Conclusion**

Environmental law deals with some of today's most pressing issues. It concerns not only environmental problems but it also touches upon important social justice questions, such as relationships between the environment and poverty or equality. Environmental law offers attorneys a wealth of opportunity to have a positive impact on public interest as we struggle domestically and internationally to find the proper balance between environmental preservation and economic stability. The work of environmental attorneys in the different settings described above may well shape the nature of our world for generations to come.

Choosing among these varied practice settings involves a number of considerations. Perhaps, most obviously, private firms and corporations typically offer higher compensation than government and public interest organizations. Salaries may also vary regionally with compensation being typically higher in states with strong interests in environmental preservation or allocation of natural resources, like Alaska and Colorado. Lawyers for international bodies earn salaries comparable to those at U.S. government agencies, but may enjoy limited U.S. taxation if they work abroad. Additionally, the legal activities in each setting vary. Some environmental organizations specialize in education and grassroots efforts; government attorneys tend to focus on drafting and implementing regulations and other aspects of administrative law; and those working for Attorneys General and U.S. Attorneys are likely to focus on litigation.

It is important to think about which side of the issues you would rather represent. In litigation, lawyers for nonprofit organizations generally represent plaintiffs. Government attorneys may represent plaintiffs such as federal or state environmental agencies or may defend the government in actions brought by nonprofit organizations, among others. Public interest law firms would most commonly represent individuals or organizations as plaintiffs. Private firm lawyers representing corporations and corporate in-house counsel who litigate most often represent defendants.

It is always helpful to ask alumni and student mentors about their experiences in environmental law. Alumni mentors are available through YLS Career Connections on the CDO website and Chapter 2 of this guide. Chapter 2 also lists contact information for students and recent graduates who have worked in various environmental law settings. Additional resources include summer employment lists and summer job evaluations.

Although solid research is the best foundation for any career choice, keep in mind that many or most modern lawyers have a variety of jobs over the course of their careers. Environmental attorneys often move between and among the varied sectors of environmental law practice.

---

## CHAPTER 2

# RESOURCES WITHIN THE YALE COMMUNITY

---

\*Please note: Some sections of this public guide have been removed due to proprietary nature.

---

## CHAPTER 3

# INTERNET RESOURCES

---

Yale Law School is a member organization of [PSJD](#), which provides students with access to a current, searchable database of available public interest organizations as well as jobs, internships and fellowships.

The following is a sample listing of other websites related to environmental law. For a comprehensive listing, consult the *Directory of Environmental Websites* (available in the CDO library)

### **Ecomall**

[www.ecomall.com](http://www.ecomall.com)

Directories of grassroots environmental organizations

### **Envirolink**

[www.envirolink.org](http://www.envirolink.org)

A non-profit organization that provides access to thousands of online environmental resources

### **Environmental Career Opportunities**

[www.ecojobs.com](http://www.ecojobs.com)

Job listings in environmental organizations; fee required for membership

### **Environmental Careers Center**

[www.environmentalcareer.com](http://www.environmentalcareer.com)

Environmental and natural resources job information and career news

### **Environmental Jobs and Careers**

[www.ejobs.org](http://www.ejobs.org)

Database of environmental law jobs

### **International Network for Sustainable Energy**

[www.inforse.org](http://www.inforse.org)

List of NGOs in the sustainable energy field

### **Martindale Hubbell Lawyer Locator**

[www.martindale.com](http://www.martindale.com)

List of attorneys and firms by specialty area

### **National Council for Science and the Environment**

[www.ncseglobal.org](http://www.ncseglobal.org)

List of environmental opportunities and organizations

### **Web Directory Databases**

[www.webdirectory.com/databases/](http://www.webdirectory.com/databases/)

Links to environmental organizations

---

# CHAPTER 4

## PERSONAL NARRATIVES

---

### A. Practicing Attorneys

---

#### 1. Federal Government

---

##### **U.S. ATTORNEY'S OFFICE, SOUTHERN DISTRICT OF NEW YORK**

*Jeffrey Oestericher '90: Chief, Civil Division*

*New York, NY*

Working in the Civil Division of the United States Attorney's Office for the Southern District of New York provides the opportunity to litigate a wide range of environmental cases, both affirmative and defensive. As a civil AUSA, environmental cases will be one element of your varied docket. You will handle your environmental cases from their inception through any appeal to the Second Circuit Court of Appeals. These cases often involve cutting edge issues of law and/or complex public policy matters. On the affirmative front, you may bring suit to enforce a whole host of environmental statutes, including the Clean Air Act, Clean Water Act, RCRA, CERCLA, the Endangered Species Act, etc. These cases, both big and small, can have a significant impact on the community and the environment in general. To give but one example, we recently filed a Complaint against the New York City Housing Authority ("NYCHA") for their failure to provide "decent, safe, and sanitary" housing to its over 400,000 residents. Simultaneous with the Complaint, we filed a proposed Consent Decree that is intended to provide for institutional reform of NYCHA and remedy the conditions alleged.

Aside from traditional enforcement actions in district court, we also represent the interests of the United States and its agencies in bankruptcy court with respect to environmental claims. These claims often involve ensuring that debtors carry out their clean-up obligations for multiple polluted sites around the country. For example, in the Tronox bankruptcy, this office recovered over \$4.4 billion for environmental claims and liabilities at polluted sites across the country, the largest recovery of funds by the government for environmental clean-up in history. This office also handled the government's environmental claims in the path-breaking Chrysler and GM bankruptcies.

On the defensive front, the United States (or one of its departments or agencies) may be sued under various environmental laws, including CERCLA and the National Environmental Policy Act (NEPA). We represent the United States in these matters, which recently have included everything from defending an EPA regulation interpreting the Clean Water Act to defending the Department of Energy because of radioactive contamination allegedly left behind by the Manhattan Project. Our defensive practice is complex and diverse, allowing for close coordination with agency clients and the achievement of a just result consistent with the law and agency priorities.

2018

**U.S. ENVIRONMENTAL PROTECTION AGENCY, OFFICE OF CRIMINAL ENFORCEMENT,  
FORENSICS AND TRAINING**

*Mike Fisher '94: Director, Legal Counsel Division  
Washington, DC*

I'm the Director of the Legal Division in the Environmental Protection Agency's (EPA) Criminal Enforcement Office. The EPA has approximately 140 criminal investigators scattered around the country—federal agents with the normal range of law enforcement powers (firearms, search warrant authority, etc.)—who investigate knowing violations of the federal pollution control statutes. Those agents' investigative work is managed here at EPA headquarters. The legal division has a dozen attorneys who do a mix of policy and case-specific work in support of the criminal enforcement program. There are also another couple dozen lawyers working in EPA's Regional offices who do most of the direct case-support work, and some litigation.

From 1998 to 2005, I was a Regional Criminal Enforcement Counsel (RCEC) in EPA Region III—the Mid-Atlantic States. I came to that job after a clerkship and several years as an associate in the environmental practice group of a large Washington, DC firm. RCECs provide EPA's agents with legal advice, and also assist prosecutors from the Department of Justice (DOJ), who seek indictments and prosecute cases. (Approximately 40 DOJ attorneys in Washington specialize in environmental crimes and prosecute those cases throughout the country. AUSAs in each of the 94 federal judicial districts also prosecute environmental crimes, but rarely specialize in that type of case.) Many RCECs are appointed as Special AUSAs, which allows them to do grand jury and courtroom work in addition to the investigation-phase legal work for which they're primarily responsible.

An RCEC's typical day might include meeting with agents to review a draft search warrant affidavit; reading interview reports to catch up on the progress of several pending cases; discussing with an AUSA the Sentencing Guidelines calculations relevant to a plea agreement coming up for negotiation; and meeting with another prosecutor to discuss upcoming grand jury investigative strategy. The job has a great mix of litigation, "client" counseling (the clients being the EPA agents and prosecutors), and policy work.

I'll offer these thoughts on environmental law job searches. First, you need to understand the lay of the land: the subject matter ranges across a wide spectrum with conservation and land use issues at one end and pollution control at the other; the types of work vary from pure litigation to pure policy; employers of all sizes reside in the private, governmental, and NGO sectors. Second, you need to decide where you would ideally like to work and then figure out what you need to do to get there by acquiring experience, skills, and contacts that can provide you with information and opportunities. Finally, since it's a lucky attorney who immediately jumps from law school to her dream job, compose a back-up plan: ask yourself what type of non-ideal job you'd be willing to do for the short term—what can you tolerate, and what will provide the best experience and skill development? Resolve to keep researching your options and reevaluating your goals once you join the workforce. There is an enormous need for motivated, capable people in this field. Please give me a call or send an email if you'd like to chat, and good luck!

2018

---

## 2. State Government

---

**Formerly with COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT**  
*Howard Roitman '72: Director (Retired), Environmental Programs; Director, Health Facilities and Emergency Medical Services Division*  
*Denver, CO*

Before retiring in June, 2011, I held progressively more responsible positions at the Colorado Department of Public Health and Environment for 23 years, with one year out at a small trade association in Washington, DC. I also continue to teach at the University of Denver's University College Environmental Program in Policy and Management. This narrative reflects my position as Environmental Programs Director for the state. I have found that the critical skills fostered by my legal education have proved invaluable to my success in these jobs. The skills I would identify are: written and verbal communication, including legislative drafting; strategic analysis, planning and decision-making, including the questioning of technical assumptions around environmental issues; and analysis of political, legal and decision-making environments, including elected officials and federal, state and local agency officials.

What got me to this point? After trying on assorted legal jobs after graduation, I found myself at the U.S. Department of the Interior Regional Solicitor's office, where my client, the Office of Surface Mining, was implementing a relatively new federal statute. That meant that we were trying a lot of things for the first time—writing regulations and policies, interpreting what the law meant and reviewing proposed state programs for equivalence with the federal law and regulations. It was exciting because we were breaking new ground, but I also found that I enjoyed the stimulation of working with the engineers, geologists, biologists and other staff at the client agency more than being in a government law office. I accepted a position as a unit manager with my client and have really never looked back in terms of practicing law. A typical day involves a lot of email, paper, meetings and phone calls. When I held lower positions in my organization, I might roll up my sleeves and work on a Superfund decision, represent the agency at community meetings, etc. Now my focus is on the dozen or so issues that are policy related or politically sensitive.

I do a lot of work with our state legislature and with the EPA. My experience is typical of many state environmental commissioners. Air quality issues tend to occupy the greatest part of my time because of their far-ranging impact on the general public, as well as major industry. Water quality comes next, followed by hazardous and solid waste, and radiation licensing and disposal issues.

The issues tend to have multiple technical, legal and political layers. For example, the National Park Service has identified air deposition of nitrogen as having a negative impact on ecosystems, primarily lakes, in Rocky Mountain National Park. Likely sources include industry, agriculture and motor vehicles. The industrial sources may actually be out of the state. Working on an issue like this requires the best technical data and modeling you can get and working collaboratively with federal agencies, the affected industry, local communities and the general public to try to craft solutions, be they regulatory or voluntary. Keep in mind that there is not necessarily a legal mechanism to address all of the issues that you may encounter.

Something else people might not realize is that there are opportunities in this field to work with your peers across the country, as well as the EPA and other federal agencies, to address national policy issues. For example, I negotiated a Memorandum of Understanding with several federal agencies on Long-Term Stewardship of contaminated federal sites. We have worked with the EPA on how to measure the effectiveness of environmental regulatory programs. There are national organizations representing the environmental agencies and each of the specific media programs. After my 19 years on the environmental



side of the house, I left to work at one of these associations. However, I found the work unstimulating after the experience described above. Consequently, I returned to Colorado in an entirely different field, but one that calls on the same set of skills described above.

The rewards of the type of career I have followed include crafting direct controls for improving the environment, as well as long-term policy direction. The frustrations are myriad. It is difficult to move bureaucracies, both your own and those of others. Where it happens, it happens slowly, so a long view helps. The stakeholders on either side of an issue may range from cooperative to belligerent. Many positions are based on what I call religious fervor, rather than sound technical or legal footings. Salary will vary from state to state and from the federal government to state government. Typically, the federal government pays better than states, and you can certainly make a comfortable living working for government. It will not compare with what you can make with a big law firm, but it is probably more than you'd make with an environmental advocacy organization.

2018

---

### **3. Local Government**

---

#### **NEW YORK CITY LAW DEPARTMENT**

*Hilary Meltzer '92: Deputy Chief, Environmental Law Division  
New York, NY*

I am the Deputy Chief of the New York City Law Department's Environmental Law Division, where I have worked since graduating from law school in 1992. I had no particular interest or background in environmental law; rather, I knew that I wanted to work for the City. The Environmental Division was doubling in size the year I arrived, and I was extremely fortunate that the Division chose me among the class of first-year lawyers starting at the NYC Law Department.

