

## **Environmental Capstone Colloquium: *Climate Change Law***

University of Florida Levin College of Law

Law 6921 – 1 Credit

Professor Amy L. Stein

Fall 2022 – Mondays, 4:45-6:45 pm – Room HH 355C

	<b>Topic</b>	<b>Discussion Leaders</b>
Class 1 Aug. 29	<b>Introductory Meeting</b> <i>Climate Change 101, Modeling, International Dimension, Equity, and Mitigation Strategies</i> David Zierdan State Climatologist and Associate in Research Center for Ocean-Atmospheric Prediction Studies Florida State University	
Class 2 Sept. 12	<b>Climate Change and the Electric Grid</b> <i>Electricity, Resources, and Regulation</i> (Stein)	
Class 3 Sept. 19	<b>Climate Change, Nuclear, and Industry</b> Jeff Navin TerraPower Director, External Affairs	
Class 4 Sept. 26	<b>Climate Change and Oceans</b> <i>Ocean Acidification, Sea Level Rise, and Aquaculture</i> Robin Kundis Craig Robert C. Packard Trustee Chair in Law University of Southern California Gould School of Law	
Class 5 Oct. 3	<b>Climate Change, Transportation, Smart Cities</b> <i>Electric Vehicles, Urban Planning, and Smart Cities</i> Prof. Karen C. Seto Frederick C. Hixon Professor of Geography and Urbanization Science Yale School of the Environment	
Class 6 Oct. 17	<b>Climate Change and Land Use</b> <i>Agriculture, Forestry, Carbon Sequestration, and Market Mechanisms</i> Damian Adams Professor and Associate Dean for Research Food and Resource Economics Department University of Florida	
Class 7 Nov. 7	<b>Conclusion (mandatory)</b> <i>Climate Change, Private Governance, IRA, Technology, and AI</i> (Stein)	

**Environmental Capstone Colloquium**  
*Climate Change Law Syllabus - Fall 2022*

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**Meeting Time:** Selected Mondays: 4:45 p.m. - 6:45p.m.

**Location:** HH 355C

**Office Hours:** On weeks classes meet, Wednesdays, 8:30-9:30am in HH 311; Thursdays, 4-5pm on Zoom or by appointment via Zoom (link on Canvas)

**Course Description:** The Capstone Colloquium is a one-credit, pass-fail course that is required for graduation with the ELULP certificate, but open to all second and third-year students. As space permits, the course will be open to non-certificate students, to graduate students throughout the university, and to certificate students who wish to enroll in the Colloquium for a second semester. The course will feature two-hour meetings, seven times over the semester, often with leading climate change academics and practitioners. The faculty of the ELULP program will be welcome to join us at these presentations along with the Capstone students.

**Course Objectives:** The course goal is to introduce students to selected topics related to climate change law, with a particular focus on the various components of the IPCC's latest Change Climate Change 2022 - Mitigation Report. Students will sharpen their skills of critical analysis and engage in dialogue with leading climate change scholars and experts from across the nation. In addition, the Colloquium provides an opportunity for the collegial exchange of ideas.

**Required Technologies and Materials:**

No textbook is required. Instead, you are required to read and prepare materials that will be posted on Canvas, or available on Westlaw or the Internet. Please be sure to register for the Canvas course and have the materials with you in print or easily accessible electronic form in class. You are responsible for checking your Canvas page and the e-mail connected to the page on a regular basis for any class announcements or adjustments. Please see Canvas for each session's assignments. A variety of optional resources each week also will be provided on Canvas should you want to explore deeper than we can dive in the time allotted.

**Learning Outcomes:** After completing this course, students should be able to:

- Recognize and comprehend the terminology and basic issues related to climate change law and be able to communicate them to others;
- Evaluate some of the competing trade-offs associated with climate change and explore legal and policy tools that can facilitate a move toward a decarbonized world;

- Identify and analyze the socio-technical implications of technological solutions to climate change, and demonstrate an understanding of the legal challenges associated with them;
- Critically evaluate academic papers and policy documents. Be able to prepare questions for the scholars that will deepen your understanding of the issues and be able to engage in dialogue with the experts.

**Course Requirements:**

1. **Attendance, Preparation, and Engagement:** Prior to each presentation, students will be required to study relevant background readings and to prepare for a critical discussion of the reading.
2. **Critical Reflections:** Students must submit six reflection papers (a minimum of 700-900 words each) throughout the semester on Canvas. Reflections must be submitted by noon on the day of class (Mondays) in PDF form (12 pt font, Times New Roman, single-spaced). No critical reflection is due for the first class on August 29. **Canvas will not accept late submissions.**

Each of the reflection papers must start with two questions about the readings, with at least one that you will be prepared to ask our speaker. For Weeks 2 and 7, I am your speaker. For the remainder of the paper, please present your reaction and critical analysis to the readings for that week's topic. You are free to use any of these prompts or one of your own:

- Do you agree or disagree with the views of the author, and why?
- Do the readings supply any lessons about how our legal system can do a better job managing climate change?
- Despite the increasing urgency of the crisis, do you see promise in technological advances, behavior change, or laws?
- Do you see any points of agreement/disagreement among our speakers? If you wish to comment briefly about the presentation of the prior speaker, you may do so.
- Do you have any other insights about the readings?
- Did the readings miss an important dimension of the debate?
- What supplemental information would you want if you had an additional directed research semester?

