Climate Change Law & Policy
Fall 2022

Liz Parker
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What we will cover

- Finding a paper topic
- Literature review
  - Evaluating sources
  - Books & articles
  - Law and other disciplines
  - USD and other libraries
- Notetaking tools and law citation style
Finding a Paper Topic
Google Alerts

Alerts
Monitor the web for interesting new content

Search: climate change law wildfies

- How often: At most once a day
- Sources: Automatic
- Language: English
- Region: Any Region
- How many: Only the best results
- Deliver to: eparker-10@sandiego.edu

Create Alert

Alert preview

NEWS

Stanford's Buzz Thompson on California's Wildfires, Water, Drought, and Climate Change
Stanford Law School
To listen to the full interview, go to Stanford Legal Buzz Thompson Stanford Law School Professor Barton "Buzz" Thompson. Bankman: Every year, those of us in ...

Ida churns up tension on infrastructure vs. climate change - POLITICO
Politico
... bill say — noting warnings from scientists that climate change is already making hurricanes, floods, wildfires and similar calamities more intense
Search: washington post

Results 1 - 25 of 1700 for washington post

The Washington post
E-JOURNAL

Lexis CLICK HERE to access this resource in Lexis. Access restricted to USD Law faculty, students, and staff. Lexis login and password required

The Washington post [electronic resource]
E-JOURNAL

Available at Copley Internet

Click here for full text (USD Users Only) from Newspaper Source: 2003 - 2021

Click here for full text (USD Users Only) from Regional Business News: 2003 - 2021

Click here for full text (USD Users Only) from US Major Dailies: 1996 to present

Click here for full text (USD Users Only) from US Major Dailies: 1987 - 1996
As climate change increases Alaska’s wildfire risk, power companies say California-style blackouts could arrive in Alaska; The state’s electric companies are seeking a shield for liability from some wildfires started by broken power lines.

Alaska Dispatch News | Mar 27, 2021 | NEWS; Alaska Legislature | 2331 words

...there's no way you're going to prevent that from taking your line totally to the ground,” Million said. He said that his company does have general insurance, but some things can't be insured against. "I can tell you that wildfire liability insurance is very difficult to come by. And I can say that on some of our assets, like our transmission line, we can't even... View excerpt
Centers, Research Institutes & Agency Websites

- Columbia Law - Sabin Center
- Berkeley Law & UCLA Law – Legal Planet
- EPA Climate Change Website
- GlobalChange.gov
- NOAA’s Climate.gov
- NASA’s Global Climate Change
- EcoLex

- Climate Central
- Center for Climate and Energy Solutions (C2ES)
- Climate Law and Governance Initiative
- Climate Reality Project
- Environmental Defense Fund (EDF) – Climate
- Environmental Law Inst. (ELI)
- U.N. Climate Change
The Sabin Center develops legal techniques to fight climate change, trains students and lawyers in their use, and provides up-to-date resources on key topics in climate change law and regulation.
Reliable sources

Evaluate sources for:

- **Authority** – author is identified, reputable, credentialed
- **Objectivity** – fairness, lack of bias
- **Accuracy** – provides references to sources, verifiable
- **Scope** – relevant to your topic and argument
- **Currency** – may vary by topic, but make sure you know the current state of thinking in your field (even if it’s rooted in older writings)
Resources are organized by practice area (e.g. Energy & Environmental Law)

- Bloomberg Law
- Westlaw
- Lexis
Superfund PFAS Plan Seen as Start to Neglected Cleanups

Clean Energy Credits, Carbon Offsets Due for New Accounting

Latest Stories

California Grid Faces Biggest Heat Test Since 2020 Outages (1)
California’s power grid faces its biggest test since the summer of 2020 over the coming days as record heat prompts homes and businesses to crank air conditioners while a severe drought drains hydropower supplies.

Citrus Processor Resolves Chemical Risk Management Allegations
Ventura Coastal, LLC, will pay $270,000 in civil penalties to resolve allegations that its Visalia, Calif., facility improperly managed refrigeration equipment containing more than 10,000 pounds of anhydrous ammonia, according to the EPA Wednesday.

