

**Kim Diana Connolly**  
University at Buffalo School of Law  
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## Education

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**George Washington University Law School, LL.M., 2009** Washington, DC  
Environmental Law Program, *with highest honors*

**Georgetown University Law Center, Juris Doctor, 1993** Washington, DC  
*Magna cum laude*, Order of the Coif, Dean's List (each semester)

- Articles Editor, THE TAX LAWYER;
- Founding Editorial Board Member, GEORGETOWN JOURNAL ON FIGHTING POVERTY (NOW GEORGETOWN JOURNAL ON POVERTY LAW & POLICY);
- President, Phi Alpha Delta;
- President, Student Intellectual Property Law Association;
- Member, Environmental Law Society;
- Student Attorney, Center for Applied Legal Studies

**Duke University, Certificate in Non Profit Management, 1990** Durham, NC  
Completed this part-time program while serving as director of a non-profit organization

**University of North Carolina, Bachelor of Arts, Chemistry, 1987** Chapel Hill, NC  
*Honors and Activities:* Morehead Scholar; Delta Phi Alpha Award; Dean's List; Chemistry Teaching Assistant

## Current Position

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**University at Buffalo School of Law**, State University of New York at Buffalo Buffalo, NY

- *Professor of Law* (2010 – Present)
- *Director of Clinical Legal Education* (2010 – Present)
- *Director of the Advocacy Institute* (2017 – Present)
- *Director of the Environmental Law Program* (2011 – 2018)
- *Vice Dean for Advocacy and Experiential Education* (2017 – Present)
- *Vice Dean for Legal Skills* (2012 – 2016)
- *Acting Director of Externships* (Spring and Summer 2016)

**Courses:** Puerto Rico Recovery Assistance Legal Clinic; Environmental Law - Pollution Control; Environmental Advocacy Clinic; Animal Law Clinic; Ethics in Context; Clinical Teaching Methodology; Pro Bono Scholars Seminar; Interviewing, Counseling and Negotiating; Environmental Advocacy; Public Interest Environmental Law; Law and Policy in the Media; Healthy Homes Legal Practicum; Veteran's Law Practicum; and, Environmental Litigation

**Affiliations:** *Research and Education in Energy, Environment and Water Faculty (RENEW)* (2014 – present)

## Previous Academic Positions

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**University of South Carolina School of Law** Columbia, SC

- *Associate Professor with tenure* (2004 – 2010); *Assistant Professor* (1999 – 2004)  
**Courses:** Introduction to Environmental Law and Policy; Dealing with Environmental Law and Policy in the Media; Energy Law and the Environment; Environmental Advocacy Seminar; Environmental Law Clinic; Environmental Law of South Carolina; Interviewing, Counseling and Negotiating; Legislation; and Pretrial Practice.

**Affiliations:** *School of the Environment Associate Faculty* (1999 – 2010); *Women's Studies Program Affiliate Faculty* (2001 – 2010); *Green Quad Faculty Affiliate* (2008 – 2010) *Marine Sciences Affiliate Faculty* (2009-2010); *Baruch Institute Affiliate Faculty* (2009-2010)

**University of Houston Law Center**

Houston, TX

*Visiting Professor* (Fall 2004); **Course:** Environmental Law

**Vermont Law School**

South Royalton, VT

*Summer Faculty* (Summer 2002 – 2010); **Courses:** Wetlands Law and Policy, Supervised Masters internships and independent research

**Gadjah Mada University Faculty of Law**

Yogyakarta, Indonesia

*Visiting Professor* (Summer 2007) consulting on integration of skills into overall law school curriculum and researching wetlands law in Indonesia

**United States Army Corps of Engineers**

*Instructor* (1998-2009) Environmental Laws and Regulations (a PROSPECT course through Environmental Partners, Inc.)

**Additional Professional Experience**

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**Hunton & Williams**

Washington, DC

- *Associate* (August 1998 – July 1999)
  - Practice focused on environmental and natural resources law, with primary work on administrative and legislative matters regarding federal laws affecting the use of land and protection of natural resources (including the Clean Water Act, the Endangered Species Act, the National Environmental Policy Act, the National Historic Preservation Act, etc.). Pro bono work included work with community-based organizations.

**Beveridge & Diamond, P.C.**

Washington, DC

- *Associate* (November 1997 – August 1998)
  - Practice focused on environmental and natural resources law, with primary work on administrative and legislative matters. Active pro bono work including with the Whitman Walker Clinic. Departed by invitation of partner heading Natural Resources Practice Group when she moved to Hunton & Williams.

**Van Ness Feldman, P.C.**

Washington, DC

- *Associate* (June 1993 – October 1997); *Summer Associate* (1991); *Law Clerk* (AY 1991-1992 and 1992 – 1993)
  - Practice focused on natural resources, public lands, and energy law, with primary work on legislative and administrative matters. Pro bono work dedicated to national service and local community organizations. Significant work with Alaska-based issues.

**Morgan & Finnegan**

New York, NY

- *Summer Associate* (1992)
  - Legal research and writing in various areas of intellectual property law, focusing on patent and trade secret issues. Assisted with research and drafting leading to a co-authored article on patent defenses. Permanent offer received.

**North Carolina Rural Communities Assistance Project, Inc.**

Pittsboro, NC

- Director (1988 – 1990)
  - Directed statewide agency addressing water/waste disposal needs in rural communities. Formed agency, leading it from its origin and as sole fundraiser, took it to a \$130,000/year organization (existed thereafter for more than twenty years, see <http://www.ncrcap.org/>).

**Volunteer in Service to America (VISTA) (1987-1988)**

Pittsboro, NC

- Created statewide agency (NC/RCAP, see above) addressing water/waste disposal needs in rural communities while serving as a full-time volunteer with the Joint Orange-Chatham Community Action Agency.

**Grants & Awards**

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New York State Division of Veterans Affairs, Justice for Heroes Grant, 2018-2021. Awarded \$150,000 to develop a Veterans' Law Practicum to involve law students in providing essential legal services to veterans in the eight counties of Western NY.

New York State Bar Association Pro Bono Committee, Pro Bono Appeals Service Grant, 2018. Awarded \$8,000 grant to coordinate the Pro Bono Appeals Program that provides pro bono representation for selected appeals to the Appellate Division Third and Fourth Judicial Departments.