Much of my work involves protection and management of the City's drinking water supply. I enjoy the work tremendously, particularly because it raises public health and policy issues in addition to environmental concerns. In the many years I have worked for the city, as I had hoped coming into the job, I have developed both technical and legal expertise. I have also established relationships with a number of City officials and other employees—my clients—including lawyers, policy makers, engineers, biologists, and chemists.

New York City has a complex relationship with the communities in the upstate watershed of its water supply, and is of course also regulated as a water supplier by the State and federal governments. I enjoy the regular contact with local, State, and federal authorities. On one hand, I interact with the upstate village, town, and county officials who advocate in numerous contexts for the businesses and residents in the City's watershed. On the other, I also work with State and federal environmental and health agencies that regulate the City's drinking water. I have participated in the negotiations resulting in U.S. EPA and the New York State Department of Health's granting a series of filtration avoidance determinations for the City's water supply since 1997. I continue to be involved in negotiations concerning several central components of filtration avoidance—the City's Land Acquisition Program and flood hazard mitigation.

The City has the unusual authority to enact, administer, and enforce regulations that govern land use activities in the watershed, well beyond our jurisdictional boundaries. I have enjoyed interpreting the version of those regulations that came into effect in 1997. I had previously litigated several cases under the 1953 watershed regulations and was involved in drafting the current regulations. Seeing, and often deciding, how the new regulations apply to actual development projects has been fun and instructive. I drafted revisions to those regulations, which were promulgated in 2010, and appreciated the opportunity to clarify and adjust a few provisions based on our experience administering and enforcing them. I am

now working on another set of revisions to further refine the regulations in light of experience and development patterns.

In addition to my work relating to drinking water, I coordinate the NYC Law Department's work on compliance with the City's municipal separate storm sewer system (MS4) permit, a permit issued under the federal Clean Water Act. The MS4 permit is issued to the City as a whole, rather than to a particular agency; while the City Department of Environmental Protection has a primary role in developing and implementing programs to reduce pollutants in stormwater, there are approximately 15 other City agencies with compliance obligations and other roles under the permit. The Law Department is helping to identify these roles and responsibilities as well as to develop the legal authority the City needs under the permit.

Daily work for me and my colleagues combines affirmative and defensive litigating, drafting and negotiating permits, contracts, and consent agreements, and counseling. The proportions of time attorneys spend doing each type of work depends on their preferences and the needs of our clients. In interviewing applicants for jobs in the Environmental Law Division, I focus on three types of skills. First, I believe that writing is the most important skill for lawyers, whatever type of work they pursue. Second, to be a good in-house attorney, one needs to get along well with people, including people who are not favorably disposed toward lawyers. Finally, while prior substantive technical knowledge is not necessary for environmental lawyers, eagerness to learn the engineering and science that are pervasive throughout the work is essential.

2018

---

#### **4. Nonprofit Organizations**

---

##### **EARTHJUSTICE**

*David Henkin '91: Staff Attorney*

*Honolulu, HI*

Since Earthjustice is a law firm, albeit a public interest one, most of my time is spent on litigation. On a given day, I perform factual and legal research to work up new cases, research and draft pleadings, motions or briefs for cases already on file, meet with clients, cajole opposing counsel, and the like.

In public interest work, winning cases is often only half the battle. To keep our victories from being undone by legislative action, I often testify before the Hawaii Legislature or work with Earthjustice's policy folks in Washington, DC to influence lawmaking at the national level. I draft press releases, fact sheets, op-eds and other materials, hold press conferences, and speak at conferences to educate the press and public about the importance of our litigation efforts and to remind them about the central role environmental protection plays in improving the quality of life in Hawaii.

For many years, I put in 10 to 11 hour days on a regular basis, with longer days and occasional weekends during litigation crunches. Now, with two children, I try to keep the work routine to nine hours a day. Of course, when litigation deadlines loom, I have an ethical obligation and a personal commitment to do what it takes. Earthjustice's Mid-Pacific office has only five attorneys, so I am usually the only lawyer staffed on a case. When a brief needs to get cranked out, it's usually up to me, and me alone, to do it.

The best and worst thing about my job is that I feel really committed to protecting Hawaii's unique environment and, in particular, its many critically endangered species. It's the best because I feel passionate about my work and am motivated to put maximum effort into all aspects of my cases. It's the worst because it can be hard to leave the office at the office and enjoy the rest of what life has to offer.

The demand for paying jobs in public interest environmental law far outstrips the supply. Thus, to pursue a career in my field, it helps if you're flexible about both where you live and the issues on which you work, so you can take advantage of opportunities when they present themselves.

2018

## **EARTHJUSTICE**

*Colin O'Brien YFES M.EM. '02, YLS J.D. '02: Staff Attorney*

*San Francisco, CA*

I am a staff attorney for Earthjustice in San Francisco, California. Earthjustice is a non-profit, public-interest law firm dedicated to protecting the magnificent places, natural resources, and wildlife of this earth, and to defending the right of all people to a healthy environment. With more than 100 lawyers spread across ten regional offices, Earthjustice represents a broad array of clients ranging from grassroots community groups to national organizations.

I joined Earthjustice in 2011, working initially in Anchorage, Alaska. My work there focused on air quality and oceans issues. For example, I challenged two Clean Air Act permits issued by the U.S. EPA for offshore oil drilling in the Arctic, first before EPA's Environmental Appeals Board and then the Ninth Circuit. I also litigated a federal district court case aimed at improving air quality in Fairbanks, Alaska. On the oceans front, I led several cases intended to promote a healthy ecosystem in the North Pacific, including a successful effort before the district court and Ninth Circuit to protect endangered Steller sea lions from harmful fishing practices.

Since relocating to San Francisco in 2015, my practice has centered on challenging fossil fuel extraction and infrastructure, mostly in California state court. One case sought (unsuccessfully) to end the oil industry's state-sanctioned practice of injecting contaminated wastewater into protected aquifers that might someday supply drinking water. An ongoing case seeks to overturn a county ordinance that purports to allow the development of 75,000 oil and gas wells without any of the site-specific environmental review or mitigation required by state law. In yet another matter, I am litigating in federal court alongside counsel for the City of Oakland to help defend an ordinance that curtails the handling and storage of coal against a developer's claims that the measure is preempted by federal law and violates the dormant Commerce Clause.

Surrounded by talented colleagues and challenged by my work, the most important upside of working at Earthjustice is that I am deeply invested in my job—more so than ever given the current anti-environmental administration in Washington, DC. I am passionate about my cases, I enjoy working as part of a small, tight-knit team, and I value the high level of responsibility. Further, Earthjustice provides a friendlier and much less formal workplace than a law firm and the organization supports maintaining a more reasonable work-life balance.

Prior to Earthjustice, I worked for four years in Washington, DC at the Natural Resources Defense Council (NRDC). My job there consisted of monitoring and influencing EPA's implementation of the Clean Air Act. Much of my time was spent challenging or defending EPA rulemakings before the DC Circuit. The job also involved reviewing proposed legislation, drafting fact sheets, lobbying, liaising with the media, and otherwise advocating for clean air outside of the courtroom. My experience at NRDC was terrific but I left to litigate more.

Before NRDC, I clerked for the Second Circuit and then spent four years working as an associate in the environmental practice group at Sidley Austin in New York City. My work at Sidley entailed a mixture of litigation tasks (e.g., legal research, drafting pleadings and other court filings, reviewing large volumes of documents) and transactional work (e.g., environmental due diligence, drafting contract provisions to

address environmental matters, and negotiating environmental insurance coverage). My time at Sidley was very positive because my colleagues and mentors were excellent, the assignments were challenging, and the compensation was generous. However, I wasn't always as passionate about the nature of the cases or my clients' positions as I am now working in the public interest.

For those interested in a career with a public-interest environmental organization, I recommend taking as many environmentally-themed courses as possible and spending at least one summer at an environmental or other social justice organization. It also is essential that students learn about the principles of environmental justice. Environmental burdens and benefits are not distributed equitably; communities of color, indigenous communities, and low-income communities have historically and currently shouldered most of the burden of environmental impacts. Consequently, though long overdue, environmental groups increasingly seek to work with a greater diversity of communities and client groups—in equitable and inclusive relationships. Earthjustice and other groups therefore are looking for job candidates that possess the cultural competency and other collaboration skills necessary to achieve success for a more expansive and inclusive movement.

2018

### **ENVIRONMENTAL DEFENSE FUND, EARTHJUSTICE, & CAELP**

*Peter Heisler '13*

*Boulder, CO*

I was an active member of the environmental club in college, so coming into law school I thought environmental law was a field I might want to go into. Choosing classes wasn't a problem, since Yale's course offerings in this area were somewhat limited. A solid foundation in legislation and administration, supplemented with some really great classes on environmental issues (Professor Rose's seminar, for example) and reading groups, provided the basic tools to make a start in this field.

I've discovered that environmental law is an area you have to learn by doing, because the statutes are complicated and you have to focus on one at a time to learn its ins and outs. For me, the first was the Clean Air Act (CAA). I got an internship at Environmental Defense Fund (EDF) in Boulder, Colorado my first summer. The Climate & Air program there is an in-house litigation shop, led by some terrific attorneys, including General Counsel Vickie Patton. An internship is an internship, and there's always menial work involved, but EDF gave me a chance to immerse in the CAA and try my hand at litigation. It was a great introduction to the CAA.

My second summer I decided to go back to Colorado for personal reasons, so I went for a summer law clerkship with Earthjustice in Denver. That office focuses mainly on public lands and endangered species issues, and that summer I was working mainly with the Federal Land Policy and Management Act, the National Environmental Policy Act, and the Endangered Species Act. The advocacy was more regional, but that was fine since it was still federal law and the issues mattered as a temporary resident of Colorado. The structure of the internship was different from EDF's, as each intern worked with a single staff attorney. There wasn't much opportunity for mentorship in just ten weeks, but it was good to focus on a certain set of cases and issues—and to learn from the associate attorneys, who are still just starting in on this career path as well but have more experience.

Starting my 3L year, I questioned whether I wanted to pursue a legal career at all—because I didn't feel like I completely belonged in the law school culture. I was particularly discouraged by the apparent lack of funding for environmental job opportunities, since Yale's fellowships are so competitive and some environmental organizations don't pay their fellows. Still, I stuck with it, and taking the MPRE and Advanced Legal Writing with Professor Harrison in the spring renewed my commitment to law. So,

heading into the summer, I still didn't have anything lined up, but I decided to take the Colorado bar and see where things led.

In June, I was offered a fellowship in EDF's DC office, working with an attorney I had met in Boulder. I accepted the position, spent the rest of the summer studying for the bar, and took the exam in Denver in July—and did a week of training at EDF in Boulder just before the bar. In another stroke of good luck, I had been invited to interview with Justice Monica Márquez of the Colorado Supreme Court as well, so in the course of about ten days I started a new job, interviewed for a clerkship, and took the bar. Kind of crazy in hindsight, but doable with the support of family and the kindness of the people at EDF and the court.

The year at EDF was a tremendous learning experience. I not only expanded my knowledge of the CAA and worked on the front lines of strategy around the carbon pollution standards for power plants, but also gained practical experience, building relationships within the organization and observing some deft coalition-building outside. The attorneys at EDF are outstanding—they're a joy to work with and some of the most effective advocates I've ever had the privilege to witness in action. The work flow was varied—sometimes fast-paced and high-pressure, sometimes slow—and the pay was about a third of what you could make at a firm. I realize this is a cliché, but the contribution you make to a meaningful cause is truly its own reward.

Clerking was also an invaluable experience. It exposes you to many areas of the law and teaches you how to work through issues thoroughly and efficiently. You also have an unparalleled opportunity to observe judges and learn how to think like they do. There was a camaraderie on the Colorado Supreme Court that I believe is common to many courts and makes spending a year there fly by.

I spent two-and-a-half years at Earthjustice in Anchorage, Alaska, which was a leap personally but more stable professionally. I learned a lot just from watching the staff attorneys in action and seeing how a large legal organization runs its internal affairs. Earthjustice is a key player in the environmental NGO world, and you get to work with many different groups and clients. At the same time, it is a bit compartmentalized, and you will be working on regional issues almost exclusively, so it makes sense to research those as much as you can before deciding to take a position.

