

Seven Levels of Engagement

© Dick Roy 2006*

Lawyers for a Sustainable Future (LSF) was founded on the premise that the legal profession generally and lawyers individually have immense capacity to be more centrally engaged in creating a sustainable future. To explore that possibility, in Oregon I conducted focus groups and individual interviews with many Oregon and Washington lawyers. After doing so, I developed this paper – as a working document – to provide a framework for seven potential levels of engagement. Lifestyle issues, which are not law-related, are not addressed.

Please send comments to info@sustainablelawyers.org.

1. Legal profession

Engagement possibilities:

- The concept of justice is expanded to encompass the rights and opportunities of future generations. The paradigm of justice shifts from (a) a current-generational concept to (b) a current- and inter-generational concept.
- Legal education includes training on sustainability, ecological principles, and the dynamics driving ecological degradation.
- The legal profession recognizes and promotes the role of the lawyer in the sustainability movement.
- Respected pro bono legal service includes work for the earth and future generations.

2. Lawyers in the practice of law

Engagement possibilities:

- Lawyers develop legal skills to assist clients in sustainable business practices. Examples: Carbon sequestration law and alternative energy legal services.
- In the arena of public policy, lawyers develop proposals for legislation, regulations, treaties, or constitutional amendments to promote sustainability.
- Lawyers develop screens for assessing legislation, regulation, and treaties through the lens of sustainability.
- Lawyers use litigation to promote sustainability. Lawyers develop new legal theories to promote sustainability and as advocates on behalf of future generations.

3. Lawyers as business advisors

Engagement possibilities:

- Lawyers become experts on sustainability and ecological degradation to better understand the context for clients working in the sustainability field and thereby to give better legal advice

- Lawyers become experts on sustainability and ecological degradation to improve their business advice generally.

4. Law office as user of resources in the practice of law

Engagement possibilities:

- Law office adopts a sustainability policy endorsed by management.
- Law office adopts sustainable practices in (a) its daily operations and (b) all renovation and construction work including tenant improvements.
- Law office adopts requirements for the building owner or manager in building operations and facilities management generally.

5. Lawyers using legal skills in a non-lawyer role

Engagement possibilities:

- Using skills developed in the practice of law, lawyers work or volunteer on initiatives to promote a sustainable future.
- Using advocacy skills, lawyers put pressure on those who would degrade the earth.

6. Lawyers as financiers and financial advisors

Engagement possibilities:

- Lawyers contribute money to sustainability initiatives, much as they contribute today to law-related initiatives like Legal Aid.
- Lawyers become experts on “sustainable investing” to expand their role as investors and/or investment advisors.
- Lawyers become experts on the capital markets with their short-term horizon, and their impact on the earth and on sustainability, both with very long-term horizons.

7. Lawyers freeing up time for sustainability initiatives

Engagement possibilities:

- Because humans do not naturally respond with passion to threats that seem remote in time and space, lawyers do the personal work required to develop a sense of urgency.
- Lawyers eliminate distractions that limit time to pursue sustainability initiatives.
- Lawyers reorganize discretionary time to elevate priority of protecting the earth and future generations.
- Lawyers free up blocks of time to work on sustainability initiatives by (a) retiring early, (b) taking a sabbatical, (3) reducing paid work schedule, and (d) reducing time spent on professional activities outside of paid work.

*Founder, Lawyers for a Sustainable Future