tackled an ambitious topic: water law. Professor Christine A. Klein, Justice Gregory Hobbs, George "Rock" Pring, Brad Udall, Casey Funk, Marc Waage, Melinda Kassen, Amy Beatie, and Bart Miller were among the speakers who shared their expertise.

This year, the students of the Environmental & Natural Resources Program earned the distinction of hosting a symposium on Water Law and Climate Change - Planning in an Uncertain Future. The symposium was designed to address the urgent need for effective plans to cope with the impacts of climate change. The students followed a pragmatic approach to ensure the discussions were focused on practical solutions rather than debate about the existence of climate change. The symposium featured a collection of water law scholars and practitioners of such distinguished quality. These speakers kindly donated their time and expertise; without their support and interest, such an event would not be possible.

While this debate still preoccupies much of the nation, many water users have quietly made preparations for a future with less water. The students followed this pragmatic approach and focused on the changes and future concerns necessary within water law to cope with climate change. In planning for such a topic, it would have been easy to let the discussion degenerate into a debate on whether global warming is occurring.

Annecoos Wiersema, a faculty member at the University of Denver Sturm College of Law, contributed to the symposium with her insights. She received her first law degree (LL.B.) from the Moritz College of Law at The Ohio State University, where she was an Assistant Professor. Prior to teaching, she worked as a litigation associate at Porter LLP. Prof. Wiersema’s teaching and research interests span Environmental Law, Administrative Law, International Law, International and Environmental Law, Monetary Fund (IMF), and Environmental Law, Administrative Law, as a Visiting Scholar at the International Juridical Science) degree in Economics in England.

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The Rocky Mountain Land Use Institute (RMLUI) hosted its 19th Annual Land Use Conference: The New American Landscape March 4-5, 2010, at the University of Denver. The conference aimed to better prepare students for their professions by offering integrated and experiential learning opportunities. The aims to better prepare students for their professions by offering integrated and experiential learning opportunities. More than 400 attendees and guests attended the event. The Rocky Mountain Land Use Institute (RMLUI) aims to better prepare students for their professions by offering integrated and experiential learning opportunities.

In the face of ecological complexity and to effectively protect species and ecosystems, we need to develop legal institutions both in the United States and internationally that can balance economic and environmental considerations. This requires more comprehensive, integrated, and participatory decision-making models.

The Rocky Mountain Land Use Institute (RMLUI) is an independent, non-profit, non-partisan law and policy institute that conducts research and provides training for consumers of land use policy. It is the largest and one of the most respected land use law and policy institutes in the United States. The RMLUI focuses on natural resources and environmental law, including water law, land use planning, and sustainability. The RMLUI is committed to developing and disseminating knowledge that will help policymakers and the public make informed decisions about the use of land and natural resources.
This year, I served as chair of our Faculty Executive Committee, which along with our new dean, Martin Katz, crafted a Strategic Plan for the law school. Under the plan, the Environmental & Natural Resources Program earned the status of becoming one of the school’s only two substantive “Flagship Centers.” The other substantive Flagship Center is International & Comparative Law, and many of our faculty also do work in this area.

The Clinic is our third Flagship Center and lies into the second component of our strategic plan: a Modern Learning Initiative that, in addition to a well-balanced foundation of courses, aims to better prepare students for their professions by offering integrated and experiential learning opportunities.

Our fall newsletter gave you a glimpse into our Externship Program, one of the largest in the country. This newsletter features our Practitioner-in-Residence seminar, which provides our students with unique opportunities to gain experience from top practitioners in environmental and natural resources fields.

Ours is one of the oldest and most varied environmental and natural resources law programs in the country. Pioneers settled in Colorado because of its rich resources: from hard rock minerals like gold, silver, and molybdenum, to fossil fuels like coal, oil, and natural gas, to alternatives like geothermal & uranium. We also are blessed with stunning scenery, wide open spaces, diverse wildlife, crisp air, mountain streams that feed rivers in more than 15 other states, and abundant wind and sun. Since our founding in the late 1800’s, the law school has offered natural resource courses, and we are proud to continue with the basics while we innovate to teach our students to become policymakers and to serve the legal needs of each of these sectors.

