

**Oregon State Bar  
Sustainable Future Section**

Photo: J. Michael Mattingly

# The Long View



## How Green Is Your Bar? Results of a 50-State Survey

By Jennifer Berg

At the request of the ABA Section on Environment, Energy and Resources (SEER), I conducted a survey of all 50 state bar associations to determine whether the state's bar had a sustainability policy; whether a policy was under consideration, and if any educational events on topics related to climate change had been offered. The results were somewhat disheartening: only five states had addressed sustainability and only ten had programming on the topic.

### Methodology

Inquiries were made between February and April 2011. If the bar had an environmental, natural resource or similar section, I attempted to contact the chair of that section. If not, I attempted to contact the executive director or other administrator within the organization. I made three contact attempts and, if I still did not receive a response, I assumed the answer to my questions was no.

### Results

At the time of the survey, only five states had formal sustainability policies (Colorado has since adopted a policy, becoming the sixth state). These states are California, Massachusetts, Oregon, Pennsylvania and Texas. With the exception of Oregon, which will not be discussed here because there have been previous articles on this topic, the programs are similar to the [ABA-EPA Law Office Climate Challenge](#) and relate primarily to paper reduction and more efficient office equipment. While there are

many similarities among all of the initiatives, some aspects of each are highlighted:

**California:** This program, the "Eco-Challenge," was initiated by the environmental law section, and adopted in 2008 by the Board of Governors, with significant guidance from Dick Roy of the Center for Earth Leadership. Law firms that accept the [Eco-Challenge](#) commit to take as many steps from the policy guidelines as they can take on in good faith under their unique business circumstances. The guidelines include eliminating disposables, water and energy reductions, green procurement policies and education.

**Massachusetts:** Law offices that accept the bar's Eco-Challenge promise to implement the bar's [Green Guideline](#), which relates to energy and paper use; recycling; green purchasing; greenhouse gas reductions and other practices. The bar has an annual recognition program and has "green" programming and community events.

**Pennsylvania:** In May 2010, the House of Delegates adopted the [Pennsylvania Lawyers United for Sustainability](#) (PLUS) Program, which provides Pennsylvania attorneys and law firms an opportunity to affirm publicly their commitment to environmental sustainability in their professional practices. The program is modeled after the programs established by the California, Oregon, Massachusetts and Philadelphia bars.

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# How Green Is Your Bar? (continued)

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Texas: This program challenges members to adopt the ABA-EPA program. <http://www.texenrls.org/ENRLSSBOTGreenStarCertification.cfm>

While no other states have formal sustainability initiatives, some have related programs. The Pollution Prevention Committee, established by the Environmental Law Section of the New York state bar, approved “Green Guidelines” that are to be followed for section-related events and activities. The Guidelines seek to lessen the external impacts of events, and suggest electronic dissemination of program materials and publications. The section also chooses venues that are part of the NY Department of Environmental Conservation’s Green Hotel Certification Program; pre-event meetings are held with the vendors and hotels in a further effort to address the external impacts of the events.

In Florida, there are no initiatives within the bar; but many firms follow the program “Council for Sustainable Florida”, which has a metrics and tracking component. This program addresses the environmental impacts of an office, primarily related to printing, paper, etc.

### Challenges

Why don’t more state bar organizations have sustainability programs? In order for a program to be initiated, it is critical that there is a committed “green champion” who will devote the time, energy and persistence to get the program off the ground. In some states, such as California and Massachusetts, the president of the bar was firmly committed to the creation of a program and helped spear head the effort. Through the course of my research, reaching out to people one-on-one was all some

states needed to get the ball rolling. Indeed, the green champion in Colorado asked me for some guidance; less than a year later, she had successfully launched a sustainability program.

Another important consideration is who will be responsible for overseeing the program after it is launched. For many of the states that have been successful in adopting a green initiative, there has been no identified person responsible of publicizing and tracking the program, which has resulted in very poor participation. In order for a program to be successful, this is a critical factor.

The research has unfortunately confirmed that the wheels of justice are slow indeed.

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