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# Diversity in Environmental Practice: How Are We Doing?

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Environmental law as a focused practice area is young. Having begun in the 1970s, it is now welcoming the second generation of environmental lawyers to the practice. There are many ways the legal profession has changed in the last 35 years and progress has been made in bringing more diverse attorneys into the profession, but some would say that the environmental practice area is behind others in terms of measurable progress in adding diverse attorneys to its ranks. Although I am not aware of any formal study that confirms that observation, informal conversations with colleagues and diversity professionals certainly do not contradict the notion. I spoke with Ben Wilson, the managing principal at Beveridge & Diamond, P.C., and the first African American to hold that position, to get his perspective on issues concerning diversity in the environmental legal profession. I write this short article to offer a few of my thoughts, and Mr. Wilson's, on important issues that I hope will become the focus of more dialogue within the Section, and our practice, in the very near future.

When asked whether there was less diversity in the environmental legal profession than in other areas of practice, Mr. Wilson noted that, from his observations and experience, there are certain areas of the law where there appears to be greater diversity, particularly racial diversity: litigation, labor and employment, and criminal defense, to name a few. But the specialty practices, such as environmental law, have generally seen less diversity. There may be several reasons for this. First, as I mentioned above, the environmental practice area is young and perhaps we just have not had time to build a more diverse profession. Another potential reason is that diverse law students and young attorneys may have thought environmental issues affected other people and not them, and that other issues and areas of practice were more important and relevant to their lives. The first generation of environmental lawyers grew up during the dawn of environmental awareness, witnessing such notable events as the fire on the Cuyahoga River, the Love Canal disaster, the publication of Rachel Carson's *Silent Spring*, and the first Earth Day. It also grew up with the advent of the major environmental statutes and the changes those statutes and their implementing regulations brought to the way businesses operate and the governmental infrastructure needed to enforce them. There were serious problems to solve, and there was a movement that grew to help raise awareness of and solve them. Indeed, we have made significant progress cleaning our air and water in the last 35 years.

But the new generation of environmental practitioners has grown up in a different world; one in which environmental awareness is taught as early as preschool and environmental issues are discussed as part of school curricula. The new generation of environmental lawyers has grown up with recycling, renewable energy, and restored waterfronts and industrial sites. Life for

the new generation has been complex and fast-paced; it is thinking more broadly about whether resources are allocated fairly, about public health issues and resources for future generations. It will look at how environmental practice impacts the greater society, not just how it will serve as a career. Moreover, the current generation of college and law students has grown up in an era of diversity and that is what they expect in their practice.

How do we engage this new generation and, more specifically, how do we get them to want to practice environmental law? There are several initiatives already underway to help attract diverse students into careers in environmental law. The Environmental Law Institute (ELI) sponsors a diversity law clerk internship program in which several companies and law firms support diverse students in internships in environmental law. [www.eli.org/About/Employment/diversity\\_law\\_clerk.cfm](http://www.eli.org/About/Employment/diversity_law_clerk.cfm). The ABA's Section of Environment, Energy, and Resources (SEER) also sponsors diversity fellowships, which provide internships in environmental law, as do many state bar associations. In addition, environmental practitioners are reaching out to law schools with large minority enrollments and offering to teach courses in environmental law so they can be added to the curriculum. Through these efforts diverse students become interested in environmental law and the demand for more environmental courses expands. Mr. Wilson notes that he has been part of such efforts at Howard University. He started by teaching one environmental course, which led to others, and over the course of the past six years the school has started an environmental law clinic and now has a full-time environmental law professor. The students have also formed an environmental law society, which they manage and support. There are numerous other universities known to have large minority enrollments where members of the environmental profession could teach and help develop similar programs, if they are not already doing so.

Law firms are also working together with other firms and with public interest and private sector businesses to host informational meetings about careers in environmental law and help students identify opportunities for themselves. These informal gatherings, which can focus on area law schools, provide meaningful opportunities for diverse students to get to know practitioners and ask questions about environmental practice. In addition, ELI's new president, John Cruden, former deputy assistant attorney general, Environmental and Natural Resources Division, who has shown a demonstrated interest in diversity throughout his career, is carrying that commitment into ELI and has plans to develop a special program for diversity, which will provide even more opportunities.

Another key action that environmental practitioners are taking and should expand on is going to law schools and colleges to speak about careers in environmental law. And when they do so they should make sure that affinity organizations such as the Black Law Students Association, the Lambda Law Students Association, the Asian American Law Students Association and others are invited to join the discussion to understand how environmental law is relevant to them. According to Wilson, diverse attorneys need to see role models. People want to see someone who looks like

them, or is otherwise similar to them, as a successful attorney so they can think, "I can do that." It helps them understand that they can succeed in environmental practice generally or in particular firms or businesses.

Support is also critical. Once a firm has succeeded in recruiting a diverse attorney, it must be sure there is real support for the attorney so he or she can succeed. Adding diverse attorneys to your practice is only the first step; making them want to stay is the real goal. As it is with any young or new attorney, environmental firms and companies have to provide the right atmosphere and support for personal and professional growth. I recently had the opportunity to discuss these issues with three young associates at my firm, and I was deeply moved by their openness, sincerity, and insight into the issue of diversity in our profession and their desire to make sure we address it. I suggest that we can learn a great deal by listening to the generation we are trying to attract. I hope we

all take a look at where we work and think about ways we can help to encourage more diverse students and practitioners to join our practices. We must start in colleges and law schools by letting students know about the vitality and importance of environmental legal practice and how great an avenue it can be to make the impact they want to make professionally and personally. I have confidence that with efforts such as those mentioned above and leaders such as Mr. Wilson, we will build a more diverse profession. We must all be the leaders we want to see and encourage a diverse second, and even third, generation of lawyers to join our profession. I look forward to continuing the dialog and the efforts.

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