

## IPR: ENVIRONMENTAL LAW AND JUSTICE CLINIC

Apply online at: <http://apps.law.georgetown.edu/clinic-application/>

Faculty	Prof. Hope Babcock Fellow Benjamin Barczewski Fellow David Schwartz
What do students do	Students work on projects that involve air and water pollution, hazardous waste disposal, renewable energy, coal mining, historic preservation, endangered species protection, and agriculture issues.
Semester or year-long	One semester, Fall or Spring
Open to	Second semester 2Ls and all 3Ls (at least 40 credits). <i>The fall semester is limited to rising 3Ls; in the spring semester, 3Ls are given preference, but 2Ls will be considered.</i>
Prerequisite(s)	None
Credits	12
Requires Student Bar Certification	Yes
How many students	8/semester
Conflicts	Handled on a case-by-case basis
Average time commitment	42 hours per week total. 32 hours per week M-F on cases/projects. 10 hours per week preparing for and attending seminar and project rounds. Full-time work on cases will continue for one week into the reading period.
Seminar hours	Tues. 9:00am-11:00am Wed. 9:00am-11:00am
Orientation	Orientation will take place on the first day of classes
Open house	TBD

### THE ENVIRONMENTAL LAW AND JUSTICE CLINIC EXPERIENCE

The Institute for Public Representation (IPR) is a public interest law firm and student clinic founded in 1971. IPR offers a high level of professional training and a variety of advocacy opportunities, such as preparing comments on and petitions for rulemaking to be filed with administrative agencies, drafting briefs and pleadings for use in court or in administrative agency proceedings, participating in strategy sessions, writing letters of advice to clients, and meeting with clients, other attorneys, and government personnel.

Students benefit from regular participation in the process of decision making and the careful preparation of legal documents under the day-to-day, hands-on supervision of the IPR faculty and staff attorneys. Students interested in a public interest law career can obtain first-hand familiarity with the public interest law community and the kinds of clients, both individual and organizational, served by public interest lawyers. Students considering other careers will also profit from the insights the clinic provides into the litigation and administrative processes and from exposure to complex law practice involving real cases and real clients. IPR students obtain a greater understanding of their roles as attorneys and the responsibility of lawyers in our society through their work on environmental projects as well as through

participation in, and preparation for, weekly seminars, and small group meetings. Students also take a deep dive into various substantive laws that they study only superficially in class.

Accepted students will be assigned to work on a specific project or projects. Students may work on teams or by themselves and may work on more than one project at a time. The projects offered depend on client need, the opportunity for law reform, and other factors like pedagogical opportunities for students. Listed below are projects recently undertaken by the Environmental Law & Justice Clinic illustrate the types of environmental cases students may work on. You can also find out more about recent environmental projects on our website, [instituteforpublicrepresentation.org](http://instituteforpublicrepresentation.org).

- Filed an amicus brief on behalf of 24 environmental law professors in the Fifth Circuit arguing that the Endangered Species Act's protections for endangered intrastate species are valid under the Commerce Clause;
- Secured the release of USDA records relating to treatment of captive marine mammals for client through use of demand letter to agency coupled with draft complaint;
- Drafted comments on behalf of a public health organization on the EPA's proposed rollback of methane regulations for oil and natural gas facilities;
- Advised Maryland riverkeeper organization on the sufficiency of state Total Maximum Daily Load for Polychlorinated Biphenyls in the Gunpowder and Bird Rivers;
- Litigating a Clean Water Act enforcement suit to compel a coal-fired power plant to comply with pollution limits in its NPDES permit;
- Drafted an amicus brief on behalf of a public health organization supporting a challenge to EPA's carbon dioxide regulations for coal-fired power plants;
- Sent a notice of intent to bring suit on behalf of a water conservation organization to a waste water treatment plant in Maryland, alleging numerous NPDES permit violations;
- Advised a client on avenues to challenge a state air permitting practice that limited compliance with state and federal clean air regulations.
- Advised a client on possible violations of the municipal stormwater control provisions of the Clean Water Act by industrial facilities located on the Chesapeake Bay in Baltimore, Maryland;
- Filed an appeal in the Seventh Circuit challenging the district court's dismissal of a case brought on behalf of two organic farmers and an organization representing organic farmers against the Department of Agriculture for appointing ineligible individuals to the National Organic Standards Board in violation of the Organic Foods Production Act and the Federal Advisory Committee Act;
- Filed an amicus brief in the Supreme Court on behalf of 26 professors of environmental law in an Endangered Species Act case;
- Litigating a Freedom of Information act lawsuit to compel the Department of the Interior to disclose records related to the development process for the 2019-2024 National Outer Continental Shelf Oil and Gas Leasing Program;
- Advised an ocean conservation NGO on international legal strategies to enhance the protection of endangered sea turtles.

