

Law Firm Sustainability: Creating a Robust Sustainability Program 10 Elements of Highly Effective Programs

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Sustainability has become more important than ever before. From changing weather patterns leading to droughts and floods to soil contamination and air and water pollution, most organizations realize the impact of the world's significant environmental challenges on our ecosystems, economy, security, and quality of life. In growing numbers, companies like Patagonia, Walmart, and Reebok are aligning with sustainability and corporate social responsibility (CSR) regimes and have been developing robust sustainability programs. Law firms are following suit by taking a hard look at reducing their environmental impact and becoming more socially responsible by focusing on operational and cost efficiencies as well as sharing values with employees, clients, and communities.

In this changing landscape, a majority of law firms believe that the outlook of sustainability is good, and that buy-in, benchmarking, best practices, and tracking information will help law firms be effective in implementing their programs, as revealed in the preliminary results of the Law Firm Sustainability Network's (LFSN) CSR & Sustainability State of the Legal Industry survey with Amity Advisory. The key to law firm sustainability is taking a measured approach, and systematically looking at firm functions and departments to learn where the biggest impacts can be made

using measurements and engagement as a guide. From sustainability assessments to paper straws to partnering, each is impactful for environmental stewardship and a law firm's business longevity.

10 ELEMENTS OF HIGHLY EFFECTIVE PROGRAMS

1. Benchmarks and Assessments

Many law firms that have created effective and lasting change, use benchmarks and evaluations for goals, justifications and future program decisions. Law firms have achieved quick wins by measuring consumption and translating it into reduced usage and cost savings. Now, an increasing number of firms are taking the plunge to address their programs more holistically. Beveridge & Diamond completed the LFSN's American Legal Industry Sustainability Standard (ALISS) assessment to conduct a comprehensive review of its sustainability practices, receiving an ALISS Silver Certification in recognition of its efforts, while discovering opportunities to expand its program. ALISS Silver firm Alston & Bird utilizes the assessment as a wish list for new office space, while Cahill, Gordon & Reindel is using ALISS to take stock of its program, formalize its undertakings, and thoughtfully address inquiring new recruits. ALISS Gold firm Nixon Peabody continually reevaluates its overall program to make efficiency improvements and innovate, including the



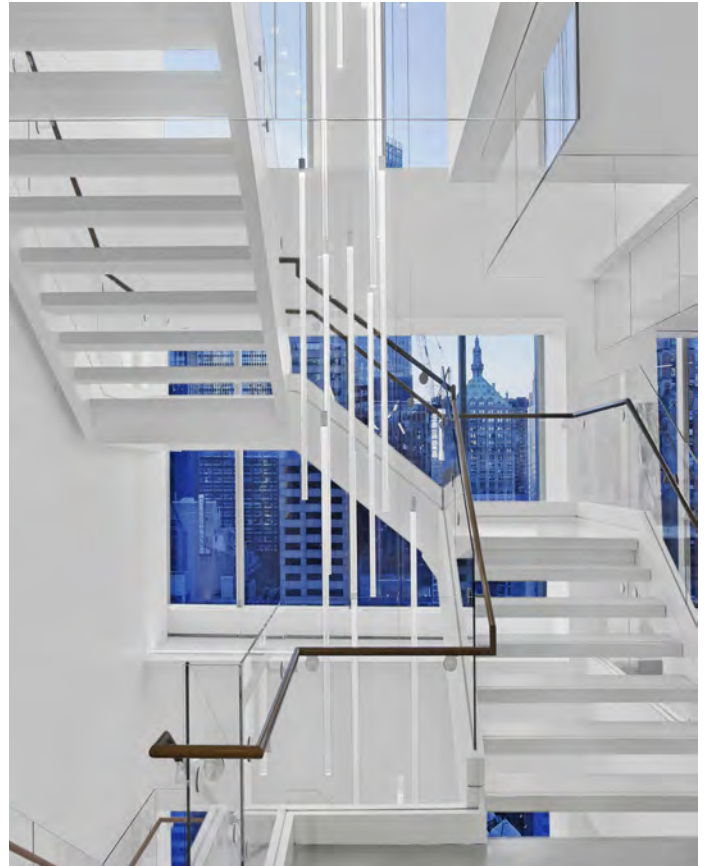
decision to purchase 100% carbon offsets for the annual air miles travelled by all firm personnel. To measure social and environmental performance, Wendel Rosen has used several tools for 15 years to gauge progress, including qualifying for B-Corp Certification, achieving the first awarded ALISS Platinum ranking, and was, notably, the first law firm in the country to earn a third-party certification for its environmental practices via the Bay Area Green Business Program.

