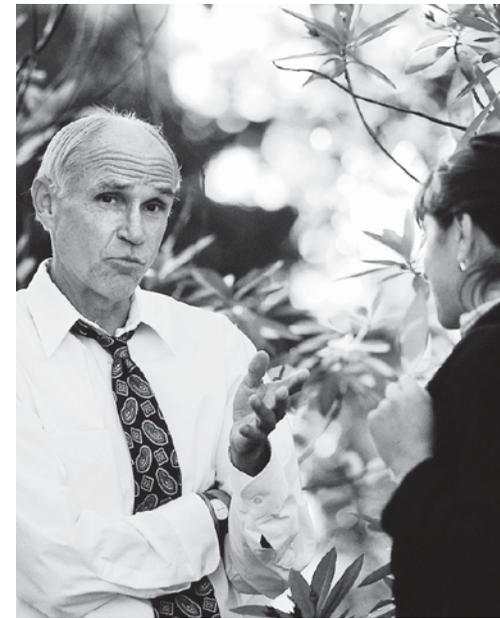




ENVIRONMENTAL & ENERGY

The availability of specialized environmental and energy law courses, related specialties in maritime, comparative, and international law, an environmental law clinic, environmental law journal, environmental law society, an institute for water law and policy, and opportunities to explore rich natural and architectural surroundings – Tulane has it all.



“Environmental law is a tremendous experiment; there is none other quite like it. The question is whether we can achieve significant social and economic change through the use of law. The jury is still out, and will remain out for a long time, but much of the world depends on a ‘yes’ answer.”

– Professor Oliver Houck, Professor of Law and Director of the Environmental & Energy Law Program

ENVIRONMENTAL AND ENERGY LAW & TULANE

Environmental protection is one of the great challenges of the modern world. Over the last 50 years, environmental laws have evolved into a field of complex and demanding specialties. Similar evolutions are taking place internationally prompted by and in some cases leading to sophisticated treaties on species diversity, toxic wastes, and climate change. U.S. environmental lawyers are now firmly placed within corporate law firms, environmental quality agencies, natural resources departments, construction and development ministries, government agencies, industry counsel, energy and renewable energy companies, plaintiff firms, public interest law firms, trade associations, international development agencies, political and financial institutions, and across the spectrum of private practice boutiques from real estate, commercial banking, transnational contracts and toxic torts claims. With new domestic programs and international protocols, the challenge to understand, apply and improve environmental regulation continues to grow.

Beginning with a single course in 1972, Tulane Law School has taken a lead role in the training of skilled environmental lawyers. Tulane is one of a select number of national law schools offering a concentration in environmental law at the J.D. level, as well as advanced LL.M. and S.J.D. programs in environment and energy law. Tulane offers a deep environmental and energy law curriculum; the largest faculty-supervised environmental legal clinic in the country; a think-tank dedicated to water law and policy; a global development graduate program focused on sustainable development abroad; and an active study body exploring environmental and energy issues. Tulane educates lawyers who understand the theory, practice and advocacy of environmental and energy issues from all points on the spectrum – encompassing many separate but interlocking worlds.

THE SIGNIFICANCE OF LOCATION

Tulane offers the opportunity to study environmental and energy law in a dynamic natural, political and economic environment. South Louisiana hosts one third of America's remaining coastal wetlands, one quarter of its seafood, and one fifth of its migratory waterfowl. This rich coast is under siege and disappearing, from natural and man-made causes, at the rate of 20 square miles each year. At the same time, the Atchafalaya delta is the fastest growing land mass in North America, and one of great natural beauty. Thirty-five endangered species reside in Louisiana, some well on their way to recovery, with others on the brink of extinction.

South Louisiana also hosts the nation's most extensive navigation system, its most active offshore oil development, and its largest petrochemical complex. Louisiana industries along the lower Mississippi River provide important national services; they also set national records for toxic discharges. Issues surrounding these emissions, waste disposal, agri-chemicals, drinking water and seafood safety recur with such a frequency that they provide fertile ground for teaching, research and problem-solving.

The proximity of New Orleans to the Gulf of Mexico provides special opportunities to study, and experience, problems in flood control and resource development, highlighted in recent years by Hurricane Katrina and the British Petroleum blowout. The restoration of the Louisiana coastal zone is the most ambitious effort in the world of its kind.