### TIME COMMITMENT

The work undertaken by students at the Environmental Law & Justice Clinic affects the lives of our clients and seeks to improve the laws that affect under-represented people and groups. To represent clients zealously and meet academic requirements, students enrolled in IPR must make a serious, ongoing commitment of time to their clinical work. Students receive 12 credits for the clinic, and are not

permitted to enroll in more than 16 credits per semester. Many students plan their studies so that they do not need to take other classes.

IPR expects that students will spend at least 32 hours each week during normal business hours (approximately 9:00-6:00), working at the law school (preferably in the IPR office space) or attending meetings, hearings or other activities related to clinic cases or projects. IPR also conducts weekly two-hour seminars and holds project case rounds, which average between one and two hours per week. Accordingly, separate from, and in addition to, time spent on projects, we expect students to devote the time necessary to prepare for and attend seminars and rounds, which we estimate will take an additional ten hours a week. Preparation for seminars and rounds does not need to take place in our offices or at the Law Center. Students are also responsible for important administrative tasks, such as maintaining time records for their projects and establishing and maintaining case files.

### PREREQUISITES--NONE

Although students are not required to have taken a course in environmental or natural resources law before they enroll in IPR, having some substantive understanding of the field may make their work on some projects easier.

### SELECTION CRITERIA/APPLICATION PROCESS

IPR gives preference to students who will be in their final year of law school. If we have more applicants than slots for any particular project area, we will select those students who have a demonstrated background or interest in environmental or natural resources law. If all the slots are not filled by students who will be in their final year, we will select from among students who will be in their second year based on demonstrated background or interest in environmental and natural resources law.

### STAFF

**Hope Babcock**, Professor of Law, directs IPR's Environmental Project. She joined IPR in the fall of 1991, after spending 11 years at the National Audubon Society, directing its Public Lands and Waters program and serving as Audubon's General Counsel for five of those years. Professor Babcock graduated from Yale Law School in 1966, was in private practice here in Washington for many years and also served as a Deputy Assistant Secretary of Energy and Minerals at the U.S. Department of Interior during the Carter Administration. In addition to her extensive litigation experience, Professor Babcock has taught environmental law at Penn, Yale, Pace, Catholic, and Antioch, given guest lectures at Pace, Florida State, Widener, Lewis & Clark, and Maryland law schools, and has written on topics concerning environmental, natural resources and public lands law as well as environmental justice, environmental clinics, legal fiction, environmental norms, and Indian law. She also teaches courses in environmental and natural resources law at GULC. She has served on the boards of several public interest environmental organizations, as well as on National Academy of Sciences Committees and various governmental advisory committees. She was Chair of the Natural Resources Section of the AALS.

**Benjamin Barczewski**, grew up in Allentown, Pennsylvania. He received his undergraduate degree in political science and philosophy from Columbia University in 2012 and his law degree from New York University School of Law in 2015. While in law school Ben served as a managing editor of the NYU Environmental Law Journal. He also participated in NYU's Environmental Law Clinic, assisting attorneys at the Natural Resources Defense Council. After law school Ben clerked for two years, first for the Honorable Pamela Scott Washington on the Alaska Superior Court and the Honorable John Suddock on the Alaska Court of Appeals, and then for the Honorable Robert C. Chambers, Chief United States District Judge for the Southern District of West Virginia. Ben spent the last two years as a staff attorney at Appalachian Mountain Advocates, a non-profit environmental litigation organization in Charlottesville, Virginia. Ben enjoys bike racing, skiing, and reading near a warm fire.

**David Schwartz**, grew up in sunny Redondo Beach, California. He received his undergraduate degree in history from the University of Michigan in 2012 (Go Blue!) and received his J.D. from Duke University School of Law in 2015. He is admitted to practice law in NY and DC. Before joining Professor Babcock's Environmental Law and Justice Clinic, David worked as a Fellow with the PETA Foundation here in Washington, DC where he litigated state public records & FOIA cases, oversaw advocacy campaigns against ramshackle roadside zoos exploiting big cats, and worked to expose and end the USDA's efforts to shield Animal Welfare Act violators from public scrutiny. Prior to moving to DC in 2017, David spent two years working with the Duke Environmental Law and Policy Clinic, where he focused on Clean Air Act, Clean Water Act, and Environmental Justice issues stemming from North Carolina's hog and poultry CAFO industries. David is passionate about climate change, sustainable agriculture, and wildlife conservation. When not obsessing over minute details of administrative law, David enjoys running with his rescued pit mix, Cooper, biking on DC's abundant trails, playing guitar and harmonica, and planning his next camping trip.

## 2019-2020 INSTITUTE FOR PUBLIC REPRESENTATION CLINIC STUDENTS

### Fall 2019

1. Sophie Grueterich
2. Greg Harned
3. Emily Qiu
4. Luke Stegman
5. Rebecca Strauss

### Spring 2020

1. Michelle Endo
2. Jennifer Enos
3. Julia Fountain
4. Ryan Levandowski
5. Caroline McHugh
6. Lynn Phan