2. Governance

Sustainability programs need framework and governance to provide effective direction for implementing initiatives. To this effect, Beveridge & Diamond has formalized its sustainability policy and Fried Frank, inspired by ALISS, is developing a formal sustainability policy to help guide the firm's programs.

Many of the most effective law firm sustainability programs are marked with senior leadership and the titles to coincide. These programs benefit from their leadership's legal skills and/or operational experience to further the program's impact. Alston & Bird possesses a Sustainability Partner, one of Beveridge & Diamond's principals serves as Chair of its Green Team, while Neal, Gerber & Eisenberg's Environmental practice group chair serves as Chair of its Green Committee. At Pillsbury, one of its Directors of Administration serves as its firmwide Director of Sustainability.

Well-structured committees allow for a rigorous approach to assess and launch new initiatives. At Cahill, efforts are coordinated by the firm's Executive Committee and



Nixon Peabody NYC 2017

environmental practice group. Alston & Bird and Beveridge & Diamond both have similar governance structures in which local office committees regularly report to the national committee to discuss progress and potential program enhancements. This structure allows the leveraging of operational and departmental know-how while keeping the momentum moving forward with employees eager to make meaningful contributions.

3. Sustainable Vendors

Choosing vendors with sustainable goods and services reduces a law firm's environmental impact and encourages vendors to continue to employ sustainable practices. Wendel Rosen works with greener printers and Beveridge & Diamond uses WB Mason for greener office supplies. Ward and Smith uses a firmwide coffee vendor that incorporates sustainability in its practices. To minimize packaging waste when catering for a crowd, Ater Wynne looks to vendors to eliminate individually wrapping food items. To further its reach, Nixon Peabody has incorporated sustainability practices in its procurement policy and gives preference to vendors that use sustainable practices.



Nixon Peabody NYC office lobby





Nixon Peabody LA Staircase

4. Paper & Paperless

Law firms have made considerable strides to reduce paper consumption from advances in technology beyond that of duplex printing. Berman Fink Van Horn and Pillsbury were both able to eliminate some of their internal footprints and offsite storage by following an electronic management/paperless business model to reduce paper consumption and improve employee productivity with e-filing, e-discovery, as well as e-billing. Berman Fink Van Horn has also instituted a paperless process for opening new matters. Ater Wynne also opens all new files in electronic format. When boxes are retrieved from storage, they are not allowed back in and are reviewed for possible destruction and scanning. Neal, Gerber & Eisenberg has instituted a similar strategy, and by reducing files in storage, both firms have saved on energy, space, logistics, and costs. Addressing the sustainability of paper itself, Wendel Rosen purchases 100% post-consumer waste (PCW) recycled paper and Brand Geek uses Green-e certified, 100% PCW recycled paper.



Nixon Peabody DC Solar Panels Sunset

5. Energy

Many law firms first choose to tackle energy initiatives because of the direct impact on energy and cost savings and opportunity for innovation. At Cahill, lights in individual offices were switched to motion sensors and timers and energy intensive computer servers were reduced by 50%. Beveridge & Diamond instituted a “lights-off” policy, which helped contribute to a 10% reduction in electricity usage in its sub-metered New York office. Ward and Smith installed programmable thermostats and received an 8% energy savings. Requiring some investment, Beveridge & Diamond participates in the Green Power Partnership, purchasing Renewable Energy Credits to cover 100% of its nationwide energy usage from renewable sources. Nixon Peabody took a more holistic approach to energy efficiency, by turning to the EDF Climate Corp program where it once hired a fellow to develop an energy management roadmap. In its commitment to reduce energy usage, Fried Frank’s New York Office has joined the NYC Carbon.