The BP oil spill, for example, touched virtually every aspect of the environmental and energy law program: the Environmental Law Clinic, the *Tulane Environmental Law Journal*, the Tulane Institute on Water Resources Law & Policy, the Environmental and Energy Law Society, faculty and student research, plus conferences, debates, media events and more.

The City of New Orleans adds its own unique environment, rich in historic districts, greenspace, and a functioning system of ferries, trolleys, and neutral grounds. Natural and architectural resources lie within minutes of Tulane Law School in any direction, as do legal challenges to their protection and restoration. Post-Katrina, the city has become a proving ground for new and old concepts of sustainable architecture and urban planning.

Tulane faculty and students are deeply involved in these issues through classwork, directed research, the clinics, the institutes, and work with local firms, NGOs and government agencies.



Morgan Williams (L '07), New Orleans, Louisiana

In the immediate aftermath of Hurricane Katrina, Morgan Williams co-founded the Student Hurricane Network, which connected law students with individuals and communities throughout the Gulf Coast. Through this network, more than 4,500 law students from across the country volunteered with public interest groups in the Gulf region.

Morgan currently serves as a board member of the Louisiana Bucket Brigade, an environmental health and justice organization. He is director of enforcement and investigations at the National Fair Housing Alliance. He has also served as General Counsel for Greater New Orleans Fair Housing Action Center.

Allison Shipp (L '11), New Orleans, Louisiana

Allison is an associate at Kanner & Whiteley, LLC. She is part of the Kanner & Whiteley litigation team representing the state of Louisiana in the litigation involving the Deepwater Horizon oil spill, the largest environmental disaster ever to occur in the Gulf of Mexico. Allison also works on natural resource damage cases for the State of New Jersey.

While earning her J.D. as well as a Certificate in Environmental Law, she practiced as a student attorney in the Environmental Law Clinic, was Editor in Chief of the *Tulane Environmental Law Journal* and was also a member of the Tulane Moot Court Board.





“The Tulane Environmental Law Clinic is basically a cross between a law school class and a law firm. Our students represent real clients in actual disputes, sometimes on the cutting edge of environmental law. State and federal court rules in Louisiana allow clinic students to appear in court on behalf of clients under the supervision of clinic instructors.”

– Professor Adam Babich, Professor of Law

THE ENVIRONMENTAL LAW CLINIC

The Tulane Environmental Law Clinic, established in 1989, has a full-time faculty director, three staff attorneys, and a community outreach director who work with neighborhood and other local organizations in need of assistance on environmental problems. Tulane J.D. students have the opportunity to engage in faculty-supervised work in the practice of environmental law. Assisted by related courses in advocacy and by continuing critiques of their written and oral presentations, Tulane environmental clinic students are responsible for developing and maintaining contacts with clients; investigating and developing the facts; identifying, interviewing, and preparing the necessary witnesses; analyzing the legal issues, drafting documents, pleadings, and briefs; and presenting the case to the court or agency. Students do not work as law clerks or as assistants to the clinic’s supervising attorneys. Rather, students function as student-attorneys and, in accordance with the student practice rules, are responsible for client representation under the supervision of the clinic’s lawyers. When a hearing or trial is held, it is the student-attorney, not the supervising attorney, who prepares the case and presents the evidence and arguments to the court or agency. This is not simulation; it is the real thing.

Since its inception, the Environmental Law Clinic has become involved in hundreds of cases and proceedings on behalf of almost 200 different community organizations, ranging from local environmentalists to neighborhood civic and housing organizations to municipal water providers. Clinic representation has taken place in state and federal trial and appellate courts, and in local, state, and federal agencies. The docket of the clinic is as varied as the environmental problems, involving issues of pollution discharges, wetlands protection, and urban zoning.

The Community Outreach Program of the Tulane Environmental Law Clinic strives to ensure that clients develop and maintain an overall strategy to achieve their goals and that they are actively participating in their cases. This work involves helping clients to understand the scope of the environmental quality and enforcement problems that exist and the actions they can take to effect change. The Community Outreach Program assists clients in working with the clinic’s staff attorneys and technical experts to identify the best remedies and to become involved in the environmental decision-making process.