New York State Office for the Prevention of Domestic Violence, 2018-2018. Awarded \$230,000 in grant funding to support the work of the faculty and students Family and Domestic Violence in attaining justice and safety for victims of intimate partner violence in Western NY.

Finalist for University at Buffalo Excellence in University-Community Engagement Awards (2016)

AALS Bellow Scholar designation for research on the Pro Bono Scholars Program (2015)

Campaign of Kindness Award, Erie County Society for the Prevention of Cruelty to Animals, for the Animal Law Pro Bono Project's work (2014)

Community Foundation for Greater Buffalo, 2012-2014, Awarded \$42,000 to run a Healthy Homes Legal Practicum for law students to provide legal support for healthy housing with community partners.

Special Award for Environmental Stewardship, University of South Carolina (2010)

ABA "Best Paper" Award at 38th Annual Conference on Environmental Law for *The Environmental Attorney's Challenges in Navigating the Tricky Shoals of Ethical Lawyering in the Context of Model Rules of Professional Conduct 2.1 and 1.16* (2009)

Legislative Conservation Award, South Carolina Wildlife Federation (2008)

Stegner Center Young Scholar (S.J. Quinney College of Law, University of Utah 2008)

Faculty Service Award, University of South Carolina School of Law (2007)

Outstanding Faculty Publication Award (Book), Honorable Mention, University of South Carolina School of Law (2006)

Environmental Stewardship Award, University of South Carolina School of the Environment (2004)

American Inns of Court National Program Award, national program award to team for "Scopes of Trial: Lessons from A Trial of The Century" (1998)

American Inns of Court National Program Award, national program award to team for "Virtual Ethics: Conflicts of Interest in the Year 2000 and Beyond" (1997)

Selected from among 30,000 former volunteers as the representative of the third decade of Volunteers in Service to America (VISTA) at national celebration of 30th anniversary of VISTA (1995)

Temple Bar Foundation Scholar, one of 4 law graduates in US selected to train in London for 4 weeks, including assisting a barrister in chambers and clerking for a British Judge (1993)

### **Professional Leadership Positions**

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#### **American Bar Association**

- ABA Site Inspection Team Member, University of Cincinnati School of Law (February 2018)
- Member, ABA Site Inspection Team Member, West Virginia University School of Law (March 2016)
- Member, ABA Site Inspection Team Member, Barry University School of Law (September 2016)
- Vice Chair, Section on Environment, Energy, and Resources Book Publication Board (2006-present)
- Vice Chair, Section on Environment, Energy, and Resources Water Quality & Wetlands Committee (2005-2010)
- Chair, Section on Environment, Energy, and Resources Ethics Committee (2011-2012)

#### **Association of American Law Schools**

- Clinical Legal Education Section: Advocacy Committee Co-Chair (Present)
- Clinical Legal Education Section: Member Policy Committee (2016-Present)
- Clinical Legal Education Section: Working Group Facilitator (April 2014, May 2013, May 2010, May 2008, May 2006, May 2001, and May 2000)
- Clinical Legal Education Section: Member Multidisciplinary Committee (2002-2003)
- Clinical Legal Education Section: Teaching Methodology Integration Committee Co-Chair (2003-2010)

#### **Clinical Legal Education Association Board of Directors**

- Member (1999-Present); Vice President (2008); President (2009); Executive Committee Member (2010); New Clinicians & Advocacy Committee Chair Planning Committee (May 2003, April 2005, May 2007) Co Chair Planning Committee (2009);

**Global Alliance for Justice Education (GAJE)**

- Communication and Subject Matter Committees (1999-2003)

**Focus Carolina Committee**

- Member appointed by University President (Spring 2009)

**National Environmental Law Clinicians**

- Coordinator, Listserv (2006-present)
- Annual Meeting Planning Committee Chair (2003 & 2004 Meetings)

**New York State Bar Association**

- Member, Committee of Legal Education and Admission to the Bar (2010 – 2016)

**Neighborhood Legal Services, Buffalo**

- Board Member (2010-Present); Treasurer (2013-2017); Executive Committee (2013-2017); Chair, Executive Director Search Committee (2017)

**Palgrave McMillan (publisher)**

- *Book Review*, Nonprofits in Policy Advocacy: Strategies and Stories of Social Change ; Palgrave Macmillan (reviewing Sheldon Gen and Amy Conley Wright, Chapter 2: Tactics and Strategies; Chapter 6: Direct Reform Strategies)

**Research and Education in Energy, Environment and Water Faculty (RENEW)**

- Chair, Policy and Planning Staff Specialist Search Committee (2017)
- Member, Focus Area on Climate Change and Socioeconomic Impacts (2017-present)
- Member, Focus Area on Sustainable Urban Environments (2017-present)

**South Atlantic Fishery Management Council Law Enforcement Advisory Committee**

- Member (2002-2010)

**South Carolina Department of Revenue**

- Editorial Board Member LOCAL, STATE AND FEDERAL TAX INCENTIVES FOR CONSERVATION EASEMENTS, Second Edition, published by the South Carolina Department of Revenue, 2005, Spring 2005, available at <http://www.sctax.org/NR/rdonlyres/EC24B7DD-223A-4113-84FFEB56D62EED8C/0/coneas2ed.pdf>

**Stetson Law School International Environmental Law Moot Court Competition**

- Grade (2004 & 2005)

**University of South Carolina Journalism & Mass Communication ReAccreditation**

- Participant (Site Inspection 2005)

**South Carolina Ecoleaders Summits**

- Planning Committee Member (2002-2006)

### **South Carolina Sierra Club**

- Conservation Chair (2001-2003); Executive Committee (2002-2010); Legal Committee (2002-2010)

### **South Carolina Environmental Law Project**

- Board Member (2006-2010)

### **South Carolina Environmental Conflict Resolution Management Project**

- Advisory Committee Member (1999-2001)

### **United States National Ramsar Committee (USNRC)**

- Chair (2011-2013); Vice Chair (2009-2011); Member (2005-Present)(appointed Wetlands International Liaison)

### **Washington University School of Law**

- Planning Committee Member, Promotion Justice Through Interdisciplinary Teaching, Practice, and Scholarship (March 2003)

### **Additional Law & University Service**

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#### **University at Buffalo**