Nixon Peabody LA Cafe and seating

Challenge. Kirkland & Ellis took measures to improve its data center’s energy efficiency by installing a monitoring system, upgrading the center’s cooling system controls, and merging existing uninterruptible power supply systems. Energy savings to-date are equivalent to the annual electricity usage of more than 950 homes, the annual emissions of more than 1,428 passenger vehicles, more than 7,400 tons of greenhouse gases and more than 15,700 barrels of oil.

6. Technology

Some of the biggest advances in sustainability for law firms have been made possible by technology. Cahill has virtualized 95% of its servers over the past several years.



Blank Rome implemented server virtualization some 13 years ago and has recently focused on its refresh, focusing on all flash storage and solid-state disk technologies. The firm reduced the number of physical servers from nearly 200 in 2006, to 47 physical servers (supporting 620 virtual machines), reduced the amount of electricity from 2005 by 60% in its largest data center, and significantly extended the life cycle of its computers. Manko, Gold, Katcher & Fox underwent a technology overhaul that included a transition to laptops with touchscreens. The laptops and software deployed enable users to work securely from any location, and the enhanced accessibility and ability to share information, and have reduced printing and paper usage.

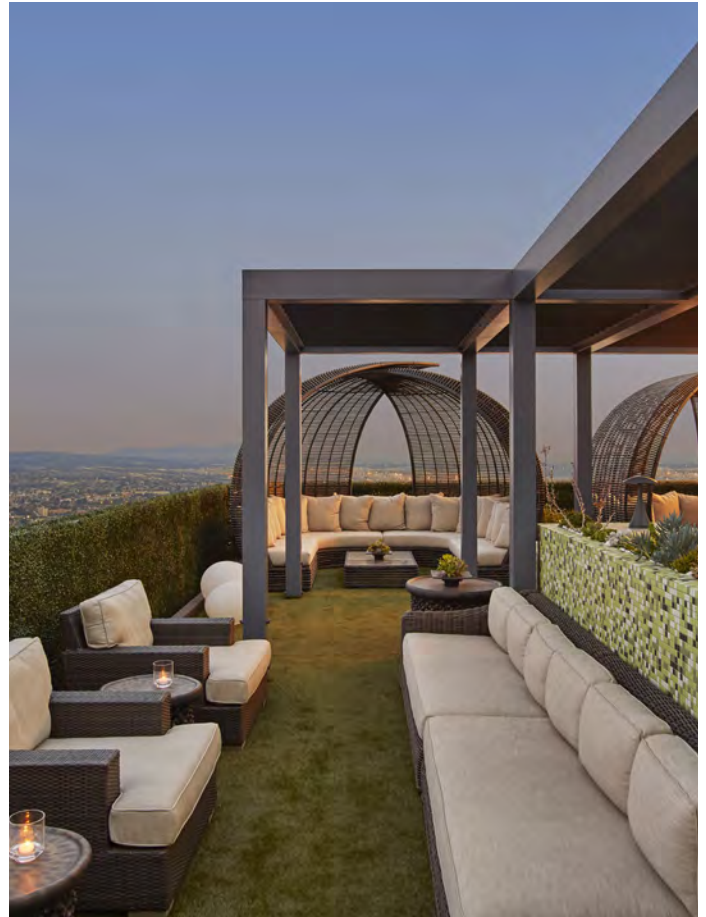
7. Building Design

Building design is undoubtedly one of the most long-lasting, effective, and impactful ways to incorporate sustainability (and wellness) as it gives the opportunity to incorporate innovative design, energy-efficient technology, and sustainable materials. Nixon Peabody made a conscious decision to pursue LEED certification for major construction projects in its spaces. Its LEED Silver Los Angeles office boasts a large rooftop deck, while its LEED Gold New York office uses reclaimed wood from the Hudson River area mills dating back to the Industrial Revolution. The firm's LEED Platinum DC office features a three-story living wall, which is watered using condensate from the HVAC system.



