

**ENVIRONMENTAL & NATURAL RESOURCES LAW  
CURRICULUM ADVICE  
2008-2009**

*This document has been prepared by the faculty Natural Resources Committee for the use of students in course planning. Students are encouraged to supplement its advice by talking with the staff and faculty of the environmental program (listed below), as well as alumni and fellow students.*

The Environmental and Natural Resources Law Program, like the law school in general, imposes minimal course requirements. This is to provide maximum flexibility to students in designing a course of study suited to their individual needs and interests. Consequently, in order to qualify for the Certificate in Environmental & Natural Resources Law, students need to take only two required courses (Administrative Law and Environmental Law) and eight additional credits of their choice in approved environmental/natural resources law courses (which can include our summer environmental offerings and our animal law courses). Administrative Law is required because it is a foundational course for all environmental law and natural resources courses. Environmental Law surveys all of the major federal environmental laws and prepares students for in-depth study of environmental law.

Students must also write two substantial papers on environmental or natural resources topics and have a minimum G.P.A. of 2.70 in Certificate courses. More details on the Certificate, including applying credit/no credit classes and credits earned at another law school, are available in "What's What."

Lewis & Clark has more environmental/natural resources law courses than any other law school, but this is not because we want you to take them all or even to fill up your schedules with these courses. An environmental lawyer is first a lawyer, and the law is sufficiently intertwined that you cannot be a good environmental lawyer if you are not well schooled in the law in general. It may be obvious that in order to litigate environmental cases you need Civil Procedure and Evidence and maybe Federal Jurisdiction and Trial Practice, not just Environmental Litigation. It is less obvious, but equally true, that environmental lawyers need to take business and commercial courses. A lawyer assisting the Nature Conservancy will need to understand income taxation and real estate transactions; an EPA enforcement attorney trying to pursue the assets of a polluter needs to understand corporations; a plaintiff suing for environmental torts may need to understand the implications of the defendant declaring bankruptcy. Those students interested in issues involving cruelty to animals will want to add advanced criminal classes to their schedule. Even a course like Wills and Trusts can be very useful to an environmental lawyer associated with non-profit organizations and to a lawyer interested in working with issues involving bequeaths to animals or animal protection. In short, everyone should get a broad understanding of the basic areas of the law, which will incidentally help you on the bar exam. Don't worry; even getting a broad understanding of the law will not fill up your schedule; there will still be plenty of room for a number of environmental law courses.

You will sometimes hear the program described as the environmental law program, sometimes as the natural resources program, and sometimes as a combination. Traditionally, "environmental law" was the umbrella term referring to environmental protection laws (mostly dealing with the regulation of pollution of land, air and water), and "natural resources law" was the umbrella term for laws regulating the use of various natural resources. Unlike most law schools with environmental or natural resources law programs, however, we do not stress environmental law versus natural resources law or vice-versa. Both are given equal importance because we view them as integrally related. As a result, we use the terms relatively interchangeably. While we do not require any particular balancing between these areas, students who are most interested in environmental law should probably take at least one natural resources course, such as Public Lands, Natural Resources Law, Water Law, or Wildlife Law in order to get some exposure to a resource course. Similarly, students most interested in natural resources law should take at least the introductory Environmental Law course and perhaps Hazardous Waste Law. Students who do not wish to stress one or the other area should feel free not to do so.

*Environmental Law* and *Animal Law* also provide excellent opportunities for students interested in participating in a law review. Each of these law reviews was the first of its kind in the nation and they both enjoy great national respect. Students who have the opportunity to participate in law review should do so. It is an excellent learning experience and a very valuable credential on your resume. And, if you have an area of interest that is not met by an existing class or you want to engage in some in-depth research and writing, there is always the opportunity to engage in Individual Research for credit under the supervision of a faculty member. If you have a particular topic in mind, you should feel free to

approach a faculty member who teaches in that area, and even if you don't have a topic, you should not be shy about approaching faculty members for ideas. You can contact the program director or assistant director for information about the various areas of faculty expertise and interest.

