Course Objectives

This course has several objectives. It is (1) an introduction and exploration of the substance and practice of climate change and renewable energy law, with a focus on issues of particular relevance to a lawyer practicing in the area; (2) a research, writing and presentation course that further hones those essential lawyering skills; and (3) a discussion-based course to give you experience with advocating and defending a legal position.

Required Materials

Farber & Carlarne, Climate Change Law (Foundation Press) (“CCL”)

The required materials will be supplemented with readings from other sources, as described in the Class Assignments table in this syllabus. All supplemental readings will be posted to the “Assigned Reading Material” tab of the class Moodle page.

Accommodation

The University of Montana assures equal access to instruction through collaboration between students with disabilities, instructors, and Disability Service for Students (DSS). If you think you may have a disability adversely affecting your academic performance, and you have not already registered with DSS, please contact DSS in Lommasson 154. The Law School will work with you and DSS to provide an appropriate accommodation.

Academic Honesty; Student Conduct Code and Law School Honor Code

All students must practice academic honesty. Academic misconduct is subject to academic penalty by the course instructor and/or disciplinary sanction by the Law School and University. All students must practice academic honesty. It is your responsibility to read and adhere to the Law School’s Honor Code (accessible at: UMSL Student Handbook), and the University of Montana’s Student Conduct Code (accessible at: UM Student Conduct Code).

Plagiarism is passing off the work product, ideas or words of another as your own without
crediting the source. Plagiarism is a clear cut example of academic dishonesty, violates the Honor Code, and will automatically result in a failing grade for the class.

Class Attendance Policy

In compliance with ABA standards, I expect regular and punctual class attendance. I recognize, however, that there are circumstances that may necessitate an absence from class. Students who miss two or more classes for any reason other than an excused absence as approved by the faculty (clinical absence, approved competition events and conferences, jury duty, or court subpoenaed appearance) will have their final grade for the course reduced by one full grade for each absence in excess of one. For example, if you earn an “A” in the course and miss two classes, you will receive a “B” for the course; if you miss three classes you will receive a “C” for the course, etc. An absence is presumptively NOT excused; it is your responsibility to show that it is excused. The Law School also has a school-wide attendance policy that, in some cases, modifies an individual professor’s attendance policy. A copy of the law school attendance policy is in the Student Handbook. I strongly recommend that you read it carefully.

Attendance will be tracked with a roster circulated in class. Students who are present and on time should sign in with their initials. You may not sign in for anyone other than yourself – doing so will be considered academic dishonesty. You should also keep track of your attendance on your syllabus. It is your responsibility to obtain class notes, materials, or information from your colleagues if you miss class.

Course Assessment & Grading

There is no midterm or final exam for the course. Instead, your final grade will determined through assessment of the following class components:

Class Participation & Preparation (30 Points - 30% of Final Grade)

This portion of your final grade will be based on both the quality and quality of your class participation and preparation. With a capped enrollment, we have an opportunity for a more interactive and (hopefully) engaging format. You may be able to learn the law from a casebook or a treatise but I do not believe you can learn to be a good lawyer from those sources. Accordingly, I expect you to be fully prepared for each class and to participate actively in class discussions. This affords each of us the opportunity to learn from each other. Vigorous and thoughtful debate is encouraged, even if your views differ significantly from the views of your fellow students or the professor. However, even when we disagree, we will always be courteous and respectful in our discourse.

You are expected to prepare the “student assignment” for each class where one is assigned (see Class Assignments chart below). You will have ample opportunities to volunteer to share the results of your work, and I hope that all of you do. But in the event there are no volunteers or the same students volunteering over and over again, I reserve the right to call on you. Speaking frequently does not necessarily guarantee that you will receive full credit for class participation. In order to receive credit, you must make
thoughtful and relevant classroom contributions to the issue under discussion.

Course Paper (70 Points - 70% of Final Grade)

The culmination of the course is a scholarly paper that is of publication quality and that is at least 3,000 words (including footnotes) in length. The paper must be the product of original research. The 70 possible points are distributed among the following three components:

<table>
<thead>
<tr>
<th>Component</th>
<th>Number of Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Version #1 of course paper</td>
<td>20</td>
</tr>
<tr>
<td>In-class presentation of course paper</td>
<td>15</td>
</tr>
<tr>
<td>Final version of course paper</td>
<td>35</td>
</tr>
</tbody>
</table>

Please carefully read the document posted on Moodle and titled Course Paper Guidance for detailed instructions, tips and guidance about each of these three components of the course paper.