- Organizer, Baldy Center for Law and Social Policy-sponsored (co-sponsored by UB Sustainability) conference “Collaborating & Creating Law and Policy Solutions for Post-Maria Puerto Rico #UBLawResponds #PuertoRicoSeLevanta”  
<https://www.buffalo.edu/baldycenter/events/conferences/climate.html> (2018)
- Director, Buffalo Animal Law Pro Bono Project (2013-2015)
- Order of the Coif, University of Buffalo School of Law Chapter, President (2014-present)
- Member, School of Law Capital Improvement Committee (2017-present)
- Focus Group Member, Law School Representative to University Libraries Master Planning Committee (2018)
- Organizer, Baldy Center for Law and Social Policy-sponsored conference “The Changing Climate: Reflections on Current Law, Policy, Justice, and Regulation”  
<https://www.buffalo.edu/baldycenter/events/conferences/climate.html> (2017)
- Member, Academic Policy and Program Committee (APPC) (2010-Present)
- Member, Adjunct Development Committee (2010-2012, 2017-Present)
- Member, Pedagogy & Curricular Planning Committee (2018- Present)
- Member, Budget and Program Review Committee (2012-2017)
- Organizer, Baldy Center for Law and Social Policy-sponsored “Beyond Jurisdiction: Wetlands Policy for the Next Generation”  
<http://baldycenter.info/conferences/wetlands.html> (2012)
- Member, Technology and Communication Committee (2012-2014)
- Member, Committee on Committees (2012-2013)
- Chair, Mitchell Lecture Committee (2011-2012)
- Alternate Representative, Association of American Law Schools House of Representatives (2011-2012)
- Member, Promotion & Tenure Standards Review Committee (2011-2012)
- Member, Development Committee (2010-2014)
- Pro Bono Scholars Committee (Chair, 2014-2016; Member 2016-2018)
- Member, Undergraduate Education Committee (2016-2018)

## University of South Carolina

- Planning Committee Member, Balancing Private and Public Rights in the Coastal Zone in the Era of Climate Change: The Fifteenth Anniversary of Lucas v. South Carolina Coastal Council (conducted in conjunction with Georgetown University Law Center) (2006)
- Faculty Coordinator, Bridging the Divide – Public and Private Interests in Coastal Marshes and Marsh Islands Symposium (September 2006)
- Member, School of Environment Advisory Committee (2000-2010)
- Faculty Editor, Southeastern Environmental Law Journal (formerly South Carolina Environmental Law Journal) (1999-2010)
- Carolina Scholar Mentor at the request of the Associate Provost & Dean of Undergraduate Studies (2005-2006)
- Order of the Coif, University of South Carolina School of Law Chapter, President (2003-2004), Secretary (2002-2003)
- Coordinator, University of South Carolina School of the Environment Interdisciplinary Faculty Colloquium Series (2003-2010)
- Member, University of South Carolina Women's Studies Advisory Committee (2005-2006)
- Member, School of Law Technology Committee (2004-2010)
- Member, University Distributed Learning Advisory Committee (2001-2004)
- Member, Master of Earth and Environmental Resources Management (MEERM) Coordinating Committee (2002-2010)
- Chair, Search Committee for Information Technology Assistant Dean (2007)
- Member, Curriculum Committee (2008-2000); Secretary (2000-2001)
- Member, Faculty Selection Committee (2006-2007, 2004-2005, 2003-2004, 2002-2003, 2001-2002)
- Director, USC-Vermont Law School J.D.-Masters of Studies in Environmental Law Dual Degree Program (2001 – 2010)
- Member, USC School of the Environment-JD Dual Degree Committee (2000 – 2010)
- Supervised design of two web sites: Studying Environmental Law at USC and the Clinical Legal
- Education Department's updated web presence (2001 & 2003)
- Faculty Advisor, Environmental Law Society (2000 – 2010)
- Faculty Advisor, The Healing Species (2000 – 2010)
- Member, Nelson Mullins Riley & Scarborough Center on Professionalism at the University of South Carolina School of Law (2000 – 2010)
- University of South Carolina Earth Day Advisory Committee (2000 – 2003)
- Faculty Advisor, First Year Section (1999 – 2010)
- Member, Planning Committee, Women's Studies Affiliate Faculty Annual Retreat (2001)
- Member, University Blackboard Advisory Committee (2000-2001)
- Scholarship Interview Committee, Merit Scholarship Program (2000)
- Member, Academic Standing Committee (1999-2000)

## Reviews

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**Promotion & Tenure:** Reviewer for University of Hawai'i Manoa Richardson School of Law, University at Buffalo School of Social Work

## Publications

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### Books, Supplements, Chapters, Book Reviews

*Regulation of Coastal Wetlands and Other Waters of the United States* and in OCEAN AND COASTAL LAW (American Bar Association, second edition, 2015)

*Marine Ecosystem Protection* in OCEAN AND COASTAL LAW (American Bar Association, second edition, 2015)

*Climate Change in Wetland Ecosystems: Meeting the Needs and Welfare of the People and the Planet* in CLIMATE CHANGE: A READER (Carolina Press 2011, William Rodgers, Michael Robinson-Dorn, William H. Rodgers Jr., Michael Robinson-Dorn, Jennifer K. Barcelos, and Anna T. Moritz, editors)

SUPPLEMENT TO *WETLANDS: LAW AND POLICY: UNDERSTANDING SECTION 404* (with Stephen M. Johnson) (Oct. 2009)

*Regulation of Coastal Wetlands and Other Waters of the United States*, in OCEAN AND COASTAL LAW (American Bar Association, 2008)

*Marine Ecosystem Protection* (with Jen Schorr and Darren Misenko), in OCEAN AND COASTAL LAW (American Bar Association, 2008)

SUPPLEMENT TO *THE CLEAN WATER HANDBOOK, SECOND EDITION* AND *WETLANDS: LAW AND POLICY: UNDERSTANDING SECTION 404* (with Stephen M. Johnson & Mark A. Ryan), (Jan. 2007), available at

[http://www.abanet.org/abastore/front\\_end/static/nosearch/watersuppp001-017.pdf](http://www.abanet.org/abastore/front_end/static/nosearch/watersuppp001-017.pdf)

*WETLANDS LAW AND POLICY: UNDERSTANDING SECTION 404*, co-editor (with Stephen M. Johnson & Douglas R. Williams) (American Bar Association, 2005), including two chapters: *The Corps Administrative Appeal Process* and *Federal Wetlands Regulation: An Overview* (with Douglas R. Williams)