I'm currently at the Center for Applied Environmental Law and Policy, a small group based in Boulder, Colorado. We do behind-the-scenes legal research, policy design, and coordination, serving as counsel for other, more public environmental organizations. The executive director was my supervisor at EDF. I never envisioned myself doing policy work when I was in law school—but you never know where your career path might lead, and it shows once again that who you know—and trust—sometimes matters more than the exact kind of work you think you want to do.

I guess the most important thing I've learned from my journey so far is to stick with it and build on the relationships you've already established. When I accepted the fellowship with EDF, I undervalued it because I'd already worked there and thought it might be repetitive. But it turned out to be a great opportunity for learning and personal growth, and I think it had a large part in my getting a clerkship. As for clerking, finding a judge you respect and want to work for makes it a wonderful experience. Finally, pay attention to the issues within environmental law that you want to focus on. Not all employers will emphasize them, and you may find the work less fulfilling if it is not something you deeply care about.

Please feel free get in touch if you have questions. I'd love to hear about your own career path so far and would be happy to chat about anything.

2018

**GEORGETOWN UNIVERSITY LAW CENTER, INSTITUTE FOR PUBLIC REPRESENTATION (ENVIRONMENTAL PROGRAM)**

*Hope Babcock '66: Professor and Director  
Washington, DC*

I am director of the environmental program at the Institute for Public Representation (IPR), a clinic at the Georgetown University Law Center. I also teach basic environmental law courses in pollution control and natural resources law, as well as several advanced environmental law courses. I came to Georgetown and IPR over 25 years ago after serving as a general counsel (and before that deputy general counsel) of the National Audubon Society as well as the director of its Public Lands and Waters Program. In those capacities, I supervised Audubon's litigation docket, brought lawsuits in Audubon's name, and lobbied on a range of public lands and waters issues, including the Clean Water Act and wetlands.

I have served in the federal government as a deputy assistant secretary at the U.S. Department of the Interior during the Carter Administration and have been in private practice, first as an associate in the Washington office of a Wall Street law firm, during which I represented utilities proposing to construct nuclear generating plants, and then as a partner doing general corporate work for NGOs in a Washington, DC firm.

I have been extraordinarily lucky in my environmental practice, especially considering that when I attended law school there were no classes in environmental law, since the field had not yet emerged as a separate practice area. I have enjoyed every legal and policy position I have held in the field. The nature of these positions has allowed me to learn about different legal practice areas, to acquire a range of legal skills, to work with technical experts in an array of non-legal disciplines, and to see environmental law from a variety of perspectives. I have never been bored and have always been constantly challenged by the work expected of me. But, of all the jobs, I would have to say that teaching is the most challenging and satisfying position I have ever held.

At IPR, we represent a variety of clients, ranging from individuals who are concerned about a particular environmental threat in their neighborhoods and cannot otherwise secure legal assistance to regional and national organizations with broader agendas. We only take cases that offer an opportunity to reform the law. Students write briefs that are filed in state and federal court, including in the United States Supreme Court, file comments with federal and state administrative agencies, draft legislation, participate in negotiations, engage in discovery and the drafting of expert testimony, work with experts, prepare and present witnesses for agency hearings, present oral testimony at agency proceedings, and engage in very sophisticated legal research and analysis on cutting edge law reform issues. Students gain an enormous amount of substantive knowledge about environmental and related fields of law and work hard on developing their legal skills. My clinical job is to help them in all aspects of that work.

As part of my responsibilities at IPR, I also supervise two graduate fellows/staff attorneys who, in turn, help me supervise the students. Each semester, we have seven to eight third-year or second-year students working on environmental projects. I work closely with the graduate fellows/staff attorneys on the development of not only their teaching and supervisory skills, but also their legal skills. These graduate fellows/staff attorneys have generally had a year or more experience as a clerk, in a law firm or in a government legal position before they join our staff; sometimes they are hired directly from law school. The two-year fellowship offers a young attorney a wonderful opportunity to develop her own legal skills, while still being mentored by a more senior attorney. By the time a graduate fellow/staff attorney has left IPR, they will in all likelihood have argued at least one case in court and have had primary responsibility for managing at least one major case on our busy docket.

My advice for finding a job in the field of environmental law—other than sheer luck and good timing—is to think broadly and creatively about your job search. You should think broadly about the ways in which you can practice environmental law (e.g., NGOs, private firms, foundations, federal, state and local public service jobs, staff to a legislative committee or member, corporate general counsel's office) and creatively about the field (e.g., public health, land use, zoning, animal welfare, food and drug, environmental crimes, human rights, even teaching, especially clinical teaching).

Regardless of the field in which you practice, be sure you are learning a skill that can help you qualify for your ideal job and are developing a positive working relationship with people who can assist you later on to get that job. Always be sure that you find a position where your work will be supervised by a more experienced attorney and where you will be given plenty of opportunities to expand your skill set. Never take a job from which it will be harder to get the next job. There should always be value added by your new job that will broaden your options when you are ready to move on. Finally, enjoy the people with whom you work and the work you are doing—perhaps this is the most important aspect of true job satisfaction.

2018

### **THE OPEN PHILANTHROPY PROJECT**

*Lewis Bollard '13: Farm Animal Welfare Program Officer  
Washington, DC*

I came to Yale with a mission to tackle the suffering of animals in factory farming. In my new role at the Open Philanthropy Project, I identify funding opportunities that could make a big difference in reducing animal suffering. For instance, our first set of grants supported the campaigns that drove almost all US fast food chains and retailers, from McDonald's to Walmart, to pledge to stop buying eggs from caged hens. I previously worked at the Humane Society of the United States (HSUS) for two years—the first on an Equal Justice Works fellowship, the second as a policy advisor to the CEO.

For students considering a career in animal law, I recommend finding a fellowship to work at the HSUS or another major animal group, since these groups typically don't advertise entry level positions, and these groups are the best way to get involved in animal law. I also recommend thinking about the non-law roles you could take within the animal protection movement.

The most valuable skills and attributes for both of the roles I've performed are 1) a passion for animal protection, 2) good writing and communication skills, and 3) good analytical skills. Everything else is pretty secondary. Experience at a clerkship or law firm may be useful, but is far from necessary.

The most rewarding thing about the work I do is knowing that we are making a real difference in relieving the suffering of animals. The challenges are primarily dealing with the cruelty that we have to confront every day, and dealing with the entrenched industries that seek not only to obstruct us, but to malign and attack us too.

Overall, I'm incredibly happy that I've gone down this path. I'm also happy to talk with anyone who is passionate about animal protection or factory farming issues. We need talented people like you to end the abuse of animals.

2018

## **NATURAL RESOURCES DEFENSE COUNCIL (NRDC)**

*Larry Levine '00: Senior Attorney, Water Programs*

*New York, NY*

I am Director of Urban Water Infrastructure & Senior Attorney in Natural Resources Defense Council's "Healthy People & Thriving Communities" Program. In that position, I advocate for effective implementation and improvement of national, state, and local policies on urban water quality, water use efficiency, water infrastructure, and affordable access to safe and sufficient water and sanitation. My work includes, for example, promoting "green infrastructure" as a sustainable urban water management strategy, which curtails polluted urban runoff and raw sewage overflows by literally "greening" communities with vegetated spaces that soak up rainwater. It also includes developing and advocating for strategies to ensure that water and sewer service remains affordable for all, even as water infrastructure investment increases to meet clean water needs.

NRDC is a national and international environmental advocacy organization with over one million members and online activists and offices in New York, Washington, DC, Los Angeles, San Francisco, Chicago, Livingston, MT, and Beijing. Our program staff includes lawyers, scientists, economists, and other policy specialists.

I started at NRDC 16 years ago as a litigation fellow, working on federal court litigation on issues ranging from mercury pollution in the Penobscot River in Maine to filing an amicus brief opposing an over-aggressive federal criminal prosecution of Greenpeace for a peaceful act of civil disobedience. Following that two-year fellow position, I was lucky enough to have the chance to stay on as a staff attorney, and worked first on water quality issues specifically in the New York/New Jersey region, and then broadened to include work on national policy and in other parts of the Northeast. Before coming to NRDC, for my first two years after law school, I was a clinical fellow at the Georgetown Law Center's environmental law clinic. My role at Georgetown included serving as counsel to local environmental and community organizations in the Washington area, on both litigation and non-litigation matters, and supervising law students enrolled in the clinic.

In my current position, my work includes a mix of litigation and policy advocacy, as is typical of many attorneys at NRDC. On any given day I may be, for example: meeting with federal, state, and local environmental agency officials, elected officials, and legislative staff; consulting with an outside expert consultant or witness; presenting to a conference of government officials or environmental professionals; supervising the preparation of a legal filing for a state or federal court case, or presenting oral argument; reviewing and commenting on a proposed permit or regulation; participating in a governmental advisory committee meeting; preparing and delivering testimony to a City Council, State Legislature, or Congressional committee; leading a strategy session with coalition partners or co-plaintiffs; developing new partnerships with community-based organizations; negotiating a potential settlement of litigation; fielding calls from the press; writing a publication or report on a policy issue; or blogging on NRDC's website about the issues on which I work.

The office atmosphere, as at most non-profit organizations, is fairly casual and I'm privileged to work with a group of talented, collegial, and committed lawyers and other advocates. In the last several years, NRDC has provided me the flexibility to work remotely, as my family moved to another city, two hours from our New York office. Though my typical working hours are less than those of lawyers at large, big-city law firms, there are also stretches of time that require long work hours. My salary is also, obviously, far less than I would earn at a large, big-city law firm, but the satisfaction of working on cases and issues I care about more than compensates for the difference in monetary income. Yale's loan repayment assistance program, COAP, also helped tremendously!



For those of you already thinking about post-graduation employment, it can be difficult to land a job right out of law school in the non-profit environmental world. Though I didn't do a clerkship, many of the young attorney hires at NRDC have clerked, and this is definitely a plus when we are hiring for positions such as our two-year litigation fellowships, which are designed for recent graduates. Some other organizations, such as Earthjustice and the Georgetown clinic, have similar fellowship programs, but the demand for any of these jobs far outstrips the supply. Often overlooked by job seekers are positions in state and local government—including environmental regulatory agencies as well as state Attorney General offices and, in large cities, municipal Corporation Counsel offices, which often have sections devoted to environmental law. (Especially in the current political climate, many state Attorneys General are very actively engaged in affirmative litigation to enforce or defend federal environmental laws.) Many lawyers also move laterally from law firms to the non-profit sector after gaining a few years' litigation experience and, often, after making connections and demonstrating one's skills by doing pro bono work for a hoped-for future employer. Keep in mind that the environmental non-profit legal community is a very small world and networking is key.

Fortunately, most public interest-types are happy to take the time to talk with you and to direct you to others who do the sort of work you're most interested in. Take advantage of those opportunities, and reach out to create your own!

2018

#### **UNIVERSITY OF MAINE, MAINE SCHOOL OF LAW**

*Jeffrey Thaler '77: Visiting Professor of Energy Law, Policy and Economics;*

*Assistant University Counsel*

*Portland, ME*

*Formerly Appellate Public Defender, NYC; Maine Supreme Court Law Clerk; Partner in three different Maine law firms doing civil and criminal litigation, as well as environmental and energy permitting and litigation work*

First some basic tips (for any Yale Law student regardless of area of interest) and lessons learned from several decades of legal practice: 1) as a Yale Law alum, you should have great faith and self-confidence in your skills and innate abilities—therefore, be brave and say “yes” to every opportunity that comes your way in and out of work, even if you may not have the listed prerequisites in a job description or volunteer opportunity; 2) if the work you are doing is not emotionally rewarding and stimulating, if it is not tapping your passions and enthusiasm—seek new work opportunities; 3) pursue and do not fear variety in what you do; and 4) regardless of what is your “day job,” speak out and advocate for what you believe in through community and family groups, activities and causes.

Putting the tips in context: I took no environmental or science courses in college or law school. Rather, at Yale Law I worked for New Haven Legal Assistance all 3 years, and then after graduation worked for New York City Criminal Legal Aid doing appeals and some trials. My wife (also a Yale Law alum) wanted out of NYC, and I belatedly wanted to try a judicial clerkship in a location with a better quality of life, so despite two years of intense public defender work, I next did a one-year clerkship for the Chief Justice and Senior Associate Justice of the Supreme Court of Maine. We have been in Maine ever since. My wife also clerked for the Court.