I will act as an advisor for any student who wants to put in the additional work to have the course paper satisfy the Advanced Writing Requirement. Students who wish to do so must let me know no later than Tuesday, January 29 by 5:00 PM.

Where, When & How You Can Find Me

Office: Room 304
Law School Telephone: 243-6623
Email: samuel.panarella@umontana.edu
Cell phone: 503-997-9376 (please use as the contact of last resort)
Office hours: Monday: 1:30 – 3:30 pm

If for some reason we cannot meet during office hours, I will work with you to arrange a mutually convenient time to meet.
# Class Assignments

Class Assignments are provided with the following caveat: schedule adjustments may be made from time to time as necessary; changes will be announced in class and posted on Moodle.

<table>
<thead>
<tr>
<th>Class</th>
<th>Topic</th>
<th>Student Assignment</th>
<th>Reading</th>
</tr>
</thead>
</table>
| Tuesday, January 15 | INTRODUCTION TO CLASS  
BASIC ENERGY & CLIMATE CHANGE LITERACY  
-Consider and be prepared to discuss your personal, professional and/or scholarly interest in and/or experience with renewable energy.  
-Go to http://www.nature.org/greenliving/carboncalculator/index.htm and calculate your carbon footprint. Is your footprint higher, lower, or on par with the average American? How about the average non-American? Are you surprised by your results?  
• Class Syllabus (posted on Moodle)  
• Course Paper Guidance (posted on Moodle)  
• AWR Guidance  
• Power to the People (posted on Moodle)  
• CCL, Pages 1-18 | | |
| Tuesday, January 22 | THE CLIMATE CHANGE CASE FOR RENEWABLE ENERGY: GROWTH, CHALLENGES, AND STARK REALITIES  
-Using “the Google” or some other research vehicle, find at least one article, blog post, etc. making what you consider to be an outrageous, irrelevant, reactionary, faux-scientific and/or indefensible argument against renewable energy generation. Bring the offending piece to class and be prepared to describe why you believe it to be outrageous, irrelevant, reactionary, faux-scientific and/or indefensible.  
-STUDENTS 1-4 EACH SELECT ONE ARTICLE FROM “RENEWABLE ENERGY & CLIMATE CHANGE IN THE NEWS” TAB ON CLASS MOODLE PAGE TO PRESENT TO THE CLASS FOR 5 MINUTES  
• Renewable Energy Is Ready to Overtake Fossil Fuels. Will We Let It? (posted on Moodle)  
• The Glut Economy (posted on Moodle)  
• Clean Power Plan Fact Sheet (posted on Moodle)  
• CCL, Pages 29-55 | | |
<table>
<thead>
<tr>
<th>Class</th>
<th>Topic</th>
<th>Student Assignment</th>
<th>Reading</th>
</tr>
</thead>
</table>
| Tuesday, January 29 | RENEWABLE ENERGY SPECIAL TOPICS: TRANSMISSION, INTERCONNECTION AND REGULATION | -STUDENTS 5-7 EACH SELECT ONE ARTICLE FROM "RENEWABLE ENERGY & CLIMATE CHANGE IN THE NEWS" TAB ON CLASS MOODLE PAGE TO PRESENT TO THE CLASS FOR 5 MINUTES  | • Law of Wind, Chapter 14 (posted on Moodle)  
• Energy Transmission and Storage (posted on Moodle)  
• Power Brokers: Africa’s Solar Boom is Changing Life Beyond the Grid (posted on Moodle) |
| Tuesday, February 5 | RENEWABLE ENERGY SPECIAL TOPICS: TRANSMISSION, INTERCONNECTION AND REGULATION (Continued) | **ALL STUDENTS:** TOPIC IDEA(S) FOR COURSE PAPER DUE BY BEGINNING OF CLASS (EMAIL OR HARD COPY TO ME)                                                                                                                                  | • Law of Wind, Chapter 14  
• Energy Transmission and Storage (posted on Moodle)                                                                                                          |
|              |                                            | -Find a state other than Montana with net metering rules. Read them and be prepared to discuss your understanding of what they require and how they work.                                               |                                                                                                    |
|              |                                            | -STUDENTS 1-4 EACH SELECT ONE ARTICLE FROM "RENEWABLE ENERGY & CLIMATE CHANGE IN THE NEWS" TAB ON CLASS MOODLE PAGE TO PRESENT TO THE CLASS FOR 5 MINUTES                                                                 |                                                                                                    |