*Mirror, Mirror: Using Non-traditional Reflective Exercises*, in *TEACHING THE LAW SCHOOL CURRICULUM* (Carolina Academic Press, 2004)

### Scholarly Articles, Reviews, and blogs in print

#UBLawResponds Blog (<https://ublawresponds.com/>)

- *The End of the Beginning: #UBLawResponds Puerto Rico Recovery Assistance Legal Clinic has just commenced our journey*
- *“Living Without” versus “Being Without”: Reflections on How Law and Policy Can’t Immediately Solve Certain Problems (Like No Running Water) But Can Offer Hope*



- *Checking in with #UBLawResponds Student Attorneys at the Halfway Mark...*
- *Puerto Rico se levanta, #UBLawResponds stands with them*

*Plot Twist: Sixth Circuit Stay of the Long-Awaited Clean Water Rule Makes a Potential "Happily Ever After" A Bit More Elusive*, *The Compleat Wetlander*, October 2015, <http://www.aswm.org/wordpress/guest-blog-plot-twist-sixth-circuit-stay-of-the-long-awaited-clean-water-rule-makes-a-potential-happily-ever-after-a-bit-more-elusive/>

*Is It Time for Real Reform* (with Mary Lynch), *NYSBA BAR JOURNAL* (Sept. 2013)

*Do Good to Get Barred: The New Empire State Pro Bono Requirement Its Potential Impact on Environmental Law Practitioners*, *THE NEW YORK ENVIRONMENTAL LAWYER* (Spring-Summer 2013)

*Multipolar Governance Across Environmental Treaty Regimes: The Ramsar Convention in Its Middle Age*, *AMERICAN SOC. INT'L LAW PROCEEDINGS* (2013)

*Spinning Sackett: Assessing New and Traditional Media Coverage*, *NAT'L WETLANDS NEWSLETTER* (2012)

*A Decade of Uncertainty: Precon, Leaked Guidance, and Where to Go From Here?*, *NAT'L WETLANDS NEWSLETTER* (2011)

*Navigating the Tricky Shoals in Environmental Law: Parameter of Counseling and Managing Clients*, *WYOMING L. REV.* (2010)

*African Wetlands of International Importance: Assessment of Benefits Associated With Designations Under The Ramsar Convention* (with Royal C. Gardner and Abou Bamba), *XXIII GEORGETOWN INTERNATIONAL ENVTL. L. REV.* 257 (Winter 2008)

*Best Practices for Legal Education: Using Simulations and Other Interactive Teaching Methodologies*, *CHOSUN UNIVERSITY LAW SCHOOL L. REV.* (Dec. 2008, translated into Korean)

*An Overview of Environmental Law Clinics in the United States: Adaptive Ecosystem Management in Action*, *CHONNAM NATIONAL UNIV. L. REV.* (Winter 2008, translated into Korean)

*Survey Says: Army Corps No Scalian Despot*, *37 ENVTL. LAW REPORTER* 10317 (May 2007)

*Can Happy Subjects Have An Enlightened Despot? Customer Satisfaction Among Army Corps Permit Applicants*, *29 NATIONAL WETLANDS NEWSLETTER* 8 (May-June 2007)

*Any Hope for Happily Ever After? Reflections on Rapanos and the Future of the Clean Water Act Section 404 Program* (VT. LAND USE INST. AND VT. J. ENVTL. L. 2007), available at <http://www.vjel.org/books/PUBS10004.html>

*The Ramsar Convention on Wetlands: Assessment of International Designations Within the United States* (with Royal C. Gardner), *37 ENVTL. LAW REPORTER* 10089 (Feb. 2007)

*The Ramsar Convention on Wetlands: Assessment of International Designations Within the United States*, (with Royal C. Gardner), *29 NATIONAL WETLANDS NEWSLETTER* 6 (Mar.-Apr. 2007)

*Bridging the Divide: Considerations of Public and Private Interests in Coastal Marshes and Marsh Islands*, 15 SOUTHEASTERN ENVTL. L.J. 1 (2006)

*Shifting Interests: Rethinking the U.S. Army Corps of Engineers Permitting Process and Public Interest Review in Light of Hurricanes Katrina and Rita*, 32 THURGOOD MARSHALL L. REV. 109 (2006)

*The Ecology of Breastfeeding*, 13 SOUTHEASTERN ENVTL. L.J. 157 (2005)

*Looking to Local Law: Can Local Ordinances Help Protect Isolated Wetlands?* 27 NATIONAL WETLANDS NEWSLETTER 21 (May-June 2005)

*“Grandfathered” Air Pollution Sources and Pollution Control: New Source Review Under the Clean Air Act* (with Victor B. Flatt), CENTER FOR PROGRESSIVE REGULATION WHITE PAPER 504, (2005), available at [http://www.progressiveregulation.org/articles/NSR\\_504.pdf](http://www.progressiveregulation.org/articles/NSR_504.pdf)

*Keeping Wetlands Wet: Are Existing Protections Enough?*, VERMONT LAW SCHOOL ENVTL. L.J., Vol. 6, 2004-2005, available at <http://www.vjel.org/articles/articles/connolly.htm>

*Mirror, Mirror: Using Non-traditional Reflective Exercises*, THE LAW TEACHER, Fall 2001 (selected included as subchapter TEACHING THE LAW SCHOOL CURRICULUM, 2004)

*A Retrospective on Lucas v. South Carolina Coastal Council: Implications for Public Policy for the 21st Century* (with Dana Beach, M.B.A.), 12 SOUTHEASTERN ENVTL. L.J. 1 (2003)

*Small Town Trash: A Model Comprehensive Solid Waste Ordinance for Rural Areas of the United States*, 53 CATHOLIC U. L. REV. 1 (2003)

*An Introduction to the Essential Fish Habitat (EFH) Consultation Process for the South Atlantic Area*, 11 SOUTHEASTERN ENVTL. L.J. 1 (2003)

*Elucidating the Elephant: Interdisciplinary Law School Classes*, 11 WASH. U. J. OF LAW AND POLICY 11 (2003)

*Has the Field Grown Too Complex for a State-Specific “Handbook” on Environmental Law?, A Book Review of the Government Institute’s South Carolina Environmental Law Handbook, Third Edition* (2000), 9 S.C. ENVTL. L.J. 279 (2001)

