

## **Student Paper Assignment**

### **ES 6 – Introduction to Environmental Law**

**Student Paper.** Pick an area that interests you and have fun with this assignment! You are required to complete an 8-10 page paper (body length) presenting the findings of your own research on an area of environmental law that interests you. The paper will be worth 30 percent of your grade and must be typed, double-spaced, and in 12-point font. Do not use a title page and do not bind the paper (a staple will do.)

You may choose the topic of your choice as long as it pertains to the environmental and law or policy; however, you should narrow your topic area. For instance, a paper on the Clean Air Act is a good place to start, but it is far too general. It is much easier to research a focused topic such as the potential impacts of AB 32 on air quality in California. Other potential general topic areas include water quality issues, wetlands issues, energy policy, land use law, habitat and species protection, natural resource law and policy, environmental justice, and hazardous waste law.

**Make every effort to limit your paper to legal or policy issues.** While I will interpret this requirement broadly, do not merely submit a scientific evaluation. The more law, regulation, and policy evaluation you include in your paper, the better.

Start thinking about this assignment now! Think about your topic and look up some of the sources that you intend to use for the paper. Let me know what you intend to write about by Week 3 of the course. Attached is a form for you to fill out and turn in to me. I am available to help you with paper ideas, sources, formatting, and any other issues that you may encounter.

You may use any books or reputable mainstream magazines or journals as sources for your paper. U.S. Supreme Court and Appellate Court decisions are excellent sources and I strongly suggest that you use them. You can get these decisions for free on Findlaw.com, or you can ask me and I can point you in the right direction. Speaking of the Internet, it is an excellent place for sources, but you need to be careful here. Dubious sources and misinformation abound! **Be sure to either cite your sources either embedded in the text of the paper, on the bottom of the page, or on the final page. If you chose to place all citations on the on the bottom of the pages or on the final page, you must use a numbering system within the paper after each cited reference.** Your citations can be brief and informal, such as: (Lee, Christopher; *Court Halts Changes to the Clean Air Act*, San Francisco Chronicle, 7/25/10), or (Kubasek, Nancy; *Environmental Law*, Prentice Hall, 6<sup>th</sup> Ed., 2008). While the citation format is informal, the citations must be consistent throughout the paper. Do not cite **Wikipedia since it is a collaborative information source. However, Wikipedia may be used to find more scholarly sources as it can be well-referenced.**

**You must use the IRAC method to organize your paper.** Information regarding IRAC is provided on page 2. Be sure to outline your papers before you write anything; this is a critical step that will maximize your organizational efforts. Use headings liberally. A paragraph should not exceed ten sentences; there should be at least three paragraphs per page. Don't be conclusory; your conclusions belong at the end of the paper and should reasonably flow from your analysis.

### Environmental Law Research Paper Format

1. Be sure to organize your Research Paper in a readable format.
  - a. **It is virtually impossible to do this unless you prepare an outline of the paper before you begin to write.**
2. Use headings liberally; they provide indications of organization and readability
3. Split your ideas into paragraphs. Include only one major idea per paragraph. If you follow this advice, there should be at least three paragraphs (or more) per page.
4. There should be a beginning, a middle, and an end to your paper. Do not put the conclusions at the beginning (or in the middle) of the paper. In order to achieve this organization, use the IRAC method to organize your paper.
5. **USE THE IRAC FORMAT** (Issue, Rule, Analysis, Conclusion)
  - a. First, explain the **issue** that you intend to discuss; this sets the stage for the entire paper and it should be discussed in the first paragraph(s).
    - i) For example, if your paper concerns the implementation of AB 32 in California, the first paragraph will state the issue. It will often (but not necessarily) be stated in question form. For example:
      - a) What initial steps must the California Air Resources Board (CARB) undertake to implement the California Global Warming Solutions Act of 2006?
    - ii) You may then refine the issue further to provide information about the direction of the paper. For example:
      - a) This paper will examine the establishment of the state's 1990 baseline or "inventory" of greenhouse gas emissions. This is the target level of emissions that must be achieved by the year 2020.
  - b. Then you will describe the **rule**, the regulation, law, lawsuit, Executive Order, or whatever is required to provide a basis for a legal evaluation of the issue.
    - i) In the AB 32 example, provide a short background of AB 32 and include the language in the California Health and Safety Code Section 38500 *et seq.* (Latin for "and following") that deals with establishment of the 1990 statewide greenhouse gas emissions level.
  - c. Then you need to **analyze** the facts of your issue, and weave these facts into the laws or regulation or lawsuit in terms of the rule described above.
    - i) This analysis section will be the majority (~3/4) of the paper.
      - a) This is where you can pull in reputable textbook, newspaper, journal, or magazine articles to support your analysis.
  - d. Finally, you can make a **conclusion(s)** as to whether you think there will be positive or negative environmental consequences as a result of your evaluation. Any conclusion that you make should flow naturally from your evaluation; do not make sweeping conclusions regarding issues that are not included in your paper. This section should be brief, one paragraph should do.

If you have any questions about the student paper, see me, call me, or email me. The sooner the better!

**Student Paper Topic Form  
Environmental Law  
Due by October 5, 2010**

**Describe the topic you have chosen for your paper. Be specific about your subject. For example, if your paper will be about the Clean Air Act (CAA), include detail about specific issue(s) regarding the CAA you intend to address in your paper.**

**What are your anticipated sources? Be specific. For example, if you intend to use the Internet, what sites are you planning to use? Name the books, periodicals, etc that you intend to use. This requires that you do some research prior to filling out this section.**

I strongly suggest that you use the Congressional Research Service reports as one source (<http://www.ncseonline.org/NLE/CRS/>). Case law is another excellent source – I can help you here. Call me, email me, or see me during my office hour if you need any assistance regarding sources