



Emmett Environmental Law & Policy Clinic

HARVARD LAW SCHOOL

2025 Annual Report

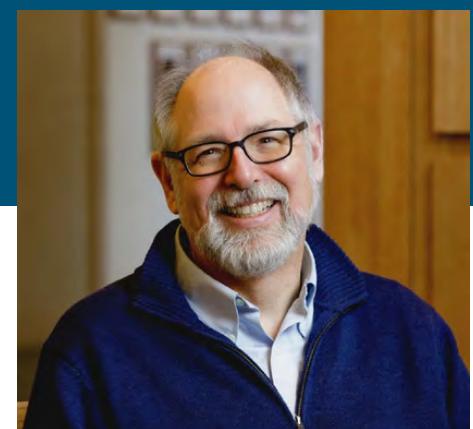


Bryce Canyon National Park in Utah. Photo Credit: Daniel Erlandson, Pexels

THE YEAR IN THE EMMETT CLINIC 2024-2025

My goals for the Clinic for 2024-2025 were, of course, to make sure our students learned a lot and that our Clinic partners and their important work and projects benefitted from the engagement and labor of our students. By that measure, as you'll see in this report, the year was a resounding success. But I also started the 2024-2025 academic year with the goal of seeking broader engagement across the University campus, across Cambridge, and across the Charles River to Boston. We are grateful for the opportunities the students had to extend their learning beyond the Cambridge campus and to meet and collaborate with members of the broader environmental law community.

FROM FACULTY DIRECTOR ANDREW MERGEN



As my friend and colleague Richard Lazarus explained in his magnificent book, *The Making of Environmental Law*, complexity is at the heart of environmental law. One reason for this complexity is the fact that the natural world is itself complex. Likewise, the highly industrialized economies that put pressure on earth systems are complex. The next generation of environmental lawyers will need to be even more comfortable with complexity and curious about the workings of the world. In this vein, it has been a pleasure this year to explore with students some of Harvard University's outstanding resources.

This year, students visited Harvard's astonishing Arnold Arboretum, the Harvard Forest, and Harvard's Museum of Comparative Zoology. Discovering the role of greenspaces to community at the Arnold Arboretum and the role of Indigenous knowledge in natural resources management at the Harvard Forest helps students better appreciate these issues. It also introduces them to faculty and staff from outside the law school who bring diverse and important perspectives to legal and policy controversies. In the report, you'll see photos of our students out in nature. Aside from learning, field trip opportunities are also just plain fun.

In addition to taking advantage of university resources like the Arboretum, the Forest, and the Museum of Comparative Zoology, our students also engaged with the Cambridge community. In October, our students presented a program on environmental law in the Supreme Court at the Cambridge Patagonia store. This well-attended event gave our students the opportunity to explain complex disputes to a lay audience. Finally, we ventured out of Harvard and Cambridge and crossed the river to collaborate on biodiversity conservation with Massachusetts's Department of Fish and Game.

Law school activities can be a siloed, especially during the academic year when learning is centered on campus, but we believe that the Clinic's job is to get our students out into the wider world and this wider world must include the state in which they reside! This year, several dedicated public servants of the State of Massachusetts have been inspiring mentors to our students.

"Environment" refers to the surroundings or conditions in which a person, animal or plant operates, and "community" refers to a group of people sharing common goals. These are similar important concepts. In this report, we invite you to explore the work of our Clinic at Harvard and beyond.



Photo Credit: Matthew Montrone, Pexels

COMINGS AND GOINGS

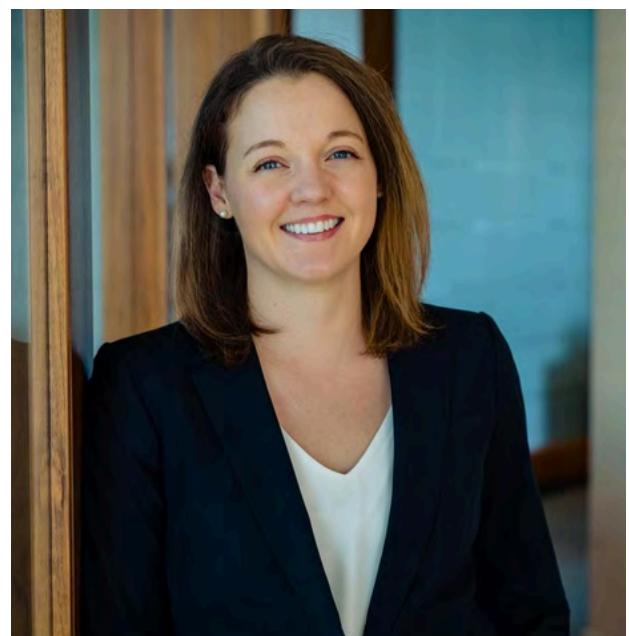
This summer, we say farewell to two extraordinary clinical fellows, Rosa Hayes and Shannon Nelson.



Senior Clinical Fellow Rosa Hayes

Rosa spent three years at the Clinic. This fall, she joins the faculty of the Northeastern University School of Law where she will be teaching Civil Procedure and Federal Courts. Rosa is an amazing teacher, scholar, and colleague. Students and staff alike benefited from her common sense and concern. Rosa always held our students to high standards while at the same time always being aware of what we were asking our students to do. She embodies a perfect combination of high expectations and compassion and the law students at Northeastern are lucky to have her.

Shannon Nelson was a clinical fellow for a year and returns to private practice this fall. Shannon came to the Clinic with a passion for the nexus between environmental law and public health. Like Rosa, Shannon is a kind and empathetic person who excelled at working one on one with our students and providing feedback. Shannon returns to practice to continue to acquire litigation experience, but I don't think she is done with teaching. I would not at all be surprised to see Shannon back in the classroom in the future. She clearly loves working with students and is good at it.



Clinical Fellow Shannon Nelson

With Shannon leaving, we also lose Rio, Shannon's dog, who also became the Clinic's "official office dog" during Shannon's residency. Rio formed a special bond with Jackie. A cynic might find that bond rooted in the food stuffs that Jackie fed Rio, but I think their relationship was about more than snacks. What I will miss about Rio, aside from his gentle padding about the office, is his extraordinarily precise timekeeping. Rio, who never wears a watch, knows exactly when it is 5pm. At the Clinic, Rio was insistent that he should be

allowed to head home at 5pm on the dot. Rio's firmness on a 5pm work stoppage was a not-so-subtle reminder that I, too, should start to wind down. A message that I came to appreciate!



Introducing Sommer Engels's son Henry!



Rio relaxing after a long day at work!

The departures of Rosa, Shannon, and Rio are tough to absorb, although we know that they are all off to do great things. The loss is mitigated (as we say in the environmental law world) by new Clinical Fellow Aspen Ono's arrival (see below), as well as Clinical Instructor Sommer Engels's son Henry, who was born in May and has already visited the Clinic on several occasions. Schools, including law schools, should be a locus for cross-generational communication and Henry adds another perspective to Clinic discourse. We look forward to future visits from Henry!

WELCOME TO NEW CLINICAL FELLOW ASPEN ONO

Aspen Ono joined the Clinic as a Clinical Fellow in Fall 2025. Before that, she served as a law clerk for Judge Gina R. Méndez-Miró of the U.S. District Court for the District of Puerto Rico and Judge Robert S. Ballou of the U.S. District Court for the Western District of Virginia. Aspen earned her J.D. from the University of Virginia School of Law in 2023, where she participated in the Environmental Law and Community Engagement Clinic and was active in the Virginia Environmental Law Forum, Virginia Law Women, and UVA Women of Color. She holds a B.A. in environmental science and international relations from Emory University and an M.A. from the University of British Columbia's Institute for Resources, Environment and Sustainability, where her research focused on improving access to urban green spaces for marginalized migrant communities.