*“Streamlined” Permits, Migratory Birds and Draining Ditches – Recent Developments Confirm Need to Amend Statutory Wetlands Protection*, 22 COASTAL SOCIETY J. 16 (2000)

*Wise Replacements for NWP 26* (with Virginia S. Albrecht), NATIONAL WETLANDS NEWSLETTER, September-October 1998

*How to Handle Litigation of a Patent – DEFENSES* (with John Sweeney), THE LICENSING JOURNAL, Fall and Winter, 1992

### **Academic Publications In Progress**

*Ten Students – Ten Days – Ten Lessons: The Crazy Idea That Became The Puerto Rico Recovery Assistance Legal Clinic* (in progress)

*Federal Jurisdiction Over Wetlands and Other “Waters of the United States,” prequel chapter* (American Bar Association, forthcoming summer 2018)

*THE BIG THAW: POLICY, GOVERNANCE AND CLIMATE CHANGE IN THE CIRCUMPOLAR NORTH* (SUNY PRESS, FORTHCOMING 2018)

*BEYOND JURISDICTION: ESSENTIAL WETLANDS LAW AND POLICY QUESTIONS FOR OUR TIME* (ANTICIPATED 2019).

### **Other Publications**

*Korean Wetlands of International Importance: The Benefits of the Ramsar Convention on Wetlands to the People of Korea* (Proceedings of the International Symposium Commemorating the Inauguration of Gyeongnam Ramsar Environmental Foundation 2008 (Keynote Paper, in Korean))

*Preserving Wetlands and Other Waters Through The Regulatory System of The United States* (Proceedings of the Korean Environmental Law Association Annual Meeting 2008 (Keynote Paper, in Korean))

*Regulatory Pathfinder* (funded with grant from the South Carolina Sea Grant Consortium), available at [http://www.law.sc.edu/pathfinder/coastal\\_development/](http://www.law.sc.edu/pathfinder/coastal_development/)

*The Law and Our Changing Coasts (Op-Ed)*, THE STATE (Columbia, S.C.), 19 September 2007

*Coastal Regulation in South Carolina– Will the Rising Sea Change the Nature of Governing Law?*, SOUTH CAROLINA LAWYER (Sept. 2007)

*Guidelines for Nominating a Site as a Wetland of International Importance in the United States* (with Valerie Cochran), 2007

*US Supreme Court Rapanos and Carabell Wetlands Cases* (public website with compiled materials from the cases), <http://www.law.sc.edu/wetlands/rapanos-carabell/>

Invited Commentary on Rapanos and Carabell, SCOTUS Blog, *available at* [http://www.scotusblog.com/movabletype/archives/2006/06/more\\_on\\_rapanos\\_3.html](http://www.scotusblog.com/movabletype/archives/2006/06/more_on_rapanos_3.html)

Co-authored Brief of The Honorable John D. Dingell; The Honorable John Conyers, Jr.; The Honorable Robert F. Drinan; The Honorable Gary W. Hart; The Honorable Kenneth W. Hechler; The Honorable Charles McCurdy Mathias, Jr.; The Honorable Paul N. McCloskey, Jr.; The Honorable Charles B. Rangel; and The Honorable Senator Richard Schultz Schweiker; As Amici Curiae In Support Of The Respondent in JOHN A. RAPANOS, ET AL., Petitioners, v. UNITED STATES, Respondent; JUNE CARABELL, ET AL., Petitioners, v. UNITED STATES ARMY CORPS OF ENGINEERS, Respondent, United States Supreme Court *Protect Wetlands to Sustain Life (Op-Ed)*, THE STATE (Columbia, S.C.), 2 February 2006

*Environmental Justice*, SOUTH CAROLINA CONSERVATION BRIEFING BOOK, 2004

Four Chapters (*The Corps Regulatory Program: Section 404 Permits and Section 10 Permits; Essential Fish Habitat Consultation; The Endangered Species Act; The National Environmental Policy Act*) in U.S. Army Corps of Engineers, ENVIRONMENTAL LAWS AND REGULATIONS MANUAL (2004)

*Recent Developments in Federal Wetlands Law and Policy Leave Significant Areas Unprotected*, 4 E2SC: ENVIRONMENTAL EXCELLENCE IN SOUTH CAROLINA 14 (2004)

*LIVING WITHOUT THE BASICS - The Hidden Water and Wastewater Crisis in Rural North Carolina* (with Eric J. Stockton), May 1990, (quoted on the front page of the New York Times on July 2, 1990, and featured on World Monitor and Stateline)

*STOVALL STINKS: An Example of the Wastewater Disposal Crisis Facing Rural America* (with Bruce B. Taylor), May 1990

*Directory of Water, Wastewater, Groundwater, and Solid Waste Resources for Rural Communities* (with Bruce B. Taylor), January 1990

### **Speeches, Lectures, and Presentations**

Facilitator, *Pro Bono Scholars Work Group*, New York State Permanent Commission on Access to Justice – 7<sup>th</sup> Annual Law School Conference, Pace University School of Law, 15 May 2018, White Plains, NY.

*Valuing Water: Are Laws and Regulations Helpful?*, Valuing Water: A New Deal for the Environment, Robert H. Jackson Center, 18 April 2018, Jamestown, NY

*In the Courts – What's Next for the Waters of the United States Rule?*, (with Steve Johnson) Association of State Wetland Managers Annual State/Tribal/Federal Coordination Meeting, 11 April 2018, Silver Spring, MD

*Rethinking Placements Under ABA Rules & Retrenchment*, (with Bernadette Gargano) Externships 9, University of Georgia School of Law, 10 March 2018, Athens, GA

*Restorative Justice and the Law*, UB Restorative Justice Day, 27 April 2017

*The Big Thaw: Transdisciplinary Explorations Of Profound Transformation Throughout The Arctic Due To Climate Change*, 47th Annual International Arctic Workshop, 23 March 2017, Buffalo, NY

*A Role for Wetlands Regulation in Climate Justice*, The Changing Climate: Reflections on Current Law, Policy, Justice, and Regulation, 11 March 2017, Buffalo, NY

*Helping Self-Represented People*, Panelist, Access to Justice Through Incubator Programs and Non-Profit Law Firms, Third Annual Conference, University of Missouri-Kansas City, 2 April 2016, Kansas City, Kansas

