



Energy, Environmental, and Natural Resources Law Clinic

Fridays 1:00-2:25, Room 180

Spring 2019 Semester Syllabus

Clinic Staff

During the Spring semester, the day-to-day operation of the Clinic will be managed by:

Temple Stoellinger
Assistant Professor
tstoelli@uwyo.edu

(307) 766-6450

Office hours: Tues/Thurs. 9:30-11:30
or by appointment.

Jay Jerde

Special Assistant Attorney General
Wyoming Attorney General's Office

jay.jerde@wyo.gov

(307) 777-7841

You also will work directly with attorneys in the Wyoming Attorney General's Office Water and Natural Resource Division on clinic project work that has been assigned to the Division.

The Classroom Component

During the Spring semester, the classroom component of the Clinic will provide you with an overview of the energy, environmental, and natural resources state law regulatory schemes administered by the State of Wyoming. The classroom component of the Clinic will consist of classroom instruction, experiential learning through one simulated exercise assignment, one skills development class and a guest lecture on the general practice of natural resource law.

Classroom Instruction — Classroom instruction will consist of a series of lectures addressing natural resources state law regulatory schemes administered by

the State of Wyoming. The lectures primarily will provide a broad basic overview of these topics along with practical practice pointers.

As background for these lectures, you will need to read published cases, law review articles, excerpts from treatises, and/or other relevant materials. The reading materials for a particular class will be provided to you within a reasonable amount of time before that class. You are expected to complete the assigned reading before each class and to actively participate in classroom discussions. In addition to the reading materials, you may be given sample documents or other reading materials before or during class that are relevant to the topics being discussed in class.

Experiential Learning — During the Spring semester, you will complete one simulated exercise class assignment. For this assignment, each student will be paired with another student and, for each pair, one student will draft a motion and the other student will respond to that motion. During the last week of classes for the semester, each pair of students will present oral arguments on their respective motions and responses to a panel of three to five judges.

Skills Development — During the Spring semester, you will participate in one skills development class on oral advocacy which will prepare you for the final oral advocacy assignment.

Guest Lecture — For one class during the Spring semester, a practicing attorney or attorneys from Wyoming or another state in the Rocky Mountain region who has a law practice that focuses on energy, environmental, or natural resources issues will speak to the class about their practice.

The Clinical Practice Component

The clinical practice component of the Clinic will provide you with the opportunity to work with attorneys from the Water and Natural Resources Division of the Wyoming Attorney General's Office on cases involving the State, State agencies, or State officials.

You must complete a minimum of 250 hours of clinical practice work over the course of two semesters. You were expected to complete at least 125 hours of clinical practice work by the start of the spring semester. In completing a Clinic project, you likely will work directly with at least one attorney from the Wyoming Attorney General's Office. This semester we are not assigning students to specific attorneys in the Attorney General's Office; instead you will have the opportunity to work with multiple attorneys hopefully on a number of different projects.

Any written work product that is done in connection with a Clinic project first must be submitted to Jay Jerde for his review. **You should consider the written work you submit to be the final work product.** In other words, when you submit a document to him for his review, you should believe that it is complete and capable of being given to a client or filed in a court or tribunal. After he has reviewed the document and you have edited the document in accordance with his editorial comments, you then will submit the document to the designated attorney in the Attorney General's Office for additional review. The deadlines for submitting written work for the initial review and to the Attorney General's Office will be established at the project assignment meeting.

As a part of the clinical practice component, you must participate in a group discussion session called "rounds" three times during the semester. For each session of rounds, you will have 15 minutes to discuss the work you have done on the Clinic project assigned to you and to answer questions about the project from the group. Each rounds session will be held in Cheyenne. Following the rounds, we will participate in an activity with the Attorney General's Office such as a discussion or presentation on a legal topic.

You will be required to participate in a Wyoming Oil and Gas Conservation Commission (OGCC) hearing again this spring semester. During the OGCC hearing you will present a contested case and then you will be asked to attend an examiner hearing. You will also be asked to prepare the order for the contested case following the hearing. The OGCC meets the second Tuesday of every month. You will need to travel to Casper the Monday before the scheduled hearing to meet with Eric Easton and to prepare for the hearing. Please note that this will likely create a class conflict so plan accordingly.

You may count the time you spend on class assignments, rounds & the skills development session (but not class time or class preparation time) toward your clinical practice work.

General Information

Time Reporting — During the semester, you must submit weekly time reports via WyoCourses. To this end, you will be given password access to the electronic timekeeping program used by the Attorney General's Office. You shall not use the electronic timekeeping program for any purpose other than keeping track of time spent working on Clinic/class matters.

Your time reports must account for all of the time you spend working on matters involving the Clinic. The specific requirements for the content of the weekly time reports will be provided to you before the first time report is due. The time period for each weekly report will be 12 a.m. Monday through 11:59 p.m. on the immediately following Sunday. Time reports for a specific week must be submitted no later than 5 p.m. of the Wednesday of the immediately following week. For example, the time report for the week of January 21 through January 27, 2018, would be due no later than 5 p.m. on Wednesday, January 30, 2018.

Grading — Student performance in the Clinic will be assessed using an A-F grading system. You will receive a final letter grade of A-F for the semester. The final letter grade for the semester will be based on the following scale:

A	= 90% - 100%
B	= 80% - 89%
C	= 70% - 79%
D	= 60% - 69%
F	= Less than 60%

The final letter grade for the semester will be based upon your performance in the following categories:

Class assignments (1 assignment total; 30% of the final semester grade) — For the class assignment, you will receive an A-F letter grade; 50% of the grade on each assignment will be based on the first draft of the assignment and 30% of the grade will be based on the final draft of the assignment and 20% of the grade will be based on your oral argument.

