

# ENVIRONMENTAL AND ENERGY LAW (LLM)

NYSED: 32990 HEGIS: 1499.00 CIP: 22.9999

## Program Description

In this LLM specialization (<https://www.law.nyu.edu/llmjsd/environmental/>), you'll join the leading program in the area among top US law schools and equip yourself to take on some of the most pressing issues in the world today.

You'll choose from an array of core classes across environmental, energy and land use law that will challenge you to consider these topics at urban, domestic and international levels. A selection of our classes cover food law and policy, animal law, and environmental justice, while others are taught by leading energy law practitioners who focus on deal-making and the transitional aspects of the industry. Related courses include ones in law and business, human rights, indigenous communities, innovation, and social enterprise.

## Admissions

- Eligibility and Admission Standards (<https://www.law.nyu.edu/graduateadmissions/eligibilityandstandards/>)
- How to Apply (<https://www.law.nyu.edu/graduateadmissions/>)
- Scholarships and Financing (<https://www.law.nyu.edu/graduateadmissions/scholarshipprograms/>)

## Program Requirements

The program requires the completion of 24 credits, comprised of the following:

Course	Title	Credits
<b>Required Courses</b>		
LAW-LW 11149	Environmental Law	4
LAW-LW 12882	Environmental & Energy Law Colloquium (2-credit course, plus one additional writing credit, for a total of 3 credits)	2
LAW-LW 12239 or LAW-LW 10065	Energy Law Regulation and Policy International Environmental Law Seminar	2
<b>Subject Area Core Courses</b>		
Select 7 credits from the following:		7
LAW-LW 11551	Animal Law Seminar	
LAW-LW 12771	Cities Seminar	
LAW-LW 12825	The Earth Rights Research and Action (TERRA) Clinic	
& LAW-LW 12826	and The Earth Rights Research and Action (TERRA) Clinic Seminar	
LAW-LW 10853	Economic Analysis of Law	
LAW-LW 12695	Economic Analysis of Public Law	
LAW-LW 12239	Energy Law Regulation and Policy	
LAW-LW 12882	Environmental & Energy Law Colloquium	
LAW-LW 12939	Environmental Transactional Law Simulation	
LAW-LW 11806	Financing Development Seminar	
LAW-LW 12154	Food and Agricultural Law and Policy Seminar	

LAW-LW 10679 Global Justice Clinic  
and Global Justice Clinic Seminar  
& LAW-LW 11210

LAW-LW 12373 Graduate Lawyering I or LAW-LW 12375 Graduate Lawyering I: Intensive	
LAW-LW 10065 International Environmental Law Seminar	
LAW-LW 12182 International Investment Law and Arbitration	
LAW-LW 11218 International Law	
LAW-LW 12528 International Trade and Investment Law and Policy Seminar: The Challenge of Changing Energy Markets	
LAW-LW 10579 Land Use Regulation	
LAW-LW 10295 Law and Development	
LAW-LW 11633 Legislation and the Regulatory State for Transfer Students and LL.M.s	
LAW-LW 10028 Natural Resources Law and Policy	
LAW-LW 11783 Property	
LAW-LW 10289 United Nations Diplomacy Clinic and United Nations Diplomacy Clinic Seminar & LAW-LW 12641	

### Electives

Other Elective Credits	8
<b>Total Credits</b>	<b>24</b>

## Courses at NYU Wagner

With permission from the program director and Vice Dean, master's students may take up to 6 credits of courses directly related to the study of law at one of NYU's other schools in completion of LLM requirements. Courses offered by Wagner related to environmental law may be of particular interest to students in this program. You may review **course offerings at Wagner** (<http://wagner.nyu.edu/courses/>) online.

## Sample Plan of Study

Course	Title	Credits
<b>1st Semester/Term</b>		
LAW-LW 11149	Environmental Law	4
LAW-LW 12239 or LAW-LW 10065	Energy Law Regulation and Policy or International Environmental Law Seminar	2
LAW-LW 12882	Environmental & Energy Law Colloquium	2
<b>Credits</b>		<b>8</b>
<b>2nd Semester/Term</b>		
LAW-LW 12695	Economic Analysis of Public Law	4
LAW-LW 11218	International Law	3
Elective		3
<b>Credits</b>		<b>10</b>
<b>3rd Semester/Term</b>		
Elective		3
Elective		3
<b>Credits</b>		<b>6</b>
<b>Total Credits</b>		<b>24</b>

## Learning Outcomes

In accordance with Revised ABA Standard 302; N.Y. Court of Appeals Rule 520.18(a)(1) please find an inventory of student learning outcomes that covers the areas of "substantive knowledge and procedural law";

lawyering skills; and “proper professional and ethical responsibilities to clients and the legal system.”