CLINICAL FELLOW ASPEN ONO (CONT.)

What drew you to the Clinic to work as a Fellow?

Joining the Clinic felt like a natural next step in my career. I've spent the better part of a decade preparing for work at the intersection of environmental law and public interest, and the Clinic's work aligns with the reasons I chose to study law in the first place. I'm excited for the opportunity to work with students while contributing to advocacy work that feels both urgent and deeply meaningful in this moment.

What are you hoping to bring to the Clinic from your work and/or academic experiences?

I hope to bring a blend of practical experience and academic insight to the Clinic. I've had the chance to do write on a range of issues—from Clean Water Act enforcement and environmental rights to climate disinformation litigation. Along the way, I've learned a lot from time spent at an environmental law firm, in my law school's environmental clinic, and through clerkships that offered a view from the other side of the bench. I'm excited to learn alongside students and colleagues and to contribute to an intellectually curious, collaborative environment.

What are your goals for this upcoming academic year?

After spending time on broader legal work during my clerkships, I'm grateful for the chance to return to the environmental issues that inspire me most and collaborate with students and colleagues on environmental advocacy.

What are you looking forward to about moving to Boston?

I'm a former competitive figure skater and lifelong skier, so I'm thrilled to be moving somewhere with real winters again. After years in warmer climates, including time in Puerto Rico and Southwest Virginia, I'm ready for real winters again.



Winter in Cambridge, Vermont. Photo Credit: Elysa Ivie, Pexels

ERIC ZHAO, JD'25 WINS DAVID A. GROSSMAN EXEMPLARY CLINICAL STUDENT AWARD

In May 2025, Clinic student Eric Zhao received the David A. Grossman Exemplary Clinical Student Award for his outstanding work at the Emmett Clinic as well as at the Food Law and Policy Clinic, the Housing Law Clinic, and the International Human Rights Clinic. Eric was nominated by the leadership and staff of all four clinics, who were impressed with his contributions to each of the clinics' work as well as his dedication to developing the skills to become an effective legal advocate.

Eric participated in the Emmett Clinic in the fall 2023 semester, where he worked on a project focused on fighting environmental injustice created by industrial agriculture, with the goal of developing a litigation strategy to challenge the "greenwashing" of biogas generated from concentrated animal feeding operations (CAFO). Eric's work in all aspects of this project was exceptional - he was a model student and a joy to work with!



Photo credit: Lorin Granger

Eric was recognized for his contributions at the [HLS Class Day ceremony on May 28, 2025](#). After graduation, Eric will head to Ecojustice in Canada, where he plans to focus on environmental justice issues.

Note: Eric Zhao's story was originally published under Student Spotlights in Harvard Law Today on May 23, 2025. [Click here to view the full article.](#)

*Congratulations Eric!
The Clinic is proud of you and
your achievements!*

CLINIC STAFF ASSISTANT JACKIE CALAHONG RECOGNIZED AS 2025 HARVARD HERO



Jackie (right) with HLS Dean John Goldberg and fellow Harvard Heroes honoree Emily Newburger at the Dean's Awards for Excellence Ceremony on April 29, 2025
(Photo Credit: Lorin Granger)

This year, Clinic Staff Assistant Jacqueline “Jackie” Calahong was honored as a Harvard Hero. The Harvard Heroes award recognizes and “celebrates the accomplishments of Harvard staff whose work supports the mission of Harvard at the highest levels of contribution, impact, and excellence.” Heroes are nominated by their colleagues and selected from across the University based on their demonstrated teamwork, community citizenship, inclusivity, service excellence, mission stewardship, creativity, and innovation, among other qualities. For those of you who know Jackie, her recognition will come as no surprise.

Jackie is the longest-tenured member of the Emmett Clinic, and her years of service to Harvard exceed the combined tenures of the rest of the clinical staff! Fortunately, Jackie is always more than happy to share her wealth of information about the ins and outs of HLS with the rest of us. And, as all current and former clinical students know, Jackie keeps the Clinic running smoothly.

Jackie is students’ first point of contact with the Clinic, as well as the first person anybody sees when they enter the clinical space. She is also often the first person external visitors to the Clinic engage with, including outside speakers, potential clinic partners, and prospective employees. And, Jackie is the first person to whom both clinical staff and students turn when they have any sort of logistical problem. To each of these interactions, Jackie brings her empathetic, reasonable, resourceful, and problem-solving personality.

As the Clinic’s Staff Assistant, Jackie deftly handles the challenging task of balancing the often competing demands of students, clinicians, and clinic clients. She ensures that

internal and client-facing meetings are scheduled well in advance, and keeps track of deadlines for students and clinical staff. Jackie also takes the lead in organizing the many events the Clinic hosts every semester; as all clinical students can attest, Clinic lunch events always have delicious and sufficient quantities of food.

Jackie plays a key role in ensuring we fulfill the Clinic's mission of fostering community among environmentally minded students at HLS. She produces this excellent annual report, for one thing. She also ensures that Clinic students and events are regularly featured in HLS and OCP communications. Most of all, her presence in the clinical space brightens the day of her colleagues and our students. We are lucky to have her! We are thrilled that Harvard University has recognized her as a Harvard Hero.



Professor Mergen, Rosa Hayes, and Shannon Nelson celebrate with Jackie at the June 12, 2025 Harvard Heroes Ceremony, held at the Sanders Theatre

STUDENT TESTIMONIALS

"Jackie is the best! She is a huge reason why Harvard's environmental law program was a wonderful experience for me. She always goes the extra mile and is so welcoming to students. She helped me tirelessly with clerkship recommendation letters, even working over the weekend to help me meet deadlines. When Professor Mergen's writing group was scheduled at 8:30am, she would arrive even earlier to grab breakfast for everyone before. And she always makes an effort to check in with students on how they're doing and would have kind and encouraging words to say when I was stressed about exams or clinic projects. HLS would not be the same without her!"

"Jackie has been of tremendous support both to me personally and for the Environmental Law Society. She has been essential to having many successful events, and the environmental community at HLS would not be nearly as strong without her help and support. I could not think of a more deserving recipient of this award."

"Jackie was the first member of the Clinic staff I met as a 1L, and her warm, welcoming attitude immediately made me feel at home in the Clinic. As a clinical student, I always knew I could turn to Jackie for help or just to chat and catch up whenever I stopped by the office. Her kindness and dedication to students have meant so much to me, and I am so grateful for the enormous positive impact she has had on my law school experience. I can't think of anyone more deserving of this award."

"I have been incredibly impressed with the Clinic, and that is in no small part due to Jackie. Jackie is helpful, organized, and approachable to students, proactively anticipating and addressing student needs. The school's robust environmental programming can grow year-after-year because Jackie is there to provide infrastructural support. Whether it's sending and managing clinical documents, answering student questions, sending clerkship recommendations, or coordinating events, Jackie handles everything with professionalism and positivity. Her support has made a substantial difference in my law school experience, and she is an integral part of the law school's environmental community. Thank you, Jackie!"

CLINICAL WORK 2024-2025

AMICUS BRIEFS

West Virginia v. EPA (D.C. Cir. 24-1120; filed Oct. 18, 2024 (merits stage) and June 11, 2024 (stay stage)): The Clinic filed two briefs on behalf of Professor Rachel Rothschild, a scholar of environmental law, history, and policy at the University of Michigan Law School, in support of an EPA regulation that would have required power plants to achieve a 90% carbon capture and storage (CCS) rate. Relying on historical research from Professor Rothschild's book, *Poisonous Skies: Acid Rain and the Globalization of Pollution*, the briefs explained how industry arguments made in opposition to EPA's CCS rule were similar—and similarly unavailing—to arguments raised in litigation challenging EPA's sulfur dioxide regulations in the 1970s. Clinic students Asa Scott, JD'26, and Emily Spector, JD'26, worked on the merits-stage brief under the supervision of the Clinic's staff.