As far as the order of taking classes, with a few exceptions, we do not require a particular course as a prerequisite for another. And, indeed, we design courses generally so that other courses need not be taken first. Nevertheless, we would advise students that Administrative Law be taken before or coincident with Environmental Law and that Environmental Law be taken before or coincident with upper level environmental law courses if possible.

We also offer a myriad of internships, externships, clinics, and moot court opportunities in environmental law and animal law. We encourage students to consider adding at least one practical skills opportunity to their schedules. For a list of practical skills training opportunities in animal law or environmental law, see the most current "Three-Year Curriculum Plan."

The following list includes those courses approved for the Environmental Certificate that are expected to be taught over the next 3 year cycle (2008-2011). Consult the most recent "Three-Year Plan" for more detail. Some of these courses are offered every year, some every other year, and some periodically. Additional courses (e.g., Wetlands, Endangered Species Act, and special field classes) are offered each summer that also count towards the Certificate.

#### **Foundational Courses**

Administrative Law  
Environmental Law

#### **Environmental Law Courses & Seminars**

Agricultural Environmental Law Seminar  
Clean Air Act Seminar  
Clean Water Act  
Environmental Enforcement  
Environmental Justice  
Environmental Justice Seminar  
Environmental Liability Insurance Seminar  
Environmental Practice Seminar: Business Transactions  
Hazardous Waste Law  
Nuclear Waste Law and Policy Seminar  
Torts II: Toxics

#### **Skills and Practice Oriented Courses**

Animal Law Clinic  
CIS: Environmental/Natural Resources  
CIS: Environmental Prosecution  
CIS: Western Resources Legal Center  
Environmental and Natural Resources Law  
Externship  
Environmental/Animal Law Moot Court  
Environmental Litigation  
Environmental Negotiation & Mediation Seminar  
International Environmental Law Project (IELP)  
(international environmental law clinic)  
National Environmental Negotiation Competition  
Pacific Environmental Advocacy Center (PEAC) (US environmental law clinic)

#### **Natural Resources Law Courses & Seminars**

Animal Law  
Advanced Animal Law Seminar  
Cultural Resources Protection Seminar  
Energy Law  
Forest Law and Policy  
International Water Law Seminar  
Land Use Planning  
Land Use Seminar  
Mining and Mineral Law  
Native American Natural Resources Law  
Natural Resources Law  
Natural Resources Law & Policy Seminar  
Northwest Energy Law  
Ocean and Coastal Law  
Oil and Gas Law  
Pacific Salmon Law Seminar  
Public Lands & Resources Law  
Public Trust Seminar  
Water Law  
Water Law & Policy Seminar  
Wildlife Law

#### **Other**

Law Review (*Environmental Law and Animal Law*)  
Individual Research

#### **Classes & Seminars that are both Natural Resources and Environmental**

Climate Change  
International Environmental Law  
Law, Science and the Environment Seminar  
Sustainability and the Law Seminar  
The Supreme Court and Environment Seminar  
Trade and the Environment

#### **Main Natural Resources/Environmental Faculty**

**& Staff**

Professor Mike Blumm  
Professor Bill Funk  
Assistant Director Lin Harmon  
Professor Craig Johnston  
Professor Jan Neuman  
Professor Melissa Powers  
Professor Dan Rohlf  
Associate Dean & Director Janice Weis  
Professor Jim Huffman  
Professor Chris Wold

**Other Helpful People*****PEAC Clinical faculty:***

Aubrey Baldwin  
Tom Buchele  
Allison LaPlante  
Dan Mensher

***IELP Clinical faculty:***

Erica Thorson

***Animal Law:***

Director Pamela Frasch  
Clinic Director Kathy Hessler  
Clinical faculty Jami Pannell