I wanted to develop civil litigation skills, so ended up with a 15-lawyer trial firm in Portland, ME that primarily did insurance defense work; I also did some plaintiff's work, and a growing amount of pro bono work with groups in Maine whose causes I supported—such as one trying to shut down the only Maine nuclear power plant. By my 3rd year in the law firm, I was handling significantly complex cases as the lead attorney, and developing a statewide reputation. I was intellectually challenged—but felt that I was

not as emotionally rewarded as I had wanted. I reflected on why I had gone to law school (to help the underdog, to improve societal conditions), and began to keep my eyes open for opportunities.

By chance I saw an ad in a local newspaper for the staff attorney/advocacy director/lobbyist position with Maine Audubon Society, an independent statewide group. The ad said “environmental law experience required.” I had none...but applied anyway, and talked my way into the job. I quickly had to learn on the fly multiple areas of environmental law, lobbying, how best to write press releases and conduct press conferences, fundraising, and the like. I spent over a year, working seven days a week, as lead legal counsel for a national and state coalition of environmental groups and businesses in a huge fight against a dam proposed by the most powerful company in Maine on a key stretch of the Penobscot River; I lobbied on a variety of bills; and I represented Audubon as an intervenor in other permitting proceedings of various development projects.

But it was a burn-out job, especially with a young child. So when a small plaintiff’s trial firm in Lewiston approached me to do litigation, ultimately I said yes—but conditioned on my being able to try to build a white-hat environmental practice representing citizen and environmental groups while in the private sector—as no one in Maine was doing so. Which is what I was able to do, juggling both a trial practice with an environmental practice—a combination I continued for over 25 years, as I enjoyed each type of work. I also developed cross-over work—product liability and toxic tort lawsuits, and a plaintiff’s lead poisoning practice.

After 11 years in Lewiston, in order to reduce my commuting time and to add the chance at a broader range of cases with more back-up help, I lateraled my practice to a Portland general practice firm with 50 lawyers. There, I rebuilt its environmental practice, while also getting more involved in renewable energy project work—hydro, biomass, waste-to-energy, and wind. I continued to be involved in major regulatory permitting proceedings at the local, state and federal levels, as well as more policy development work. I continued my trial practice as well. I also taught environmental law as an adjunct for 2 semesters at Maine Law School, as well as developing courses and programs on refugee-immigrant issues for college students, in my spare time. And I helped start the American College of Environmental Lawyers with 23 others around the country, and the Environmental and Energy Technology Council of Maine—the only such trade group in the area.

After another 14 years, one of my clients—the University of Maine—offered me the chance to undertake for two years a new challenge: to develop an interdisciplinary, multi-campus renewable energy curriculum. I renegotiated the position so that my course work would involve both University undergraduate and graduate students, as well as (2+ hours away) Maine Law students—and to work as a University lawyer in-house on environmental, energy and sustainability projects. This was to include my ongoing work as the lawyer for the only floating offshore wind projects outside of Europe. And that is what I have done since 2011, developing new courses in renewable energy law, policy and economics; energy law and economics; climate change science, law and policy; and a revised administrative law course, as well as major legal work on the offshore wind projects and a landfill gas project and PUC rate cases. I also undertook extensive research and writing of a major article on existing climate science and how it requires urgent change in our environmental laws governing the development of clean renewable energy projects, using offshore wind as a case study (<http://law.lclark.edu/live/files/13156-thalerready-for-websitepdf>).

Suggested skill sets, values: may sound trite, but my success has largely been due to hard work (if you are lead on a team of lawyers, don’t make younger lawyers or staff work longer hours than you are willing to do yourself) and attention to detail (many of my cases were won by knowing the facts better than my adversaries—even more important than the law); comfort in public speaking and advocacy (where litigation experience comes in handy for environmental advocacy); vision (what do you want out of life);

and willingness to change and take risks with new jobs or boards or start-up opportunities. And when someone offers you the chance to speak at a CLE or take on a new case or be on a new board—unless you are totally behind your current work, say “Yes, thanks!” Taking initiative and being open to new matters or situations has led to many rewarding experiences in my career.

What I have liked about environmental law: I call it my chance to continue my liberal arts education, my life-long learning of new areas of knowledge—biology, geology, wildlife sciences, hydrology, engineering, finance, marine sciences, climate sciences, and the like. I enjoy trying (not always successfully) to get non-lawyer experts, consultants and clients to understand how the legal and regulatory processes work. I enjoy all of the outside-of-work chances to be involved with causes and groups trying to improve the quality of life in my community, state, nation and globally. I enjoy that the environmental and energy bar is still fairly small, not only in Maine but nationally, and that while working in a relatively small coastal city like Portland, Maine (65,000 people) I have been able to work with and against, and become involved on national issues with, the top environmental lawyers around the US and globe. I also have liked the opportunity to both advocate and educate about environmental and climate issues, and have always enjoyed mentoring younger students and lawyers.

What I have not liked: I used to spend much more of my time in hearings, proceedings, advocating in front of audiences, and the like. Now, much of my time is spent at my desk online, on conference calls, and sorting piles of paper and emails. But that is the fate of many lawyers in the 21st century, especially handling complex matters.

Bottom line: If you cannot find a position right out of law school in the environmental or energy field, don't sweat it. Take on a job developing your skill sets, but then also be sure to get involved in groups and activities that do have environmental aspects or concerns. Network, keep focused on your passions and goals that drove you into and during law school, and when the community, board and job openings come along to undertake work on environmental issues that interest you don't look back—JUMP!  
2017

## **PENN STATE LAW SCHOOL AND SCHOOL OF INTERNATIONAL AFFAIRS**

*Hari Osofsky '98*

*Dean, Penn State Law and School of International Affairs*

*Distinguished Professor of Law, Professor of International Affairs, and Professor of Geography*

*The Pennsylvania State University*

*University Park, PA*

During the fall of my first year at Yale Law School, I became interested in environmental human rights after learning about the devastation wreaked upon the Ogoni people by Shell Oil in collusion with Nigeria's military dictatorship. I followed this passion throughout law school, which was a blur of clinics, law journals, researching, writing, and teaching. By the time I survived my third year, my overwhelming feeling was that of burnout, which even a month of travel in Thailand and Laos did not cure.

My clerkship with Judge Dorothy Nelson of the Ninth Circuit Court of Appeals provided me with a critical role model and mentor early in my career and since. Judge Nelson is an amazing woman, a path breaker – the first female dean at the USC Gould School of Law and one of the first female federal appellate judges – who models treating others warmly and having a full life beyond one's job. Although the clerkship taught me a great deal about effective litigating, my most important lesson was in the professional value of being a warm, whole person, a lesson that has helped me since then in situations ranging from difficult negotiations with opposing counsel to complex cross-cultural exchanges to building an academic career to navigating the challenges of leadership roles.

In making my plans for my first post-clerkship job, I was faced with a very difficult decision. I had fallen in love both with and in Los Angeles, and wanted to settle there. I was ready, after a year of assisting a neutral adjudicator, to return to my international environmental human rights activism, but such jobs did not appear to exist in Los Angeles. I thought that I had found a perfect opportunity to apply for fellowship funding to work with the local Human Rights Watch office, until the national headquarters informed me that they would only sponsor a fellowship position based in New York or Washington, D.C.

At around this time I received a fellowship announcement from Center for Law in the Public Interest (CLIPi). Although CLIPi was not engaging in any internationally-oriented work, it did a range of very interesting public interest impact litigation. I decided that, as a young attorney, it could be valuable for me to experience litigation in a variety of substantive areas. In my mind, CLIPi's civil rights work was the domestic counterpart to international human rights advocacy; the values expressed were very similar.

Whether or not my reasoning was a rationalization in the face of the difficulties I had been having, I could not have made a better decision. For the next two years, I had the opportunity to do substantive work on meaningful cases with great people. I wrote briefs, argued before the California Court of Appeals, presented before a committee of the City Council, participated in negotiations with the city attorney, ran client meetings, developed interview questions for minors and conducted interviews with them, crafted discovery and intervention papers, negotiated with co-counsel and opposing counsel, and generally began the process of conversion from a "baby" lawyer to a confident one. Although my work at CLIPi included many types of civil rights litigation, my primary focus was on environmental justice. I worked with African-American homeowners to address discriminatory sewage spills, and as part of a broad coalition to block a warehouse project in the largest open space in downtown Los Angeles. In the end, this "compromise" resulted both in my expanding as a lawyer and in my pursuing a variation on the legal issues that have compelled me since my first year of law school.

And then, after two years at CLIPi, I ended up going abroad after all. In July 2000, over an incredible meal, I agreed to marry the man that I had begun dating two weeks after moving to Los Angeles. Just as I was happily settling down into a career at CLIPi, he suggested that 2001-2002 might be a good time for that year abroad I had always wanted. Through a marvelous bout of synchronicity, I learned about the Yale-China Legal Education Fellowship just in time, applied for it, and received it.

Following our wedding and honeymoon, I headed off to Guangzhou, China (my husband had an unusual, last-minute job opportunity in Los Angeles that we decided he should take). I had an incredible year in which I taught U.S. civil rights law; helped to develop and co-teach Sun Yat-Sen University's first clinic, which focuses on labor law; coached students participating for the first time in English in the national level of an international arbitration competition; taught a faculty English class; engaged in comparative research in clinical law; learned some Chinese; made wonderful friends; and had all sorts of confronting and amusing cultural experiences.

That year in China reawakened my interest in activist academia, reminding me how much I love teaching and exchanging ideas. I spent fall 2002 as a visiting assistant professor at Vermont Law School while I went on the academic teaching market. After a fall of considering what life might be like in places all around the country, I accepted an offer at Whittier Law School (about 40 minutes south of Los Angeles) as an assistant professor and the inaugural director of its Center for International and Comparative Law. Two weeks later, I received a nonresidential fellowship from the Carnegie Council on Ethics and International Affairs to support an international environmental rights project, which built from my work at CLIPi on domestic environmental justice issues. I also taught an Environmental Justice course there in which we worked with Earthjustice on its submission to the U.N. Human Rights Commission on international environmental rights. Thus, after many twists and turns, I landed in Southern California doing international environmental rights work.

This essay does not conclude quite so neatly, however. My personal circumstances and professional goals have continued to evolve over the fifteen years since I took my first tenure-track academic job at Whittier Law School, which no longer exists. As my academic career has developed, I have had opportunities to teach at the University of Oregon, Washington and Lee University, and the University of Minnesota, and now serve as the dean of Penn State Law and the School of International Affairs. My husband became more flexible professionally when he decided to pursue his dream of writing and to spend time with our young children – I found out that I was pregnant with my first child a week before starting my first tenure-track job – which allowed me to take advantage of these opportunities. He then decided to apply to law school in Fall 2009, included Minnesota’s law school on the list, and through delightful synchronicity, was accepted on a merit scholarship the same week its faculty began recruiting me (he has a different last name, so they had no idea they had done this!). He graduated five years ago, began a second career as a family law attorney, and has been using this transition to Pennsylvania to rethink his career path. And in another interesting twist, Jennie Green, the lead attorney on the Shell-Nigeria case, who I have admired since my first year of law school, was one of my colleagues at the University of Minnesota.

My substantive interests have evolved as well. My work in 2005 on the Inuit’s climate change petition to the Inter-American Commission on Human Rights awakened my interest in climate change litigation and governance, which in turn led to my interest in energy law. Later that summer, my friend and colleague Keith Aoki at the University of Oregon introduced me to the discipline of geography, and I was so captivated that I decided to pursue a Ph.D on the side while teaching law. I completed that Ph.D. five years ago, defending my dissertation at the University of Oregon the same week I attended the ceremony celebrating my promotion to full professor at the University of Minnesota. A year before leaving the University of Minnesota to become a dean, I was honored to receive a chair there, a moment that reinforced the distance that I have come from being the junior professor that I often still feel like internally – which also helped me feel ready to take on my current big career leap of faith (described more below) of becoming a dean.

I moved increasingly into administrative leadership roles over time and began being recruited for law deanships. However, I struggled for a number of years with whether I was interested in being a law dean. I wasn’t sure I would help the world as much in that role as in my substantive academic ones. As importantly, I also had decided I was unqualified because I hadn’t been an associate dean in a law school – the standard path to deanships – displaying a tendency many women have to opt out of applying for jobs if they don’t check every box. I mention this to encourage those reading this to go ahead and apply if you’re interested in a role that excites you regardless of your internal sense that you could be more qualified or your chances may be low. As I say regularly to those I mentor, for whom this issue repeatedly arises (for example, three of my female students who initially didn’t apply to judicial clerkships out of a sense of their chances being low and who I encouraged to apply, were all been selected for them), you can’t obtain jobs you don’t apply for.