Nebraska v. EPA (D.C. Cir. 24-1129; filed Jan. 21, 2025): The Clinic filed a brief on behalf of a coalition of nine public health organizations and medical societies in support of EPA's 2024 greenhouse gas emissions standards for heavy-duty vehicles. The Clinic's brief drew on our clients' expert knowledge of the public health implications of air pollution from vehicles to emphasize the critical need for more stringent regulation of heavy-duty vehicle emissions, and to identify for the court the regulation's expected benefits for cardiovascular and respiratory health. The brief also highlighted the disproportionate burden of heavy-duty vehicle emissions currently borne by environmental justice communities, and explained how the promulgated standards would mitigate some of this burden. Clinic students Asa Scott, JD'26, Emily Spector, JD'26, and Mika Forman-Yossifov, JD'26, worked on this brief under the supervision of the Clinic's staff.



Photo Credit: David Brown, Pexels

Thompson v. Wilson (1st Cir. 25-1007; filed May 1, 2025): The Clinic filed a brief on behalf of environmental and marine law scholars in support of a regulation issued by the Maine Department of Marine Resources that requires lobstermen with federal permits to install electronic tracking devices on their fishing vessels. Responding to the lobstermen's argument that the regulation violates their Fourth Amendment rights, the Clinic's brief situated Maine's rule in the historic context of fisheries regulation and explained why the rule satisfies the Fourth Amendment's relaxed standard of reasonableness for closely regulated industries. Clinic students Aaron Kleiner, JD'26, Riley Pfaff, JD'26, and Spencer Weiser, JD'26, worked on this brief under the supervision of the Clinic's staff.

FEATURED CLINIC PROJECTS

Supporting the Creation of a Pilot Market for Biodiversity Credits in the Southeastern United States: This Clinic project worked with two conservation NGOs to research legal and factual questions relating to the creation of a pilot market for biodiversity credits in the southeastern United States. The goal of the pilot project is to support private landowner efforts to restore and maintain the longleaf pine ecosystem, which is one of the most biodiverse in North America and once dominated the southeast. The Clinic produced a series of memos addressing different legal and factual issues implicated by the creation of this kind of nature-based market.

Longleaf Pine. Photo Credit: Erich G. Vallery, USDA Forest Service - SRS-4552, Bugwood.org, available at <https://www.insectimages.org/browse/image/4178032>



UGA4178032

Reconsidering the Future of Gas: This Clinic project explored the impact of Massachusetts's 2021 Climate Roadmap Act and other state laws on the Department of Public Utilities' obligation to plan for a gradual wind-down of fossil fuel infrastructure in the Commonwealth, as part of its "Future of Gas" Proceeding. The project also examined Future of Gas proceedings in other states and synthesized lessons from those proceedings to inform future advocacy in support of phasing out thermal gas infrastructure.

National Parks and Climate Change: This Clinic project examined the scope of the National Park Service's authority to respond to, and protect against, climate change harms. The project culminated in a memo that documented climate risks to the National Park System, identified statutory bases for climate-protective action by the Service, and suggested strategies for strengthening the Service's capacity to proactively address climate risks.

Emerging Issues in Environmental and Energy Law Collaborative: As part of a new initiative in collaboration with local environmental lawyers, Clinic students prepared a series of presentations on emerging issues in environmental and energy law. These presentations gave the students the opportunity to study, develop expertise in, and present on an issue of legal interest to them, and also enabled the students to practice presenting complex legal concepts to—and answering questions from—a sophisticated and informed audience. Our LLM and visiting exchange students used a comparative approach to inform U.S.-based lawyers about emerging issues in foreign jurisdictions and identify parallel issues in contemporary U.S. environmental law. Our JD student used the throughline

of environmental citizen suits to critique deregulatory challenges to landmark environmental statutes at the Supreme Court and in the courts of appeals. The students wrote brief primers on these issues, and each prepared a presentation followed by a question and answer period. The presentations were well-received, with one student doing two presentations to over 100 attendees.



LLM student Sunny (Wen) Sun presenting her biodiversity research



Professor Mergen and Clinic students Sunny (Wen) Sun and Irene Noel Du Payrat toured the Massachusetts State House after the presentations with Jennifer Ryan and Noah McClanan from the Massachusetts Department of Fish and Game

EXTERNSHIPS

In addition to the work that Clinic students perform under the direct supervision of Emmett Clinic faculty and staff, some students work off-campus in the offices of federal, state, or local government agencies or with non-profit environmental groups. This year's placements included: U.S. Department of Justice-ENRD (Environmental Enforcement Section and Environmental Defense Section), Massachusetts Attorney General's Office Environmental Protection Division, Council on Environmental Quality (CEQ), NOAA Office of General Counsel (Northeast Section and Natural Resources Section), U.S. Department of the Interior Office of the Solicitor, Office of U.S. Senator Brian Schatz (Washington, D.C), Clean Air Task Force, Climate Defense Project, Southern Environmental Law Center, Earthjustice - Clean Power Program, and the Center for Biological Diversity.



*Clinic student Esther Gabriel with U.S. Senator Brian Schatz.
Photo courtesy of Esther Gabriel, JD'25*

MOOT COURT INITIATIVE



Clinic and EELP staff and students participating in a Fall 2024 moot for Sean Donahue of the environmental law firm Donahue, Goldberg, & Herzog

The Moot Court Initiative assists advocates in preparing for in-court oral arguments. The Clinic began doing moot courts for advocates in 2023, drawing upon the advocacy and subject-matter expertise of the Clinic and Harvard faculty. This year, the Clinic organized thirteen moots in environmental law related cases, on issues such as lobster fishery management, renewable fuel standards, oil and gas drilling, climate disclosure laws, and air pollution. Judges consist of legal academics and experienced appellate practitioners. Moreover, the moot courts have provided an exceptional educational experience for our students to participate in. Students read the briefing documents, meet with Clinic staff to discuss the materials, prepare potential moot questions, and attend the moot to ask questions and provide feedback. This year, approximately seventeen students volunteered for the moots, with some students participating in more than one moot! Students have found the moot experience to be informative and a valuable opportunity to see how practitioners working on real cases prepare for argument.



(Right): Professor Mergen and Clinic students Brandon Martinez and Asa Scott attend oral argument at the U.S. Court of Appeals for the First Circuit with Senior Attorney Jane Davenport from Defenders of Wildlife

CLINIC STAFF AND STUDENT SCHOLARSHIP

Faculty Director Andrew Mergen and Clinical Instructor Sommer Engels collaborated with Nicholas Nassikas, M.D. (Beth Israel Deaconess Medical Center) and Jared Radbel, M.D. (Rutgers Robert Wood Johnson Medical School) on an article entitled [The Supreme Court's Shadowy Treatment of Public Health](#) (published Sept. 4, 2024 in the New England Journal of Medicine, Vol. 391, No. 13). The article discusses how the Supreme Court's order of a stay of the Good Neighbor Plan in the *Ohio v. EPA* case reflects trends that have troubling implications for public health and the administration of environmental statutes. One is the trend toward such cases ending up on the Court's emergency or "shadow" docket. Cases on the emergency docket are typically on an expedited schedule, with the Court issuing decisions without a fully developed record or full briefing, and transparency is often lacking. Second, the case illustrated the reduced importance of public health in the Court's consideration of the benefits and harms. Finally, the Court's insistence that EPA explain their actions with a higher degree of specificity would lead to increased time responding to comments or invalidation of rules on technical grounds. Despite these trends, the scientific and medical community can still play a role through participation in the rulemaking process, helping on amicus briefs, and advocacy to the public and lawmakers.

