

American Bar Association Young Lawyers Division
The Affiliate

Going Green Guidelines: Making Green Part of the *Practice* of Law

By M. Vittoria "Giugi" Carminati

Going green is "in," but how can young lawyers around the country implement the going-green philosophy? Two possible ideas: guidelines for green certification and education.

Green Ribbon Certification in Philadelphia

In January 2010 Scott Cooper, Chancellor of the Philadelphia Bar Association, asked Kim Jessum and Mike Hayes (both former Chairs of the Philadelphia Bar Association's Young Lawyers Division) to co-chair a Green Ribbon Initiative Committee for the Association. One of the primary short-term goals of the Committee is to develop environmentally conscious guidelines for lawyers, law firms, in-house and other legal offices, bar associations, and the courts. Entities that voluntarily adopt and certify compliance with the guidelines will receive a certification and other recognition from the Philadelphia Bar Association (somewhat similar to the LEED certifications currently available for buildings).

The Green Ribbon Initiative Committee is currently made up of a dozen volunteer members, a good portion of whom are young lawyers. The Committee is intended to become a permanent committee of the Philadelphia Bar Association for the continued development, improvement, and implementation of practice-based environmentally conscious behavior for the legal profession. Mike Hayes points out that there has already been "significant interest from the Young Lawyers Division, and significant involvement by the young lawyers of the Philadelphia Bar Association" in the initiative.

Kim Jessum discussed desired outcomes for the Green Ribbon Initiative. First, a certification program for law firms, legal departments, corporations, and possibly government entities in which they have to follow or develop a set of criteria, for which the Philadelphia Bar Association will recognize them as Green Ribbon firms/entities.

Second, the development of an educational component to make people more aware about the things they can do to conserve energy and make their firms greener. Or, in Jessum's words, "Give them a sense of being able to make a difference and make Philadelphia a greener place."

Third, although the courts have adopted electronic filing and other policies to minimize paper waste, their systems are of relative recent vintage and can be improved on. The Green Ribbon Initiative intends to work with the courts to make filing and other processes more efficient and more environmentally friendly at the same time.

The initiative will more than likely draw on pieces of the ABA's guidelines for green practices. But as Hayes explains, the Philadelphia Bar Association is taking a more comprehensive approach to the issues, while addressing the realities of the practice and the incremental nature of improvements.

By way of example, Hayes mentioned that, although "the ABA guidelines are very comprehensive . . . to some extent, the Philadelphia Bar Association is trying to deal with the reality that some firms do not have the ability to make major changes to their offices because they are operating under leasehold agreements." The Philadelphia Bar Association's Green Ribbon Initiative attempts to tackle those and other practical problems. Kim Jessum and Mike Hayes envision guidelines that can be adopted by solo practitioners, five-member firms, and mid-sized and large law firms around the state. The initiative will also look at court practice: filing, recording of transactions, and document storage. Any and all aspects of the legal process will be reviewed and given guidelines to lighten the load on the environment.

The Green Ribbon Committee has started collecting policies and procedures from firms, bar associations, and in-house counsel offices that have already engaged in green efforts. Members of the Green Ribbon Initiative Committee also recently met with Philadelphia Bar Association staff to see what they have done over the past several years to "go green" and to develop recommendations on what else the Association can do. Finally, the Green Ribbon Committee intends to collect ideas and information to support its efforts by attending various section and committee meetings.

Hayes explains that the response has been uniformly positive. People are receptive to the Committee's questions and concerns. The Committee intends to issue a report and update to the Board of Governors of the Philadelphia Bar Association within the next month. Guidelines will be finalized within the next several months as well.

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No doubt, the practice of law could become greener if more bar associations developed similar guidelines and certification processes.

The Environment and the Law Symposium

The Texas Young Lawyers Association is also finding ways to be, and promote, eco-friendly practices. Cori Harbour's mandate for her year as TYLA President was clear: make it green! So the TYLA did.

First, the TYLA Board of Directors meetings no longer feature paper committee reports. Rather, each member of the Board of Directors receives a USB stick at the start of each quarterly meeting. All necessary documents for the meeting are loaded onto the USB stick. Each director copies the documents onto his or her own laptop, and returns the USB sticks at the end of the meeting. The cost to the TYLA is greatly reduced and paper consumption is virtually zero.

In addition, the TYLA is organizing a symposium about the environment on Earth Day 2010 (April 22, 2010). What is different about it? A lot.

For starters, there are no flyers, no printed materials, no hard-copy course notes; all documents will be delivered electronically. And all attendees received notification by e-mail, and RSVP-ed either by phone or by e-mail. Second, the event offers five hours of free CLE to attendees. Third, the speakers attending the "Environment and the Law Symposium" hail from all areas of the law. Therefore, lawyers from numerous practice areas will find something of interest. Bankruptcy lawyers can attend the environmental issues in bankruptcy presentation and then stay for an interesting conversation about chemical facilities and homeland security. Real-estate lawyers can attend the green building law presentation, and then stay for a presentation about compliance, regulation, and enforcement of environmental regulations. Energy lawyers and in-house counsel for chemical companies can attend a presentation by a TCEQ representative about wastewater permitting.

So whether creating guidelines or providing education, young lawyers around the country are undoubtedly making the environment "part of their practices."

SIDEBAR:

Five Simple Tips For YLDs To Go Green

- 1. Aim for a Paperless Meeting:** Don't provide paper copies of agendas, reports, announcements, or other materials for board meetings. Everything can be sent out electronically, and many members will have laptops they can use during the meeting. Even if half of your board has to print out all or some of the materials, that's still only using half the paper.
- 2. Communicate Electronically:** Join us in the twenty-first century of e-mail, listservs, Facebook, and other nonpaper means of communicating with members. It costs less than mass mailings to members, is faster, and better for the environment.
- 3. Get Rid of Water Bottles:** As they say, an hour on the meeting table, a lifetime in a landfill. There is nothing wrong with tap water and glasses. For that matter, use mugs or paper cups for coffee—NEVER STYROFOAM.
- 4. Reuse and Recycle:**
 - Have reusable signs for meetings and events.
 - When using nametags, have people turn them in at the end so they can be reused—at least the plastic holders.
 - Have a recycling bin available for soda cans, bottles, and paper.
 - If you have food at the meetings, make certain it doesn't go to waste. Donate the food—or encourage members to take it home.
- 5. Turn off the lights when you leave:** This sounds silly, but how many times have you left a meeting room with the lights on—plus the projector, computers, and other equipment. Create a policy that if you're the last one out, you will turn the lights and other equipment off.

M. Vittoria "Guigi" Carminati is an Assistant Editor of The Affiliate and a Litigation Associate in the Houston, Texas, office of Weil, Gotshal & Manges LLP.