

Western Resources Legal Center

Training Legal Advocates to Represent Natural Resource Users

FALL 2008



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Landmark program off to strong start

WRLC trains new generation of legal advocates

The landmark program initiated a year ago to educate aspiring attorneys about challenges facing natural resource interests is meeting with unqualified success:

- students are learning to advocate for natural resource users as they gain critical experience in practical legal skills;
- student feedback is highly positive;
- student interest is increasing beyond program capacity; and
- litigation proposals and requests for legal help are on the rise.

environmental law and natural resource-dependent businesses.

Students have already gained real-world litigation and legal writing experience by preparing an amicus brief for the US Supreme Court in a US Forest Service case about whether a district judge can issue an injunction. They are also representing ranchers in arguing that cattle grazing on rangeland is not a "take" under the Endangered Species Act.

Looking long-term, WRLC is changing the litigation landscape in an unprecedented way. It is training attorneys to help natural resource users navigate the complex and expanding body of environmental law. The learning and practical experience will come as WRLC represents natural resource users in high profile cases involving wetlands, grazing, land use and zoning, water quality, endangered species, regulatory takings and property rights.

The Center will also assist students interested in judicial clerkships. In doing so, WRLC will help expand the pool of clerks to include students who understand natural resource issues and have the practical skills needed to advance in these pivotal roles.

Finally, the Legal Center is a unique result of the collaboration among diverse natural resource interests. It is the product of years of planning and a shared commitment to enhance legal education in ways that benefit natural resource users.

WHY LEWIS AND CLARK?

US News and World Report has named Lewis and Clark Law School the top environmental law program in the nation eight times since 1997. For WRLC, being affiliated with this prestigious program lends important credibility in legal and academic circles.

It also affords our program a high profile, resulting in strong student interest from the start. Competition for program placement is robust with far more applications than openings. We attribute this to positive student feedback and to the distinction the Center enjoys by virtue of its affiliation with Lewis and Clark.

The Western Resources Legal Center (WRLC) is the nation's only hands-on training program specializing in legal advocacy for natural resource users. Affiliated with Lewis and Clark Law School, the Legal Center is a clinical internship program that is already delivering important results to help natural resource interests today and tomorrow.

Today, the Legal Center is helping law students develop practical legal skills while educating them about



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Center draws applause, queries from afar

“Well it’s about time!”

That’s the reaction coming from the prairies of Baker County to the corridors of Washington, DC, as word spreads about the first-ever program to train law students to advocate for natural resource entities.

And it’s no wonder. Farmers, ranchers, foresters, miners and other natural resource users have been victimized for decades by court decisions that

further a preservationist agenda without regard for sound resource management or the effects on resource-dependent communities and businesses.

Law schools from Yale to the University of Oregon have developed environmental law clinics to train a cadre of zealous attorneys intent on building careers by “protecting the environment.”

This type of clinical experience with high-profile cases has propelled these

“champions of the environment” to key clerkships and judicial positions nationwide.

So it’s no surprise that allies including the American Farm Bureau Federation, the Oklahoma Farm Bureau and Oregon Cattlemen’s Association are celebrating news that WRLC is working to push back on a pendulum that has swung too far in favor of preservation.

Some allies have heard the good news from WRLC Executive Director Caroline Lobdell as she has responded to speaking invitations. Others have heard it through the grapevine and have requested a WRLC speaker for upcoming meetings.

Here are a few of the groups that have contacted us to say, “It’s about time,” and to request more information: Idaho Farm Bureau; Oregon Concrete and Aggregate Producers Association, Oregon Farm Bureau, Baker County Livestock Association, Oregon Cattlemen Association, Resource Management Seminar (Washington Cattlemen and Washington Ag Legal Foundation), Oklahoma Farm Bureau, Montana Logging Association, Oregon Women in Agriculture, American Forest Resource Council and American Farm Bureau Federation.



Students grade Legal Center: A

Evaluations from students who participated in the inaugural term of the WRLC program are in, and they are glowing.

Formal evaluations are standard at Lewis and Clark Law School. They help instructors see strengths and improvement areas. For a new program such as ours, they also show Lewis and Clark leaders as well as prospective students how the program is being received.

All three students who participated in our first term said they learned an “exceptional amount.” They also said they would recommend this program and this instructor to others. Here’s more:

- “(Professor Lobdell) demonstrated great knowledge of day-to-day practicalities of practicing law. Went out of her way to help students be successful. Very good practical experience.”
- “The format was effective. We were covering different aspects of litigation, administrative law and practical skills when we received the task of submitting the amicus brief. Though the main focus of the class became the brief, our professor continued to teach us and expose us to the other

aspects of the legal profession through lectures with practicing lawyers.”

- “I was very impressed by how (the professor) handled her position. She was always extremely well organized. She surpassed my expectation with regard to the practical skills that she taught me and the perspectives that she brought to the course.”
- “I felt fortunate to have the opportunity to work on an amicus brief. I think (the professor) balanced her roles as facilitator, overseer and professor very well. I felt I had a lot of responsibility in the outcome of the brief.”

Lobdell supervises program

The WRLC Board of Directors hired Caroline M. Lobdell as executive director and supervising attorney in December 2007. Lobdell is an adjunct faculty member at the Lewis and Clark Law School and a 2002 graduate of the law school.