Faculty Director Andrew Mergen and Clinical Instructor Sommer Engels collaborated with David E. Adelman (University of Texas School of Law) and Jamie Pleune (S.J. Quinney College of Law at the University of Utah) on an article entitled [Dispelling the Myths Of Permitting Reform and Identifying Effective Pathways Forward](#) (published in the January/February 2025 edition of the Environmental Law Institute (ELI) Environmental Law Reporter, Vol. 55, No. 1). This article debunks myths on the national debate over permit reform, and asserts that permitting efficiency is not incompatible with strong environmental standards, rigorous analysis, transparency, or public engagement. The article then proposes several principles that should guide permitting reform, describes established programs that should serve as models, and identifies future work that would promote an informed and constructive national debate.

Faculty Director Andrew Mergen has a forthcoming sidebar article entitled **The Rule - and Agency Risk Management** that will be published in the September/October 2025 edition of the [Environmental Law Institute \(ELI\) Environmental Forum](#). The article accompanies the cover story of that issue, "The Shadow Rule" by Matthew Sanders of Stanford Law School, which discusses the administrative-remand rule and how it can control access to federal appellate courts. Professor Mergen's article posits that the administrative-remand rule allows the federal government to manage risk and keeps premature controversies out of courts.

CLINIC STAFF AND STUDENT SCHOLARSHIP

Senior Clinical Fellow **Rosa Hayes** had two law review articles published this year:

- **Obsolescent Preemption (December 05, 2024). Texas Law Review, Vol 103.** This Article documents how judicial interpretations of preemption can create obstacles for municipalities and states even when they pursue policy agendas that are ideologically consistent with the agendas of their state or federal government. The Article uses the example of two municipal gas bans to illustrate how the adoption of expansive interpretations of preemption by the courts raises troubling questions not only for the viability of subnational climate policy, but also about the prospect of success in ongoing subnational climate litigation. The Article critiques expansive applications of preemption grounded in the notion of obsolescence: the idea that a court's interpretation of preemptive statutory language can become antiquated over time or be unjustifiably extrapolated to new contexts so as to render a preemption determination inconsistent with the preemptive objective of the legislature.
- **Venue Diversion (March 27, 2025). 2025 Wisconsin L. Rev. 147.** This Article offers the first account and critical assessment of the emerging phenomenon of "venue diversion." This critique builds on an original statutory analysis of how Congress uses venue provisions to shape Article III adjudication, and then constructs a theory of venue diversion and evaluates its practical significance through two case studies of recent venue litigation. The investigation reveals that venue diversion is both inherently and consequentially deregulatory and contributes to an accountability gap in which the policies of a democratically accountable administration are encumbered by the exercise of unaccountable judicial power. Venue diversion implicates many of the same normative issues as other emerging structural phenomena that blur the substance-procedure distinction, like nationwide injunctions and the shadow docket.



Photo Credit: Andre Cook, Pexels

CATCHING UP WITH CLINIC ALUM RACHEL HERON, JD'12

Rachel Heron graduated from HLS in 2012, where she was Managing Editor of the Harvard Environmental Law Review. She joined National Resources Defense Council (NRDC) as Senior Counsel, Litigation Strategy, in 2025. Rachel has litigated cases in courts of appeal across the country, on issues ranging from protection of endangered wildlife to pollution control to stewardship of oceans and forests. She has also handled cases involving constitutional rights and the rules with which the federal government must comply. Prior to joining NRDC, Rachel served as an appellate attorney and assistant chief at the U.S. Department of Justice's Environment & Natural Resources Division. Rachel clerked for the Honorable Merrick B. Garland of the U.S. Court of Appeals for the District of Columbia. She is based in NRDC's Washington, D.C., office.



Photo courtesy of Rachel Heron

What did you do after graduating from HLS in 2012?

Immediately after graduating from HLS, I spent a year clerking for then-Chief Judge Merrick Garland, on the D.C. Circuit. I then spent two years as a fellow on NRDC's litigation team before joining DOJ ENRD's Appellate Section as an honors attorney. I worked in the Appellate Section for about ten years, spending the last two as Assistant Section Chief. In April of this year, I returned to NRDC's litigation team as Senior Counsel for Litigation Strategy.

Tell us more about your work at NRDC – What are you looking forward to working on this year? What are some of the challenges?

This is obviously an unprecedented and harrowing time for the future of federal environmental protection—and for so many other aspects of federal law and our constitutional order—given the current Presidential administration's actions. This summer alone, we've seen sweeping proposals to completely eliminate federal regulation of greenhouse gas emissions from powerplants and vehicles, along with an attack on the scientific consensus that climate change is a danger to human health and welfare. In my role as senior counsel for litigation strategy, I will work with brilliant NRDC lawyers and our partners to find the most effective way to challenge unlawful actions, with an eye on what is most likely to persuade a federal bench that is sometimes skeptical of environmental regulation. To do that effectively, I have to keep an eye on developments not only in the field of environmental law, but also administrative law, constitutional law, civil procedure, federal court jurisdiction, and many other areas. This feels to me like a time when the law

CLINIC ALUM RACHEL HERON (CONT.)

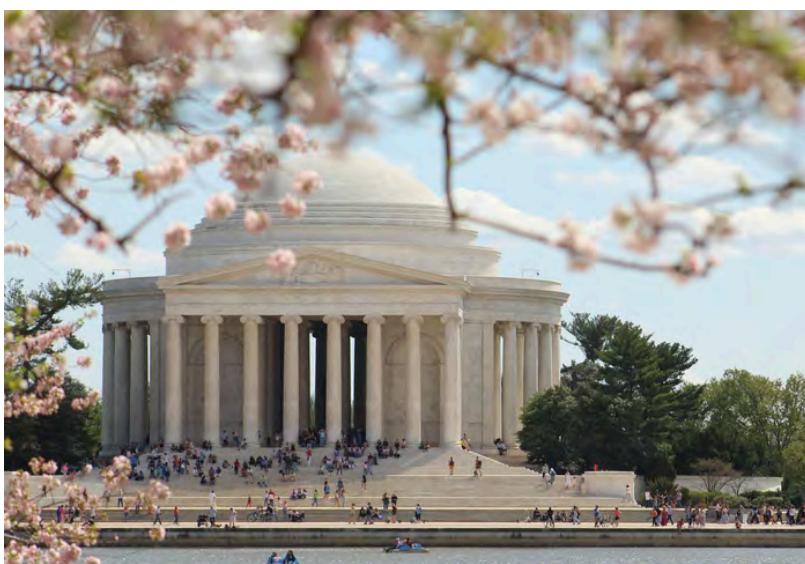
is changing rapidly, and often in very dispiriting ways. But I feel very lucky to have a role in fighting for a better world.

In what ways did your experiences at HLS shape your career trajectory and where you are today (e.g., your work in the Clinic and on the HLS Environmental Law Review, HLS courses or other graduate level coursework, externships, networking/mentors, and/or any other activities at HLS or beyond that you were involved in)?

In more ways than I can say! There were no lawyers in my family when I started law school, and I knew virtually nothing about the practical reality of being a lawyer—let alone being an environmental litigator. In three years, I went from a blank slate to doing my first ever oral argument through the HLS clinic, working closely with foremost environmental law scholars in Professors Jody Freeman and Richard Lazarus, and spending summers shadowing the public servants at the Massachusetts Attorney General's Office and U.S. DOJ. Everything I've done in my career since then traces back to the experiences I had at HLS.

What advice do you have for our current law students who are interested in practicing environmental law after graduation?