- Professor K.K. DuVivier
This year, the students of the Water Law Review tackled an ambitious topic: water law and climate change. In planning for such a topic, it would have been easy to let the discussion degenerate into a debate on whether global warming is occurring. While this debate still preoccupies much of the nation, many water users have quietly planned for a future with less water. The students followed this pragmatic approach and designed the symposium accordingly focusing instead on the changes and future concerns necessary within water law to cope with climate change.

The University of Denver Water Law Review was very proud to host a collection of water law scholars and practitioners of such distinguished quality. These speakers kindly donated their time and expertise; without their support and interest, such an event would not be possible.

- Professor Dan Tarlock, Chicago-Kent School of Law, Illinois Institute of Technology
- Professor Christine A. Klein, University of Florida, Levine College of Law
- Justice Gregory Hobbs, Colorado Supreme Court
- George “Rock” Pring, Professor of Law, University of Denver Sturm College of Law
- Brad Udall, Director of CU-NOAA, Western Water Assessment
- Casey Funk, Director of Water Program, Western Resource Advocates
- Marc Waage, Planner, Denver Water Department
- George “Rock” Pring, Professor of Law, University of Denver Sturm College of Law
- Professor K.K. DuVivier, Porter LLP as a litigation associate. Prof. Wiersema was the George W. Foley, Jr. Fellow in Environmental Law at Harvard Law School from 1999-2000 and spent time as a Visiting Scholar at the International Monetary Fund (IMF) in 2001.

Prof. Wiersema’s teaching and research interests span Environmental Law, International Law, International Environmental Law, Administrative Law, and Property Law. Her research focuses on how we can develop legal institutions both nationally and internationally that can effectively protect species and ecosystems in the face of ecological complexity and scientific uncertainty.
Established in 1987, the A.T. Smith/Gerald J. Schissler Distinguished Natural Resources Practitioner-in-Residence Seminar is an independently endowed “capstone” skills seminar, taught by a distinguished member of the Colorado natural resources or environmental bar. The 2010 Practitioner-in-Residence is Howard Kenison, JD’72.

The seminar’s purpose is to bring together all of the substantive law classes a student might have already taken, and place them in the context of what lawyers actually do, and how to do it well. Students learn critical lawyer skills, such as: acquiring and working with clients; assisting clients before administrative agencies; working with senior partners or general counsel; dealing with expert witness issues; arguing before trial and appellate courts; conducting oneself in an ethical fashion; mediating disputes; and developing an international practice.

Each practitioner-in-residence creates a seminar syllabus that typically includes a wide array of guest lecturers who address timely specialized topics of interest. A short list of past guest speakers includes:

- A Justice from the United States Supreme Court
- Judges from the 10th Circuit Court of Appeals and the United States District Court of Colorado
- The Attorney General of the State of Colorado
- A former Solicitor of the Interior, lawyers from the United States Department of Justice and the Department of the Interior
- The Executive Director of the Colorado Department of Natural Resources
- CEOs of major energy and utility companies
- Natural resources attorneys who have a specialized international practice

Past Practitioners-in-Residence have included:

Don Sherwood • Charles Kaiser • Randy Parmelee • Stephen Allen • Laura Lindsey, JD ’80 • Peter Bjork • Howard Bogdan • Frank Erman, JD ’68 • Terry Blake • David Ebner • William Odell • Randy Photo • John Shepherd, JD ’76 • Elizabeth Temkin • Jim Plocher • Jon Stewart • John Watson, JD ’75 • James Fenderson, JD ’94 • John Foygan • Steve Rain • Alan Gilbert • Robert Comer • Howard Kenison, JD ’72

Environmental Law Clinic: Update

Student attorneys in the DU Environmental Law Clinic are hard at work protecting public health and developing their litigation skills. This spring, Chris Brown (’10), Sarah Coleman (’11), Allison Welker (’11) and Alison Wal (’11) argued and won two motions in the U.S. District Court for the District of Colorado. In both cases, the student attorneys fully briefed the cases, participated in hours of mock court preparation, and appeared in court to represent their clients. The cases involve Section 112 of the Clean Air Act, which limits emissions of hazardous air pollutants from major sources like power plants. Working on behalf of WildEarth Guardians and members of the communities of Pueblo and Lamar, Colorado, student attorneys in the Environmental Law Clinic are seeking to address violations of section 112(g) at two new Colorado coal-fired power plants that can emit in excess of 10 tons per year of toxic pollutants, including mercury. According to Jeremy Nichols, WildEarth Guardian’s Climate and Energy Director, “the work of the DU Environmental Law Clinic is an extremely important tool in holding Colorado public officials and companies accountable for their commitment to develop an environmentally responsible business culture in our state.”
K.K. DuVivier


