No Legal Limit
UCSB does not have a law school, so the innovative Council of Legal Advisors steps in to provide students with focused training in an area critical to their careers.

Most Bren School master’s students find jobs in government, businesses, NGOs, and consultancies, and in each area, law and management intersect. Because law is such an intrinsic component of environmental policy making and management, Environmental Law & Policy (ESM 207) was added to the master’s core curriculum in 2001 and has been taught every year since then, primarily by Duke University law professor Jim Salzman.

“I want students to have an appreciation for how the law works and how lawyers approach problems,” he says. “I want them to be able to engage at a very sophisticated level when they come out of school.”

That enables students to be better collaborators, according to Council of Legal Advisors member Russ McGlothlin, of Brownstein Hyatt Farber Schreck.

“To graduate from Bren and start a career without having a grasp of basic legal principles would be problematic,” he says. “In my field, water resources, it’s important for industry participants to possess a general understanding of water law to avoid making decisions or proposing solutions that are legally deficient.”

Council member and UCSB alumnus Brooks Beard, an attorney with Morrison & Foerster LLP, and a member of its Cleantech Steering Committee, expands on the necessity—and the inevitability—of Bren students’ engaging with the law.

“Environmental and natural-resource issues are so heavily driven by federal, state, and local administrative law that no matter which direction you’re coming from to address such issues in a business setting, you’re going to face legal issues and impediments,” he explains. “Providing these exceptionally bright students with a legal perspective before they go out into the world with new ideas that may inform or direct policy in the future will make their positions that much stronger.”

The focus of the legal courses echoes the Bren School mission by emphasizing application rather than rote memorization.

“Anyone can memorize black-letter law,” Salzman says. “I want students to understand not just what the law says but why it works as it does and how it can adapt and change. Most importantly, I want students to be able to apply facts to law and law to facts. That the law says ‘X’ is not very useful; you need to understand where the ambiguities are and how they can favor one side or another.”

For some years, the Bren School sought a full-time law professor to broaden the legal curriculum, “But without a law school on campus, it was difficult to attract a truly top-notch professor with a national reputation for a full-time appointment,” Salzman explains, “so we had to figure out a different approach. We decided to get top people to come for shorter periods and offer a range of courses.”

That led to the council’s being formed in 2010. (The other council members are Ernest Getto, former global chairman of the Litigation Department at Latham & Watkins; Maureen Gorson, a partner in the Environmental & Land Development Group at Alston-Bird, LLP; Edward Norton, senior advisor-environment at TGP Capital, LP; and Howard Susman (UCSB ’75), chair of the solar initiative within the renewable-energy group at Stoel Rives, LLP.) The members provide multiple services, which include mentoring students and teaching full- and half-day courses on specific legal topics lying within their individual expertise. Courses are also taught by visiting lecturers not on the council.

“The Council of Legal Advisors has created an amazing program here by linking together a breadth of talent and expertise in environmental law that’s perfectly aligned with the needs of our students and that you could not find, really, at any law school,” says Bren School dean Steve Gaines.

“In some respects, this is a better model, because you have experts in particular areas who are actively practicing and can focus their workshops or classes to address the unique needs of Bren students,” Beard says, “whereas, if you are tethered to an existing law school, the students end up taking classes that are already in the core law school curriculum, covering topics that may be less focused on what is important to the Bren student.”

Since the council was formed, the legal education at the Bren School has expanded dramatically, with a growing list of course offerings focused on such topics as natural resources, land use, climate change, renewable energy, international agreements, and coastal marine issues.

“Our students are probably not going to become lawyers; that’s not the issue here,” says Gaines, “but they will be impacted by legal issues in a big way, from testimony if they’re scientists to lawsuits if they’re trying to stop or take an action. It’s important they understand how people use environmental law to drive environmental change, and these experts can convey that to our students.”

Beard is clear about the rewards deriving from the support and teaching he and other council members provide. “It’s fun,” he says. “Some of the most interesting conversations I’ve had about environmental and natural-resource issues have been with the Bren students. They’re thoughtful and energetic, and they come at existing and developing issues from a new perspective, all of which helps me think about those issues in a new light.”