

A CAREER IN ENVIRONMENTAL LAW

Some Basic Information

Environmental law is a relatively new and exciting field, having evolved rapidly over the course of the last thirty years.

Environmental lawyers advise and represent clients on a wide range of matters, including air and water pollution, land use concerns, agricultural issues, parks and wilderness preservation, waste disposal, resource extraction, transportation, and international issues, to name a few.

In order to become an environmental lawyer in Canada, you must first meet the requirements of the provincial regulatory body that governs lawyers. These requirements include obtaining a law degree, spending up to one year articling under the supervision of a practising lawyer, and then passing a series of exams, referred to as the Bar Admission Course in Ontario.

As an admission requirement, most Canadian law schools require that you have at least two years of undergraduate university level education. However, most applicants have degrees that typically require 3 or 4 years of study. You must also write the Law School Admissions Test (LSAT), an aptitude test that takes about 5 hours to write and is offered twice per year. Information regarding the LSAT should be available from a high school career or guidance centre or from a university or regular bookstore. The law school will ask you to have your test results sent to their admissions committee.

While not essential, a background in environmental studies or science is useful for someone interested in environmental law. Many students utilize their undergraduate education to acquire this background. University calendars outline the

various undergraduate and graduate programs offered by that school. You should be able to obtain the most recent university calendars from university websites, public libraries or university bookstores. Programs in environmental studies are offered at most universities in Canada. Previous work or volunteer experience is also a useful means of gaining a background in the environmental field.

It takes three years of full time study to obtain a degree in law (LL.B. or J.D.). It is not necessary to enrol in an "environmental law" program. Most universities provide environmental and related law courses that you can take while obtaining your degree. Related courses would include administrative law, municipal law, resources law, torts and international law. It is a good idea to talk to a professor or counsellor in the law school to ensure that you take advantage of the elective courses offered by that school.

There are many universities across Canada with law faculties. In the west, there are law schools at the Universities of British Columbia, Victoria, Alberta, Calgary, Manitoba and Saskatchewan. In Ontario, law is offered at the Universities of Windsor, Western Ontario, Toronto, Ottawa, Queen's and York University. In Quebec, which is the country's only civil law jurisdiction, only McGill University offers the common law degree. A degree in civil law is offered by many other universities including the Universities of Montreal, Sherbrooke, Laval and Ottawa. In the Maritimes, law is taught at the Universities of New Brunswick and Dalhousie. The company that organizes the LSAT publishes an annual booklet describing all Canadian

law schools. For specific information on admission requirements, you must contact the universities directly.

Some Canadian universities do offer special environmental law programs. York University offers a joint program with the Faculties of Environmental Studies and Law. Environmental law programs are also offered at the University of Toronto and Dalhousie University. Again, check the university calendars. These programs enable students to develop an in-depth knowledge of environmental law and policy and provide the opportunity to pursue highly specialized careers with government, business, public interest groups, and academic institutions.

In terms of career opportunities, environmental law saw a dramatic increase in hiring in the early part of the 1990s, although hiring has levelled off since that time. As with many other fields, environmental law is driven somewhat by the economy and government spending. However, it is anticipated that there will always be a need for environmental lawyers as our society continues to rely upon technology and industry that have the potential to damage the natural environment.

Once called to the Bar, environmental lawyers can act as barristers conducting legal representation on behalf of clients in trials, hearings and appeals. As solicitors, environmental lawyers advise clients on the environmental implications of corporate transactions such as mergers, land or property transactions and clean-up of contaminated lands.

The Ontario Ministry of the Environment hires lawyers to assist with prosecutions under the *Environmental Protection Act*, the *Ontario Water Resources Act* and the *Pesticides Act*. The federal Department of

the Environment administers such laws as the *Fisheries Act*, the *Canadian Environmental Protection Act*, the *Canada Shipping Act* and the *Transportation of Dangerous Goods Act*. In addition, many other government departments and crown corporations hire environmental lawyers including those concerned with natural resources, transportation, planning and development, or international trade.

A new corporate awareness of environmental issues has led many companies to create environmental divisions, while many law firms have similarly developed environmental departments to advise corporate clients. Much of the expansion involves ensuring that companies comply with regulations or protecting the company's interests in real estate transactions.

Finally, as public awareness for the environment increases, so will opportunities for lawyers in assisting environmental groups and First Nations or in advocating for law reform or enforcement. Some lawyers have launched successful careers on their own, acting on behalf of local citizen's groups or individuals in environmental and planning hearings.

Prepared by the Canadian Environmental Law Association.

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