*A First Report on New York's Pro Bono Scholars Program: Successes, Challenges and Suggestions for the Future*, Panelist, American Association of Law Schools Annual Meeting, 8 January 2016, New York, NY

*Kinesthetic Reflections*, Midwest Clinical Conference, Case Western Law School, 2 October 2015, Cleveland, OH

*Pro Bono Scholars Program and the 50 Hour Pro Bono Bar Admission Rule*, Fourth Annual Access to Justice Conference: The Role of New York's Law Schools in Helping Meet the Essential Civil Legal Needs of Low-Income New Yorkers, Fordham Law School, 11 May 2015, New York, NY

*"Vision and Action": Access to Justice, Professional Formation, and Employment Prospects in the Inaugural Classes of New York's Pro Bono Scholars Program*, 6 May 2015, Assn. of American Law Schools Clinical Conference, Palm Springs, CA

*Clean Water Act Jurisdiction: A Vortex, or a Chance at Happily Ever After?*, The Center for Energy & Sustainable Development Fourth Annual National Energy Conference, West Virginia University School of Law, 10 April 2015, Morgantown, WV

*The Role of Law Schools in Working with Non-Lawyer Advocates to Help Narrow the Justice Gap*, Third Annual Access to Justice Conference, 12 May 2014, CUNY School of Law, New York, NY

*Sound Bites and Ledes: Incorporating Media-Based Advocacy in Law School Clinic and Skills Instruction*, 30 April 2012, Assn. of American Law Schools Clinical Conference, Los Angeles, CA

*Andragogical Models for Student Training*, 27 June 2011, Clinical Legal Education Association New Clinicians Conference, Seattle, WA

*Hybrid Simulations: Creating "Bite-Sized" Learning Experiences That Integrate Actual Legal Matters*, 9 July 2010, The 8th International Clinical Legal Education Conference, Northumbria University - Newcastle Upon Tyne

*Recent Developments Under Clean Water Act Section 404 and Related Laws*, 14 October 2009, Southeastern Wetland Permitting And Monitoring Meeting, Crossnore, NC

*Best Practices Project: An Introduction*, 6 May 2009, Clinical Legal Education Association New Clinicians Conference, Cleveland, OH

*Biofuel Production and Wetland Habitat Impacts*, 26 March 2009, 11<sup>th</sup> International Wildlife Law Conference, Gulfport, FL

*The Environmental Attorney's Challenges in Navigating the Tricky Shoals of Ethical Lawyering in the Context of Model Rules of Professional Conduct 2.1 and 1.16 (Panel – An Ethical Storm: Tension Between Advocacy and Ethics)*, 15 March 2009, American Bar Association 38th Annual Conference on Environmental Law, Keystone, CO

*Assessing the Value of Ramsar Designation: Survey Results from North America (official side event at the 10<sup>th</sup> Meeting of the Conference of the Contracting Parties to the Convention on Wetlands (Ramsar Convention))*, 1 November 2008, Changwon, South Korea

*Preserving Wetlands and Other Waters Through The Regulatory System of The United States, The Legal Issues on Ramsar Convention and Conservation of Wetlands Conference (Annual Meeting of the Korean Environmental Law Association)*, 1 November 2008, Changwon, South Korea

*Best Practices for Legal Education: Using Simulations and Other Interactive Teaching Methodologies*, Chosun University Law School, 29 October 2008, Gwangju, South Korea

*Korean Wetlands of International Importance: The Benefits of the Ramsar Convention on Wetlands to the People of Korea (Keynote)*, International Symposium Commemorating the Inauguration of Gyeongnam Ramsar Environmental Foundation, 27 October 2008, Changwon, South Korea

*The Empty Promises of United States Wetland Mitigation Policy*, 21 October 2008, Stegner Center Young Scholar Presentation, Salt Lake City, Utah

*Recent Developments in Compensatory Mitigation Requirements under the Clean Water Act*, 20 October 2008, "Downtown CLE" Presentation, Salt Lake City, Utah

*Clean Water Act Jurisdiction: Navigating the Quagmire, ABA Environment, Energy, and Resources Law Summit: 16th Section Fall Meeting*, 18 September 2008, Phoenix, Arizona

*The Corps and its Customers in the Permitting Process: Examining the Data (with Mark Tompkins, Ph.D.)*, Wetlands 2008, 17 September 2008, Portland, Oregon

*Why the Corps' Permitting Process Must Assess Climate Change Through The Public Interest Review*, Wetlands 2008, 16 September 2008, Portland, Oregon

*New Clinicians Program*, Association of American Law Schools Conference on Clinical Legal Education, 4 May 2008, Tucson, AZ

*Is Tenure a Good Thing? Reflection on Security of Position Issues as They Impact Specialty Clinics*, Association of American Law Schools Conference on Clinical Legal Education, 4 May 2008, Tucson, Arizona

Chair – Wetlands Conference CLE International, Charleston West Virginia, 31 March-1 April 2008, presenting on three panels – (1) Nationwide Permits; Overview of the 2006 Changes; New General Conditions and Revised Definitions; (2) New Proposed Federal Rule - Is Legislation the Answer? and (3) Ethics - Special Issues Facing the Wetlands Professional

*Environmental Law Clinics: Views From the Inside*, Public Interest Environmental Law Conference, 8 March 2008, Eugene

*CWA Litigation in a Post-Rapanos World*, Public Interest Environmental Law Conference, 7 March 2008, Eugene, Oregon

*The Significant Nexus of Science to the Future Protection of the Waters of the United States*, Floodplain Ecosystem Symposium, Little Rock, Arkansas, 4 March 2008

*Wetlands of International Importance Under The Ramsar Convention: Healthy Wetlands & Healthy People*, World Wetlands Day 2008, Kawainui and Hāmākua Marsh Complex, 2 February 2008, Honolulu Hawaii

*Protecting States Waters in an Era of Federal Uncertainty*, Wildlife Federation Annual Conference, Furman University, 12 January 2008, Greenville, South Carolina

*The Benefits of Ramsar Designation*, U.S. National Ramsar Committee National Conference, 1 November 2007, Uncertain, Texas

*The Adolescence of Environmental Law Clinics: Adaptive Ecosystem Management in Action*, University of Tennessee College of Law Symposium Looking Forward – the Next 60 Years of Clinical Legal Education, 15 September 2007, Knoxville, TN

