

Energy and Sustainable Development Law

Degree Offered

- Energy Law and Sustainable Development, LL.M.

WVU College of Law is committed to playing a prominent role in shaping the energy, environmental, and sustainable development policies of the future for the state, the nation, and the world.

Energy is the foundation of our nation's future, both economically and environmentally. West Virginia is at the center of energy production for the country. There is no better place to learn about the intersecting laws and policies governing all of the country's energy resources than at WVU College of Law.

Although many law schools provide opportunities to learn energy or environmental law, WVU College of Law is committed to providing students opportunities to learn the full range of energy, environmental, and sustainable development law through its Center for Energy and Sustainable Development Law (<http://energy.law.wvu.edu/>) and through its other resources in the area.

The College of Law provides a broad and deep offering of courses, experiential learning opportunities, and practical training for every part of the energy sector. Our broad spectrum of courses allows our students to prepare to be lawyers and leaders serving energy companies, investors, utilities, manufacturing companies, lawmakers, policymakers, regulators, land use professionals, and environmental organizations.

Program Objectives

The College of Law's objectives in establishing an LL.M. in Energy Law and Sustainable Development are as follows:

- To educate the next generation of lawyers in the state and beyond who will work in and shape the field of energy and sustainable development;
- To utilize WVU's expertise and reputation in the areas of natural resources, energy, and sustainable development and further establish the College of Law as a leader in law and public policy in those fields; and
- To build upon the WVU 2020 Strategic Plan for the Future, which emphasizes the unique role and expertise of West Virginia and the university in the areas of natural resources, energy, and sustainable development.

Admission Requirements

WVU Law's LL.M. in Energy Law and Sustainable Development will be a source for a high-quality professional legal education and a home for thought leaders in the areas of energy and sustainable development.

Minimum admission requirements for the program are as follows:

- A J.D. from an ABA-accredited school (or foreign equivalent, as determined by the College of Law in accordance with ABA guidelines).
- A J.D. (or equivalent) grade point average of at least a 3.0 (on a 4.0 scale) or other demonstrated indicia of likelihood of success.
- A demonstrated interest in or commitment to the fields of energy and/or sustainable development.

Curriculum

The College of Law intends that its graduates excel academically. Our goal is for our graduates to function on a high level as professionals in the field and to add to the national conversation on energy and sustainable development policy on a thoughtful and practical level.

This goal is reflected in our rigorous curriculum for the LL.M. in Energy and Sustainable Development Law.

Required Courses

LAW 630	Energy Law	3
LAW 764	Administrative Law	3
LAW 789	Law of Environmental Protection	3
LAW 670	LLM Seminar	3
LAW 671	LL.M. Capstone (*)	4
Electives		10
Total Hours		26

* Minimum 1 credit required, may be combined with another course to reach 4 credits total

Electives

LAW 604	Natural Resources	3
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LAW 612	Agriculture & Food Law	3
LAW 613	International Environmental Law	3
LAW 627	Land Use/Sustainable Development Clinic 1	7
LAW 628	Land Use/Sustainable Development Clinic 2	7
LAW 634	Energy Reg, Markets and Environ	3
LAW 635	Land Use and Resilience Law	3
LAW 644	Energy Siting & Permitting	3
LAW 645	Water Law	3
LAW 647	Nuclear Law & Policy	3
LAW 648	Energy Business/Law & Strategy	3
LAW 658	Science & Technology of Energy	2-3
LAW 659	Administrative Energy Law and Practice	2
LAW 660	Law of Coal	2-3
LAW 662	Mine Safety & Health Law	3
LAW 688E	Seminar in Human Rights & the Environment	2
LAW 688F	Seminar in Hydraulic Fracturing	2-3
LAW 689W	Seminar:Issues in Energy Law	2
LAW 766	Coal/Oil and Gas	3
LAW 693	Environmental Litigation	3
LAW 693	Environmental Law Nat Res & Conservation	3
LAW 793	Environmental Law Pollution	3
LAW 794	Seminar Trends in Env & Energy Law	2

Related Courses

LAW 633	International Business Transactions	3
LAW 689X	Seminar: National Security Law	2
LAW 719	Income Taxation 1	3
LAW 729	Business Organizations	4
LAW 734	Intellectual Property	3
LAW 643	Taxation of Business Entities	4
LAW 768	International Law	3
LAW 771	Labor Law	3
LAW 774	Local Government	2
LAW 778	Antitrust	3
LAW 779	Business Transactions Drafting	4
LAW 784	Securities	3

Class Work. One-year course of study requiring 26 credit hours, including a final paper or fieldwork project. Students will have the added benefit of seeking approval to include up to 6 credits in their course of study from relevant WVU graduate-level programs, such as course offerings in business, ecology, engineering, public policy, economics, and natural resources.