What convinced me to become a dean is my belief that we are at a moment of profound social change, in which technology, globalization, and the need for cross-cutting knowledge are transforming society, the legal profession, and the need for legal services and information. I think legal education needs to respond to these changes in innovative ways, and that there is a need for leadership to help make a meaningful difference in doing so. I also slowly got over the idea that I wasn’t qualified after making a spontaneous decision to apply for a couple deanships in spring 2016 and then approaching the process and what I was looking for in a leadership role more systematically in fall 2017.

Throughout that process, I was told that when I found the right deanship, I would know. But I was highly skeptical because I tend to find synergies in many variations. And then I visited Penn State and realized that this advice was right. The job, dean of both Penn State Law and the School of International Affairs,

was an uncanny fit – bringing together my law and international affairs interests at a university with a strategic commitment to energy and a strong geography department. But more importantly, everyone I met was excited about an innovatively ambitious path forward for these two young schools. I came to believe that these were the highest potential law and international affairs schools in the country.

One-year in, with a more nuanced understanding of these schools and Penn State, I believe that even more strongly. I am inspired every day by our students, faculty, and staff and have never been at any institution with a stronger sense of community. I don't think I have ever taken on a bigger professional challenge than coming in as a new dean at a large, complex institution with the ambitious goal of collaboratively crafting legal education and international affairs education for a changing society. I am excited about how much progress we could make in one year – including comprehensive mentoring, innovative technology initiatives, new interdisciplinary and international partnerships, and amazing faculty hires – and look forward to what we will build together.

And so more than a decade and a half after my first version of this essay, I am living in State College, Pennsylvania as a dean at Penn State, an outcome which I certainly could not have predicted when I left law school twenty years ago or even a couple years ago. Throughout my fifteen years in academia, though, my core goal of using my faculty and now dean role to help leave the world a little better than I found it has remained constant. I hope that through a combination of organizational leadership and continued work on the substantive issues that I care about, I can be a constructive part of helping our society.

The best advice that I have for law students interested in environmental law and energy work or public interest work more generally is to think creatively and be scrappy. If you cannot find exactly the position you desire, find the best opportunity that you can and be open to learning and growing from it. Our careers will, I hope, be long enough that we have time to have experiences rather than worrying about where we are on a path.

In each step of my path, I have not had a master plan, but rather have made decisions that felt right at the time. I have found that being open to life's synchronicity has been critical to my sense of personal and professional fulfillment. As a woman leader I admire, Lucy Reed, put it, when a door opens, walk through it. When I wrote the first version of this narrative, I was still at CLIPI and had no idea that I would end up back where the story started a couple of years later or at any of the places I've taught around the country on what I like to call our "magical mystery tour" or as a dean at Penn State now. I also did not even know the discipline of geography existed – it had been kicked out of Yale many years before I was there – and could help me bring law together with ideas of place, space, and scale and with both the hard and social sciences. I read about CLIPI in a job announcement mailed to Judge Nelson's chambers and found out about the China fellowship through a chance inquiry. In fact, I was initially asked to write an essay for an international public interest career guide, rather than this environmental one, and was unsure if my focus was still international enough to do so.

While it is important to be open to life's unpredictability, I have found that networking – which for the most part just consists of being friendly and reaching out to people – is almost always the best strategy for finding exciting opportunities. At the outset of your career or when you're trying to enter a new area, ask everyone you can think of not only what opportunities they know of, but also who else they know of whom you might approach. Over the years, that networking becomes about the mixed personal-professional relationships that you build over time. Here again, the model of Judge Nelson and other mentors continues to serve as a guide for me. By treating people well, helping them along when they need it, and more generally bringing your values to work, you build the rich relationships over the years which support your happiness and career development.

Most importantly, and connected to this final point, in all this planning and networking, make sure to ask yourself regularly if you are having fun and if you feel fulfilled. If not, look around and think creatively about potential alternatives. And as you build your career, make space for the things you enjoy in life that are neither work nor family. For me, that has included taking up competitive rowing and skiing; starting that vampire novel project that's always intrigued me; launching a YA book and cocktail club and participating in other book clubs; skiing; surfing; exploring food – including insects; and travel. Whatever these interests are for you, make time for them and for finding a career that makes you happy, whether or not your path conforms at all to those of your peers. It is the journey that matters, after all.

2018

## **SYRACUSE UNIVERSITY COLLEGE OF LAW**

*Formerly with NATURAL RESOURCES DEFENSE COUNCIL (NRDC)*

*David Driesen '89*

*Syracuse, NY*

I worked at the Natural Resources Defense Council's air and energy program for about three years in the 1990s before moving into a teaching position at Syracuse University College of Law. My work at NRDC mostly focused on encouraging the EPA to properly implement the Clean Air Act, which Congress had recently amended. To that end, I talked with government officials about pending decisions, wrote detailed comments about proposed rules, and litigated some regulatory decisions in the District of Columbia Circuit. My job also required crafting press releases (with the help of media staff), writing letters to members of Congress, and sometimes presenting oral testimony on pending rules.

I enjoyed this work immensely, mainly because the freedom to choose the most important Clean Air Act matters to work on made me feel like I was making a difference. I also really like and admire my colleagues there (most of whom still work there, more than 20 years later). They are smart, dedicated, and extremely knowledgeable about the many detailed questions that arise in implementing environmental law.

One of the most challenging aspects of my job involved negotiation. NRDC had learned through 20 years of Clean Air Act advocacy that constant fighting between environmentalists and industry could be very counterproductive in making progress on environmental issues. For that reason, the organization by that time put a lot of emphasis on negotiated rulemaking and other efforts to try and reach consensus on environmental policy matters. I had some success with that, but I felt the need to improve at the somewhat softer skills needed to create consensus. I was not as heavily involved in negotiation as my senior colleagues, but it is an important skill that's not easy to acquire in law school.

In my job interview, David Hawkins (then the director of NRDC's air and energy program) emphasized the importance of attention to detail, for very good reason. An effective environmental lawyer has to master extraordinarily detailed statutes, even more complex regulations, as well as some information about science and technology. Although I like the big picture and do not revel in the process of learning details, I found this necessity did not bother me. The feeling of doing something worthwhile made the effort necessary to get the details right feel almost fun and I learned a lot. At the same time, a good environmental lawyer has to understand how those details contribute to a much bigger picture in order to communicate with non-specialists—like judges, congressmen, and the broader public—simply yet accurately.

Public interest organizations, even one as well established as NRDC, need their lawyers to have the capacity to handle very complex matters mostly on their own. They just do not have enough people to assign teams to nearly every matter, the way a large law firm might. For that reason, NRDC and many other public interest organizations generally hire lawyers with at least a few years of experience, and

government service can be especially valuable (since the government offers great responsibility early on as well). These are great jobs for people who like to work independently (like myself).

The law, I learned, has far less influence over environmental policy than one might think. I found that frustrating and the problem of the rule of law disintegrating in the face of various political pressures has become much worse since I moved into teaching.

I have been teaching law at Syracuse University for more than 20 years now. As a law professor, I try to keep contributing to environmental protection, not only through amicus briefs (mostly in the Supreme Court), but also through scholarship that addresses the ideologies that have disrupted the rule of law or explains the values and logic underlying environmental law (with some forays into related fields). As a law professor, I have perhaps even more freedom than a public interest lawyer, but less of the excitement (and pressure) that comes from timely engagement with pending issues. I enjoy the process of writing about the big picture issues (a recent book, *The Economic Dynamics of Law* (2012), is about the theory of law and economics). And that's a good thing, because when you write books and law review articles it can be hard to see whether you are having an impact. Ideas may have more of an influence on environmental policy than law, so it's worth working on the ideas. But ideas' influence can be subtle and difficult to detect. I try to get ideas to a broader audience by working with the Center for Progressive Reform, which produces White Papers, reports, op-eds, and testimony, mostly on environmental issues. I also find that teaching offers great flexibility, which becomes especially helpful if you start to raise a family.

My advice for people starting out would be to do the things you find interesting and useful and don't worry too much about improving your credentials, because making choices congruent with your values will get you down a path that works well for you (even if you're not completely sure about what you are interested in). Believe it or not, you, as a young attorney, do have the ability to help improve the world you live in, and if you commit yourself to that your capacity will only grow.

2018

---

## 5. Private Firms

---

### **BRYAN CAVE LEIGHTON PAISNER LLP**

*Roberta G. Gordon '86: Counsel, Energy, Environmental and Infrastructure Practice  
New York, NY  
rggordon@bclplaw.com*

In my lifetime, society has come to more fully understand human impact on the environment, and laws to protect natural resources and human health associated with exposure to hazardous materials have evolved. I first aspired to be an environmental scientist and worked as an environmental planning consultant before entering law school. However, I later learned the formidable power that law and lawyers have to impact issues affecting the environment. This realization was the genesis of my career as an environmental lawyer.

The environmental clinical programs at Yale Law School and summer internships are great opportunities for students to get a flavor of the different settings available to practice environmental law as well as assess the relative advantages of each. I spent my summers working at a non-profit organization (Environmental Defense Fund) and in the environmental practice groups of two private law firms. It became clear to me that there were multiple paths to a satisfying career in environmental law, and that environmental lawyers could, and often did, make significant shifts (i.e., such as shift from private firms



to governmental positions) during their careers. Life priorities (i.e., parenting, financial needs), in addition to career goals, played a part in these decisions.

After my 1986 graduation from Yale Law School, I clerked for a federal district judge in the Southern District of New York. To further develop the litigation skills I was beginning to learn in my clerkship, I then joined the litigation practice of a large New York firm (Debevoise & Plimpton). My decision to develop litigation skills in a high caliber firm at the beginning of my career (and not to specialize in environmental law initially) was one of the best professional decisions I made, and I recommend it to other graduating law students. I spent several years honing my litigation skills (and made money to take a year to travel and do volunteer work). Despite the long hours and sometimes hum drum tasks that plague junior associates in firms to this day, the experience provided me with the legal and writing skills that have served me in every position that I have held since.

At that time (the late 1980s), corporations were increasingly realizing that environmental issues were a potentially vast source of liability, and that corporate, banking and real estate transactions required analysis and factoring in of environmental issues. I began to see the advantages of voluntary agreement (where possible) over legal confrontation, and I shifted my focus away from litigation and joined the first wave of attorneys working with the environmental aspects of environmental due diligence, quantification of environmental risk, and the allocation of environmental liabilities through consensual agreement.

With the birth of my first child, I decided to leave private practice in New York for government service in Washington, DC and to elect for a compressed work week to give me time for my family. In every position I have held since (with one minor deviation), I worked from my home one day each week, and my children, now young adults, appreciate that I made that time for them. While balancing family and law (and trying to be available for both, sometimes simultaneously) is difficult and a bit of an art form, if I had it to do again, I would make the same career choices today.

My first government stint, as an attorney for the United States Environmental Protection Agency, Office of General Counsel, involved analyzing legal policy with respect to federal environmental laws, regulations, and programs and representing the Office of General Counsel on workgroups involving innovative policy areas, such as Superfund reauthorization, policies to remedy pollution in low-income and minority communities and developing rules to govern the environmental liability of lenders. My next government position (back in New York and back to litigation) as an Assistant Attorney General in the New York State Department of Law, Environmental Protection Bureau, entailed representing the State in affirmative and defensive environmental litigation in federal and state courts. My cases involved wetlands requirements and hazardous waste remediation actions against diverse defendants, such as a municipality, a dissolved corporation, a liquidating trust, bankrupt entities, corporate parents, and successors. In addition, I represented the Attorney General on various environmental policy issues before the National Association of Attorneys General and drafted briefing memoranda regarding various policy issues, including environmental justice. My government service was challenging and rewarding, and I would definitely consider serving in the government again during my career.

Due largely to a change in administration, in late 1995, I re-entered private practice in New York and have practiced environmental law in that setting since, representing both private clients and government agencies. While I have been involved in some environmental litigation over the years, my legal work has largely focused on (as it was in the early days of my career) negotiation, consensus building and voluntary compliance with environmental laws. In addition, through my work on various working groups and committees, including those organized as public/private partnerships by governmental bodies, I have played a role in policymaking with respect to cutting edge environmental issues.

I represent clients in domestic and international corporate and real estate transactions, in which I counsel lenders, underwriters, corporations, purchasers, and sellers of stock or assets on environmental compliance, disclosure, and liability issues. I represent businesses that voluntarily agree to remediate and redevelop brownfield sites whose use has been hampered by contamination and negotiate environmental insurance policies to fund environmental cleanup and other potential environmental liabilities. I retain environmental engineers to help study manufacturing processes and environmental conditions to assess environmental risk, sometimes with respect to multiple facilities across a number of continents. I draft and negotiate environmental provisions for acquisition, financing and other agreements in which private parties agree to allocate environmental liabilities, and then oversee the remediation of environmental pollution conditions and correction of environmental non-compliance. My work increasingly involves climate change risks and operational changes required for a sustainable planet. In the great majority of my matters, an environmental benefit results from my work which involves identifying the parties to be responsible for correcting environmental problems.