Nixon Peabody DC Lobby Seating

For Hunton Andrews Kurth, whose 11 of its 14 US offices are either Energy Star-rated or are LEED Platinum, Gold,



Nixon Peabody LA Rooftop at Sunset

or Silver, they also utilized “green” practices for merging the firm’s Washington and McLean offices last year. Rooms that had been used to store files were repurposed into office space. Recycled furniture was retrofitted for the new space and updated with sit-stand capability. Old “phone rooms” -- rooms that were used for making private phone calls before the advent of cell phones -- were converted into small collaboration spaces with washable walls for brainstorming and large energy saving monitors where laptop screens can be shared.

When Ater Wynne moved into its LEED Gold building office space 10 years ago, it was a noteworthy relocation with an open deck and garden terrace as well as internal spaces designed to have air and light circulation and built with sustainable materials.

Seyfarth Shaw, with LEED-certified offices in both Century City and Downtown LA, both of which offer electric car charging stations and bike parking, also each boast high



walk, bike, and transit scores. The newly relocated downtown LA office's, Figueroa at Wilshire building, is not only Energy Star-rated, but was also previously named as the Building Owners and Managers Association ("BOMA") Outstanding Building of the Year.

8.Reducing, Recycling, and Donating

Firms that consistently reduce consumption, recycle, and donate, directly reduce their environmental impact, and by doing so, demonstrate the firm's sustainability values to employees and foster greater engagement in firm initiatives and adherence to procedures. In the effort to reduce, Neil, Gerber &

Eisenberg, Hunton Andrews Kurth, and Cahill have eliminated plastic straws. Cahill installed filtered water dispensers in pantries on all floors and all employees were provided with reusable water bottles. Ater Wynne uses filtered water and glassware and installed a soda maker to eliminate plastic bottles.



Hogan Lovells DC Anacostia Watershed Society
Earth Day Cleanup

Beyond standard recycling practices and awareness campaigns, Kirkland & Ellis, to educate employees on how to separate trash into receptacles under their desks, leaves tent card reminders on desks explaining how to recycle and sort. The firm also shreds all paper, which leads to lower contamination levels, better security, and more paper being recycled instead of ending up in the landfill. Similarly, Ward and Smith uses a shred/recycle vendor and the vendor communicates to the firm its environmental savings. So far this year, the firm has saved 128 trees in its Raleigh location. Ater Wynne, to encourage recycling, eliminated individual trash bins to encourage recycling. It recycles in a central location where employees have separate bins to recycle glass, mixed paper, plastic and food, and just two bins for garbage. In Pillsbury's new LEED building, waste is sorted into wet and dry containers. Dry containers have lower levels of contamination and can be sorted and recycled at higher rates. Buckley Sandler, Wendel Rosen, and Pillsbury have initiated composting programs to reduce and recycle. To encourage reuse, Alston & Bird through its Green Corners, has a reuse center for items like pens and books so new items aren't being purchased unnecessarily.

Items that are not needed, still find purpose. Manko, Gold, Katcher & Fox donated older computers that were securely wiped clean of firm data to a local Veteran's organizations and schools in need. Fried Frank's New York Office works with City Harvest to donate excess food to emergency food programs. Ward and Smith's single serve coffee machines extracts pods into a bin and the firm sends them back to the coffee vendor in special pouches. The filter is composted, and the plastic is recycled and turned into school supplies.

9.Employee Engagement and Culture

Participation is critical in successful sustainability programs, but to really flourish it needs to be ingrained in the culture and it needs to be easy. For Alston & Bird, good firm citizenship is defined more in the non-billable hour in how attorneys contribute to the firm. Weil, Gotshal & Manges has instituted a Volunteer Time Off program for all U.S. employees. Sustainability-related volunteer opportunities are encouraged, and firm leadership regularly communicates to employees that "being green" is an important part of giving back to the community. Beveridge & Diamond keeps sustainability top of mind with activities and includes it in the onboarding process of new hires.