INSTITUTE FOR WATER RESOURCES LAW & POLICY

Since 1995, Tulane's environmental program has included an Institute intended to strengthen the intellectual and academic contributions of the law school in the field of environmental law. The Institute also serves as a center for examination of critical issues and provides Tulane law students with meaningful opportunities for involvement in environmental policy-making.

In 2006, following hurricanes Katrina and Rita, Tulane law school re-oriented its original Institute for Environmental Law & Policy to fit the new demands of water policy in the state and region. Among other revelations of these catastrophes were that neither the State of Louisiana nor the United States nor any entity of any type had a comprehensive program to protect New Orleans, nor to restore a rapidly collapsing coastal zone.

The Tulane Institute for Water Resources Law & Policy is designed to meet this need. It focuses on the work of independent engineers, wetland scientists and others, including Tulane law students, on the dozens of projects planned and proposed to save South Louisiana. It brings similar resources to bear on the management of the Lower Mississippi River and looks for analogies to other systems in the U.S. and abroad. Primarily a think tank, the Institute's mission is to involve Tulane students and faculty in this thinking, on which the future of the region depends. The Institute's Director is Senior Research Fellow Mark Davis.



ANNUAL SUMMIT

Beginning in 1996, the student-run Environmental Law Society has worked with the policy institute to host an annual Tulane Summit on Environmental Law and Policy. The conference typically engages over 300 participants and 40 speakers from the local, national and international communities. The topics addressed often serve as the basis for further research and publication. Conference themes have included Human Rights and the Environment, Environmental Justice, Urban Environment Policy, Energy Conservation, Water Law, Coastal Development, Genetically Modified Organisms, Corporate Responsibility, Biopiracy, a wide range of post-Katrina and other hurricane issues, and Climate Change. In recent years, keynote addresses have been given by Kieran Suckling, Founding Director of the Center for Biological Diversity; Emma Marris, Correspondent for *Nature Magazine* and author of *Rambunctious Garden: Saving Nature in a Post-Wild World*; and Yvon Chouinard, Founder of Patagonia and author of *The Responsible Company: What We've Learned from Patagonia's First 40 Years*.

Students are involved in every aspect of the planning and execution of the conference each year. The conference brings to Tulane students the opportunity to meet in small groups or one-on-one with prominent speakers and potential employers.

ENVIRONMENTAL LAW JOURNAL

The *Tulane Environmental Law Journal* publishes two issues each year in a full law review format. It offers the opportunity for additional research and for participation in an exciting, student-run enterprise. Members are chosen through an annual "write-on" competition. Journal articles are national in scope, although discussions of particular interest to the Gulf South are also included. The *Tulane Environmental Law Journal* has been rated as one of the top 15 environmental law journals. Recent journal issues have focused on such topics as the Deep Water Horizon Disaster in the Gulf of Mexico; Biological Diversity; Fisheries Management; Air Quality Permitting; Toxic Torts; Sustainable Development; Environmental Standing; the Mississippi River; the Endangered Species Act; and a 25-year review of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA).



ENVIRONMENTAL AND ENERGY LAW SOCIETY

Tulane is noted for the involvement of its students in environmental issues. It was the Tulane Environmental and Energy Law Society that in 1992 led the University's conversion to recycling and the use of recycled materials; it has since petitioned the Supreme Court of Louisiana for rules requiring the same of local courts.

In recent years, TEELS students assisted in inner-city environmental education programs and pursued funding for bikeways and other alternative means of transportation.

The Environmental and Energy Law Society also leads trips to local industrial facilities to see pollution and abatement mechanisms first-hand, and to nature sites such as the Atchafalaya Swamp and nearby wildlife refuges. One of the things that sets Tulane's program apart is the regularity with which our students are out in the field, seeing first-hand the effects both of conservation efforts and of decisions to the contrary.

ENVIRONMENTAL FIELD TRIPS IN AND AROUND NEW ORLEANS

- Atchafalaya Swamp
- Jean Lafitte National Park
- Bayou Sauvage Refuge
- Bayou Trepagnier
- Vieux Carré and Garden District
- Mississippi River Industrial Corridor
- Honey Island Swamp
- Turtle Cove
- Red Creek
- Wolf Creek
- Bayou LaBranche



LL.M. IN ENERGY AND ENVIRONMENT

First awarded in 1984, Tulane's LL.M. in Energy & Environment offers students the opportunity to concentrate on legal issues pertaining to energy and the environment. Candidates for the LL.M. complete a curriculum of 24 credit hours, including the foundation courses chosen from Pollution Control, Natural Resources Law and Energy Law. Although there is no thesis requirement, candidates are expected to complete the Graduate Seminar in Energy & Environment. Three additional courses, selected from specific Environment and Energy Law courses, must be successfully completed as well.

