

**CLIMATE CHANGE LAW AND POLICY**

**UC BERKELEY - SCHOOL OF LAW - FALL 2007**

Course No.: 272.3 sec. 1

Faculty: Dan Farber, Cymie Payne, Richard Frank

Boalt, Room 14

2 units

Tuesday, 2:20-4:10 pm

Climate change will be a core concern that will influence policy and economic activity for years to come. It raises classic issues of distributional justice, law and science, risk, uncertainty and precaution, litigation strategy, technology policy, and international relations. Students will leave this course with an understanding of the sources and impacts of climate change, the key state, national and international policies, and the role of law.

Course will be graded on:

10% Attendance and participation in class

20% Lead class discussion

70% Papers

Each member of the class will prepare to lead two class discussions and will write a “reaction” paper, about five pages, providing analysis and critique of the reading for three classes – the two classes for which you are a discussion leader plus one more of your choice. The reaction papers will be due on the day of class. In addition, each student will develop one of the short papers into a longer piece of writing, about fifteen pages, that will be due on the last day of class.

Required Texts:

Gerrard, M. B., Ed. (2007). Global Climate Change and U.S. Law, ABA.

Kolbert, E. (2006). Field notes from a catastrophe: man, nature, and climate change, New York: Bloomsbury.

Additional readings from primary and secondary sources will be assigned.

Class 1 - August 21    **Introduction to the Course** [Farber, Payne, Frank]

Class 2 – August 28    **Dealing with the Consequences – Adaptation** [Farber]

Class 3 – Sept 4        **Dealing with the Consequences – Disasters** [Farber]

<u>Class 4 – Sept 11</u>	<b>UN Framework Convention on Climate Change, Kyoto Protocol</b> [Payne]
<u>Class 5 – Sept 18</u> <u>Class 6 - Sept 25</u>	<b>Insurance, Compensation</b> [Farber] <b>Litigation &amp; the Role of Federalism: <i>Massachusetts v. EPA</i></b> [Frank]
<u>Class 7 - Oct 9</u>	<b>California's AB 32, SB 1368 and AB 1493 (“Pavley Bill”): Case Studies in Turning State &amp; Regional Climate Change Policy into Effective Regulation</b> [Frank]
<u>Class 8 - Oct 16</u>	<b>Putting a Price on Carbon – Cap and Trade, Carbon Tax</b> [Payne]
<u>Class 9- Oct 23</u>	<b>Climate Change-Related Litigation: Surveying the Initiatives in State &amp; Federal Courts</b> [Frank]
<u>Class 10 – Oct 30</u>	<b>Human Rights, Social justice, Environmental Justice</b> [Payne, Frank]
<u>Class 11 – Nov 6</u>	<b>Technological Innovation &amp; Implementing Alternative Energy</b> [Payne]
<u>Class 12 – Nov 13</u>	<b>US Energy Regulation &amp; Policy: What’s in Play?</b> [Frank]
<u>Class 13 – Nov 20</u>	<b>What about China?</b> [Payne]
<u>Class 14 – Nov 27</u>	<b>The Next Big Thing</b> [Payne, Frank, Farber]