Hogan Lovells Mexico organic vegetable garden build

Activities like contests, particularly ones that include donations as part of the prize or end game are also part of showing employees the firm's sustainability values. Beveridge & Diamond holds a yearly photography contest during Earth Month with different themes. Winners have their artwork displayed, creating a sense of pride and community. The firm has also held an auction where employees created something from recycled materials and the funds went to a charity.

Incorporating wellness into sustainability can increase firm participation. Beveridge & Diamond and Buckley Sandler have held successful Step Challenges in their firms integrating both sustainability and wellness. Kirkland & Ellis and Neal Gerber & Eisenberg have offered Bike-to-Work week challenges. Similarly, the Cahill Green and Wellness Initiative was able to offer in cooperation with their on-site garage, free bicycle parking for those choosing to commute to work via pedal power and Buckley Sandler subsidizes bikeshare access in several of its offices.

Newsletters, short films, and Lunch 'N Learns are effective ways to educate and engage employees in sharing the firm's sustainability values. Neal, Gerber & Eisenberg writes the Skeptic's Corner in its Earth Day newsletter and Ward and Smith created an infographic to communicate the firm's efforts in reducing environmental impact. Hunton Andrews Kurth has brought master gardeners to speak, while Kirkland & Ellis held a Lunch 'N Learn with the CEO of Boxed Water Is Better and gave samples to employees. Buckley Sandler and Neil Gerber & Eisenberg screened

the film "Before the Flood." After the film, Buckley Sandler brought in a consultant to describe what it would mean to get on a path to net zero carbon emissions, as a long-term goal for the firm.

Hogan Lovells took an extra step to engage employees in a hands-on way this past April for Earth Month. The firm conducted an awareness campaign to emphasize the role that business, government, and civil society must play in ensuring responsible stewardship of Earth's resources. The campaign identified environmental challenges facing the global community by sharing facts and targets surrounding relevant United Nations Sustainable Development Goals, and suggested ideas for how their workforce could contribute to progress. With a call to action, offices were asked to undertake at least one change or initiative during the month, resulting in numerous clean-up teams who helped to eliminate trash from local waterways and contribute to sustainable development initiatives, as well as new techniques for fostering a green culture.



Hogan Lovells LA Surfrider Foundation beach clean-up

10. Collaborations, Partnerships, & Community Give Back

Firms take the most pride in initiatives that involve collaborations and partnerships to do good using legal skills, relationships, operational experience, and other firm resources. Wendel Rosen's Green Business Practice Group and Brand Geek both participate in 1% for the Planet and donate 1% of their revenues to qualified nonprofits.

Weil encourages nonprofit board service, including serving on environmental nonprofit boards, as modeled by two



LAW FIRM SUSTAINABILITY: CREATING A ROBUST SUSTAINABILITY PROGRAM

of the firm's senior partners who serve on the Board of Trustees of the Central Park Conservancy. To further deepen the relationship, the firm also encourage its employee volunteers to engage with the park, painting benches, and partaking in beautification projects.

In its 13th year, Manko, Gold, Katcher & Fox's Environmental Community Service Award recognizes and awards \$5,000 to two schools with outstanding environmental education programs in partnership with Wawa and 6abc. Not only are they recognizing schools for their important work, this program is also educating the next generation about the importance of environmental stewardship.

Nixon Peabody provides a notable example of community partnership. Formed by two firm partners, nonprofit New Partners Community Solar is supported by the firm's pro bono initiative. The NP Solar program, launched with solar arrays on three D.C.-area rooftops, distributing all of the renewable energy generated to 100 low-income families. Phase 2 of project will produce benefits for another 325 D.C. families and the program's future also includes a push to fund job training to boost area residents as they pursue employment in the energy economy.

CHANGING LANDSCAPE

As sustainability continues to become increasingly more important to clients, employees, and communities, it will become more integrated into law firm business strategy planning, not only employing for cost-cutting measures and operation efficiencies but for talent retention, client relationships and community investment. Law firms with robust sustainability programs have been seeing the value and strategic advantages in the long-term growth of the firm. As this trend continues, firms who embrace and adapt to this changing landscape will increasingly benefit and recognize new opportunities from their social investments in sustainability. ■

"Politeness is the poison of collaboration." - *Edwin Land*



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