**ENVIRONMENTAL JUSTICE AND SUSTAINABILITY CLINICAL PROGRAM 2015-2016**

**Brief description**

In this two-term, 15-credit program, students explore the theory and practice of public interest environmental law, working on files chosen for their likely lasting positive impact on environmental justice and sustainability. The EJS Clinical Program takes on a variety of work (litigation, law reform, legal education, legal drafting, etc.) for a variety of clients (individuals, communities, NGOs, municipalities, First Nations, social enterprises, etc.), on its own initiative or in cooperation with external organizations. Students are based at Osgoode for all three components of the program: a seminar (3 credits), clinical work (9 credits) and a research assignment (3 credits).

Eligible for Praxicum, OPIR and Upper Year Writing requirements.

Pre/co-requisites: Environmental Law, Land Use Planning or Municipal Law.

Academic Co-Directors: Professor Stepan Wood and Adjunct Professor David Estrin.

**Expanded Description**

The Environmental Justice and Sustainability (EJS) Clinical Program gives Osgoode students an opportunity to explore and use law’s potential to remedy past and present environmental injustices and to promote the transition to a more sustainable Canadian society and economy. In this full-year, 15-credit program, students work on files chosen for their likely lasting positive impact on environmental justice and sustainability. The Program’s dual focus on remedying environmental injustice and promoting sustainability makes it unique among environmental law clinical programs in Canada. “Environmental justice” mobilizes environmental, civil rights, anti-racist, anti-poverty, aboriginal rights and feminist agendas to challenge the unequal distribution of environmental burdens and benefits in society. “Sustainability” involves the simultaneous pursuit of ecological integrity, social equity and economic prosperity within the biophysical constraints of local and planetary ecosystems.

This dual mandate encompasses a broad range of subject-matter, including biodiversity, energy, water, food, climate change, pollution, resource extraction, land use planning, human rights, green technology, social enterprise, corporate social responsibility, toxic torts, and regulatory compliance. It also includes a variety of types of legal work, including litigation, law reform, legislative drafting, community legal education and outreach, and business law services that advance sustainable or social enterprise. Clients may include individuals, community groups, public interest non-governmental organizations, First Nations, municipalities, cooperatives, social enterprises and other organizations affected by environmental injustice or interested in advancing sustainability. The Program may also work in its own name (eg legal education materials or submissions to policymakers or judicial inquiries).

The EJS Clinical Program selects files for their potential to advance environmental justice or sustainability. The Program may work on files provided by external organizations or initiate its own files. The Program does not have a public storefront, but in exceptional cases may take a case directly from the public. Files are drawn from across Canada, with an emphasis on Ontario. Students’ clinical work is supervised by the lawyer(s) with professional responsibility for the file. In the case of files initiated by the Clinical Program, this means the Program’s in-house review counsel (not yet in place, subject to budgetary approval). In the case of files provided by external organizations, it means lawyer(s) at the external organization. Students working on external files are not placed physically with external organizations. They conduct their clinical work at Osgoode. .

The program has three components: clinical work (9 credits, ungraded), seminar (3 credits, graded), and research assignment (3 credits, graded).

*Clinical work (9 credits, credit/no credit)*

Students receive their file assignments early in the Fall term, after an initial introduction (see Seminar, below). They engage in supervised clinical work throughout the remainder of the academic year. The nature and timing of the tasks to be completed are determined on an individual basis depending on the file. The clinical work finishes a few weeks before the end of Winter term classes, to allow for orderly wrap-up of the seminar and research assignment. Academic credit for the clinical work is awarded on a credit/no credit basis, with 4 credits allocated to the Fall term and 5 credits to the Winter term. The Fall term credits are awarded upon completion of the program (until then they appear as “in progress” on transcripts). Students receive a combination of formative and summative assessment. Formative assessment includes informal feedback on their work through the process of revision of written work and through supervisory discussions; and interim written feedback toward the end of the Fall term and midway through the Winter term. Summative assessment takes the form of a final written evaluation that encompasses students’ clinical work in both terms. The final evaluation is completed by the academic director at the end of the academic year with input from the supervising lawyers with whom the students have worked. Blank written evaluation forms are available to students in advance.

To facilitate the praxicum component, students keep a reflective journal in which they reflect on their engagement with theory and practice. Students receive formative feedback on journals but the journals do not form part of the summative evaluation.