Don't be afraid to take advantage of HLS's incredible environmental alumni network as you're figuring out what kinds of work you'd like to do. I cold-called dozens and dozens of HLS alums working in environmental law, who were unfailingly generous with their time. It's something I try to pay back at every opportunity, and I know a lot of other alums feel the same way.



What do you like best about living in Washington D.C.?

The best thing about living in Washington, D.C. is cherry blossom season! But Washington Capitals hockey is a very close second.

Cherry Blossoms frame the Jefferson Memorial in Washington, D.C.

Photo Credit: Dresden Benke, Pexels

STUDENT STORIES

FINDING MY PEOPLE AT THE EMMETT ENVIRONMENTAL LAW & POLICY CLINIC

Ben Diamond, JD'25

I applied to law school knowing I wanted to work on legal issues related to climate change and the clean energy transition. I chose Harvard primarily because of its ample environmental law resources, including its experienced and pedigreed faculty.



Photo courtesy of Ben Diamond

For that reason, I was eager to join the environmental law community at HLS—perhaps a little overeager, as evidenced by the anxious email I sent Prof. Andy Mergen when I was initially on the waitlist for the Emmett Environmental Law and Policy Clinic during my 2L fall. I ended up being able to join the clinic, and I am grateful that I had an ideal placement.

There are two pathways for students in the environmental law clinic. One is to work directly for the clinic, under the supervision of clinical staff, on projects for the clinic's clients. The other is to do an externship with an outside organization. I chose the latter, working with Donahue, Goldberg & Herzog, a small firm focused on appellate environmental advocacy. Through this externship, I met and learned from kind and brilliant attorneys, vastly improved my legal research and writing skills, and gained further insight into how litigation works and what a career as a litigator might entail.

Regardless of the path chosen, all students take the clinical seminar together. I will admit, when I registered for the clinic, the seminar was somewhat of an afterthought. But in fact, it turned out to be of one of the most helpful classes I took in law school. Through the seminar, I learned and practiced litigation skills like interviewing a standing declarant, drafting a standing declaration, writing a Notice of Intent to Sue under the Clean Water Act, and exercising judgement in deciding whether to appeal a lower court decision. I also got the chance to know my fellow classmates and learn about the interesting work that everyone was doing.

After getting to know the clinical team through the seminar and other campus activities, I registered for the clinic again during my 3L fall. I thoroughly enjoyed my externship experience, but this time, I wanted to work directly for the clinic. And I was glad I did—working directly with the clinic turned out to be a highlight of my law school experience.

STUDENT STORIES (CONT.)

I served as the sole student working on a research memo examining the National Park Service's statutory authority to respond to climate change. I led meetings with the client and was responsible for researching and drafting the paper. This project was particularly meaningful because it was the first chance I had in law school to have sole responsibility for a piece of client-facing writing. The clinical team also played an instrumental role in supporting and elevating my work, providing me with some of the most thorough and engaged feedback I've received in my professional career.

As I reflect on my law school experience, one piece of advice that I received during my 1L year cuts through: find your people. Between the clinical team and student peers, I am grateful and thankful to have found such people at the Emmett Environmental Law and Policy Clinic. It is a warm and inviting place that does meaningful and impactful work. But more importantly, it is filled with great people that will keep you coming back for career advice, discussions of environmental current events, and, of course, semester kick-off and send-off Bagelsaurus bagels and Tatte coffee.

Note: Ben Diamond's story was originally published under Clinic Stories on the HLS Office of Clinical and Pro Bono Programs website in April 2025.

WHEN AN ISLAND HOMELAND CALLS FOR HELP

Esther Gabriel, JD'25



Photo Credit: Austin Lewis

Note: Below is an excerpt from Esther Gabriel's story, which was originally published under Student Spotlights in Harvard Law Today on May 15, 2025. [Click here to view the full story.](#)

As she immersed herself in the study of law, it occurred to Gabriel that her people's call for help is not coming from a traditional American legal perspective, one of settlements filed and damages paid. The Fijian mindset is not one of seeking one-to-one remedy, she said, but a return to a perspective of common humanity.

"They're saying: This issue of climate change is far beyond our capacity. We are praying that the world can see and help because the burdens are so heavy to carry alone. Not because anyone owes us a duty to help, but because people are still kind enough to do so. That's a very different perspective.

STUDENT STORIES (CONT.)

"I've learned in being at Harvard that I am a bit different," Gabriel said. "As an Indigenous person, we think very differently, and being a responsible representative requires me to maintain very strict awareness of my Pacific Island heritage, culture, lineage, and ancestry, while also trying to communicate in the Western discourse or Western dialogue. You have to be respectful of each community being very different, even though our struggle may be shared."

During her second year, she enrolled in the Emmett Environmental Law & Policy Clinic and immediately fell in love with the work and the community. "The Environmental Law & Policy Clinic has opened otherwise foreclosed doors for me," she said. "It was a transformative experience."

Through the clinic, she completed externships with the U.S. Department of Justice's (DOJ) Environmental and Natural Resources Division, Indian Resources Section, and the Office of U.S. Sen. Brian Schatz (D-Hawaii).

Gabriel describes the clinic's faculty and staff — clinical professor Andrew Mergen, clinical instructor Sommer Engels, clinical fellows Rosa Hayes and Shannon Nelson, and staff assistant Jackie Calahong — as "superhero mentors" who have guided her through the complexities of legal education as a first-generation student.

"I didn't know what the DOJ was when I got here. I didn't know how many justices were on the Supreme Court. It's just not a conversation that happens in my family — I'm the first one with an undergraduate degree, so I didn't have that institutional knowledge."

The clinic team walked Gabriel through perplexing legal questions, helped her prepare for interviews, even sat with her as a loved one was undergoing surgery. "They are true advocates. They have held my hand through every step of the process here."

As part of a clinical externship with the Indian Resources Section, Gabriel got a glimpse into how the U.S. government works with Native American tribes, exploring the nuances of land trusts. She said it was an honor to do work that hit so close to home, since "As an Indigenous person, it is important to protect the rights and well-being of Indigenous people: our land, waters, culture, and community."

The experience also put into perspective the role of the law in preserving environmental balance. "Having an analytical framework is so crucial, but rarely do we get to embody what it means to be vindicating the rights of the public in terms of public health, safety, and the environment. We take for granted that when we step outside, we get to breathe clean air and have access to clean water. And that comes from a very rigorous regulatory regime," Gabriel said.

STUDENT STORIES (CONT.)

A COURAGEOUS, CREATIVE, KIND CORNER OF CAMPUS

Brandon Martinez, JD'25



Photo courtesy of Brandon Martinez

Facing today's environmental challenges requires courage, creativity and kindness. That is why I could not be more grateful that my upper class years were shaped by the extraordinary people of the Emmett Environmental Law & Policy Clinic.

My entry into environmental law was a bit of an accident. Growing up in the Southern California suburbs, where freeways hemmed in my schools, and wildfires and droughts and beach pollution raged, I took my environment to be a "built," human-made world; nature felt too far away from me to reach. Right before law school, I joined efforts to combat environmental damage near my home — to shut down an asphalt facility, to clean public spaces, and to build climate awareness and action. Coming to law school was a chance for me to do more, and to re-encounter my sense of the environment all over again.

The Clinic offers everyone the freedom to pursue both in-house and external opportunities, and to refine vital legal skills educationally. During my 2L fall, with the Clinic's assent, I converted an offer to intern with the Southern Environmental Law Center (SELC), which I had received at HLS's virtual public-interest fair, into a rewarding semester. By incorporating my work with SELC into the Clinic, I was invited to work on many meaningful projects, like investigating chronic water pollution problems, advising the organization on local legislative campaigns, and devising a Clean Air Act litigation strategy.