UK Supports Price Cap on Russian Oil, Says More Countries Needed
The UK supports a plan to cap the sales price of Russia’s oil, one of the first US allies to publicly endorse the effort to cut revenue that funds President Vladimir Putin’s invasion of Ukraine.

Smartphones, Tablets to Be Recyclable, Repairable in EU Proposal
Makers of smartphones and tablet computers would have to meet multiple ecodesign standards to be sold in the European Union under a draft rule issued Wednesday.

Practitioner Insights

Sharon Perley Masling
Morgan, Lewis & Bockius LLP
What Employers Should Know About Monkeypox

Thornton Matheson
Urban-Brookings Tax Policy Center
Tax Credits in US Climate Deal Bring Paris Accords Goals Closer

Gabe Roth
Fix the Court
Supreme Court Justices Should Say Sorry Too
### My Favorites

- Circuit Splits Reported In U.S. Law Weekly
- Supreme Court Practice – Table of Cases

### Popular Links

**Searches**
- All Legal Content
- Court Opinions
- Dockets
- Points of Law
- Litigation Analytics
- Books & Treatises
- Transactional Precedents
- EDGAR
- Bloomberg News

**Law School Resources**
- BLAW Skills Center
- Live & Recorded Webinars
- On-Demand Certification Courses
- Videos & Reference Guides
- Law Review Resources
- Career Resources
- Librarian Resources
- Practice Centers & Tools
- In Focus Resources
- Practical Guidance
- State Law Chart Builders

**Featured**
- Core Litigation Skills
- Brief Analyzer
- Contract Drafting
- Draft Analyzer
- Lawyer Development
- Lawyer Well-Being
- Bloomberg Law News
- Subscribe to Newsletters
- Alerts Management
- New on BLAW
Energy & Environment

Energy & Environment Resources

- Cases
  - Trial Court Orders
  - Statutes & Court Rules
  - Regulations
  - Administrative Decisions & Guidance
  - Secondary Sources
  - Forms
- Briefs
  - Trial Court Documents
  - Expert Materials
  - Jury Verdicts & Settlements
  - Proposed & Enacted Legislation
  - Proposed & Adopted Regulations

Energy & Environment Analysis

Weisselberg's guilty plea: a legal coup for Donald Trump?
Practitioner Insights Commentaries

Kevin J. O'Brien of Ford O'Brien Landy LLP discusses the plea agreement of Allen Weisselberg, former Chief Financial Officer of the Trump Organization.

Portman, Klobuchar meet with Zelensky in Ukraine
The Hill

Sens. Rob Portman (R-Ohio) and Amy Klobuchar (D-Minn.) met with Ukrainian President Volodymyr Zelensky on Tuesday as Russia's invasion of the country drags into its seventh month.

EPA faces suit over unregulated toxic coal ash pollution
CQ Roll Call Washington Energy Briefing
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Pardee Legal Research Center

The law library exists to support the educational and scholarly activities of the USD law community.

Exciting news: the LRC is now open for 24/7 access to USD students, faculty, and staff!

Quick Links

- Online Study Aids
- Study Room Reservations
- LRC Access Information
- CALI code
- Faculty Resources & Faculty Services
- San Diego Circuit
- Printing
- Course Reserves & Past Exams
- Law Alumni/LRC Visitor Library Account

Search LRC

Search Catalog  Databases

enter search term

All LRC Databases

Contact the LRC

Circulation Desk
lrcirc@sandiego.edu
619-260-4542

Reference Desk
lrcref@sandiego.edu
619-260-4612
Zoom appointments available on request

Follow us on Instagram
@uslaw.lrc
LRC Databases

LRC Digital Resources

Recommended and subscription resources. Those marked with a lock symbol require username/password or IP authentication

Popular Databases

The most frequently-used databases

Bloomberg Law
Bloomberg legal content, integrated into an already powerful system of primary and secondary legal content, company and market information and news. Individual user access is given to USD law students and faculty. You must register with Bloomberg to gain access to its products and services. Please contact the LRC reference desk to obtain a Bloomberg Law account.