Students may enroll on a full-time, one-year basis, or part-time over two years.



THE CURRICULUM

The environment and energy law course schedule at Tulane is designed to maximize the number of different courses to which both J.D. and LL.M. candidates may be exposed during their time at Tulane. Starting with foundation courses in Pollution Control, Natural Resources Law and Administrative Law, the curriculum regularly includes the following courses:

ADMINISTRATIVE LAW explores the history, present status and nature of administrative agencies, with topics including delegation of powers, the law of judicial review of agency actions, and procedural requirements of administrative rulemaking and adjudication.

ANIMAL LAW SEMINAR covers the substance and principles of existing law as it addresses nonhuman animals. This will include animal issues raised in the areas of criminal law, torts, property, constitutional law, contracts, wills and trusts, and various animal-focused federal statutes.

BIODIVERSITY & ENDANGERED SPECIES examines the evolution of wildlife law towards the protection of endangered species and biological diversity.

CLEAN AIR ACT explores legal and policy issues arising under the federal Clean Air Act, as substantially amended in 1990.

THE **ENERGY & ENVIRONMENT LL.M. SEMINAR** explores current issues in Environmental and Energy law through faculty and LL.M. candidate presentations and discussion.

THE **ENERGY REGULATION SEMINAR** reviews, in depth, several significant transactions of electric public utilities, the treatment of those transactions by public utility regulators and the potential impacts on ratepayers and shareholders.

ENERGY REGULATION AND THE ENVIRONMENT lies at the crossroads of energy and environmental law and focuses on environmental and legal challenges associated with different energy sources.

ENVIRONMENTAL ENFORCEMENT cuts across the body of the environmental media statutes and goes to the heart of the law – enforcement. Topics include EPA priorities, enforcement theories, overfiling, reporting, investigations, civil penalties, injunctions, citizen suits, audits, remediation and NRD remedies (optional), LEED litigation, qui tam, EJ, and white collar criminal prosecution.

HAZARDOUS WASTES AND SUBSTANCES covers topics that include risk management, waste classification, cradle to grave manifests, permits, nature of CERCLA liability, innocent landowners, lenders, PRPs, reporting, cost recovery and contribution, natural resource damages, all appropriate inquiries, transactions, and brownfields.

HISTORIC PRESERVATION LAW SEMINAR presents a national, state and local perspective on historic preservation in a broad sense, including protection of the urban environment and of archaeological, cultural and other historic resources.

INTERNATIONAL ENVIRONMENTAL LAW examines the basic international legal setting for the protection and management of the environment. Themes include human rights and the environment, free trade and environmental protection, the financing of global environmental protection measures, the protection of biodiversity, North-South issues generally, as well as various regulatory regimes for the protection of the global commons and internationally sensitive natural resources, including climate change.

LAND USE PLANNING focuses on governmental mechanisms designed to deal with urban and suburban land use issues and problems.

LAW OF THE SEA reviews the public order of the oceans, i.e., the basic principles of international law, both customary and treaty-based, that apply to maritime spaces, such as the territorial sea, the high seas, continental shelf, seabed, and ocean floor.

LAW, SUSTAINABILITY & DEVELOPMENT students explore three central questions: (1) how can and do law and regulation promote or hinder sustainable development; (2) to what extent are national development goals at odds with sustainability goals and (3) can sustainable development law and regulation promote a more just, equitable society?

LEGISLATIVE AND ADMINISTRATIVE ADVOCACY is a clinical course which examines how bills become laws and how agency rules are promulgated.

MARINE POLLUTION covers U.S. legislation, administrative regulations, state legislation, and case law on marine area contamination.

NATURAL RESOURCES LAW presents a survey of programs that govern the use and protection of natural resource systems including energy, mining, timber, grazing, transportation and water resource development.