*Seminar (3 credits, graded)*

Students participate in the EJS Clinical Program Seminar throughout the academic year. In the seminar, students explore and develop perspectives from which to understand, critically assess, and think constructively about environmental justice, sustainability, public interest law and legal clinics. The seminar meets a total of fourteen times throughout the year: weekly in the first month of the Fall term and the last month of the Winter term, and six more times during the rest of the year. The first month of the seminar is devoted to orientation, clinical skills training and an introduction to theories of environmental justice, sustainability, clinical practice and public interest lawyering. The last four seminar meetings are devoted to student presentations of their research and to collective reflection designed to integrate theory and practice. The intervening seminar meetings are devoted to scholarly readings, skills development, guest lectures, and clinical supervision (the latter element is evaluated as part of the clinical work, not as part of the seminar). Topics and readings for this phase of the seminar are chosen to complement the current year’s clinical files.

Each student leads one seminar meeting, introducing the topic and/or guest speaker, and facilitating discussion.

During the last month of the seminar, students give an in-class presentation of their research assignment, including visual aids (eg PowerPoint presentation) (roughly 20 minutes including questions and discussion).

The breakdown of the seminar grade is: 33⅓% participation, 33⅓% leadership of one seminar meeting, and 33⅓% student presentation. The credits for the seminar are allocated to the Fall term and are awarded upon completion of the program (until then they appear as “in progress” on transcripts).

*Research assignment (3 credits, graded)*

Students are required to complete a legal research paper or project that complements but does not duplicate their clinical work. Topics are approved by the academic director no later than the end of January. Students submit a research proposal (2-3 pages), on which they receive formative feedback. Time permitting, the academic director may also provide formative feedback on a draft of the research paper or project.

The breakdown of the research assignment grade is 20% blog post about the research project and its significance on the Program’s blog (maximum 750 words), and 80% final research paper of at least 7,000 words, or other research project approved by the academic director (e.g. report, submission, film, website, or educational material) (due on the deadline for submission of Winter term seminar papers). The credits for the research assignment are allocated to the Winter term. The research paper qualifies for the Upper Year Writing Requirement. Other forms of research project may or may not qualify.

**Eligibility and Requirements**

Applicants must:

* Be entering the second or third year of the JD program.
* Have completed or be enrolled in at least one of Environmental Law, Land Use Planning Law, or Municipal Law by the Fall term of the year in which they enrol in the EJS Clinical Program.
* Not be enrolled in any other intensive program or in any exchange program during the academic year in which they wish to participate in the EJS Clinical Program.

The number of places available depends partly on the nature and number of projects available, but is expected to be between 8 and 12. Students may complete the program only once. In the event of oversubscription, preference is given to third-year students.

The Program satisfies the Praxicum and Osgoode Public Interest requirements (approval pending) and is eligible for the Upper Year Writing Requirement.

**How to Apply**

To apply for the EJS Clinical Program you must submit

* A completed Application Form on MyOsgoode [or To Natia Tucci?], including a statement of interest outlining why you are interested in the EJS Clinical Program, what skills or assets you bring to the position, what you hope to gain from the experience, and your experiences in the field of environment and sustainability.
* Your resume
* An unofficial but accurate and complete report of all your Osgoode courses and grades
* The names and contact information of two referees
* A short sample of legal writing (may be research or practice-oriented) of no more than 5 pages (may be an excerpt).

The deadline for receipt of completed applications is Friday, May 22.

**Selection Process**

* Since this clinical program was approved too late for inclusion in the regular clinical and intensive program selection process, a special selection process will be followed for 2015-2016 only. In future years, the program will be included in the regular selection process.
* Completed applications will be reviewed by the academic co-directors of the EJS Clinical Program.
* Applicants may be interviewed if the academic co-directors determine that an interview would be beneficial. Applicants selected for interviews will be emailed shortly after the application deadline to schedule an interview. Interviews will be conducted by telephone and will be around 15 minutes long.
* Referees will be contacted only if the academic co-directors determine that references would be beneficial.
* Offers will be made with sufficient time for all positions to be filled before the initial course selection process opens in mid-June, 2015.

**Further Information**

Please direct any inquiries about the EJS Clinical Program or the selection process to Professor Wood at [swood@osgoode.yorku.ca](mailto:swood@osgoode.yorku.ca).