*Identifying Priority Science Tools Needed to Assess Significant Nexus*, Wetlands 2007, 29 August 2007, Williamsburg, Virginia

*High “Customer” Satisfaction in Corps Permit Program*, Wetlands 2007, 28 August 2007, Williamsburg, Virginia

*Regulatory Realities – How Our Environmental Regulatory System is Unprepared to Address Climate Change, Balancing Public and Private Rights in the Coastal Zone in the Era of Climate Change: the Fifteenth Anniversary of Lucas v. South Carolina Coastal Council*, 20 September 2007, Columbia, South Carolina

Invited Testimony before United States House of Representatives Committee on Transportation and Infrastructure, 17 July 2007, entitled “STATUS OF THE NATION'S WATERS, INCLUDING WETLANDS, UNDER THE JURISDICTION OF THE FEDERAL WATER POLLUTION CONTROL ACT

*States' Rights and Responsibilities Under the CWA: Rapanos and Nationwide Permits, The Clean Water Act: Applying Sound Science to Address Program Revisions*, Court Challenges and Opportunities for Wetlands and Headwaters Conference, 27 March 2007, Shepherdstown, West Virginia

*Dealing with Implications of Rapanos v. U.S.: Uncertainty & Waters At-Risk*, Public Interest Environmental Law Conference, 2 March 2007, Eugene, Oregon

*What Rapanos Doesn't Teach Us About the Future of the Deference Doctrine*, Plenary Session, 25th Annual Water Law Conference, American Bar Assn, 22-23 February 2007, San Diego, California

*Wading in Muddy Waters: Status of Federal and State Wetlands Laws After Rapanos*, South Carolina Bar Convention, 27 January 2007, Charleston, South Carolina

*The Role of Science in Legal Protections for Wetlands and Other "Waters of the US,"* NatureServe SE Region Natural Heritage Conference, 14 November 2006, Tallahassee, Florida (via distance)

*Considering the Alternative Energy Options – Are There Any Good Choices?*, 5<sup>th</sup> Annual Conservation Leaders Summit, 12 November 2006, Aiken, South Carolina

*Ecosystem-Based Fishery Management: Not Yet Ready for Regulatory Prime Time (keynote)*, 6th Marine Law Symposium, Roger Williams University Law School, 20 October 2006, Bristol, Rhode Island

*Cleaning Muddied Waters: The Supreme Court's Interpretations of CWA Jurisdiction Under Sections 401 and 404*, Plenary, ABA Fall Meeting, 6 October 2006, San Diego, California

*Contending with the Rapanos/Carabell Decision (Moderator)*, Vermont Law School, 29 September 2006, South Royalton, Vermont

*Ramsar Wetlands – The Benefits*, Wetlands 2006: Applying Scientific, Legal, and Management Tools to the Great Lakes and Beyond, 30 August 2006, Traverse City, Michigan

*Sifting Through the Sediment: Contending With Rapanos/Carabell Decision*, Wetlands 2006: Applying Scientific, Legal, and Management Tools to the Great Lakes and Beyond, 28 August 2006, Traverse City, Michigan

*The Roberts Court and the Clean Water Act, Part II*, Hot Topics Lecture Series, Vermont Law School, 13 July 2006, South Royalton, Vermont

*Reflections on Teaching for Social Justice*, Law & Society Annual Conference, Baltimore, Maryland, 6 July 2006

*Evaluation of Students in Clinical Legal Education*, AALS Workshop for New Clinical Teachers, 25 June 2005, Washington, D.C.

*Collaboration with Non-Clinic Law Faculty (presenting Integrating Practical and Real-World Methodologies into Traditional Legal Classrooms: An Annotated Bibliography)*, 2006 Conference on Clinical Legal Education, 3 May 2006, New York, New York

*The Ecology of Breastfeeding*, South Carolina La Leche League Area Conference, 29 April 2006, Charleston, South Carolina

*On Sponges, Ditches, and Justice Alito's First Argument: How the Rapanos & Carabell Cases May Change the Face of Federal Environmental Protection*, University of South Carolina School of Law Understanding the Work of the U.S. Supreme Court Lunchtime Series, 29 March 2006, Columbia, South Carolina



*Shifting Interests: Rethinking the Corps Public Interest Review for Wetlands Permits*, Post Katrina Conference II – Environmental Consequences, Thurgood Marshall School of Law, 31 March 2006, Houston, Texas

*Clean Water Act Jurisdiction Under Attack: Rapanos & Carabell*, Public Interest Environmental Law Conference 2006, 4 March 2006, Eugene, Oregon

*Home Rule: How To Work With Your Local Governments To Develop Protective Environmental Ordinances*, Fourth Annual Conservation Leaders Summit, 14 November 2005, Aiken, South Carolina

*The Role of Local Wetlands Ordinances in Responding to SWANCC*, Joint State/Federal Wetland and Riparian Area Legal Workshop: Identifying “Waters Of The U.S.” After SWANCC, 19 October 2005, Albuquerque, New Mexico,

*Environmental Law Clinics “Coming into Community”, “Coming into Community”* Conference, 18 June 2005, Bristol, Rhode Island

*Integrating Clinical and Innovative Methodologies into Traditional Legal Classrooms*, Law and Society Conference, 3 June 2005, Las Vegas, Nevada

*Time Management*, Clinical Legal Education Association 2005 New Clinicians Conference, 29 April 2005, Chicago, Illinois

*Resolving Statutory Conflicts*, Managing Our Nation’s Fisheries II Conference, 25 March 2005, Washington, D.C.