Mike Harris


Jon Laitos

Don Smith

Rock Pring


Ed Ziegler

In Other News

K.K. DuVivier
Appointed member of the Executive Committee for the Section on Natural Resources of the American Association of Law Schools (January 2010). Founding member, Renewable Energy Steering Committee for Interdisciplinary Colloquia Series across the University of Denver (March 2010).

Don Smith
Invited to join the editorial advisory board of the Manual of European Environmental Policy (MEEP), the leading publication about European Union environmental law (Institute for European Environmental Policy).

Misc.

K.K. DuVivier
Testified about solar access problems related to the proposed Denver Zoning Code at The Denver Zoning Code Task Force Meeting (October 28, 2009); West University Community Association (November 11, 2009) and the Denver City Council Board of Adjustment Zoning Listening Session (November 16, 2009).


Don Smith
The Environmental and Natural Resources Law & Policy Graduate Program has its most diverse class in history. In the spring 2010 semester, students from 13 countries (including the U.S.) are enrolled in the program.
Presentations

Fred Cheever  ‘Wildfire and Causation,’ at Fire in the Eastern United States, Penn State Law (April 1, 2010); http://www.dli.psu.edu/news/fire_in_the_eastern_us


‘The New Energy Frontier: The University of Denver’s Partnership with the National Renewable Energy Laboratory,’ organized and co-presented with Robert J. Kour, Chief Spokesman for NREL, University of Denver’s 2010 Winter Quarter Provost’s Lecture and Luncheon (March 2, 2010).

‘Solar Access and Denver’s Code Rewrite,’ before the Energy Committee, Rocky Mountain Chapter Sierra Club (February 4, 2010).

‘Solar Access,’ presentation to Government Affairs Committee of the Denver Board of Realtors (December 3, 2009).

Mike Harris  Panelist, “The Clean Air Hammer Falls: Revisions to the National Ambient Air Quality Standards,” at the University of Oregon’s 28th Annual Public Interest Environmental Law Conference (February 2010).

Jan Laitos  “Encouraging Cooperative Natural Resource Use by Granting Resources a Flight of Norway,” peer reviewed, at the 2nd annual conference of the Society of Environmental Law and Economics, Emory University Law School (March 2010).


‘Local Bouillabaisse Regulation: A Critical Overview of the New American Landscape,’ University of Denver Sturm College of Law’s Rocky Mountain Land Use Institute Annual Conference (March 4, 2010).

‘Urban Planning Law and Places of Worship: Local Controls and National Protection in the United States,’ University of Barcelona Law School, Barcelona, Spain (February 17, 2010).

‘Private Property Rights, the Rule of Law, and Economic Prosperity in the United States: An International Perspective,’ University of Barcelona Law School (February 16, 2010).

Rock Pring  Interviewed by Japanese journalist Hitro Igiya on the prevalence in Japan of “Strategic Lawsuits Against Public Participation” (SLAPPs) about which Pring co-authored the leading 1990s treatise on the subject (Feb. 22, 2010).

Principal organizer (with Kitty Pring) of the Brazil Federal Judges Association conference “Judicial Symposium on United States Law,” held at the Sturm College of Law, presented lectures on “Environmental Law in the U.S.” and “U.S. Administrative Law” (Feb. 15-18, 2010).

Invited back as a visiting professor to present 2 day-long seminars: “U.S. Environmental Law” and “U.S. Energy Law” in the Graduate LLM Program in Environmental and Energy Law, University of Leuven, Leuven, Belgium (Jan. 25-26, 2010).


“How Environmental Courts Work” and “Judicial Remedies in Environmental Cases” (with Kitty Pring) at a 2-day conference for Chinese Environmental Court Judges in Guiyang, China (Sept. 29-30, 2009).