## Litigation

Any student who wishes to enter any field involving litigation must have familiarity with the rules of procedure and evidence that govern the trial process. Starting with Civil Procedure in the 1L year, students gain exposure to the matrix of rules governing the adjudication of claims. The upper-level course in Criminal Procedure: Adjudication extends this knowledge for students interested in specializing in criminal law. Upper-level civil litigation courses likewise introduce students to the nuances of building a case, from investigation to motions and discovery practice through the presentation of evidence.

For students interested in either civil or criminal litigation, the upper-level course in Evidence is essential. Although attorneys in criminal practice are more likely to use the rules of evidence in court on a regular basis, the principles of admissibility and privilege covered in the Evidence course exert influence over a broad array of out-of-court actions, such as in assessing the risk of going to trial, in making motions *in limine* to establish before trial the admissibility or inadmissibility of certain evidence, and in negotiating the terms of a settlement. Even legal bodies that do not formally rely on the Federal Rules of Evidence, such as certain administrative fora and arbitrations, may nonetheless look to principles of evidence in deciding the admissibility or weight of evidence. Evidence is also one of seven core legal areas covered by the multi-state bar exam, and the sole single multi-state topic not required by the Law School.

Students who anticipate litigating more frequently in a courtroom setting (such as criminal prosecutors and defense lawyers, appellate attorneys, or civil trial lawyers), should also consider taking advantage of skills courses in trial and appellate practice, along with numerous clinical offerings that provide students with the opportunity to translate their knowledge into practice.

Find out more about Litigation (<https://www.law.nyu.edu/areasofstudy/litigation-procedure/>) at NYU Law.

## Administrative Law

Anyone representing a client that interacts with the government, federal, state, or local, is likely to need to be familiar with administrative law. While broad public policies are set out in statutes, the actual implementation and application of these statutes is handled by administrative agencies. Administration is applied government: It is where public policy actually intersects with the lives of individuals, firms, and other organizations.

Most business firms, state and local governments, and non-profit organizations as well as many individuals deal with agencies and therefore need good legal counsel to help them. Unsurprisingly, many law firms devote a substantial amount of their practice to agency work, representing clients before not only federal bodies, such as the Occupational Safety & Health Administration, Consumer Financial Protection Bureau, or the Securities and Exchange Commission, but also before myriad state and local bodies, such as Workers' Compensation Boards, Occupational Licensing Agencies, and Zoning Boards of Appeals and Planning Commissions.

There is also a broad swathe of public-interest litigation that takes place largely before agencies: Anyone seeking to help a client avoid deportation, challenge a state's definition of benefits funded by Medicaid, or enjoin the siting of incinerators in low-income neighborhoods will spend a substantial amount of time before administrative decision-

makers, such as immigration judges, the federal Center for Medicaid and Medicare Services, and the Environmental Protection Agency. Practitioners before agencies also draft both proposed rules and comments responding to agencies' proposed rules. Those comments evaluate and criticize the empirical bases, logical reasoning, and legal grounds for agencies' legal and policy positions, requiring a mastery of essentially legislative and policy-making skills – for instance, the ability to assess data, familiarity with the theory and practice of measuring and comparing costs and benefits of rival policies, and the ability creatively to construe an agency's statutory mandate.

To be effective in representing clients dealing with agencies, a lawyer needs to be familiar with the basics of administrative procedure, interpretation of the statutes defining an agency's mission, and the development of facts in an administrative setting. The required first-year course in Legislation and the Regulatory State provides a basic grounding in the enactment, interpretation, and implementation of statutes by legislatures, courts, and administration agencies.

Students interested in administrative law can, based on their substantive interests in practicing in a particular area, choose from a wide range of substantive courses in fields in which administrative agencies are an active presence, and in which different modes of administrative agency action are used to shape law and policy (e.g., Labor Law and Immigration for agency adjudication; Environmental Law for agency rulemaking). Students may wish to encounter state as well as federal administrative agencies in their coursework.

## Property Law

Property law overlaps with tort through trespass and nuisance law; it overlaps contract in rules governing the creation and transfer of land or of interests in land in ways that both benefits and burdens to run with the land against third persons, cumulating in the emergence of planned unit developments. It also has a transition to the law of regulation through the study of zoning and takings law. The distinctive feature of Property is the rules that govern the creation of the legal commons in air and water, and the rules of acquisition, typically by initial possession of other forms of property, chiefly land, animals and chattels. More recently, the subject deals with the creation of rights in various form of intellectual property.

## Policies

### NYU Policies

University-wide policies can be found on the New York University Policy pages (<https://bulletins.nyu.edu/nyu/policies/>).

### School of Law Policies

Additional academic policies can be found on the School of Law academic policies page (<https://bulletins.nyu.edu/graduate/law/academic-policies/>).