Over the last few years, I started and now run a family foundation which invests its endowment in responsible and impact investments and whose charitable focus is on the intersection of climate change and sustainable agriculture. In addition, I now am a member in an angel investor group and make seed investments in environmental businesses that are seeking new and better ways to address social and environmental needs both domestically and abroad. I bring a lawyer's lens to both grant-making and investment decisions as a personal strength to help make sound decisions.

There are enormous opportunities in all sectors for environmental lawyers to have a positive impact on environmental matters. On a global scale, the challenge has never been as great as today. I have found that counseling private clients—working on the inside—can result in environmental benefits that might not be achieved in any other fashion. I have also found that consensus building and analytical skills built by decades of lawyering are enormously effective tools guiding me in a new phase of professional and personal development outside traditional law practice.

2018

## **PRIMMER PIPER EGGLESTON & CRAMER PC**

*Jon Anderson '78: Of Counsel*

*Burlington, VT*

I have practiced in the related areas of environmental, land use, and real estate law since returning to Vermont in 1980. Although a single practitioner in states with larger populations may not cover all of these areas, Vermont is small so lawyers who want to keep busy practice at least environmental and land use law together. I like practicing real estate law in addition because I like the variety, and knowledge in all three areas is useful. I often see ways to resolve land use or environmental concerns using real estate concepts and vice versa. My practice involves both litigation, including whether land use or environmental permits should issue, and property and title disputes and an office practice involving advice on permitting issues and the analysis of complex title issues. Again, I like this diversity.

My work in a recent week shows the diversity of my practice. On Thursday, I attended a zoning hearing to approve construction of a convenience store. I worked with the client and its engineers all week to prepare for the hearing. I am preparing a zoning application for another convenience store. For other clients, I approved filing documents by a New York attorney appealing a zoning decision there, I worked on negotiating a commercial lease and organizing a closing to purchase land. I also prepared a proposal for a title insurance company to defend a client against a title claim I prepared for trial on a survey dispute, I negotiated to resolve an enforcement action by the State of Vermont against a client to restore wetlands the client allegedly improperly disturbed. I also assisted another client in obtaining permits to build a distillery. Another client approved my proposal to develop a plan for subdividing an

uncontaminated portion of a property from a contaminated portion. The uncontaminated property will be sold. We will then negotiate with the State of Vermont over the clean-up of the contaminated portion.

The most rewarding aspect of my work is helping people solve problems and create things including, over the years, housing developments, landfills, shopping centers, banks, convenience stores, office buildings, a distillery and whiskey aging warehouse and distribution center, etc. In my favorite transactions, sometimes taking years to complete, I negotiate and prepare title acquisition documents, develop and execute a plan for obtaining necessary permits and close the transaction.

I also enjoy working to improve permitting processes. I authored the first draft of a 200-page bill passed by the Vermont Legislature in 2004 rationalizing Vermont's permitting processes so that all environmental and zoning permits are now appealed to an environmental court with statewide jurisdiction.

Ideally, a practitioner in these areas would have a background in science, engineering or planning. I constantly assemble, and interface with, teams of engineers, scientists, surveyors, etc. and understanding what they do is useful. Some knowledge of economics and decision trees also helps to assist clients in finding the most cost-effective way to pursue their goals.

I wish I had known when I started out how challenging it would be to keep up with older attorneys who had much more knowledge and experience than I did. I lived with this anxiety until I was about 50. At 64, practicing law is a lot of fun.

2017

**LOZEAU | DRURY LLP**

*Richard Toshiyuki Drury '90: Partner  
Oakland, CA*

I am a partner with the law firm of Lozeau | Drury, where I specialize in plaintiff-side environmental law. My work includes a mixture of administrative proceedings and litigation in state and federal trial and appellate courts. Our clients have included non-profit environmental organizations, labor unions, and individuals, including the Sierra Club, Golden Gate Audubon Society, League to Save Lake Tahoe, California Sport Fishing Protection Alliance, Heal the Bay, Ocean Conservancy, and many others. Our practice areas include the state and federal Clean Air Acts, state and federal Clean Water Acts, California Environmental Quality Act, California Proposition 65, and others. We have substantial experience in bringing labor and environmental interests together to form "blue-green" alliances that improve worker health and safety, enhance the environment, and often create clean, safe jobs.

For a decade, I was legal director for Communities for a Better Environment in Oakland, California. I began my career at the environmental law firm, Shute, Mihaly & Weinberger in San Francisco. I clerked with Chief Judge Thelton E. Henderson of the U.S. District Court for the Northern District of California.

2018

**SHOOK, HARDY & BACON LLP**

*John M. Barkett '75: Partner  
Miami, FL*

I have been practicing in the environmental law arena since I graduated from Yale Law School. I began by helping to site nuclear power plants. I then became involved in work under the Toxics Substances Control Act (relating to polychlorinated biphenyls). After the Superfund law was adopted, I became heavily involved in a number of Superfund sites through the United States as a litigant, counsel to one or

more parties involved in potentially responsible party (PRP) groups, or as common counsel to a PRP Group. That work evolved into my role as a neutral who conducted mediations, allocations, or arbitrations of environmental matters or contractual disputes involving environmental claims. I also serve as the Everglades Special Master appointed by one of our judges (S.D. Fla.) and in that role, I oversee the Consent Decree governing the restoration of the Florida Everglades.

My entry into environmental law came via the litigation route (as opposed to real estate lawyering or government service). In my judgment, it is valuable to be comfortable in a courtroom if one is serious about an environmental law career. Permit violations, non-compliance claims, suits for cost recovery, citizens' suits—all require litigation skills.

Air work under the Clean Air Act and associated toxic tort claims remains an important practice area throughout the United States. The Clean Water Act also generates quite a bit of litigation, primarily related to jurisdiction. Since the Supreme Court's decision in *Rapanos*, courts have struggled to determine when the Environmental Protection Agency or the Army Corps of Engineers can assert jurisdiction over wetlands. Litigation under the federal Superfund law has slowed in most states, but there remains some considerable amount of Superfund work in certain states, Texas, New Jersey, and California among them. The Supreme Court's May 2009 decision in *Burlington Northern* has resulted in more litigation under the Superfund law, but most of the Superfund legal work in 2018 is on river or lake sediment sites where the cleanup costs can run into the hundreds of millions of dollars. Until there is more enforcement under the Resource Conservation and Recovery Act, the legal work required will be more in the nature of regulatory interpretation than defense of enforcement claims. TSCA was amended in 2016, and a new statute always generates legal work. And because liability is so broad under the environmental laws, any transaction that implicates the transfer of real property (sale of land, mergers, donations to a charity, bank foreclosure, and so on) will continue to require legal review to minimize environmental risk for the transferee of property. Biotechnology, nanotechnology, food safety, and toxic consumer products are areas receiving considerably more attention than traditional environmental work. You don't necessarily need a science background to get into this practice area, but it helps to apprentice under someone who knows the area well to give you time to learn the science applicable to the statute or statutes you are working under.

The Trump Administration has reflected a different view of environmental compliance and enforcement than prior administrations. Environmental organizations have been aggressive in initiating litigation challenging Administration policies in a number of areas. Such organizations might provide opportunities for litigation experience in the environmental arena.

2018

**VAN NESS FELDMAN, LLP**

***Doug Smith '86: Partner, Energy and Environmental Practice  
Washington, DC***

I have the good fortune of having an energy and environmental practice that involves both legal and policy work. Given the dynamic changes in policy relating to the Nation's energy sector, it is a great time to practice in these areas. For the past seventeen years, I have been a partner at Van Ness Feldman, a Washington, DC-based 90-attorney firm that focuses on energy, environment and natural resources law. My career has included fascinating work in both the public and private sectors.

After graduating from Yale Law School in 1986, I began my legal career by clerking with Judge Walter Stapleton on the U.S. Court of Appeals for the Third Circuit in Wilmington, DE, and then made my way to Washington, DC. I was an associate with the DC office of a large Atlanta law firm (Powell, Goldstein, now defunct) for seven years, working on a wide variety of "Washington practice" assignments, including

counseling and policy work on energy, environment, antitrust and banking issues. The most memorable of these assignments related to lobbying on the acid rain title of the Clean Air Act Amendments of 1990 and electricity and energy efficiency titles of the Energy Policy Act of 1992.

In 1994, I had the opportunity to move into government and joined the U.S. Department of Energy (DOE), where I eventually became Deputy General Counsel for Energy Policy. At DOE, I worked on electricity sector restructuring issues, energy efficiency standards, renewable energy policy, and a variety of other energy policy matters. After three years at DOE, I was appointed to serve as General Counsel to the Federal Energy Regulatory Commission (FERC), the U.S. government's utility regulatory body. The FERC's work includes rate- and merger-related economic regulation, and licensing of hydroelectric and natural gas facilities. The latter categories are essentially specialized environmental permitting cases. My work with the government was especially satisfying—it was gratifying to be at or near the locus of decision making on public policy issues that I cared about, and to help address the challenges associated with making and supporting sound policy decisions.

With the change in administrations in 2001, I landed at Van Ness Feldman. At Van Ness, my practice consists of representing electricity sector clients on regulatory issues before the FERC, and assisting clients on a range of other environmental/energy matters, including clean energy, climate change, energy efficiency, and energy technology policy. My clients include electric utilities, product manufacturers, trade associations and coalitions, and non-profit organizations.

My work is quite varied. I help clients understand and comply with complex regulatory requirements, and represent clients in administrative adjudications, compliance audits and agency enforcement actions. More interestingly, I support clients seeking to shape new energy and environmental policy through legislation and rulemakings.

Some of my work is “in the weeds” of FERC or DOE regulation—relating, for instance, to the assessment of market power in a particular electricity market, or the application of ratemaking principles to a new class of competitive transmission developers, or enforcement of complex product efficiency regulations. Other work relates to policy issues with economy-wide implications such as energy efficiency rulemakings, and technology policies designed to foster innovation and investment in renewable energy, smart grid, and other advanced technologies.

In addition to practicing, I have had the opportunity to teach energy and environmental law—most recently teaching Energy and the Environment on the adjunct faculty at George Washington University Law School. I have also led energy law and climate change reading groups at Yale Law School.

In short, I have had an interesting and satisfying career to date working at the interface of energy and environmental law, and the future seems sure to hold even greater challenges for lawyers and policymakers in this arena. Note that Van Ness Feldman has a rich history of hiring Yale Law School graduates. If you are interested in joining us, please contact me.

*2018*

---

## 6. Business

---

### **APEX CLEAN ENERGY, INC.**

*Steve Vavrik '96 Chief Commercial Officer—Business Development  
Charlottesville, VA*

My career in environmental law has been atypical from the start. While at YLS, I decided to explore non-legal careers. Through networking with contacts and alumni, I was able to work at GE Capital in Stamford for my second summer. At graduation, I had offers from law firms and from GE Capital itself. I took the GE Capital offer and have been involved in energy project development and finance since.

Currently, I am Chief Commercial Officer of Business Development at Apex Clean Energy, a company that develops utility-scale wind and solar power projects. My typical day includes phone calls with counterparties and colleagues, research on new markets and projects, meetings with counterparties and policymakers, and discussions with counsel (in-house and outside) reviewing draft contracts.

I joined Apex after two years at SunPower, which is one of the world's largest solar power module manufacturers. Before SunPower, I worked at First Wind, a leading wind power development company based in Massachusetts. The solar and wind projects I have worked on are now displacing thousands of tons of greenhouse gases each year, which is a rewarding accomplishment.

There have been times in my career when I regretted not practicing law for a few years before entering finance and business. Law practice exposes one to many types of transactions, industries, companies, and clients. In addition, the skills developed in a good associate training program will be used throughout one's career. Lastly, the salaries of first-year associates from YLS are rarely matched by non-legal firms or companies.

My advice to law students, however, is to examine the non-traditional path closely. If environmental issues are important, think about what sort of role you would want to play. Seek out alumni who are doing the types of things you want to do. There are many ways one can help advance environmental solutions.  
2018

### **Formerly with KIMBERLY-CLARK CORPORATION (K-C)**

*Ken Strassner '74: Retired, Vice President—Global Environment, Safety, Regulatory  
and Scientific Affairs  
Roswell, GA*

I am a 1968 graduate of Yale College in History and Economics and a 1974 graduate of the Law School. After law school, I worked for two years in the Washington office of Kirkland and Ellis doing trade regulation law, and then served at the end of the Ford Administration as an Executive Assistant to the Assistant Secretary of Labor for Occupational Safety and Health.