Specific guidelines may be provided for the last reaction paper of the semester.

3. **One Student "Discussion Leader" Day:** A group of 8-9 students will serve as the discussion leaders for each of our class sessions. On the date of our first class session, a sign-up sheet will be available for students to select a date for performing this role. To satisfy this class requirement, each Discussion Leader student must (1) be sure to include at least two questions with your critical reflection for our speaker; (2) be prepared to lead your colleagues in a discussion of the questions you submitted during class; and (3) include a link or pdf to a hot topic article related to the theme for that class (distinct from the assigned readings) and be prepared to share and discuss how this hot topic is related

and expands upon the readings for that week. You will be the first ones called upon to engage with any visiting scholars before we open questions to the rest of the class.

**ABA Out-of-Class Hours Requirement:** ABA Standard 310 requires that students devote 120 minutes to out-of-class preparation for every “classroom hour” of in-class instruction. Each session of the Colloquium is approximately 2 hours in length, requiring at least **4 hours of preparation** outside of class including reading the assigned materials, writing critical reflection papers, and preparing questions for the speaker. Some primary source documents are quite long, so please pay attention to my notes that direct you to read selected excerpts.

**Grading Evaluation:**

Students will be evaluated based upon participation, discussion leader engagement, and weekly reflections. There is no final exam for this class. This one-credit course is graded pass/fail (S/U) and follows the Levin College of Law’s grading policies found here: <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/uf-law-student-handbook-and-academic-policies>

Class Component	Percent of Grade
Participation	15%
Weekly Reflections (6)	70%
Discussion Leader Engagement	15%
TOTAL	100%

**Class Attendance:**

Students are expected to attend and participate in class. I am assuming that each student that enrolls in this course is committing to attend every class to the best of their abilities, and class attendance is required by both the ABA and the Law School. Because we only meet seven times over the course of the semester, attendance is critical. A seating chart will be provided on the first day and attendance will be taken each class period.

- Nevertheless, to allow for exigencies in life, **students are permitted one excused absence from class during the semester** without impacting their final grade so long as they still complete the readings and submit their weekly critical reflection by the start of the next class after the absence. This allowance is designed to accommodate for illness, job interviews, family emergencies, COVID-19 positive tests, and life. Please budget accordingly so that you are not left at the end of the semester with a needed absence and your budget depleted.
- If a student has more than one absence, Prof. Stein has the discretion to determine that student has not satisfied the requirements to pass the class.
- The two exceptions to this policy are (1) absences for a recognized religious holiday that are consistent with University <https://catalog.ufl.edu/UGRD/academic-regulations/attendance-policies/#absencestext> and Law School policies <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/uf-law-student-handbook-and-academic-policies> and require appropriate documents and/or notification before or shortly after class about your absence; and (2) absences due to testing positive for COVID-19 after you have exhausted your other absence. I do not want you jeopardizing your health or others. I am reasonable. Communication is key.

- In addition, please notify me should you have a family or medical situation or an emergency that will require missing more than two classes, and we will discuss how to accommodate your situation.
- This policy starts on the first day of classes, not the end of the drop/add period.

### **COVID-19 Information**

- Although the University is not requiring faculty, staff, and students to wear masks, everyone is welcome to wear masks. I will have spare masks available with me in the classroom so please do not be shy to ask for them. As UF Health indicates, “Please know that wearing a mask, being vaccinated and boosted, and continuing good hygiene practices remain our strongest universal tools to support the health of our community.” More information is available here: <https://coronavirus.ufhealth.org/campus-testing/>.
- Most importantly, however, please do not come to class if you feel sick. If you are test positive for COVID-19, please follow CDC guidance on when it is safe to return to class. Any positive COVID-19 related absences will be accommodated (see “Class Attendance” above), and the Office of Student Affairs may provide access to class recordings for medical absences. Please email the Office of Student Affairs and me as soon as possible to let us know of any such absences.
- The UF Student Health Center continues to offer vaccines to students at no charge, and we will strongly encourage all students to become vaccinated if they have not already done so. Information is available here: <https://coronavirus.ufhealth.org/vaccinations-2/vaccine-availability/vaccine-availability-alachua/#uf>.

### **Recordings of Class**

All classes will be recorded via Mediasite in case students must miss class for health reasons. The Office of Student Affairs will determine when students may have access to these recordings, and the recordings will be password protected. These recordings will be retained only for a short period of time and it is the student’s responsibility to contact the Office of Student Affairs as soon as possible after an absence.

### **Compliance with UF Honor Code:**

Academic honesty and integrity are fundamental values of the University community. Students should be sure that they understand the UF Student Honor Code at <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/additional-information/honor-code-and-committee/honor-code>.