CALI Lessons
Students: use the authorization code you see after logging into USDBone. Faculty: contact the reference desk for the faculty code.

CEB OnLaw Pro
CEB OnLaw Pro provides access to CEB's California practice guides, primary law, case law citator, and continuing legal education materials. New USD users must create their own accounts. Click here for the law school's registration code, then create a new law student/faculty/admin account here or a new paralegal student/faculty/admin account here.

Congressional Publications (ProQuest)
Publications generated by the U.S. Congress and accessed via ProQuest, including: CTD Legislative Histories, 1969-present; House & Senate Reports, 1817-present; House & Senate Hearings, 1974-present.

Academic Search Premier
Provides full text for over 2,940 scholarly publications including social sciences, humanities, education, computer sciences, engineering, language and linguistics, arts & literature, health sciences, and ethnic studies.

AILALink
AILALink is the go-to resource for immigration law research, providing its subscribers with access to immigration-related statutes, regulations, and important case law (select), agency correspondence and manuals, AILA/government liaison minutes, forms, and a plethora of AILA publications.

Appeals
Helps more than 100,000 taxpayers each year resolve their tax disputes without going to Tax Court: An IRS site.

Avalon Project - Documents In Law, History and Diplomacy (Yale's)
The Avalon Project will mount digital documents relevant to the fields of Law, History, Economics, Politics, Diplomacy and Government. We do not intend to mount only static text but rather to add value to the text by linking to supporting documents expressly referred to in the body of the text.

The Avalon Project will no doubt contain controversial documents. Their inclusion does not indicate endorsement of their contents nor sympathy with the ideology, doctrines, or means employed by their authors. They are included for the sake of completeness and balance and because in many cases they are by our definition a supporting document.
Literature Review
Literature Review

• A survey of books, scholarly articles, and any other sources relevant to a particular issue, area of research, or theory
• Helps you formulate your thesis and locate your arguments within the larger field of study
Books
Searching the catalogs

USD’s online catalog finds items located in the LRC and also in the Copley Library collection.

- Remember that the catalog can be used to find not just materials in our print collection, but it also provides direct access to materials in our subscription databases, and it also links to websites.

- You can search USD’s online catalog from LRC’s homepage.
USD: Important information about COVID-19.

- Information for the USD community related to the coronavirus outbreak.
- For information about accessing Copley Library resources, visit this page: Copley Library Remote Access, or email claccess@sandiego.edu.
- For information about accessing LRC resources, visit this page: LRC Remote Access, or email lrcrefer@sandiego.edu.

Search: paris agreement

Results 1 - 25 of 41 for paris agreement

Sorted by Relevance | Date | Title | Author

- The implementation of the Paris Agreement on Climate Change / edited by Vesselin Popovski
  PRINT BOOK | 2019
  Available at LRC Reading Room (K3565.5 A42015 P67 2019)

- The Paris agreement on climate change : analysis and commentary / edited by Daniel Klein, Maria Pia Carazo, Meinhard Doelle, Jane Bulmer and Andrew Higham
  PRINT BOOK | 2017
  Available at LRC Reading Room (K3565.5 A42015 P37 2017)
Books from Other Libraries: SD Circuit and ILL

Circuit Catalog:
• USD is a member of a library consortium, the Circuit
• Circuit includes SDSU, UCSD & the San Diego County & City Libraries. [http://circuit.sdsu.edu](http://circuit.sdsu.edu)
• You may borrow books via the Circuit, delivered to LRC in 24–48 hrs.
• Great resource and expands the universe of materials available for your research!