I joined Kimberly-Clark's Washington Legal Office in early 1977 and became the company's first environmental lawyer. Between 1977 and 1983, my practice was focused principally on U.S. air and water issues that impacted the company's pulp and paper operations. In 1983, I moved to the company's Roswell, Georgia headquarters, and my practice expanded to include a variety of other regulatory and commercial areas, including utility rates and contracts, product safety regulation, occupational safety and health work, commercial agreements and mergers and acquisitions.

In 1989, I left K-C's legal department to become vice president of Environment and Energy for the company. In this position, I was responsible for development of corporate environmental policies, management of the corporation's technical environmental and energy support staff, supervision of K-C's internal environmental auditing staff and provision of energy advice to corporate operations. K-C then operated more than 135 production facilities in 42 countries, so my day-to-day work involved environmental and energy issues around the globe. This role was frankly more management than legal, but my legal training was essential to successfully doing the work.

Typical issues on which I have been involved include helping to implement a program of five year corporate environmental objectives, working on development of K-C's response to the European Union and other greenhouse gas emissions trading program, considering options for new corporate policies related to global warming and forestry issues, supervising wastewater treatment upgrades in four Latin American countries, reviewing European Union chemical control issues and developing an environmental benchmarking process that compares K-C to other worldwide health and hygiene companies. I also served for a number of years as the chair of the Corporate Environmental, Health and Safety Management Roundtable, a group of senior EHS officers from major U.S. multinational firms.

In 2006, I assumed responsibility for K-C's Global Regulatory and Scientific Affairs functions in addition to my ongoing Environmental and Energy work. These new responsibilities include supervision of a variety of additional regulatory legal work in North America, Europe and elsewhere around the world. Included were the company's Occupational Safety and Health staff and the company's product-related regulatory staffs (Global Clinical Affairs, Global Product Safety, Global Regulatory Affairs and Corporate Quality Assurance). I also assumed responsibility for development and implementation of K-C's Sustainability Program and Sustainability Planning Process. In this capacity, I served as K-C's Liaison Delegate to the World Business Council for Sustainable Development.

I retired from K-C in May 2009, but continued to serve on the company's outside Sustainability Advisory Board for the next three years. I also continue to serve as a Board Member and Treasurer of the National Environmental Education Foundation, and do Sustainability and environmental consulting for a number of companies.

What has always kept me going is the breadth of the work I do and the ability to, in effect, practice comparative, international environmental and regulatory law. The work is fascinating and I am fortunate to have been able to do it on a global scale.

2018

## **B. Summer Interns**

---

### **1. Federal Government**

---

#### **U.S. DEPARTMENT OF JUSTICE, ENVIRONMENT AND NATURAL RESOURCES DIVISION, ENVIRONMENTAL CRIMES SECTION**

*Rachel Saltzman Tennis '11  
Washington, DC*

Having worked for a couple of environmental non-profits during college, I entered law school with the hope of trying a job in environmental law during my first summer. I applied for several jobs with government offices and NGOs and was fortunate to be offered a job with DOJ's Environmental Crimes Section in December. I spent nine weeks working at ECS during my 1L summer.

The first major advantage I found to working at ECS was the opportunity to learn about criminal law generally in addition to the environmental provisions of several major environmental statutes. While I knew I had an interest in environmental law, I was not positive I wanted to be an environmental lawyer, and I found ECS to provide a good balance of specific and more broadly applicable experiences. Because I spent a large portion of the summer working on a case in the pre-indictment stage, I was also able to see how attorneys in Washington work with each other and with U.S. Attorneys elsewhere in the country when deciding how to charge a case.

My work consisted mainly of writing legal memoranda. The goal of most of these memos was to find out how a particular statutory provision had been interpreted in different jurisdictions. I also did some work analyzing the Sentencing Guidelines and determining how particular guidelines had been applied in different places. The attorneys in the office were very willing to take time to meet with me about my projects and about their own work, and were interested in hearing my opinion. One of my most interesting experiences was writing a memo on the same issue as an EPA attorney with whom a prosecutor in my office was working, coming to a different conclusion, and talking to the prosecutor about the analysis on both sides of the question. I also particularly enjoyed attending a Prosecution Review, where a prosecutor presented his case to the other attorneys in the office and solicited feedback from them about the way he was planning to charge the case.

My advice to incoming students would be to spend a little bit of time in the fall contacting YLS alumni through the Career Connections page and asking them about their jobs. I spoke with alumni in a few different government agencies before interviewing for my job at DOJ, and was thus able to compare the substance of the work at ECS with that of other offices and to gauge the enthusiasm with which my interviewer described his job. I would also suggest talking to 2Ls about their 1L summer experiences to find out what law students are able to do in different summer jobs.

*Summer 2009*

---

## **2. State Government**

---

### **CALIFORNIA ATTORNEY GENERAL, ENVIRONMENT/NATURAL RESOURCES/ LAND LAW SECTIONS**

***Kathryn Boudouris '11***  
***Oakland, CA***

Before entering law school, I worked as a paralegal—first for a small energy law firm and later for an environmental nonprofit. I had gravitated to energy and environmental law because I enjoyed the scientific aspects of those subjects. As a paralegal, I was able to observe lawyers practicing environmental law and to confirm my own interest in the field.

I remained unsure, however, about what type of workplace would suit me best. I knew that environmental practice could take many forms, and I was curious about the government sector. The California Attorney General's Office sparked my interest because of its innovative work on climate change and other environmental problems. I also thought state-level work would provide a useful contrast to my previous experience, which had focused on federal law.

I applied for the internship online and was interviewed over the phone. Before accepting the internship, I consulted YLS students who had worked for the California Attorney General's Office in the past.

My internship turned out to be a very positive experience. After gauging my interest in different projects, my supervisors ensured that I was exposed to a combination of policy work and litigation. I explored a



variety of issues, from energy regulation to land use. I worked on research memoranda, regulatory filings, and official letters. I was invited to observe internal meetings, stakeholder meetings, and court proceedings. In sum, the internship was a quality program that allowed me to learn more about the substance of environmental law, as well as the practice of excellent environmental lawyers.

*Summer 2009*

---

### **3. Nonprofit Organizations**

---

#### **APPALACHIAN MOUNTAIN ADVOCATES**

*Casey Arnold '14*

*Little Hocking, OH*

In the summer of 2012, I worked for a non-profit environmental law and policy organization called Appalachian Mountain Advocates in Lewisburg, WV. Officially, the organization's goal is to protect Central Appalachia's communities, natural resources, and economy, and Appalmad (as those in the office call it) aims achieve these goals by stopping mountaintop removal coal mining, protecting local communities from the water and air pollution caused by resource extraction, and protecting and restoring the area's hardwood forests. Oftentimes, this is done by filing lawsuits under the Clean Water Act, property laws, and other rules and regulations. I chose to apply to spend a summer with Appalmad because during my undergraduate years at Ohio University, I spent a lot of time researching mountaintop removal and the Surface Mining Control and Reclamation Act, and in the course of that research, I became familiar with Appalmad's advocacy and legal work. Joe Lovett, Appalmad's executive director, is something of a hero to those who are opposed to mountaintop removal, and having the opportunity to work with him was a true honor.

I worked on a variety of projects during my summer at Appalmad, researching issues related to the Clean Water Act, the National Environmental Policy Act, the National Pollutant Discharge Elimination System, trespass and nuisance, standing, and more. I wrote legal memoranda, co-drafted a Notice of Intent to Sue, and drafted a petition to the United States Environmental Protection Agency, among other projects. I worked closely with several of the attorneys in the office, all of whom were very friendly and willing to provide guidance and answer questions. The office's atmosphere is fairly informal and interns are encouraged to engage with the staff attorneys, so I felt comfortable going to everyone in the office for help.

There were a few opportunities to go with the attorneys to court, and I attended three hearings. Unfortunately, as some of the attorneys in the office explained to me, the summer and fall months before major elections are often quiet times litigation-wise, as many officials in state and federal government want to avoid rocking the boat and upsetting constituents so close to election day. Typically, as I understand it, there are more opportunities for interns to travel with staff attorneys for court appearances.

When there was an opportunity to take the interns out of the office, however, the staff attorneys always included us. I was able to visit an active mountaintop removal site during my time with the office, which is an incredibly rare and (at the risk of sounding corny) life-changing experience. Having witnessed the destruction wrought by mountaintop removal in person, I now feel that I can be a much more effective advocate against the practice.

There was one other intern in the office that summer, a rising 2L from Boston College, and we worked very closely together, sharing an office space and often collaborating on assignments. Appalmad has had at least one other YLS student before me, and the number of interns and the schools from which they hail varies each summer.

For those interested in spending a summer with Appalmad, I would recommend doing some research on the town of Lewisburg beforehand. It is a small town with lots of charm located on the Greenbrier River, near the GreenBrier Resort. During the summer, there are lots of interesting things going on, ranging from farmers' markets and square dances (I attended my first ever in Lewisburg) to the West Virginia State Fair and the Greenbrier Classic Golf Tournament, which brings in major golfers such as Tiger Woods, as well as major entertainment acts like Bon Jovi and Aerosmith. It's also a great place to spend a summer if you are outdoorsy; there are lots of opportunities to hike, cave, bike, kayak, and more. However, it is a pretty small town, and it's also located in rural West Virginia. It is not located near any particularly large cities and is somewhat isolated (which can be both a blessing and a curse). Also, housing can be a bit difficult to find, given the town's small size, but the folks at Appalmad are willing to help you find something if you ask. While Lewisburg is a great town, it is not for everyone, and those who are accustomed to more urban environments may not enjoy it.

I would recommend a summer at Appalmad to any aspiring environmental attorney. Joe Lovett is a truly inspirational figure, and his personal brand of legal genius is responsible for many of the major legal victories that have been achieved in the fight against mountaintop removal. (As a fellow former Appalmad intern once put it to me, "If you're interested in mountaintop removal, all roads eventually lead to Joe Lovett.") Furthermore, he has surrounded himself with a group of attorneys and policy analysts who are just as passionate and innovative as he is. I cannot imagine a better place to have spent my 1L summer.

*Summer 2013*

## **INDIAN LAW RESOURCE CENTER; EARTHJUSTICE**

*Whitney Angell Leonard '15*

*Helena, MT and Bozeman, MT*

Before coming to law school, I had spent a year working on energy and climate policy at a think tank in Washington, DC, and then three years doing land and wildlife advocacy at the Natural Resources Defense Council in Livingston, Montana. Ultimately I decided I wanted to go to law school after being sufficiently convinced that a law degree would be useful in the environmental field even if I didn't end up wanting to be an environmental lawyer in the classic sense (i.e. be a litigator). So coming into law school, and later thinking about summer jobs and future career options, I knew I wanted to focus on environmental law and environmental justice. But I was not sure what specific field or what type of position I wanted. Ultimately I have chosen to focus on litigation—at least for the time being—based on my experiences at YLS and my summer internships, which convinced me that litigation is a good match for my skills and interests.

Starting a few years before I came to law school, I got in the habit of asking for short meetings or coffee dates with people who I thought had interesting environmental careers. I would ask them about their career paths, their advice for someone in my position, etc. I continue to do this, when possible, and it has been extremely helpful. In addition to make connections that have helped create job opportunities for me, it has also helped shape my ideas about the kind of career I want to pursue. While at Yale, for each of the three research papers I wrote, my research involved conducting interviews with people who worked in the relevant fields. That turned out to be another great way to gain perspective on the range of possible careers and make connections with people in the fields that interest me.

On campus, I was involved with the Yale Environmental Law Association, and I also took classes at the School of Forestry and made a point of spending time with Forestry students and attending events at the School of Forestry. That was a great way to tap into the environmental community within Yale, which has continued to be a great source of inspiration and support for me.

My 1L summer job was a Ford Foundation fellowship with the Indian Law Resource Center in Helena, Montana. I primarily focused on Indian law and Native rights (my other main interest besides environmental law), although a lot of my work also overlapped with conservation and environmental issues. The job was primarily policy-focused, so I knew I wanted to try a litigation-focused job for my 2L summer. My job at NRDC before law school had also been focused on policy and advocacy work, with some tangential exposure to litigation, so I was excited to try something where I would really get a sense of what it is like to be an environmental litigator. So I applied to Earthjustice, and I was lucky to get a summer internship in their Northern Rockies office in Bozeman, Montana.

