

## Academic Focus:

# Equipping Lawyers to Meet the Challenges Facing Planet Earth

**Germaine Leahy**, *Head of Reference and Environmental Librarian*

This column marks the launch of a series of articles aimed at highlighting Law Library support for the research needs of faculty and students of GW Law's Master of Laws (LLM) programs, including the publication of scholarly law journals. Each piece will be authored by the subject specialist reference librarian who works closely with one of the LLM programs. First in line is the Environmental & Energy Law Program; in future posts we will hear from the Business & Finance Librarian, the Government Contracts Librarian, the Foreign & International Librarian, the Intellectual Property Librarian, and the National Security/U.S. Foreign Relations Librarian.

**Research assistance and the faculty liaison program.** Since 1993, librarians have provided specialized research assistance to the LLM programs through the Law Library's faculty liaison program. Faculty members are assigned to a librarian with research expertise in their fields of study. The liaison librarian becomes their primary contact for research assistance and library services.

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Research assistance includes one-on-one meetings with LLM students, research classes, creation of online research guides, and selecting print and online materials for the Law Library collection. Through working closely with faculty and students, and attendance at orientations and conferences, liaison librarians become integrated into the LLM programs. As an area of law evolves, librarians seek ways to keep their work and services relevant, and to remain current with law school initiatives and new areas of scholarship.

Researching the law is a dynamic process, and technology has transformed access to information and research services. Faculty and students can examine legal materials – databases, e-books, digital collections – remotely, at any time. Our interconnected world and its increasingly interdisciplinary rules of law demand an understanding of science, technology, public policy, business, and the social sciences, all of which fall outside traditional law studies.

**The Environmental & Energy Law Program.** This program was created in 1970, at the beginning of the modern environmental law era, in the same year as the establishment of the U.S. Environmental Protection Agency (EPA). GW Law's location in Washington, D.C., situates it at the center of much of the current domestic and international energy and environmental law discussion. Its Environmental & Energy Law Program long has been at the vanguard of environmental and energy law scholarship.

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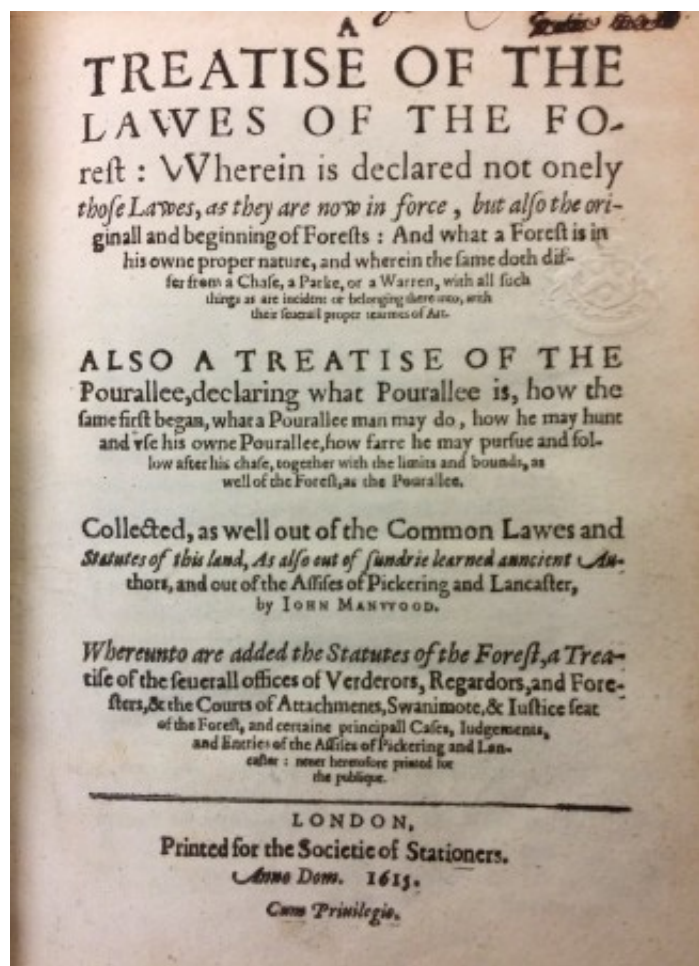
Courses and LLM theses in environmental and energy law, research papers, and published articles explore and propose new approaches to old problems and creative solutions to current challenges. Representative subjects of inquiry include energy law issues relating to environmental protection and national security, especially protection of the U.S. power grid; environmental and energy issues in government contracts at the federal, state, local and international levels; environmental and energy law issues relating to international trade, terrorism, control of natural resources, and global climate change; and environmental law relating to public and occupational health.

