



Environmental Law News



FLORIDA STATE UNIVERSITY COLLEGE OF LAW

FSU College of Law Environmental Program earns national recognition for 2008:

FSU'S ENVIRONMENTAL PROGRAM WAS RANKED 12TH IN THE NATION BY U.S. NEWS & WORLD REPORT, UP FROM 14TH LAST YEAR.

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THE COLLEGE OF LAW'S *ENVIRONMENTAL FORUM* SERIES: SPRING 2007 PROGRAM



The April 2007 spring *Environmental Forum*, *Florida's Affordable Housing Challenge: Causes, Consequences and Policies*, was a resounding success. The *Forum* featured leading experts in affordable housing policy, including **Penny Herman**, Realtor and founder, Penny Herman Realty; **Wellington H. Meffert**, General Counsel, the Florida Housing Finance Corporation; **David Rivenbank**, Associate, Henry H. Fishkind and Associates; **Jaimie Ross**, Affordable Housing Director, 1000 Friends of Florida; and **Shaw**

Stiller, General Counsel, Florida Department of Community Affairs. The *Forum* was moderated by **David Powell**, a partner with Hopping Green and Sams, and introduced by FSU College of Law Matthews & Hawkins Professor of Property **J.B. Ruhl**. **Morgan Bourdat**, secretary of the FSU College of Law Environmental Law Society (ELS), welcomed the guests and participants. FSU law school professor **Robin Craig** will direct the fall 2007 *Forum*, which will focus on Florida's TMDL Program.

Environmental and Land Use Law at Florida State

Around the College of Law - Spring 2007

COLLEGE OF LAW HOSTS FLORIDA OCEAN'S DAY PRESENTATION AND TRUST FOR PUBLIC LAND EVENT

As part of Oceans Day on April 18, the law school hosted a presentation, *Global Warming and Our Oceans*, by Captain Dan Kipnis, and a reception that included leaders from the National Wildlife Federation, the Surfrider Foundation and the Florida Ocean Alliance.

On May 10, the College of Law partnered with the Trust for Public Land to host *Land & People: Conversations about Florida*. The event, open to the public, drew a large and diverse crowd to the law school.

FACULTY ENRICHMENT WORKSHOPS AND GUEST LECTURERS



On Monday, February 12, **Andrew Klein**, Associate Dean for Academic Affairs and Paul E. Beam Professor of Law, Indiana University-Indianapolis School of Law, spoke to the Environmental Certificate Seminar. His lecture was titled "*Futures*" Cases: *Liability for Increased Risk of Disease*.



Professors Ruhl and Farber at the spring Distinguished Lecture

DISTINGUISHED LECTURE SERIES

Daniel Farber, Sho Sato Professor of Law and director of the Environmental Law Program at the University of California-Berkeley School of Law, delivered the 24th Distinguished Lecture in Environmental Law on March 28, 2007. His topic, *Adapting to Climate Change: Who Should Pay?*, drew a large crowd of students and professors.

Student Activities

ENVIRONMENTAL LAW SOCIETY



Lauren Moody, president, ELS

Several ELS students, including **Ryan Ignatius**, **Lauren Moody** and **Neil Paradise**, attended the 13th Annual Public Interest Environmental Conference, *Talk, Technology, and Techniques: Game Plan for Green*, held in March. Students attended panels on a variety of topics including sustainable architecture, rural stewardship, low-impact development and green corporations.

ELS students also played an integral role in Florida Oceans Day, titled *Sea of Change: The Impact of Climate Change on Florida's Coasts and Oceans*, held April 17 and 18. ELS members **Ramona Thomas**, **Ashley Ligas** and **Lauren Moody** teamed up with the Surfrider Foundation to deliver copies of *Florida's Coastal and Ocean Future: A Blueprint for Economic and Environmental Leadership* to the offices of each of Florida's senators and representatives.

JOURNAL OF LAND USE & ENVIRONMENTAL LAW

The *Journal of Land Use & Environmental Law's* spring 2007 issue will feature articles presented during last spring's symposium on the Law and Policy of Ecosystem Services. To obtain a copy of this special symposium issue, or to subscribe to the *Journal*, contact the journal office at landuse@law.fsu.edu or 850.644.7781.

OERTEL, FERNANDEZ, COLE & BRYANT SCHOLARSHIP



Malinda Kressel, FSU Law '08, has been named the 2006-2007 Oertel, Fernandez, Cole & Bryant Scholar, and will spend the summer working for the firm. In addition, Malinda has been working with the Department of Environmental Protection. She has completed 45 hours of pro bono research for several cases, including a case that went to trial on April 19.

CERTIFICATE STUDENTS

FSU's Environmental and Land Use Certificate Program, now in its sixth year, enables students to graduate with a certificate in Environmental and Land Use Law. Ten students earned certificates in May 2007, and more than 30 second-year law students began the Certificate program in the spring 2007 semester.

Several Certificate students are working on interesting issues with government offices and other public interest groups. For example, **Sarah Rissman, '08**, spent the semester interning with the Leon County Attorney's Office, working primarily on land use, zoning and environmental issues. She also served as a student editor for the Florida Bar Treatise for the Environmental and Land Use Law Section. **Matthew Davis, '08**, will serve as an extern with 1000 Friends of Florida this summer, researching growth management issues.

ENVIRONMENTAL MOOT COURT 2006-2007

Environmental Moot Court Team members **Mike Makdisi, Erika Siu** and **Spencer Bishins** participated in the February 2007 Pace National Environmental Law Moot Court Competition in White Plains, N.Y. The team did very well, placing in the quarter-finals, and Erika Siu was named best oral advocate for one round in the competition.