SELC and the Clinic trained me to look for data, authority, and precedent I could share with our community partners. Throughout the semester, they imparted skills I still use. All the guest speakers, assignments, skill bootcamps, and discussions that Professor Andrew Mergen, Sommer Engels, and Rosa Hayes hosted for us in the clinical seminar complemented the client calls, litigation memos, and legal research I did for SELC. It was incredible I was getting opportunities every week to extend my knowledge. I was eager to work with the Clinic more.

Fortunately, and very kindly, Sommer made the connection for me to my next role. In the privilege and honor of a lifetime, I was able to intern for the White House Council on

STUDENT STORIES (CONT.)

Environmental Quality (CEQ) during the Biden Administration. Our small intern team reviewed and proofread the promulgation of revised implementing regulations for the National Environmental Policy Act (NEPA). NEPA, the “magna carta” of U.S. environmental law, is the kind of statute I had hoped to understand through law school. As someone interested in federal policymaking, climate action, environmental justice, and infrastructure, CEQ was an amazing place to intern. Bolstering this reform at CEQ and exploring other agency rulemaking processes taught me all about the government lawyer’s role in policymaking. The experience exceeded all my expectations for law school. The Clinic was a support all the way.

Students at HLS should consider joining the Emmett Environmental Law & Policy Clinic as soon as possible. Even if you are not enrolled, opportunities to engage in practitioners’ work abound. Professor Mergen, Sommer, Rosa and Shannon Nelson coordinate moot courts and field trips all year long, so students can learn more about the practice of environmental law firsthand. By joining several moot courts myself, I have been very lucky to witness seasoned attorneys practice oral argument for federal appellate litigation, and to see them in court. Last fall, Professor Mergen organized a community event in partnership with Patagonia in Cambridge. We informed community members about the Supreme Court’s prior term and upcoming docket and the dangers those posed to environmental law’s future. And Jackie Calahong, a Harvard Hero, keeps everyone connected, grounded, and organized. She continuously runs events for students to meet scholars, attorneys, and policy leaders in environmental law.

The Clinic was such a welcoming, uplifting place and grew my passion to make a difference. Advancing the law, policy, the environment, and public service generally is so commonplace in the Clinic, that anyone can join and bring their interests. The Clinic cultivates a broad conception of the environment, just as broad as the practice of law can be in the field. It was here that I first recognized I could be an environmental lawyer. The attention and passion the Clinic’s members and their partners bring to problems is the same way I want to treat my community’s needs when I return back home.

The world is in great need right now. Environmental degradation is at unparalleled proportions globally, and the tools we have to address them are both in need of change and under direct threat. But at the Clinic, in this corner of HLS, brave lawyers are facing these problems head-on, letting students form a different relationship with their surroundings. They are giving students a course to make change justly and early in their careers, and making it easy to start. I urge you to go find your way to the Emmett Environmental Law & Policy Clinic. Their courage, creativity and kindness will shape you greatly, too.

STUDENT STORIES (CONT.)

WHERE THE LAND MEETS THE LAW

Kayla Hollingsworth, JD'25

When I am in the mountains, I find a version of myself that is so much more than a law student. When I am in the mountains, I am also reminded of the physical places and spaces that we all intimately rely on and that our laws should seek to protect. I am reminded of how much work needs to be done and how that work is always worth it. It is worth the progress and the setbacks, and even the emotional burden of simply grappling with what climate change is doing and will do to this planet. The absolute silence on a white glaciated expanse meets the need to confront the alarming messages that the world we rely on is giving us.



Kayla at the summit of Aconcagua, the highest mountain in the Western Hemisphere. Photo courtesy of Kayla Hollingsworth.

Like many who come to this work, my passion for environmental law derived from the environmental changes I have witnessed in my hometown. I grew up in southern California and the reducing water supply along with the increasing unpredictable and severe droughts made climate change real. Hiking in the Sierras, I could see where the historic lakes used to reach. Standing in Central Valley, you could see how far the land had sunk. Standing on their front porches, my friends witnessed what a terrifying wind of fire could do to neighborhoods.

I came to Harvard Law School knowing that I wanted to work with the incredible clinical staff at the Emmett Environmental Law & Policy Clinic. The clinic gives students an opportunity to concretely use their legal skills for the benefit of communities and the environments they rely on, and I was inspired by that public service mission.

During my time at the clinic, I drafted portions of an amicus brief responding to *Iowa v. EPA*, a D.C. Circuit case challenging the traditional notion of the equal footing doctrine and California's ability to enact emissions standards for new motor vehicles under the Clean Air Act. I also worked with a team of students and a group of ERISA scholars on a filed amicus brief in *Utah v. Su*, a Fifth Circuit case challenging the Department of Labor's "2022 Investment Duties Rule."

STUDENT STORIES (CONT.)

I also had the opportunity to intern with the Natural Resources Section of NOAA's Office of General Counsel. Throughout the semester, I learned what being a federal government lawyer looks like and about the absolute commitment to public service that drove my mentors to work on environmental law issues. I attended meetings with scientists and Department of Justice lawyers, finalized a memo on CERCLA ripeness provisions, and gave a final presentation to the lawyers in the Natural Resources Section.

Throughout my two years at the clinic, I participated in a moot court with the Conservation Law Foundation, traveled to the First Circuit to witness the oral argument in *Nantucket Residents Against Turbines v. U.S. Bureau of Ocean Energy Management*, and partook in a group presentation on recent environmental law cases at the Cambridge Patagonia store.

In the end, my experience with the clinic is one that surpasses simply the legal substance I learned when engaging with NOAA or legal experts on ERISA and natural resources. Through my work with clinical staff and peers, I gained confidence in my legal writing and my oral presentation skills. As someone who doesn't enter a room with the confidence that they always know the "right" answer, this clinic helped me find my own voice.

Note: Kayla Hollingsworth's story was originally published under Clinic Stories on the HLS Office of Clinical and Pro Bono Programs website in March 2025.

MEDIA ON THE CLINIC



PERMITTING PURGATORY: RESTORING COMMON SENSE TO NEPA REVIEWS

July 22, 2025

Faculty Director Andrew Mergen presented testimony as the minority witness for this House Committee on Natural Resources Oversight Hearing

MEDIA ON THE CLINIC (CONT.)

- [Montana Groups Push Against Congressional NEPA Attacks](#) (Missoula Current, July 23, 2025)
- [After Reconciliation, Lawmakers Return To Permitting](#) (E&E News, July 21, 2025)
- [CleanLaw Podcast: Breaking Down Recent Changes to NEPA from Agencies, Congress, and the Courts](#), with Hannah Perls and Andrew Mergen (Harvard Environmental & Energy Law Program (EELP), July 15, 2025)
- [The Supreme Court's Latest Gift To Trump Will Be 'Disastrous' For The Environment](#) (Rolling Stone, May 30, 2025)
- [Harvard Affiliates Anticipate Uncertain Landscape for Climate Research Funding](#) (The Harvard Crimson, March 7, 2025)
- [Trump Administration Lays Groundwork For Overhauling Environmental Review Process](#) (The Hill, February 20, 2025)



- [CleanLaw Podcast: Trump's Bold Reversal on Energy and Climate Policy: 'It's a Lot'](#), with Jody Freeman, Richard Lazarus, Andrew Mergen, and Carrie Jenks (Harvard Environmental & Energy Law Program (EELP), February 13, 2025)

- [Trump Moves To Shutter Environmental Offices Across The Government](#) (The Washington Post, February 6, 2025)
- [Crisis at DOJ's Environment & Natural Resources Division](#) (Legal Planet, February 4, 2025)
- [Reducing Wildfire Risk Could Require Legal and Policy Change](#) (Bloomberg Law, January 15, 2025)
- [Trump promises to 'unban' offshore drilling, reversing Biden](#) (The Washington Post, January 6, 2025)
- [Predatory Extractivism: Brazil's Largest Mining Catastrophes in a Global Context](#) (Harvard University, David Rockefeller Center for Latin American Studies, December 19, 2024)
- [Supreme Court Showdown Over Uinta Basin Railway Puts Environmental Law In The Crosshairs](#) (Colorado Newsline, December 10, 2024)
- [Fossil Power And Carbon Capture: A Looming Legal Showdown](#) (Harvard Climate Blog, The Salata Institute for Climate and Sustainability, December 3, 2024)

MEDIA ON THE CLINIC (CONT.)