Energy Law Survey. This introductory energy law course provides an overview of the law and regulatory policies that govern and affect the energy industry. The course includes a review of the various traditional and renewable energy sources, mineral rights, economic regulation of the energy industry, and climate change and environmental concerns.

Environmental Protection Law. This survey course introduces students to energy, environment, and sustainability law and policy issues. Students will examine the development of environmental law from its common law tort roots through the birth of the “environmental movement” and the enactment of federal environmental regulatory laws such as the Clean Water Act, the Clean Air Act, and the Surface Coal Mining and Reclamation Act. The overarching goals of the course are to expose students to “real world” environmental issues they may face in practice and the principles, doctrine, and process lawyers use while representing clients in environmental and natural resource matters.

Administrative Law. A basic understanding of administrative law is nearly essential for all attorneys. This is especially true for those practicing in the areas of energy, environmental, and sustainable development law. This course covers the creation and operation of administrative agencies, common procedural practices and requirements of administrative procedure acts, judicial control of administrative agencies, and constitutional issues related to the area.

LL.M. Seminar. The program will require a 3-credit LL.M. Seminar that covers a wide range of energy and sustainable development law and policy and explores diverse advanced topics and perspectives. The seminar will feature guest speakers who will present their scholarship and other works. Guests will include, for example, WVU Law faculty, local and national scholars and practitioners, government officials, regulators, and other leaders in the fields. Students will be required to engage in rigorous preparation for each seminar discussion and will be expected to develop a writing project that will be presented at the end of the course.

LL.M. Capstone (Research Paper or Fieldwork Project). The College of Law expects LL.M. graduates to bring their in-depth knowledge in the areas of energy and sustainable development into the world in a tangible way. The 4-credit Capstone (Research Paper or Fieldwork Project) requirement lays the groundwork for that expectation. For those students looking to focus on influencing energy and sustainable development policy, the option to write a research paper on a significant issue in law and energy or sustainable development policy would form the basis for further work in the field. The paper can be related to an existing course (e.g., a 3-credit course with an additional credit granted for additional required research) or a student-specific study/thesis option with the approval of the program director.

Those students intending to enter private practice or work in industry may prefer to experience real world problems with real world clients. Whether through existing experiential learning opportunities available through the College of Law or through specific projects developed through student interest or via significant industry contacts, a student will be able to see energy and sustainability law in actual practice. Each project will require approval of the program director before it is started and upon completion.

Specializations. Given the nature of the degree, students will earn their LL.M. in Energy and Sustainable Development Law without further formal specialization. Beyond the course requirements, however, students will have the flexibility in elective courses to focus their studies more specifically on courses in energy law, land use planning, and environmental law, among other options.

Portfolio of Work. All LL.M. students will be required to develop a portfolio of work, consisting of at least four written pieces that are representative of the student's experiences in the course of the program. These pieces could include, but are not limited to, scholarly papers, industry white papers, significant legal motions, briefs or memoranda, substantial transactions documents, policy analyses, or draft legislation or regulations.

Graduation Requirements

The graduation requirements for the LL.M. in Energy and Sustainable Development Law are as follows:

- A minimum GPA of 2.5 (on a 4.0 scale).
- No less than the equivalent of a "C" (2.0) in any class counted toward the degree.
- Successful completion of the required 26 credits (including the LL.M. Seminar and the LL.M. Capstone).
- Completion of the 3-credit LL.M. Seminar, which must be completed in residence at the College of Law's Morgantown campus unless otherwise approved by the program director.
- Successful completion of the 4-credit-hour Capstone (writing or field-work project) requirement.
- Development of a portfolio of work (consisting of at least four written pieces) that is representative of the student's experiences in the course of the program.