### **Professional Courtesy**

Please do not arrive late to class or leave early absent extenuating circumstances. If you need to do so, please sit near one of the exits to minimize your disruption to others and notify me in advance. Please make sure your cell phone is turned off during class. I reserve the right to provide you an unsatisfactory grade if you engage in behavior that significantly disrupts the learning environment for your classmates.

### **Use of Laptops in Class**

Although laptops and comparable technology are not prohibited, I would encourage you to use them judiciously. Without a textbook, I understand that you may rely on them for your readings and your notes, but please close all other browser windows, including your email. Unfortunately, many of us succumb to the temptation to multi-task, and for the time we are together, you owe yourself, your classmates, and me your focused attention. I appreciate eye contact and engagement and laptops must be closed when guest speakers are presenting in person. If I can detect a lack of responsiveness due to other activities on your laptop, you may jeopardize your grade in this class. More importantly, I reserve the right to unilaterally impose a laptop ban at any time during the semester.<sup>1</sup> The unique nature of this course even lends itself better to a brainstorming notebook, perhaps focusing on these:

- Important Concepts
- Ideas for Further Inquiry
- Explore More to Better Understand
- Challenges for Law and Policy
- Random Thoughts (maybe even law & CC related!)

### **Statement Related to Accommodations for Students with Disabilities**

Students requesting accommodations for disabilities must first register with the Disability Resource Center (<https://disability.ufl.edu/>). Once registered, students will receive an accommodation letter, which must be presented to the Assistant Dean for Student Affairs (Assistant Dean Brian Mitchell). Students with disabilities should follow this procedure as early as possible in the semester, as accommodations are not retroactive. It is important for students to share their accommodation letter with their instructor and discuss their access needs as early as possible in the semester. This course does not have an exam, but questions about exam delays and accommodations can be found here: <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/forms-applications/exam-delays-accommodations-form>.

### **Student Course Evaluations**

Students are expected to provide professional and respectful feedback on the quality of instruction in this course by completing course evaluations online via GatorEvals. Click here (<https://gatorevals.aa.ufl.edu/students/>) for guidance on how to give feedback in a professional and respectful manner. Students will be notified when the evaluation period opens and may complete evaluations through the email they receive from GatorEvals, in their Canvas course menu under GatorEvals, or via <https://ufl.bluera.com/ufl/>. Summaries of course evaluation results are available to students here: <https://gatorevals.aa.ufl.edu/public-results/>.

### **Preferred Name and Pronouns**

Many of you may have a preferred name that is not the name given to me on the official roll. It is important to the learning environment that you feel welcome and safe in this class. I want you to be comfortable participating in class discussions and communicating with me on any issues related to the class. I would like to refer to you by your preferred pronoun and last name. As such, if your preferred name is not the name listed on the official UF

roll, please let me know as soon as possible by e-mail or otherwise before the first day of class. Feel free to ask for instructions on changing your display name in Canvas.

### **Discourse, Inclusion, and the Classroom**

As a law student and future lawyer, it is important that you be able to engage in rigorous discourse and critical evaluation while also demonstrating civility and respect for others. This is even more important in the case of controversial issues and other topics that may elicit strong emotions. As a group, we are likely diverse across racial, ethnic, sexual orientation, gender identity, economic, religious, and political lines. As we enter one of the great learning spaces in the world—the law school classroom—and develop our unique personality as a class section, I encourage each of us to:

- commit to self-examination of our values and assumptions;
- speak honestly, thoughtfully, and respectfully;
- listen carefully and respectfully;
- reserve the right to change our mind and allow for others to do the same;
- allow ourselves and each other to verbalize ideas and to push the boundaries of logic and reasoning both as a means of exploring our beliefs as well as a method of sharpening our skills as lawyers.

### **Health and Wellness Resources**

Law school can be a daunting experience, especially when life outside the law becomes challenging and when you are doing so during a pandemic. UF Law provides numerous resources for your support, and I encourage you to seek help if you have concerns. Any student who has difficulty accessing sufficient food or lacks a safe place to live is encouraged to contact the Office of Student Affairs. If you are comfortable doing so, you may also notify me so that I can direct you to further resources.

- *U Matter, We Care*: If you or someone you know is in crisis, please contact [umatter@ufl.edu](mailto:umatter@ufl.edu), (352) 392-1575 (available 24/7), or visit the [U Matter, We Care website](#) to refer or report a concern and a team member will reach out to the student in crisis.
- *Counseling and Wellness Center*: [Visit the Counseling and Wellness Center website](#) or call (352) 392-1575 for information on crisis services as well as non-crisis services.
- *Student Health Care Center*: Call (352) 392-1161 for 24/7 information to help you find the care you need, or [visit the Student Health Care Center website](#).
- *University Police Department*: [Visit UF Police Department website](#) or call (352) 392-1111 (or 9-1-1 for emergencies).
- *UF Health Shands Emergency Room / Trauma Center*: For immediate medical care call (352) 733-0111 or go to the emergency room at 1515 SW Archer Road, Gainesville, FL 32608; [Visit the UF Health Emergency Room and Trauma Center website](#).