Interlibrary Loan (ILL):
• If you can’t find an item at USD or through the Circuit, we may be able to get it through interlibrary loan from another library
• Check [http://www.worldcat.org](http://www.worldcat.org) or come ask a reference librarian
• Can take a few weeks – get requests in early!
How to submit an ILL request

Submit an Interlibrary Loan request through the LRC at http://www.sandiego.edu/law/library/find-resources/ill/index.php
Law Review and
Academic Journal Articles
Law articles

- Lexis
- Westlaw
- Google Scholar
## Secondary Materials

### National

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<tr>
<td>American Law Reports (ALR)</td>
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<td>American Jurisprudence 2d (AMJUR)</td>
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### Federal

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### Content Type

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<th>Law Reviews &amp; Journals</th>
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<td>50 State Surveys</td>
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*Note: The image shows a screen from Lexis+ database platform.*
Favorite Publications

Secondary Sources

Add to Favorites  Copy link

See specific publication for coverage information. Search all Secondary Sources content above or navigate to specific content below.

By Type

- American Law Reports
- CLE & Seminar Materials
- Jurisprudence & Encyclopedias
- Jury Instructions
- KeyRules
- Law Reviews & Journals
- Legal Newspapers & Newsletters
- Restatements & Principles of the Law
- Texts & Treatises
- 50 State Surveys
- Wolters Kluwer (CCH)

By State

Tools & Resources
- Full Secondary Sources Library
- Black’s Law Dictionary
- Current Index to Legal Periodicals
- International Materials
- Law Reviews & Journals Index
- Legal Resource Index
- Rise of American Law
- Secondary Sources Index
- Westlaw Bulletins & Topical Highlights
- Words & Phrases
- World Journals
- More Secondary Sources Resources
ab 32 california
Search strategies

• Use multiple search techniques
  • keyword (natural language & Boolean)
  • subject / index searching
  • browse

• Build from the sources you’ve already found
  • look at footnotes to find other sources
  • use a citator (Shepard’s or KeyCite) to find sources that have cited to sources you’ve already found
In 1971, Ezra Mishan brilliantly satirized the views of a Dr. Pangloss, who argued that a world of largely unregulated pollution was ‘optimal’ because cleanup would involve enormous transaction costs. 1 Less than 15 years later, Professor Latin uses the same Panglossian argument to rationalize the current regulatory status quo. 2 He not only accepts but endorses our extraordinarily crude, costly, litigious and counterproductive system of technology-based environmental controls. Like Mishan’s Pangloss, he seems to believe that if it were possible to have a better world, it would exist. Since it does not, the transaction costs involved in regulatory improvement must exceed the benefits. Proposals for basic change accordingly are dismissed as naive utopianism.

What explains this celebration of the regulatory status quo? As critics of the present system, we believe this question to be of more than academic interest. The present regulatory system wastes tens of billions of dollars every year, misdirects resources, stifles innovation, and spawns massive and often counterproductive litigation. There is a variety of fundamental but practical changes that could be made to improve its environmental and economic performance. Why have such changes not been adopted? Powerful organized interests have a vested stake in the status quo. The congressional committees, government bureaucracies, and industry and environmental groups that have helped to shape the present system want to see it perpetuated. 3 But the current system is also bolstered by an often inarticulate sense that, however cumbersome, it ‘works,’ and that complexity and limited information make major improvements infeasible.

Professor Latin has performed an important service in providing an articulate, informed, and sophisticated exposition of this view. By developing and making

3. For a detailed analysis of the vested interests, see *The Politics of Environmental Protection*, 1984, pp. 123-140.
### Recent articles citing Ackerman (1985)

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<td>INCENTIVIZING FAIR HOUSING</td>
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<td>101. B.U. L. Rev. 1607, 1665</td>
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<td>2021</td>
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<td>THE POVERTY OF THEORY: PUBLIC PROBLEMS, INSTRUMENT CHOICE, AND THE CLIMATE EMERGENCY</td>
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<td>The instrument choice debate has been a fixture of environmental law for much of the last three decades. While this debate has led to a much sharper focus on the relative merits of...</td>
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<td>RICHARD STEWART’S PERENNIAL QUESTION: “HOW’S THIS GOING TO WORK?”</td>
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<td>THE END ENVIRONMENTAL EXTERNALITIES MANIFESTO: A RIGHTS-BASED FOUNDATION FOR ENVIRONMENTAL LAW</td>
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<td>BLOCKCHAIN TECHNOLOGY FOR ENVIRONMENTAL COMPLIANCE: TOWARDS A “CHORAL” APPROACH</td>
<td>2020</td>
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<td>50 Envtl. L. 1055, 1103</td>
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Note-taking Tools & Avoiding Plagiarism
Why good note-taking is important