**The Law Library's environmental law collection, including multi-disciplinary resources.** Supporting the LLM Environmental & Energy Law Program, the Law Library's collection includes print and online materials focusing on the five areas of study within the Program: environmental law, government procurement and environmental law, energy and environmental law, environmental law and public health, and international environmental law. In addition, the environmental law collection is the primary resource supporting the research efforts of the staff of the *The George Washington Journal of Energy & Environmental Law (JEEL)* for their source collection and note writing duties.

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Reflecting an intensively-regulated legal territory, the Law Library's comprehensive environmental collection comprises works on laws and regulations involving the many facets of environmental law. Among these areas are air, water, solid and hazardous waste as well as specialized areas, such as endangered species; land use; environmental justice and human rights; coastal zone management and protection; the law of wetlands and oceans; environmental compliance and enforcement; environmental crimes; toxic torts; trade and business regulation; state and federal regulation of oil, natural gas, and coal production; nuclear power; vehicle efficiency and alternative fuels; and utility regulation. The American Bar Association, Section of Environment, Energy, and Resources' series of handbooks on the environmental law topics is especially popular with students. Among the topics treated in the series are the law of clean energy, the Clean Water Act, the Federal Energy Regulatory Commission, the Endangered Species Act, global chemical control, the law of green buildings, and global climate change. These handbooks provide concise, yet

thorough, discussions of basic tenets of the law.



John Manwood's *A Treatise of the Lawes of the Forest* (London, 1615). The Law Library holds a historical collection of the forest and game laws of France and Great Britain, including some in electronic format, of interest to environmental law researchers, as well as those with an interest in issues related to conservation, wildlife protection, and hunting.

Coverage of state environmental and energy law is concentrated on general works, practice materials, and treatises covering our local jurisdictions: the District of Columbia, Maryland, and Virginia. Also included are handbooks and manuals plus selected studies and reports that analyze the law relating to renewable energy, climate change, clean air, regulation and management of solid and hazardous wastes, and clean water within these jurisdictions.

The study of environmental and energy law encompasses an understanding of multiple disciplines, including biology, chemistry, oceanography, agriculture, and nuclear science. The Law Library's collection is supported by current and historical collections of scientific, technical, and statistical reports, books, and compendia published by domestic and international research organizations such as the National Academies of Sciences, Engineering, and Medicine, Transportation Research Board, EPA, Energy Information Administration (EIA), Centers for Disease Control (CDC), World Resources Institute, Resources for the Future, Food and Agriculture Organization, United Nations, Organisation for Economic Co-operation and Development (OECD), and European Environment Agency.

Many of these non-legal scientific and technical reports are made available in PDF through the organization's website and with links in JACOB, the Law Library's online catalog. Often, these reports contain extensive footnotes and references that include links to other materials on the web. An online version enables users to retrieve these additional materials easily, from any location.

The Law Library's collection of current environmental and energy newsletters provides information and analysis on public policy, science and technology and energy and environmental law issues. Each newsletter reports from a slightly different perspective; taken together they provide a balanced understanding of emerging issues.

Many of these newsletters, such as Environment & Energy (E&E) Publishing's *Greenwire*, *E&E Daily*, *ClimateWire* and *EnergyWire*, and Bloomberg BNA's *Daily Environment Report* offer e-mail alerts that faculty and students can set up to track a current topic or a piece of legislation, regulations, or court decisions. These daily alerts help me stay current, and notify me of reports and other documents of potential interest for our collection.

Bloomberg BNA's collection of newsletters covers a wide range of energy and environmental law issues. *Daily Environment Report*, *Energy and Climate Report*, *State Environment Daily*, *Water Law & Policy Monitor*, and *International Environment Reporter* provide detailed reporting on current environmental and energy legislation, regulations, guidance and case law on both federal, state and international levels. Links to important websites and documents are embedded in the news articles so that researchers can easily locate primary materials, including bills, laws, and regulations. And links to earlier news articles on a topic provide a quick route to understanding the development of legislation, regulations and judicial decisions.

In addition to its comprehensive newsletter collection, Bloomberg BNA's *Environment & Safety Resource Center* provides an online library of full-text federal and state environmental laws, regulations, court decisions, and international treaties.

From a public policy, scientific and technical perspective, Environment & Energy (E&E)'s online newsletters (*EnergyWire*, *ClimateWire*, *E&E Daily* and *Greenwire*) provide more news coverage of the scientific literature, including links to published studies in, for example, *Science*, *Nature*, *Environmental Science & Technology Letters*, as well as reports from government energy laboratories and international organizations.

The Environmental Law Institute's (ELI's) monthly journal, *News & Analysis*, publishes concise scholarly articles on emerging areas of environmental and energy law. For example, the March, 2016, issue includes articles on legal precedents for the Clean Power Plan and use of collaboration and litigation in National Forest Management. The Law Library subscribes to the web version of *News & Analysis*. In addition, the journal is available through *Lexis Advance* and *Westlaw*.