NATURAL RESOURCES TAXATION involves federal income taxation problems with an emphasis on oil and gas. This course also focuses on the role of the tax law in implementing national energy policy.

OIL & GAS LAW covers the law relating to oil and gas exploration, development, and production, and provides a further look into this topic through the study of specific areas of oil and gas law that are involved in present day practice.

TOXIC TORT LITIGATION PRACTICE offers a trial practice workshop in toxic tort litigation. Its classes follow the progress of a typical case from client interviews to complaint and answer, discovery, expert testimony (direct and cross), motions and oral argument.

WATER RESOURCES POLICY AND LAW covers the role and influence of the legal system on the use, allocation, and stewardship of water resources in the United States and Louisiana.



FULL-TIME FACULTY AND INSTRUCTORS

Tulane's environmental law faculty and instructors are noted for their involvement in ongoing issues as well as for the effectiveness of their research.



Adam Babich teaches and writes on environmental law. He previously directed the Tulane Environmental Clinic. Under his leadership, the Clinic received the New Orleans Chapter of the Federal Bar Association's 2010 Camille F. Gravel, Jr. Pro Bono Award. He teaches courses including Administrative Law and Civil Procedure.



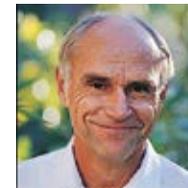
Mark Davis is a Senior Research Fellow and the founding Director of the Tulane Institute on Water Resources Law and Policy. Professor Davis teaches Environmental Law: Water Resources & Policy. Professor Davis has written and lectured widely on matters related to coastal and water resource management and has testified before White House and Congressional panels. He has been recognized for his work with a Louisiana Legend Award from the Louisiana Environmental Action Network and an Environmental Hero award from the National Oceanic and Atmospheric Administration.



Machel Hall is a Clinical Instructor in the Environmental Law Clinic. Professor Hall's areas of expertise include environmental litigation, civil procedure, the Clean Water Act, and historic preservation. Her projects include representing environmental organizations concerned with an 8-year oil leak in the Gulf of Mexico, coal export facilities in Plaquemines Parish, and water quality issues in the Atchafalaya Basin. Professor Hall has also worked on a joint project between Tulane Law School and a university abroad to create an LL.M. program in energy, environment and admiralty law.



Günther Handl is the Eberhard Deutsch Professor of Public International Law. He is the recipient of the 1997 Elisabeth Haub Prize for exceptional accomplishments in the field of international environmental law and is the founder and former Editor-in-Chief of the *Yearbook of International Environmental Law*. He has served as consultant to various international organizations and governmental agencies and, in 1998, was a special adviser in the Legal Adviser's Office of the Austrian Ministry of Foreign Affairs. His teaching and research interests include public international law, comparative law, international environmental law, transnational litigation, law of the sea, and the intersection of law, science, and technology. Professor Handl teaches the basic course in International Law, as well as courses in International Environmental Law and Law of the Sea.



Oliver Houck, Professor of Law, has recently served on the Boards of Directors of the Defenders of Wildlife and the Environmental Law Institute, the Litigation Review Board of the Environmental Defense Fund, and two committees of the National Science Foundation. Professor Houck is active in legal proceedings involving wildlife, biological diversity, coastal, and water pollution control problems, and publishes regularly on these and related issues. He consulted on the development of environmental law in Cuba and other Latin American countries. His classes emphasize relationships between ecology and law, and he regularly takes students on field trips into coastal ecosystems, the Pearl and Atchafalaya swamps, and other natural areas. He has received numerous awards for his work and dedication to the community and to the field of environmental law. Professor Houck's course offerings include Environmental Law: Natural Resources; Environmental Policy Seminar; Environmental Law: Coastal & Wetlands; Criminal Law; Environmental Law: Fisheries Seminar; Comparative Environmental Law; Environmental Law: Endangered Species & Biodiversity; and Clean Water Seminar.



Lisa Jordan is the Director of The Tulane Environmental Law Clinic. A particular project within the clinic supervised by Professor Jordan has been challenging a permit from the Louisiana Department of Natural Resources allowing a company to store natural gas in a salt dome underneath Lake Peigneur in New Iberia, Louisiana, for failure to analyze the risks to public safety, the environment, and the integrity of the drinking water aquifer underneath the lake.