TRUMP ADMINISTRATION MOVES SWIFTLY TO SHAKE UP TOP CAREER JUSTICE DEPT. RANKS

New York Times, January 27, 2025

Faculty Director Andrew Mergen comments on how the Trump Administration's leadership reassessments at the U.S. Dept. of Justice Environment and Natural Resources Division would drive away institutional expertise and hamper the leadership structure of the Division.

U.S. Department of Justice Building. Photo Credit: U.S. General Services Administration, available at <https://www.gsa.gov/real-estate/gsa-properties/visiting-public-buildings/robert-f-kennedy-department-of-justice-building>

- [Federal Court Takes Aim At White House's Environmental Authority](#) (The Hill, November 13, 2024)
- [Alaska resource projects and landscapes are again in the crosshairs of a presidential election](#) (Anchorage Daily News, September 29, 2024)
- [Utah Makes High Stakes Gamble In Supreme Court Federal Land Case](#) (Bloomberg Law, August 22, 2024)
- [CleanLaw Podcast: Monumental Decisions](#), with Sara Dewey and Andrew Mergen (Harvard Environmental & Energy Law Program (EELP), August 22, 2024)
- [Navajo Uranium Standoff Risks Legal Clashes in 'Nuclear West'](#) (Bloomberg Law, August 6, 2024)

LONE WOLF NO MORE

Harvard Law Bulletin, October 1, 2024

Professors Richard Lazarus, Andrew Mergen, Mary Hollingsworth, and John Leshy reflect on the history and significance of the Endangered Species Act (ESA), including a discussion of its successes, key legal cases, and potential future challenges. The article also features HLS Clinic alums Frank Sturges JD'20, Rebecca Garverman JD'21, and Adam Schneider JD'25.



Gray Wolf in West Yellowstone, Montana. Photo Credit: David Solce, Pexels

PATAGONIA COMMUNITY EVENT

On Oct. 10, 2024, the Clinic collaborated with Patagonia Cambridge to organize an exciting community event entitled **An Environmentalist's Guide to the Supreme Court**. The event featured Clinic student volunteers presenting on recent environmental cases in the Court.



(Above) Professor Mergen makes introductory remarks to the Patagonia event attendees.

(Left and Right) Clinic students Adam Schneider and Hallie Fox also won some Patagonia gear via raffle benefiting local environmental group Alternatives for Community & Environment (ACE)



(from left to right): Senior Clinical Fellow Rosa Hayes, Clinical Instructor Sommer Engels, Clinic student volunteers Kirsten Flinn, Tim Barbera, Hallie Fox, Kayla Hollingsworth, Adam Schneider, Brandon Martinez, Esther Gabriel, and Clinical Fellow Shannon Nelson.

CLINIC EVENTS AND OUTINGS

Professor Mergen directs a question to the panelists at the **September 25, 2024 Rappaport Forum, It's the End of the Administrative State as We Know It...And I Feel Fine** (moderated by Professor Jody Freeman, Founding Director of the HLS Environmental & Energy Law Program (EELP) and the Archibald Cox Professor of Law at HLS)



Photo credit: Lorin Granger

On September 30, 2024, the Clinic and EELP hosted **Kim Smaczniak, JD'09, Special Counsel at the Federal Energy Regulatory Commission (FERC)**, where she is involved in initiatives to reform transmission development and interstate energy markets.



On October 3, 2024, the Clinic held an informal lunch for students to meet with **Amy Johnson, JD'85, Lead Counsel in the case San Antonio Bay Estuarine Waterkeeper v. Formosa Plastics**. Amy discussed career path brainstorming and her experiences practicing in environmental law with the students.



CLINIC EVENTS AND OUTINGS (CONT.)

On October 25, 2024, the Clinic hosted **Lois Schiffer, JD'69, former NOAA General Counsel and Assistant Attorney General for DOJ-ENRD**. Ms. Schiffer discussed her long career in environmental law and public service with our Clinic students.



On Oct. 26, 2024, Clinic staff and students visited the **Arnold Arboretum of Harvard University** for an environmental justice focused tour with Ned Friedman, Director of the Arboretum. Read about the Arboretum's Commitment to equity and greenspace [here](#).



CLINIC EVENTS AND OUTINGS (CONT.)

On November 12, 2024, the Clinic and the American Constitution Society (ACS) hosted a **lunch talk focused on appellate advocacy and government lawyering featuring former Deputy Assistant Attorney General Sarah Harrington**. The talk covered her career at DOJ during the Obama and Biden Administrations, and gave students insights into careers in appellate work, including at the Supreme Court, as well as the changing dynamics of the judiciary.



On Nov. 15, 2024, the Clinic, Environmental Law Society (ELS), Harvard Environmental Law Review (HELR), Asian Pacific American Law Students Association (APALSA), Native American Law Students Association (NALSA), and the Animal Law & Policy Clinic co-sponsored a **lunch conversation with Todd Kim, Assistant Attorney General for the Environment and Natural Resources Division at the U.S. Department of Justice**. AAG Kim discussed his career in public service, his work as the first Solicitor General for the District of Columbia, and his perspective on federal environmental law and Indian law issues. The event was moderated by ELS Co-President Spencer Weiser.



CLINIC EVENTS AND OUTINGS (CONT.)

The Clinic also co-sponsored [the Nov. 16th Conference on the Endangered Species Act \(ESA\), The Next 50 Years](#) in collaboration with the Animal Law & Policy Clinic, the Animal Law & Policy Program, and The Brooks Institute for Animal Law Rights & Policy. The conference explored the ESA's successes and challenges over the past 50 years, and brought together scholars, policymakers, and conservationists to assess lessons learned and propose innovative strategies focusing on adaptive management, climate resilience, and community engagement.



Professor Mergen and Mary Hollingsworth, Director of the Animal Law & Policy Clinic, make introductory remarks and discuss ESA poll results with the ESA conference attendees. Photo Credits: The Brooks Institute for Animal Rights Law & Policy

On Nov. 18, 2024, the Clinic held **a lunch talk with Clinic Alum James Pollack, JD/MPP'20 from Marten Law**. James reflected on his career trajectory after graduating from HLS and discussed his work at Marten Law, where he counsels consumer product manufacturers on PFAS and chemical regulatory compliance as well as ESG/sustainability issues. This event was co-sponsored by ELS and HELR. Clinical Fellow Shannon Nelson moderated the lunch talk with James.



CLINIC EVENTS AND OUTINGS (CONT.)

On Jan. 15, 2025, Clinic staff and students visited the [**Harvard Forest in Petersham, MA**](#) to learn about how indigenous knowledge intersects with their work – and, we managed to fit a short hike in despite the frigid temperatures!



On Feb. 19, 2025, HELR, ELS ACS, and the Clinic co-sponsored an event entitled **Environmental Reform through the Legislative Branch**, which featured speakers from the 118th Congress discussing how students can effectuate positive environmental change through the legislative branch.