*Environmental Justice and Heirs Property Issues in South Carolina*, Moderator, Third Annual Conservation Leaders Summit, 21 November 2004, Aiken, South Carolina

*No Net Loss? The Demise of Wetlands Protections*, State Environmental Leadership Conference (with Julie Sibbing, National Wildlife Federation), 11 November 2004, Monterey, California

*Recent and Upcoming U.S. Supreme Court Decisions Related to Environmental Matters*, 2004 South Carolina Environmental Symposium, 30 September 2004, Charleston, South Carolina

*Encouraging Creativity Through Interdisciplinary Law School Classes*, Conference on Preventing and Solving Legal Problems Creatively, California Western School of Law, 4-6 March 2004, San Diego, California

*Clinic Pedagogy: Handling Large Cases; Teaching Lawyering Skills & Dealing with Difficult Students*, 2004 Environmental Clinicians Annual Meeting, Emory University School of Law (with Liz Ryan Cole, Vermont Law School), 4 January 2004, Atlanta, Georgia

*Integration of Technology into Clinical Settings*, 2004 Association of American Law Schools Annual Meeting, Workshop on Technology and Pedagogy (with Mike

Norwood, University of New Mexico; and Bob Seibel, CUNY School of Law), 3 January 2004, Atlanta, Georgia

*Current Issues in Wetlands Law and Policy*, USC School of the Environment Continuing Education/Professional Development Seminar, 14 November 2003, Columbia, South Carolina

*Requirements Under Section 401 of the Clean Water Act*, Catawba Wateree Relicensing Coalition Conference, 7 November 2003, Charlotte, North Carolina

*Isolated Wetlands Issues*, Moderator, South Carolina Environmental Symposium, 16 October 2003, Myrtle Beach, South Carolina

*The Law of Environmental Justice*, Justice First Environmental and Economic Development Conference, Francis Marion University, Florence, South Carolina, 20 September 2003

*Current Issues with Wetland Regulations and Policy*, South Carolina Department of Defense Pollution Prevention Alliance, 17 September 2003, Parris Island, South Carolina

*How “The Law” Can Help Achieve Environmental Justice (Opening Keynote)*, South Carolina Environmental Justice Listening Conference, Benedict College, 21 August 2003, Columbia, South Carolina

*Keeping Wetlands Wet: Are Existing Protections Enough?*, Vermont Law School Hot Topics in Environmental Law Lecture Series, 15 July 2003, South Royalton, Vermont

*The Role of the Law School and University Administration in Clinic Case Decisions* (with Dean Joseph D. Harbaugh, Nova Southeastern University; and Monica Schurtman, University of Idaho), Association of American Law Schools Workshop on Clinical Legal Education, 15 May 2003, Vancouver, British Columbia, Canada

*New Clinicians: Who Are We? Introductions and Results of the Questionnaire* (with Peter Joy, Washington University School of Law), Clinical Legal Education Association 2003 New Clinicians Conference, 13 May 2003, Vancouver, British Columbia, Canada

*Background to and Ramifications of the 2001 United States Supreme Court Decision Solid Waste Agency of Northern Cook County vs. United States Army Corps of Engineers*, United States General Accounting Office Briefing, 1 April 2003 (via teleconference)

*Existing Models of Interdisciplinary Teaching and Practice*, presenter and panel moderator, Promoting Justice Through Interdisciplinary Teaching, Practice, and Scholarship (presenting Elucidating the Elephant: Interdisciplinary Law School Classes), St. Louis, Missouri, 14 March 2003

*Clinic Pedagogy: The Role of the Client*, 2003 Environmental Clinicians Annual Meeting, Georgetown University Law Center, 5 January 2003, Washington, D.C.

*Working Together to Achieve Environmental Success in South Carolina*, South Carolina Ecoleaders Summit 2002, Environmental Education Center, SC Forestry Commission, Harbison State Forest, 3 December 2002, Columbia, South Carolina

*TJ EJ: How Therapeutic Jurisprudence Can Help Us Teach the Reality of Environmental Justice*, University of South Carolina Women's Studies Program Brownbag Pedagogy Series: Teaching for Social Justice, University of South Carolina, 12 September 2002, Columbia, South Carolina

*The Role of Clients in Transforming the Non-Clinical Curriculum: Integrating "Clients" Into the Classroom* (with Gabrielle Davis, University of Toledo), Association of American Law Schools Conference on Clinical Legal Education, Pittsburgh, Pennsylvania, 20 May 2002

*How Can Laws Help Control Sprawl?*, South Carolina Sierra Club Sprawl Control Workshop, 3 November 2001, Columbia, South Carolina

*Building Green: The Politics and Practicalities of Sustainable Building*, moderator, University of South Carolina, 19 April 2001, Columbia, South Carolina

*Homes for Birds and Bunnies vs. Jobs for Welfare Moms: Assessing Environmental Disputes and Transactions Using a Therapeutic Jurisprudential Framework*, Second International Conference on Therapeutic Jurisprudence, 5 May 2001, Cincinnati, Ohio

*"Environmental Justice" for South Carolina's Cities: Turning Admirable Concepts Into Meaningful Change*, Shaping the Ecology of a City Conference, Sustainable Universities Initiative, 26 March 2001, Columbia, South Carolina

*Scientific and Legal Mechanisms for Protection of Public Value of Private Lands (Wetlands)*, University of Indonesia 12 March 2001, (via videolink to Jakarta, Indonesia)

*Environmental Impact Statements and Related Environmental Reviews*, University of Indonesia, 16 January 2001, (via videolink to Jakarta, Indonesia)

*The Future of Compensatory Mitigation, Status of Compensatory Mitigation in North Carolina: A Roundtable Discussion*, Southern Environmental Law Center, 10 August 2000, Raleigh, North Carolina

*Environmental Law Clinic Design: An Exercise in Ecosystem Management*, Southeastern American Law Schools (SEALS) Young Scholars Workshop, August 2000

*The Essential Fish Habitat Consultation Process: Are the hassles and hoops really protecting habitat?*, The Coastal Society, July 2000, Portland, Oregon

*The Wetlands Mitigation Quagmire: Can Natural Wetlands Functions and Values Be Replaced?*, Moderator and Presenter, University of South Carolina, 17 April 2000, Columbia, South Carolina

*Regulating Activities in Essential Fish Habitat, Environmental Law Virtual Guest Speaker Series* (web-based presentation to students at 13 law schools), 13 April 2000  
The Role of an Environmental Law Clinic in South Carolina's Environmental Arena, Environmental

*Policy Forum*, Clemson University's Strom Thurmond Institute of Government & Public Affairs, 31 March 2000, Clemson, South Carolina

*Environmental Law Clinics as Compliance Catalysts*, shared and discussed with delegates to the inaugural Global Alliance for Justice Education (GAJE) conference session on Working with NGOs: Legal Interventions and Community Development, Trivandrum, India, 10 December 1999

### **Bar Admissions**

New York, District of Columbia, [Puerto Rico (in the submission process)]