- Bolster your argument
- Avoid inadvertent plagiarism
- Save yourself time and trouble when creating citations
Begin with proper note-taking

● The first step in avoiding plagiarism and giving proper documentation is to cultivate good note-taking habits.

● There’s no one right way to do it. Pick a method that works for you and be consistent.

● There’s an app for that. Actually, there are MANY apps for that. Four popular options:

  PowerNotes
  EVERNOTE
  EVEN THE BEST TOOLS CAN’T HELP YOU IF YOU DON’T USE THEM
  zotero
Proper Attribution

• Double-check your work against each source to make sure you have not accidentally plagiarized something.

• Save copies of source material (journal articles, books, online sources) until you have finished writing your paper or until you’ve received a final grade on the paper.
Paraphrasing

- Paraphrasing is restating the meaning of a segment of text either by expanding and clarifying, or by summarizing the main points.
  - However, it's not enough to simply change a few words around, or replace words with synonyms.
  - Instead, you must rewrite the material using your own words.

- Always indicate whose ideas you are paraphrasing by providing a footnote reference (including a page reference)

- Finally, check your paraphrase against the source for accuracy, and modify phrases that match the original too closely.
Original Source: “America today has veered too far in the direction of formal testing without adequate consideration of the costs and limitations of an exclusive emphasis on that approach.”

Paraphrase Version 1: America has now gone too far toward formal testing, without realizing the costs and limitations of exclusively emphasizing that approach.¹

Original Source: “America today has veered too far in the direction of formal testing without adequate consideration of the costs and limitations of an exclusive emphasis on that approach.”


Paraphrase Version 1: In the United States, the education system places too much emphasis on formal testing, overlooking the limitations and expenses imposed when that assessment strategy is employed exclusively.¹

SafeAssign

- SafeAssign is an area in Blackboard where students can submit drafts of papers to check for possible instances of plagiarism before they submit final drafts to their course instructors.

- SafeAssign is FREE to USD students.

- Papers submitted through SafeAssign will not be saved in Turnitin’s database and will not be distributed to instructors.

- For more instructions, see the SafeAssign section of our Paper Writing for Seminars and Student Comments research guide.
How to use SafeAssign at the LRC

1. Email mabernathy@sandiego.edu to be added to the Legal Research Center Organization

2. When you are ready to submit your paper, login to Blackboard at https://ole.sandiego.edu/ultra/organizations and click on the Legal Research Center under the Organizations tab

3. Click on Organization Content

4. Click on View Assignment

5. Upload your document

6. Wait for an Originality Report
SafeAssign compares submitted drafts to its database of scholarly research (journal articles, student papers, and other internet sources) and returns a Originality Report detailing the percentage of text in the submitted paper that matches existing sources.

The report shows the suspected sources for each section of the submitted paper that returns a match.

SafeAssign does not automatically detect plagiarism. It is up to the student to interpret the meaning of the Similarity Report.

For help understanding your Originality Report, please click here.
Citation Style
Welcome Back LRC

Recently Viewed

18.2 The Internet

18.1 Basic Citation Forms

Use dropdown to upgrade to 21st edition for free

Quickly reference pages you use frequently.
Consecutively paginated journal:


Nonconsecutively paginated journal:

Newspapers

Print:

Electronic:
Entire Book:

Work in Collection:
Reference Desk hours
Monday–Thursday: 9 a.m.– 6 p.m.
Friday: 9 a.m. – 5 p.m
Sunday: 12 p.m.– 4 p.m

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Chat: www.sandiego.edu/law/library