Elizabeth Livingston de Calderón is a Clinical Instructor in the Environmental Law Clinic. Professor Calderón works with students practicing environmental law in state and federal courts, as well as before agencies and other tribunals. Although her practice encompasses a broad range of statutes, she has a strong legal expertise in water and pollution control citizen suits and the public administrative process.

Other full-time faculty members offering related courses include Professors Keith Werhan (Administrative Law), Robert Force (Marine Pollution), and Stacy Seicshnaydre (Land Use Planning).





SUMMER FUNDING OPPORTUNITIES

The Tulane Public Interest Law Foundation (PILF), through its own fundraising efforts and with assistance from the law school, provides summer fellowships for eligible students seeking positions with government agencies and public interest firms specializing in, among other areas, environmental law.

Students have obtained summer positions with the World Organization for Human Rights; Southern Environmental Law Center; Animal Legal Defense Fund; the Audubon Society in Portland, Oregon; the Environmental and Natural Resources Division of the U.S. Department of Justice; the National Wildlife Federation; the Natural Resources Defense Council in Washington, D.C.; the U.S. Environmental Protection Agency; and the environmental enforcement divisions of a variety of state Attorney General offices.

Tulane graduates who are employed in certain public interest positions and earn below a specified salary level may be eligible for Tulane's Loan Repayment Assistance Program (LRAP) or for one of several other similar programs.

INTERDISCIPLINARY OPPORTUNITIES

The curriculum of the law school and the university offer opportunities to pursue interdisciplinary studies. For example, Tulane students may pursue joint degrees in law and environmental science with Tulane's School of Public Health and Tropical Medicine or in law and business with Tulane's Freeman School of Business. They may also expand their international knowledge through a joint degree with Tulane's Stone Center for Latin American Studies. On a limited basis, and short of pursuing a second degree, Tulane allows J.D. and LL.M. candidates to enroll in related courses in other Tulane departments.

The law school itself offers the opportunity to concentrate in areas in addition to environmental law, such as admiralty and maritime law, international and comparative law and European legal studies – each of which has a significant interface with environmental law. These other programs present advanced courses, guest speakers, and conferences on topics of mutual interest, creating additional opportunities for learning. Admiralty law conferences at Tulane might feature international speakers on oil spill liability and environmental harm, while environmental conferences might address the international maritime aspects of environmental events.

Tulane Law School maintains an extensive collection of international legal materials of particular relevance to the practice of environmental law, supplemented by the primary and secondary source materials gathered by individual faculty members in the countries in which they travel and work. The Tulane Law Library is an official depository for the International Maritime Organization, as well as for all U.S. government documents. The environmental program has one of the country's most complete collections of comparative environmental materials from the Western Hemisphere.

THE ENVIRONMENTAL LAW CERTIFICATE

Tulane offers an Environmental and Energy certificate program as a method of organizing these increasingly complex and interrelated fields. No single survey course or assortment of unrelated courses meets this need. Our objective is a coherent program that will prepare students for the legal problems they will confront in practice, whether on behalf of government agencies, industrial clients, private litigants, or public interest groups. In recent years, approximately 20 students in each class have received the Environmental and Energy Law Certificate at graduation.

Certificate Requirements

- 15 credit hours
- Two foundation courses chosen from Pollution Control, Natural Resources, and Administrative Law
- Two environmental or energy law electives