On Feb. 26, 2025, the Clinic, EELP, HELR and ELS sponsored a panel discussion entitled **Environmental Law in the New Administration**, featuring Professor Richard Lazarus, Professor Mergen, and EELP Executive Director Carrie Jenks.



CLINIC EVENTS AND OUTINGS (CONT.)

In March 2025, Professor Mergen organized **two tours with the Curatorial staff of the Harvard Museum of Comparative Zoology** for students in his Natural Resources Law course, to coincide with their class unit on the Endangered Species Act & biodiversity conservation.



CLINIC EVENTS AND OUTINGS (CONT.)

On March 27, 2025, the Clinic hosted an **Open House** for students to speak with Professor Mergen, Clinical Instructor Sommer Engels, Clinical Fellows Rosa Hayes and Shannon Nelson, and current Clinic students about the fantastic and diverse opportunities that the Clinic offers for students to expand their lawyering skills and substantive knowledge of environmental law through work on a variety of litigation, administrative, legislative, and policy projects.



Clinical Instructor Sommer Engels discusses clinical opportunities with prospective clinic students at the Open House



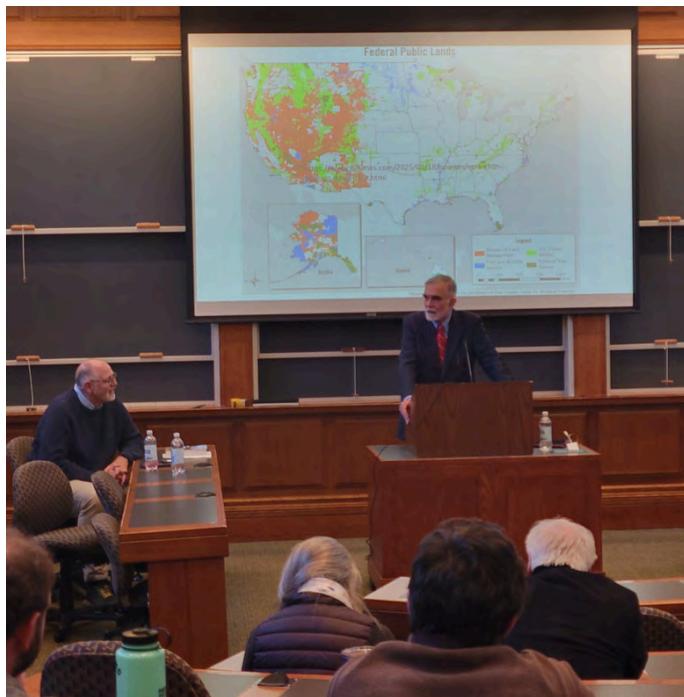
At the **Environmental, Climate, & Energy Law at HLS and Beyond** event on Mar. 31, 2025, Professor Richard Lazarus, Professor Mergen, and EELP Executive Director Carrie Jenks discussed the environmental, climate, and energy law opportunities at HLS and career paths available.

The Clinic also participated in the **April 1st Clinical Fair**, sponsored by the HLS Office of Clinical and Pro Bono Programs. Clinic students Riley Pfaff, Hallie Fox, Eric Zhao, and Ben Diamond volunteered at the Fair to talk to prospective students about their clinical experience.



CLINIC EVENTS AND OUTINGS (CONT.)

On April 1, 2025, the Clinic joined the ELS and EELP in **honoring Professor John Leshy with the 2025 Horizon Award for his extraordinary contributions to environmental law and policy**. The Horizon Award is ELS' largest annual event and celebrates the achievements of those who have shaped the field of environmental law.



Professor Leshy addressing the audience at the Horizon Award ceremony



Professor Mergen, Professor Leshy, and Professor Anderson

The following day, April 2, 2025, Professor Leshy and fellow natural resources law scholar Professor Robert Anderson were the featured speakers for **a lunch event on Conservation and Public Land Management in Alaska**. The event was co-sponsored by the Clinic, ELS, HELR, NALSA, and the Arctic Initiative at the Harvard Kennedy School Belfer Center for Science and International Affairs. ELS Board Member Madison Onsager served as the moderator for this event.



Professor Robert Anderson fielding audience questions at the Alaska lunch event

CLINIC EVENTS AND OUTINGS (CONT.)

On April 25, 2025, the Clinic joined the Environmental & Energy Law Program in holding a **celebration for our graduating environmental law students.**



Professor Richard Lazarus making a toast to our ELP graduates!



Congratulations to the HLS Class of 2025!

CONFERENCES/SPEAKING ENGAGEMENTS

Faculty Director Andrew Mergen participated in multiple conferences and workshops this year:

- Participant, Model Forest Act Initiative (MoFAI) Drafting Committee Meetings, Indonesia Supreme Court Visit and Indonesia Knowledge Sharing Session, Indonesia
- Moderator, Climate and Sustainability Panel, Harvard Law School LLM 100 Celebration, Cambridge, MA
- Presenter, "How Agencies Work" and "Best Practices for Oral Arguments", Earthjustice Litigation Training Conference, Washington D.C.
- Panelist, Public Interest Environmental Litigation in the Northeast Conference, Cambridge, MA (Hosted by the HLS Environmental Law Society and Conservation Law Foundation)
- Panelist, "An Environmental Law Revolution: Will the DOGE and the Second Trump Administration Achieve Lasting Positive Change?" Theories of Presidential Power Webinar Series
- Panelist, "Nevada Water Law", 2025 District Court Conference – Bridging the Divide, U.S. District Court for the District of Nevada, Reno, NV
- Panelist, "Climate Litigation: General Trends and Massachusetts Cases" and "Emerging Issues", Flaschner Judicial Institute, Primer for Judges on Climate Science, Boston, MA

*Professor Mergen with Panelists
Onyi Iyizoba, Jenny Sandvig,
Ana Margarita Garza-Villareal,
and Maxime Beaugrand at the
LLM 100 Celebration*



Clinical Instructor Sommer Engels was a speaker on a climate litigation panel at the American Bar Association's Section of Environment, Energy, and Resources (ABA SEER) Fall Conference in Seattle, WA, and was also part of the "New Developments in Environmental Litigation" panel at the 2025 Villanova Environmental Law Journal Blank Rome LLP Symposium.

In addition, Clinical Fellow Shannon Nelson participated in the Earthjustice Second Strategic Litigation Convening in Washington D.C., and Senior Clinical Fellow Rosa Hayes participated in an EELP convening on administrative law in Washington D.C.

ABOUT THE CLINIC

The Emmett Environmental Law and Policy Clinic at Harvard Law School offers students the opportunity to explore the practice of environmental law through work on a variety of litigation, administrative, legislative, and policy projects. Clinic projects focus on environment, natural resources, energy, public health, and social justice issues. The Clinic works with scientists, medical professionals, nonprofit and public interest organizations, Native American communities, and government clients on legal issues at the federal, state, and local level. The work includes writing briefs and comment letters, developing litigation strategies that are pursued in state and federal administrative and judicial forums, commenting on proposed federal and state regulations; proposing legislative and regulatory reforms, providing legal advice to non-profit and government clients, preparing guidance documents and manuals for non-lawyers, drafting model legislation, and preparing policy papers. The Clinic develops novel strategies to address environmental problems, investigates new cases, works with scientific, economic, and policy experts to help them present their views about the impacts of legal reforms, and convenes meetings of policy-makers and regulators. The Clinic also works with groups across the country to help their advocates prepare for oral arguments in federal appellate courts. Some students work off-campus with government agencies and nonprofit organizations, while others work on-campus on projects and case work under the supervision of the Clinic's faculty and staff. For more information, please contact Faculty Director and Emmett Visiting Assistant Clinical Professor of Law Andrew Mergen at amergen@law.harvard.edu.



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