Law Schools Doing Good

by Daniel Farber

How Law Schools Serve the Public

Most people probably think of law schools, when they think of them at all, as places that train future lawyers. That's true, and it's important, but law schools do a lot more. Faculty scholarship makes a difference — law review articles laid the foundation for many of the ideas now guiding judges (both on the Right and the Left). But I'd like to focus here on another, more recent activity by law schools — the environmental law clinics and research centers that have sprung up in recent years. There are too many of these across the country to describe here. Instead, I'll stick to the University of California law schools. Even so, space allows a discussion of only a fraction of their activities.

One key activity is a joint project of Berkeley and UCLA, although it's housed here. The announced goal of the Climate Change and Business Initiative helping businesses prosper in an era of climate change. In a series of projects, the Initiative has worked with stakeholders to find legal barriers that stand in the way of renewable energy, energy conservation, and other sustainability practices.

Working actively with California state government, the Initiative has issued a series of white papers advising how these barriers can be removed. The Bank of America Foundation funds this project. Berkeley is also actively engaged in water-related issues, particularly groundwater. One major effort resulted in a white paper on fracking and groundwater that helped shape California law on the subject. We are also undertaking several projects to address issues raised by the on-going California drought. By the way, none of our efforts are funded by state money or student tuition.

UCLA is also active on several other fronts. For instance, a recent report provides recommendations for California's new database of adaptation efforts by coastal communities, in order to make the database a more effective tool for cities and counties on the coast. Another important effort is a study of state public utility commissions to determine what factors lead to innovative energy policies. Students at the environmental law clinic helped draft new legislation to govern the Los Angeles river. And of course, as noted above, UCLA and Berkeley are partners in the Climate Change and Business Initiative.

At the newest of the UC law schools, the Irvine environmental law clinic is already very active. Among other activities, it has:

- Investigated non-compliance with federal and state environmental laws to abate pollution;
- Conferred with tribal leaders concerning threats to local tribal lands and resources; and
- Provided training to non-profit organizations and individuals regarding state and federal environmental laws.

Meanwhile, at UC Davis, the environmental law center provides training on key environmental issues for attorneys, judges and legislators. It also convenes public policymakers to discuss and debate cutting-edge environmental issues and has ongoing partnerships with such organizations as the
California League of Cities, the Environmental Law Institute and the Conference of Western Attorneys General. The Center’s environmental research and policy priorities include climate change law and policy; water allocation in the American West; property rights; environmental governance questions; renewable energy; and green technology.

Finally, there’s Hastings, which is autonomous from the rest of the UC system. It has several clinical-style offerings that touch on environmental law. The economic development clinic focuses on urban land use issues, often involving CEQA, and many students participate in environmental externships.

While I’m especially a fan of what we’re doing at the UC Schools, these programs are not unique. There are dozens of clinics and research centers at law schools across the country, all hard at work trying to address pressing environmental issues. And of course environmental law isn’t the only area of activity. Law schools are addressing a whole range of issues from criminal justice to Internet privacy. It’s too bad that this important work doesn’t get the public attention it deserves.

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