Lobdell has both a policy and litigation background, with more than six years experience with complex litigation and contested case hearings. She earned

her B.S. from the University of South Carolina and her J.D. from Lewis and Clark with an Environmental Law certification.

Before studying law, Lobdell worked on environmental and regulatory issues as an intern with the U.S. Senate Science and Transportation Committee and later employment with U.S. Senator Ernest Frederick Hollings of South Carolina.



Caroline M. Lobdell

WRLC helps student win top jobs



For a student, the value of a clinical experience rises exponentially if the hands-on learning helps him or her land a top clerkship or job. Case in point: Dominic Carollo, a

third-year Lewis and Clark student who enrolled in the Center's program last winter and this fall.

“Working with WRLC has given me a definite edge in the job market. WRLC has given me the kind of practical experience I needed to tap into the natural resource field. Right now, I’m clerking for a top Portland law firm working on exciting environmental litigation. There’s no doubt in mind that WRLC played a major role in positioning me for this great opportunity.”

– Dominic Carollo

Spreading the word: How can I get involved?

- Tell a friend about WRLC’s important work.
- Send this newsletter far and wide. For an electronic copy, contact clobdell@wrlegal.org.
- Write a generous check to WRLC and send it today!
- Invite WRLC to speak at your annual meeting.
- Reprint articles from this newsletter in your group’s newsletter.
- Learn more at the WRLC website: www.wrlegal.org

Do you need WRLC’s help?

The Center is looking for legal issues that allow students to build practical skills and learn environmental law while advocating for natural resource entities.

Specifically, WRLC seeks cases that provide real-world litigation experience related to grazing, mining, forest management, water quality, wetlands, land use and zoning, endangered species, regulatory takings or property rights. Of special interest are cases with the potential to relax overly burdensome administrative processes in a way that could benefit a range of natural resource-dependent interests, or which may overturn or modify unfavorable court precedents.

Litigation proposals are first screened by WRLC’s Attorney Advisory Committee. The Committee makes recommendations to the WRLC Board of Directors, which then chooses the issues for WRLC to pursue.

Funding now allows for four student interns and a limited caseload per school year. Looking long-term, provided adequate funding, WRLC expects to expand the number of students and advocacy across a broad spectrum of natural resource cases.

To submit an issue for consideration, send a letter explaining the legal issues and parties involved to clobdell@wrlegal.org. Please also provide non-privileged, non-confidential, pertinent documents.



James Huffman: esteemed educator, catalyst for change

That Montana boy Jimmy Huffman would rise to lead a distinguished law school in Portland, Oregon, was not altogether a surprise to those who knew his family as earnest and hard-working.

That professor James Huffman would later be the catalyst for a bold effort to balance the scales of justice for those who work and love the land—is not at all surprising to those who know his determination. More likely, associates and friends recognize it as a fitting capstone to Huffman's 35-year career as a legal educator and lead thinker.

Huffman joined the Lewis and Clark Law School faculty in 1973. He was appointed dean in 1993 and served in the role for 13 years. He returned to full-time teaching in 2006 and today is the Erskine Wood Sr. Professor of Law at Lewis and Clark.

He is a graduate of Montana State University, the Fletcher School of Law and Diplomacy at Tufts University, and the University of Chicago Law School. He has been a visiting professor at Auckland University in New Zealand, the University of Oregon, the University of Athens in Greece and Universidad Francisco Marroquin in Guatemala. Additionally, he was a fellow at the Humane Studies Institute and a

Distinguished Bradley Scholar at the Heritage Foundation.

Just as important, he is a true and courageous friend to natural resource users.

Huffman knows the legal injustices suffered by natural resource interests. He also knows it will take time achieve balance—"to turn the tide."

That's why he has worked for more than a decade to provide students with the practical education opportunities that today are offered through WRLC.

Reflecting on the journey ahead, Huffman likens WRLC to "a little boat that is finally afloat."

"There is a lot more to be done to make it seaworthy and expand the fleet," Huffman says, "but it can be done."

"My dream is to see WRLC serve 10 to 15 students every semester at



James L. Huffman

Lewis and Clark, with similar entities at other law schools across the country. Imagine an armada of sorts—many small boats providing practical experience for students and much-needed advocacy for natural resource interests.

"With any luck, we could very well calm the seas and perhaps even 'turn the tide.' Now that would be something to write home about."

—Jackie Lang

Quick Quiz

Q: Do you believe natural resource interests have suffered unjustly because of one-sided court decisions on environmental issues?

Q: Do you believe we need well trained legal advocates to restore balance in environmental regulations and court decisions?

Q: Can we count on you for help?

If "yes," then please—send your generous contribution today.

Your allies in farming, ranching, forestry, mining and related arenas are each investing from \$100 to over \$15,000 per year—and many have

made multi-year commitments. With your generous investment, we will train a new legion of legal advocates, passionate about and equipped to represent natural resource interests. Please send your investment today!

WRLC is a non-profit 501(c)(3) organization and is not funded by Lewis and Clark. All funding is from individuals and businesses committed to our mission. Send your tax-deductible investment to:

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