Skills development session (1 session; 5% of the final semester grade) — For the skills development sessions, you will receive an A-F letter grade based upon the quality of your performance.

Weekly time reporting (14 reports total; 5% of the final semester grade) — For each weekly report, you will receive an A-F letter grade based upon the timeliness and quality of the report.

Clinic projects (50% of the final semester grade) — For each clinic project, you will receive an A-F letter grade based upon the following factors: project development and implementation; the quality of oral and/or written advocacy; effort; and demonstrated professionalism.

Rounds (3 rounds sessions total; 10% of the final semester grade) — For each session of rounds, you will receive an A-F letter grade based upon the overall quality of your progress report about your project and on your participation in the discussion during the session. **Attendance at the rounds sessions is mandatory. If you cannot attend a rounds session, you must notify Professor Stoellinger as soon as possible before the scheduled time for the session to discuss why you cannot attend and whether the absence will be excused. If you have an unexcused absence from a rounds session, then you will receive 0% for this portion of the final semester grade.**

Late Assignments/Missed Assignments — You will receive a 25% reduction in your final grade for the assignment for any late assignments. If you fail to turn in an assignment, you will receive an Incomplete for the class until you do so.

Office Hours and Class Communication — Clinic staff will not have established office hours. If you would like to meet with any member of the staff regarding a classroom assignment, clinical practice project, or any other Clinic-related matter, you can make arrangements to do so with the particular attorney or professor.

If you have questions about any aspect of the Clinic, you may contact Professor Stoellinger or Jay Jerde during office hours, via telephone, email or before or after class.

The Clinic has an assigned office in the library on the second floor of the College of Law. The office will be the Clinic Director's Office, but will also be available for your use for computer research, meetings, conference calls, and other Clinic related work. The Student Director for the Clinic will manage the day-to-day operations of the Clinic office.

The instructors reserve the right to modify the syllabus and/or class schedule. If a modification is made, we will communicate that modification to the students.

Class Attendance — In accordance with the College of Law Attendance Requirement and American Bar Association requirement of regular and punctual attendance, you must attend at least 75% of the class meetings. The instructors will take attendance and enforce this requirement.

Each class session will be 75 minutes in length. You are expected to be in the classroom and prepared to start class promptly at 1:00 p.m., without exception.

Academic Honesty — The College of Law Honor Code and the University of Wyoming Code of Conduct apply to this course. You are expected to be familiar with the requirements of both Codes and to adhere to them at all times. Failure to do so may subject you to severe sanctions including but not limited to possibly failing this course, and/or dismissal from the University.

The College of Law Honor Code and the UW Code of Conduct are available for review on the College of Law website on the “Current Student Resources” page under the heading of “Forms and Handbooks.”

Respect, Diversity, Equity, and Inclusion — The University of Wyoming values an educational environment that is diverse, equitable, and inclusive. The diversity that students and faculty bring to class, including age, country of origin, culture, disability, economic class, ethnicity, gender identity, immigration status, linguistic, political affiliation, race, religion, sexual orientation, veteran status, worldview, and other social and cultural diversity is valued, respected, and considered a resource for learning.

Student Support — If you have a physical, learning, or psychological disability and require accommodations, please let me know as soon as possible. You will need to register with, and provide documentation of your disability to, University Disability Support Services (UDSS) in SEO: Room 109 in Knight Hall | 766-6189 TTY: 766-3073.

I encourage an environment of open communication and trust; beyond course-specific conversations, I am here to support you as a whole person and holistic learner. Additionally, if you share issues you may be struggling with or concerns you may be having, please be aware that I have expectations and duties to report that are part of my job requirements at UW. For example, if you inform me of an issue of sexual harassment, sexual assault, or discrimination I will keep the information as private as possible, and I am required to bring it to the attention of the institution’s Title IX Coordinator. If you would like to talk to those offices directly, you can contact Equal Opportunity Report and Response (Bureau of Mines Room 319, 766-5200, reportit@uwyo.edu, www.uwyo.edu/reportit). Additionally, you can also report incidents or complaints to the UW Police Department. You can also get support at the STOP Violence program (stopviolence@uwyo.edu, www.uwyo.edu/stop, 766-3296) (or SAFE Project (www.safeproject.org, campus@safeproject.org, 766-3434, 24-Hour hotline: 745-3556)



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Spring 2019 Semester
Class and Assignment Schedule

January 25 **Second semester kick-off**

February 1 **Rounds 1 in Cheyenne; Debrief with John Knepper on *Herrera v. Wyoming***

February 8 **Wyoming Legislature**

Assignment: **Draft motions assigned on Monday, February 11th**

February 15 **Wyoming Oil and Gas Conservation Commission, Eric Easton**

February 22 **Wyoming Environmental Quality Act**

March 1 **Wyoming Water Law, Jason Robison**

Deadline: **First drafts of motion due**

March 8 **Rounds 2 in Cheyenne**

Feedback: **Comments on first drafts/motion**

March 15 **No Class, Clinic Project Work Time**

Deadline: **Final drafts of motion due**

March 22 **Spring Break**

March 29 **Department of Interior Statutes and Case Law, Phil Lowe,
U.S. DOI, Rocky Mountain Regional Solicitor's Office**

Assignment: **Response to motion assigned on Monday, March 25th**

April 5 **Wyoming Wildlife Law**

April 12 **Guest Speaker on the Practice of Natural Resource Law TBD**

Deadline: **First drafts of response due**

April 19 **Skills Session — Oral Advocacy**

Feedback: **Comments on first drafts/response**

April 26 **Rounds 3 in Cheyenne**

Deadline: **Final drafts of response due**

May 3 **Oral Arguments on Motions**
