

SUSTAINABILITY— LAW FIRM CLIENTS DEMAND CLEAN TECH PRACTICES

Leslie A. Gordon

Not long ago, clients of Hanson Bridgett began eagerly turning to their lawyers with questions about clean technologies, socially responsible investing and green development, and transportation. Partners at the firm brainstormed about how best to educate their clients about sustainability issues and also provide a vehicle for like-minded executives to regularly come together. The result was Hanson Bridgett's Sustainable Business Leadership Forum. A unique, monthly gathering featuring industry leaders from many sectors, the forum provides attendees the opportunity to learn about sustainability and connect with businesses similarly focused on the opportunities, challenges, and profits associated with going green. Forum topics have included public-private sector sustainability initiatives, political advocacy, and corporate social responsibility, among others.

Launched in April 2007, the forum began with 45 attendees and has grown each month, now regularly reaching an audience of more than 120, according to Hanson Bridgett partner Teresa Pahl, the driving force behind the forum. Hailing from as far away as Australia, forum attendees include executives from multinational corporations like IBM to small entrepreneurs. Every sector is represented, including lawyers from other firms.

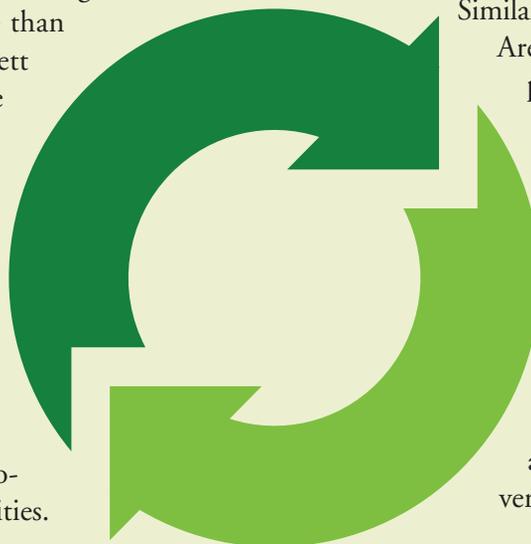
The firm charges \$25 to cover costs of the program, with any excess donated to environmental-related charities.



Teresa Pahl

Though client development wasn't the purpose of the forum, Hanson Bridgett has "obtained a number of unique clients" as a result, Pahl says. "Businesses are concerned about mitigating their risks with pending regulations. Adopting sustainable practices can go right to the bottom line."

Hanson Bridgett also sponsors the Executive Certificate Program in Sustainable Management at the Presidio School of Management in San Francisco, a five-month program teaching the practical business skills required to lead a company interested in resource enhancement and restoration.



Similar to Hanson Bridgett, many other Bay Area law firms have formed targeted practice groups to help clients deal with emerging legal issues related to sustainability. Usually these groups are composed of lawyers from existing practice areas like environmental law and energy regulation. But as sustainability regulations become both increasingly developed and more complicated, many different kinds of attorneys—spanning specialties as diverse as litigation and real estate—will



Christopher McNevin

be working on sustainability issues full time.

Christopher McNevin leads Pillsbury Winthrop Shaw Pittman’s environmental group, which, having been formed in 1969 to address environmental issues growing out of corporate deals for major oil companies, is one of the region’s oldest environmental law practices. “Recently,” McNevin says, “we were seeing a demand for sustainability and climate change work in a variety of areas: manufacturing clients, offset trading, nitrogen oxide, green construction, and green operation.”

And unlike those trendy and self-limiting Y2K practices, sustainability lawyers expect to be busy for a long time. This practice area will “continue to burgeon,” McNevin explains. “Even two-person firms are sending people to climate change conferences. It’s only going one way.”

At Davis Wright Tremaine, a climate change practice group emerged in 2006 from the firm’s existing energy practice, says group cochair Allison Davis. “There was demand by our clients to assist with regulatory schemes—regional, state, and local—because of lack of federal leadership and guidance in this area. Clients were coming to us and asking, ‘What should we do?’”

According to Davis, “Arnie’s Law,” Governor Schwarzenegger’s executive order covering greenhouse gas reduction across all sectors, and AB 32, state legislation developing regulations over time, affect every industry in California. As a result, many different—and seemingly

otherwise unrelated—practice areas are combined in Davis Wright’s climate change group. The practice includes “a whole slew of lawyers,” Davis explains, including energy, environmental, real estate, transactional, project finance, and litigation experts.

At this point, 70 to 80 percent of the practice involves counseling clients to get involved in the drafting and development of the various laws. “We urge clients to get involved in the regulatory



Allison Davis

framework. With no regulations, it’s hard to advise clients what to do and not do.” But, Davis adds, what is currently a small legal market “will explode as laws get passed.”

Soon, she explains, everything will be touched by these regulations. Attorneys will be handling power transmission development agreements, carbon trading transactions, renewable power development, tort actions against petroleum companies, and other lawsuits contesting carbon neutrality of real estate developments, for example.

According to Julie Brush, a recruiter with Solutus Legal Search, “more and more companies are embarking on environmentally responsible products and services.” As a result, firms throughout the Bay Area are creating “clean tech” practices (also called “renewable energy practices” or “climate change” groups) or evolving existing practices to meet clients’ new needs. Attorneys who specialize in environmental law, project development and finance, corporate transactions, intellectual property, and government relations are already in demand by law firms.