The *InsideEPA.com* newsletters covering environmental policy generally, clean water, California EPA, Superfund, and clean air provide in-depth reporting on legislation and regulations. A documents database provides full-text internal memoranda, policies, and letters discussed in news articles.

Complementing the Law Library's collection of online environment and energy newsletters are the energy and utility news databases on *Lexis Advance* and *Westlaw*. These databases provide full-text access to industry trade journals such as *Oil and Gas Journal*, *Public Utilities Fortnightly*, *Electricity Journal*, *Platt's Gas Daily*, and *Platt's Inside F.E.R.C.* newsletters.

The Law Library's *CCH IntelliConnect* database provides full-text opinions, orders, and decisions issued by the Federal Energy Regulatory Commission (FERC). Part of the database includes the full-text of Energy Policy Act (EPAct) 2005 with explanations, amending federal laws, FERC regulations and rulemaking orders, and other agency releases related to the 2005 law.

Legislative history is a key component of environmental and energy law research. The Law Library subscribes to two commercial legislative databases—*ProQuest Congressional* and *ProQuest Legislative Insight*. *ProQuest Congressional* provides full-text, historical, and current legislative history documents. *ProQuest Legislative Insight*

provides compiled legislative histories of federal legislation signed into law, such as the Federal Power Act of 1935. Links to full-text documents are provided.

In addition to legislative history documents, *ProQuest Congressional* makes available full-text reports written by the Congressional Research Service (CRS). CRS is the research arm of Congress, and its reports provide concise analyses of current and historical environmental and energy legislation. Depending upon the legislation being considered by the current Congress, reports can be updated multiple times during a legislative session. *ProQuest Congressional* provides the most current versions of a CRS report, which can often be difficult to determine when researching the reports using Google.

In addition to *ProQuest Legislative Insight*, compiled legislative histories of environmental statutes also can be located using JACOB (the Law Library's online catalog), *Lexis Advance* compiled legislative histories, and *Westlaw's* GAO legislative history database.

### **The Law Library's international environmental law collection.**

This component of the environmental law collection comprises print and online treatises and looseleaf services, law reviews, journals and substantive current awareness newsletters that provide scholarly discussion and analysis of international treaties, conventions, and agreements; customary international law; general principles of law common to major legal systems; and judicial decisions.

GW's Gelman Library provides online access to publications of the OECD and the World Bank, two international organizations whose work has significant impact on the development of international energy and environmental law, through two databases: *OECD iLibrary* and *World Bank e-Library*. Thus, for the World Bank- or OECD-affiliated agencies, such as the Nuclear Energy Agency (NEA), International Energy Agency (IEA), and International Monetary Fund (IMF), the Law Library customarily relies upon the Gelman Library databases for full-text access to reports.

The Law Library continues to develop dynamic collections of scholarly publications on foreign environmental and

energy law issues. Foreign law aspects of climate change include print and online materials analyzing efforts to develop governance structures and schemes to address climate change within countries, enabling parties to meet treaty obligations and avoid conflicts with WTO law. Print and online resources in the energy law collection include resources on foreign legal and policy issues relating to oil and gas consumption, energy efficiency, renewable energy, nuclear energy, facility siting, project finance, and energy incentives and tax policy.

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A growing part of the Law Library's foreign environmental and energy law collection covers developing countries and their efforts to create a sustainable environmental and energy legal framework. In addition, foreign and international works address the efforts in the European Union (EU), Australia, and Germany in the arena of renewable energy. These countries serve as testing grounds in the development of this law.

The Law Library's specialized online databases in foreign and international law – *Index to Foreign Legal Periodicals*, *Foreign Law Guide*, *Oxford Reports on International Law*, *United Nations Treaty Collection* – are great sources for international and foreign law materials. The *OGEL: Oil, Gas & Energy Law Intelligence* database complements these online sources in a peer-reviewed academic journal covering all aspects of law pertaining to foreign and international oil, gas, and energy as well as offering a large collection of full-text laws, regulations and guidance documents from different countries, examples being the Turkey Petroleum Law 2013 and the Afghanistan Minerals Law 2010.

Each year, law faculty and LLM students embark on new scholarship as they research untrodden areas and propose new ways of thinking about the law. My work is successful when students and faculty have the sources they need to work on meeting the challenges facing Planet Earth.

For a video presentation on GW Law's Environmental and Energy Law Program, please visit <https://vimeo.com/106857854>

Links to the Law Library's environmental law research guides:

*International Environmental Law Research:*

<http://law.gwu.libguides.com/IEL>

*Researching the Clean Water Act (CWA):*

<http://law.gwu.libguides.com/CWA>



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**Manwood's *Laws of the Forest*:  
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