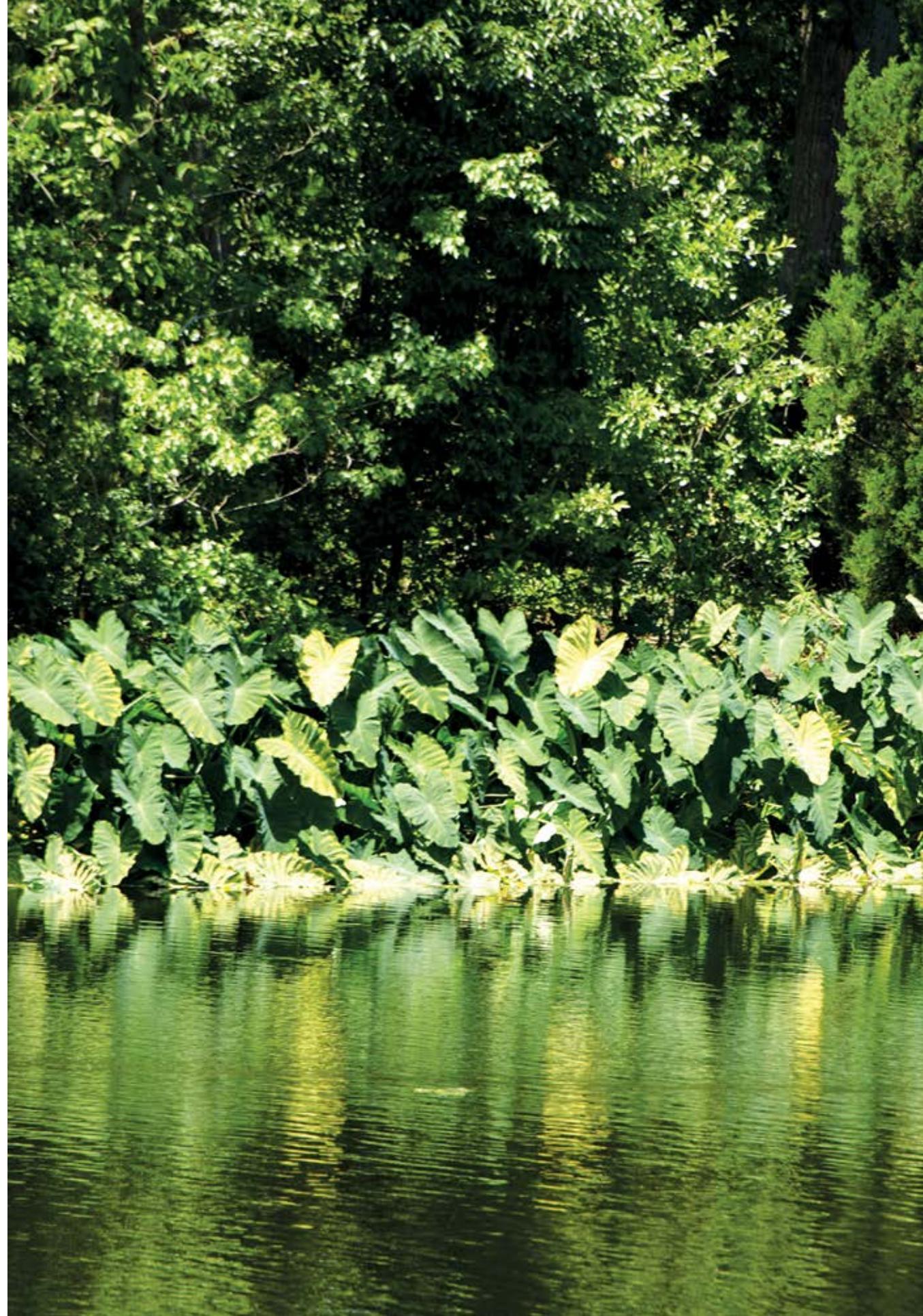


CAREERS AND ALUMNI

Tulane graduates pursuing environmental law careers work in a wide variety of settings in an even wider range of geographical locations. As an example, graduates who provided recent updates to the Tulane Environmental and Energy Law Society now work in U.S. Environmental Protection Agency regional offices; the U.S. Department of the Interior; state environmental agencies; state legislatures; American Bar Association committees; national and international law firms specializing in environmental and energy law; private environmental organizations and foundations; and more.

Below are just a few examples of how Tulane Law School's environmental law alumni are making a difference in today's world.

- **John Schuyler Brooks (L '84)** serves as chairman of the Environmental Transactions and Brownfields Committee of the American Bar Association.
- **Chad Blocker (L '96)** of New York currently works in corporate immigration and serves on the board for Norcross Wildlife Foundation, an East Coast non-profit environmental organization.
- **Murray Liebman (L '91)** of Washington, D.C., currently leads Liebman & Associates, a consulting firm dedicated to clean energy and environmental technology. Liebman & Associates helps some of the world's largest companies embrace sustainability, clean technologies and best practices.
- **Brandy Parker (L '07)** has acted as assistant defense counsel representing a Coast Guard member accused of operating an oily water separator bypass on a Coast Guard cutter.





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