EXTERN AND PRO BONO STUDENTS

The College of Law has significantly expanded externship offerings in environmental and land use placements over the last five years, from 5 in 2002 to 13 this year. A few of our current placements include the U.S. Environmental Protection Agency, Florida's Department of Community Affairs, Department of Environmental Protection and Fish and Wildlife Conservation Commission. In addition, law students can work with public interest groups such as 1000 Friends of Florida, Earthjustice and WildLaw. Nine students completed externships during the 2006-2007 academic year.

In the past five years, the College of Law also has more than doubled the number of organizations that provide pro bono opportunities for our students, from 7 in 2002 to 15 this year. Twenty-three students contributed 700 hours of pro bono work this year.



"Externships not only provide valuable practical experience, they also ease the transition from student to practicing lawyer."
- Sally Gertz, Clinical Professor, FSU College of Law

Alumni in Action

TOM PELHAM APPOINTED SECRETARY OF THE DEPARTMENT OF COMMUNITY AFFAIRS

FSU College of Law alumnus Tom Pelham was appointed secretary of the Florida Department of Community Affairs by Gov. Charlie Crist on January 8, 2007. Secretary Pelham is actively involved with the law school's Environmental Program and serves as co-chair of the Environmental Alumni Group.

MARY SMALLWOOD HELPS ESTABLISH NEW FLORIDA BAR CERTIFICATION COMMITTEE

Ms. Smallwood, of Ruden McClosky Smith Schuester & Russell, has been involved in the formation of a new Florida Bar certification committee, the State and Federal Government and Administrative Practice Committee. The committee is a joint effort of several sections of The Florida Bar, including the Administrative Law Section, the Environmental and Land Use Law Section and the Local Government Law Section. Ms. Smallwood is an adjunct professor at the College of Law and teaches a course on Florida Environmental Law. In addition, she serves as co-chair of the law school's Environmental Alumni Group.

Alumni News Wanted

FSU College of Law wants to hear from alumni! Please send us recent accomplishments and updates. We look forward to sharing your news.

Email: dmarkell@law.fsu.edu
Phone: 850.644.7781
Fax: 850.644.7282

Environmental Alumni Updates

LAURA LOUISE GLENN, class of 1990, has joined the Real Property Probate and Trust Law section of Lutz, Bobo, Telfair, Eastman and Lee in Tallahassee. She specializes in Environmental, Land Use and Mobile Home Park law.

MATT LEOPOLD, a 2005 College of Law graduate, has recently accepted a job with the United States Department of Justice. He is working in the Environment and Natural Resources Division.

L. MARY THOMAS, class of 2005, will graduate with her LLM from the University of Miami on May 13. She has accepted a job with Baker and Hostetler in Orlando and will practice with the Land Use department starting on May 21.



ZACHARY L. ROSS, a 2006 law school graduate, has joined Kirk Pinkerton, P.A. While at FSU, he served as Editor-in-Chief of the *Journal of Land Use & Environmental Law*, volume 21. He practices in the area of Litigation.



Recent Faculty Publications

MARK SEIDENFELD:

The Quixotic Quest for a “Unified” Theory of the Administrative State, ISSUES IN LEGAL SCHOLARSHIP: THE REFORMATION OF AMERICAN ADMINISTRATIVE LAW (bepress 2005) (available at <http://www.bepress.com/ils/iss6/>)

JIM ROSSI:

ENERGY, ECONOMICS AND THE ENVIRONMENT (with Fred Bosselman, Joel Eisen, David Spence & Jacqueline Weaver) (2nd ed., Foundation Press, 2006)

State Executive Lawmaking in Crisis, 56 DUKE LAW JOURNAL 237 (2006)

ROBIN CRAIG:

Removing “the Cloak of a Standing Inquiry”: Pollution Regulation, Public Health, and Private Risk in the Injury-in-Fact Analysis, 29:1 CARDOZO LAW REV. ____ (forthcoming October 2007)

The Role of Use Competition in the Protection of Coastal Ecosystem Services. 21:4 J. LAND USE AND ENVT’L. LAW ____ (forthcoming spring 2007) (symposium issue: The Law and Policy of Ecosystem Services)

J.B. RUHL:

“THE LAW AND POLICY OF ECOSYSTEM SERVICES” (Island Press, 2007) (with Chris Lant and Steve Kraft)

The Background Principles of Ecosystem Services, 22 JOURNAL OF LAND USE & ENVIRONMENTAL LAW ____ (forthcoming 2007)



The Environmental Law Faculty : Mark Seidenfeld, Donna Christie, Jim Rossi, David Markell, J.B. Ruhl and Robin Kundis Craig

DONNA CHRISTIE:

Implementing an Ecosystem-Approach to Ocean Management: An Assessment of Current Regional Governance Models, 16 DUKE ENVT’L LAW & POLICY F. 117 (2006)

Living Marine Resources Management: A Proposal for Integration of United States’ Management Regimes, 34 ENVT’L. L 107 (2004) reprinted in 37 LAND USE & ENVT’L LAW REV. (2006)

DAVID MARKELL:

COMPLIANCE AND ENFORCEMENT: TOWARD MORE EFFECTIVE IMPLEMENTATION OF ENVIRONMENTAL LAW, PROCEEDINGS OF THE 4TH ICUN ACADEMY OF ENVIRONMENTAL LAW COLLOQUIUM (Cambridge Univ. Press, forthcoming 2007) (with Ramesh Mysore, Louis Kotze, and LeRoy Paddock)

ENVIRONMENTAL PROTECTION: LAW AND POLICY (Aspen Law & Business, 5th ed., 2007) (Glicksman, Markell, Buzbee, Mandelker, and Tarlock)