The internship at Earthjustice was a great experience. The Bozeman office is relatively small (7 staff and two interns at the time I was there), and it is very laid back and friendly. People are smart and hard-working, but they work reasonable hours. As a summer intern, I got a chance to dig into concrete legal issues as they applied to the specific cases that Earthjustice was litigating. On a day-to-day basis, I spent a fair amount of my time doing legal research, usually online, and drafting formal or informal memos on legal issues. If a question came up, I would often talk through it with the other intern or with one of the attorneys. I found that all of the attorneys in the office were very open and willing to take time to chat—either to help with specific questions or to offer advice and mentorship more broadly. We also got to observe oral argument in a case that Earthjustice was litigating in U.S. District Court for the District of Montana, which was particularly fun and interesting.

Earthjustice has a widely varied docket across its different offices, and also sometimes within a given office. The Northern Rockies office focuses on regional issues like wildlife, rivers, public lands, and coal production. I enjoyed getting a chance to work on cases with different attorneys because it means I got a taste of the different types of cases they were working on, and I got experience with a variety of legal frameworks, from the Endangered Species Act and the National Environmental Policy Act to the Clean Air Act. Overall, I felt like I learned a lot about the environmental statutes and other law involved in the cases I was working on, and I also got great practice with legal research. Ultimately my summer at Earthjustice helped confirm that I am excited about pursuing a career in litigation, and it helped me hone the skills that have prepared me to start down that path.

*Summer 2014*

## **EARTHRIGHTS INTERNATIONAL and EARTHJUSTICE**

*Helen Li '17*

*Chiang Mai, Thailand*

*Honolulu, HI*

I came to law school to do environmental work. Here at Yale Law School (YLS), I was a member of the Yale Environmental Law Association, competed in the National Environmental Law Moot Court Competition, did RA work for environmental law professors, was a TF for Yale College's Sustainability Class, took a class at the Yale School of Forestry and Environmental Science, and was in both the Environmental Protection Clinic and the Environmental Justice Clinic. There is a myriad of opportunities at Yale for students interested in environmental law. I'm happy to speak about any of my experiences.

During my 1L summer, I worked at Earthrights International (ERI) in Chiang Mai, Thailand. There, my work focused on the intersection of human rights and water rights. Earthrights International is an amazing organization that was the first to successfully sue an international corporation in the U.S. for human rights violations committed abroad. Their DC office focuses on interesting litigation and finding jurisdictional hooks in the U.S. Their Chiang Mai office does mostly advocacy and campaign work in the Mekong region. They work closely with community members and document human rights and environmental violations. While there, I worked primarily on foreign investment standards and tracking whether or not standards were being met in a series of hydropower dam projects along the Mekong. Many outside

corporations, governments, and banks ostensibly have protocols for their foreign investments that do not meet on-the-ground realities. ERI in Thailand focused on bringing these discrepancies to light. I also had the opportunity to visit the Earthrights School, which trains local lawyers in environmental and international human rights law. Much of my work was done behind a desk, but I also had the opportunity to travel to communities and meet local activists. There are many challenging parts of working abroad on human rights issues, especially in environmental law. International environmental law is rarely binding, so it is difficult to enforce. And domestic environmental law in countries where the rule of law is not very robust leads to headaches and roadblocks in courts. Though challenging, international environmental law work is tremendously important and rewarding.

During my 2L summer, I worked at Earthjustice in Honolulu, Hawaii. I was able to try a broad range of subject matter: appurtenant water rights, endangered species work, native and cultural land rights, and pesticides law. At Earthjustice, I learned how to wrestle with state and federal environmental law, and see how U.S. courts address often complicated and technical questions. My eventual goal is to return to Earthjustice to work as a full-time employee. Upon graduation, I will work with Connecticut Legal Services on environmental justice issues, with a primary focus on childhood lead poisoning. Please do not hesitate to contact me with any questions about environmental law opportunities at Yale or careers in the field.

The following are a few things I wish I had known before starting at YLS. First, broadening my initial search for summer jobs. Oftentimes, Attorney's offices in the West have large environmental dockets, and Legal Services organizations will have some environmental justice or environmental health work. Second, I wish I had taken more classes at the Forestry School. There are some great religion/morality classes, and I found my basic science class to be useful. And finally, I wish I had taken advantage of local community groups earlier, such as getting in touch with groups such as the Connecticut Coalition for Environmental Justice.

*Summer 2015 and 2016*

## **INTERAMERICAN ASSOCIATION FOR ENVIRONMENTAL DEFENSE, (AIDA) HUMAN RIGHTS AND ENVIRONMENT DIVISION**

*Jonathan Smith '12  
Mexico City, Mexico*

For the summer after my 1L year, I interned at the Mexico City Office of the Interamerican Association for Environmental Defense (AIDA). AIDA is essentially a sister organization with the U.S. NGO Earthjustice, and is involved in environmental campaigns and litigation throughout the Americas (except for the U.S., which Earthjustice mostly handles). AIDA has small offices throughout North, Central, and South America, though internships are usually only offered at their Mexico City and Oakland, CA offices. I knew I wanted an international experience for my first summer internship, and was very interested in working in South America—an area I had studied for a long time, but had never really lived and worked in. I also was not sure if I wanted to focus on work in environmental law or human rights law, so I was drawn to an organization like AIDA, where I could do both. To the best of my knowledge, the only other organization in Latin America with a large program focused on the intersection of human rights and the environment is the Center for Human Rights and Environment in Argentina. I found AIDA on Google, and applied by following the instructions on the “internship” section of their website.

Overall, I was very happy with my experience working for AIDA over the summer. It was exciting to work in a cutting-edge field like Human Rights and the Environment, and I learned a great deal about many interesting issues. The work structure is not for everybody, however, especially those looking for more of a larger office feel (or those looking for summer internship perks). But the staff is friendly and always willing to help, the issues are timely and engaging, and the work is fulfilling.

Spanish language skills are a must. I was asked to write reports and other texts in Spanish, read and analyze cases and other legal documents in Spanish, and translate between English and Spanish and vice-versa. All AIDA staff members are proficient in English and Spanish, so in-house communications took place in both languages. Additionally, Portuguese skills are a plus, though not as necessary. One of my projects—drafting a report about a large dam project in Brazil—involved reading and compiling legal texts in Portuguese. But most projects do not involve Portuguese, and AIDA is amassing a team of volunteers to help out with Portuguese texts and translations, so do not be deterred from applying if you don't have Portuguese experience.

Living and working in Mexico City was perhaps the happiest surprise of the internship. I had initial hesitations about Mexico City because of its generally negative portrayal in the U.S.—especially since I went the year of increased drug violence and the swine flu epidemic. Luckily, Mexico City doesn't feel any more violent than the average large metropolis, and if you stay aware of your surroundings you should be able to live a summer there incident-free (as I did). The AIDA/CEMDA building is located in the neighborhood of La Condesa, one of the more fashionable, livable, and walkable areas of the city, and finding an apartment there was not too hard.

I was also happy to find that I indeed enjoyed the work that I did at AIDA. I had never worked in the environmental field before, but doing work in environmental law over the summer confirmed that this is an area of law that I would like to focus on for my future career.

2010

## **NATURAL RESOURCES DEFENSE COUNCIL (NRDC)**

*Juliana Brint '17*

*Washington, DC*

I knew that I wanted to spend the summer after my 1L year working at an environmental advocacy group, preferably in Washington, DC. I applied to a number of environmental nonprofits, including the Natural Resources Defense Council, at the beginning of December. Within a week of submitting my application, I received a request for an interview from NRDC. I ultimately had phone interviews with two staff attorneys at NRDC, which focused on my experience at Yale, my interest in environmental law, and the writing sample I had submitted. I received an internship offer from NRDC in mid-December. After talking with former NRDC interns and staffers about their experiences, I decided to accept the offer. NRDC's legal internship is really valuable for students who want to gain a broad range of environmental law experiences because it allows you to work on a variety of issues and to gain experience with both litigation and policy work. The internship program is overseen by a couple staff attorneys who solicit assignments from the rest of the DC office. These assignments can come from the litigation team or from a policy-focused program. The internship program coordinators then allow the interns to volunteer for particular assignments. I found that this system allowed me to work on a variety of projects that I found interesting while maintaining a reasonable workload. The system is also useful because it involves multiple levels of oversight. You get feedback both from the NRDC staff person who proposed the assignment and from the internship program coordinators. Additionally, NRDC's internship also involves a mentorship program where they pair each of the interns up with a staff attorney who has similar interests.

I was very impressed by how substantive and varied my assignments were. During my 10 weeks at NRDC I worked on projects related to CAFOs, CERCLA, the Clean Air Act (including the Clean Power Plan, the Regional Haze Rule, and the Tribal Authority Rule), the Federal Energy Regulatory Commission, natural gas pipelines, NEPA, pesticide labels, standing, and statutory authorizations. The end deliverable for my assignments was usually a memo, but sometimes the assigning attorney wanted a less formal research summary or a blog post. The attorneys and policy experts that I worked with did a

great job explaining what they wanted from each assignment and were usually very available and willing to provide background information and answer questions. The assignments were usually challenging but by no means unreasonably difficult. And I always felt like the work I was doing would advance NRDC's goals in a meaningful way.

In addition to the high-quality assignments, I also really enjoyed the educational and social aspects of NRDC's internship program. While I was at NRDC, the DC office had five legal interns as well as a number of other interns who were working for particular programs. NRDC put together weekly "brownbag" events where all the interns spent an hour learning about what a specific staffer had been working on recently. Additionally, the legal interns often had small group chats with staff attorneys about their career trajectories. The litigation team also invited legal interns to sit in on their biweekly meetings, which were a fascinating opportunity to see how that part of the organization works. The office atmosphere was very welcoming and inclusive. NRDC staff organized happy hours and ice cream socials and invited us to several outside-the-office events (including kayaking on the Potomac, picnicking in Rock Creek Park, and watching a Nationals game).

I would strongly recommend NRDC's internship to any YLS student who is looking to explore both the litigation and policy aspects of environmental law. Because the internship covers such a breadth of environmental law topics, I would encourage other YLS students who plan to intern at NRDC to take an environmental law survey course before starting their internship. I felt that having a general understanding of the major environmental statutes and important current debates in environmental law really helped me to hit the ground running at NRDC.

*Summer 2015*

# Career Development Office

<b>Norma D'Apolito</b>	Director
<b>Juliann Davis</b>	Assistant Director, Administration
<b>Marilyn Drees</b>	Director
<b>Zoë Y. Gregg</b>	Student Services Coordinator
<b>Amanda Hilton</b>	Administrative Assistant
<b>Alison Hornstein</b>	Director
<b>Haley Kirkland</b>	Administrative Assistant
<b>Christine Severson</b>	Director, Recruitment Programs and Administration
<b>Kelly Voight</b>	Assistant Dean

Telephone: (203) 432-1676  
Fax: (203) 432-8423  
E-mail: [cdo.law@yale.edu](mailto:cdo.law@yale.edu)  
Website: [www.law.yale.edu/cdo](http://www.law.yale.edu/cdo)

Mailing Address: Career Development Office, Yale Law School,  
127 Wall Street, New Haven, CT 06511

Physical Address: Rutenberg Hall, Room 184, 133 Wall Street,  
New Haven, CT 06511

Office Hours: 8:30 a.m. – 5:00 p.m.

CDO Publications: *Criminal Defense*  
*Criminal Prosecution*  
*Entering the Law Teaching Market*  
*Environmental Law*  
*International LL.M. Career Planning Guide*  
*International Public Interest Law*  
*Introduction to Career Development*  
*Judicial Clerkships in the U.S.*  
*Law Firm Practice*  
*Lawyers in Business*  
*Opportunities with International Tribunals and Foreign Courts*  
*Public Interest Careers*  
*Public Interest Fellowships Vol. I*  
*Public Interest Fellowships: Sample Applications Vol. II*  
*The Fall Interview Program*  
*U.S. Supreme Court Clerkships*  
*Working on Capitol Hill*

## **Yale Law School Nondiscrimination Policy**

*Yale Law School is committed to a policy against discrimination based upon age, color, handicap or disability, ethnic or national origin, race, religion, religious creed, gender (including discrimination taking the form of sexual harassment), marital, parental or veteran status, sexual orientation, gender identity, gender expression, or the prejudice of clients. All employers using the school's placement services are required to abide by this policy.*

*Cover Photo Credit: Amanda Hilton*