

KATRINA FISCHER KUH

Elisabeth Haub School of Law at Pace University
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EXPERIENCE

ELISABETH HAUB SCHOOL OF LAW AT PACE UNIVERSITY ▪ White Plains, NY

Haub Distinguished Professor of Environmental Law (2017-present)

Interim Associate Dean & Executive Director, Environmental Law Programs (2019-2021)

- Director, Environmental Law & Policy Hack Competition
- Recipient, Ottinger Award 2019-2020
- Courses taught include Administrative Law, Environmental Survey, Climate Change Law, International Environmental Law, and Torts.

HOFSTRA UNIVERSITY SCHOOL OF LAW ▪ Hempstead, NY

Professor of Law (2014 to 2017); Chair, Curriculum Committee; Dean Search Committee

Associate Dean of Intellectual Life (2014-2016)

Associate Professor of Law (2007 to 2014)

ARNOLD & PORTER LLP ▪ New York, NY

Environmental/Litigation Associate (2004 to 2007)

- Represented clients in a range of environmental litigation and regulatory proceedings presenting a variety of administrative, constitutional, statutory, and tort issues.

YALE LAW SCHOOL ▪ PROFESSOR DANIEL C. ESTY ▪ New Haven, CT

Research and Teaching Assistant (Fall 2000 – Spring 2002)

- Head teaching assistant, Environmental Law and Policy course, Spring 2002.
- Analyzed literature on the impact of information age technologies on environmental practice and policy and edited article investigating the role of technology in environmental regulation, Daniel C. Esty, *Environmental Protection in the Information Age*, 79 NYU L. REV. 115 (2004).

JUDICIAL CLERKSHIPS

THE HONORABLE DIANA G. MOTZ

United States Court of Appeals for the Fourth Circuit ▪ Baltimore, MD ▪ 2003-2004

THE HONORABLE CHARLES S. HAIGHT

United States District Court for the Southern District of New York ▪ New York, NY ▪ 2002-2003

EDUCATION

YALE LAW SCHOOL ▪ New Haven, CT ▪ J.D. 2002

Editor-in-Chief *Yale Law and Policy Review*

Yale Environmental Law Association

YALE COLLEGE ▪ New Haven, CT ▪ B.A. History, *summa cum laude*, degree earned 1994-1997

Phi Beta Kappa, Distinction in the Major
Charles Garside Award, Howard Roberts Lamar Prize

BOOKS AND BOOK CHAPTERS

The International Climate Change Treaty Regime, Litigating Government (In)Action on Climate Change; and Legal and Policy Levers to Prompt Action by Private Climate Change Actors in INTRODUCTION TO CLIMATE CHANGE LAW (forthcoming 2021).

Canada and the United States (with M.C. Leach) in RESEARCH HANDBOOK ON CLIMATE CHANGE MITIGATION LAW (L.S. Reins & J.M. Verschuuren, eds.) (forthcoming 2021).

Professional Responsibility and the Corporate Hoodwink: Using the Climate Disinformation Campaign to Examine the Ethical Responsibilities of Attorneys When Corporate Clients Mislead the Public to Avoid Government Regulation (with L. Griffin), in ENVIRONMENTAL LAW DISRUPTED (K. Hirokawa & J. Owley, eds.) (forthcoming 2021).

The Law of Climate Change Mitigation: An Overview, in REFERENCE MODULE IN EARTH SYSTEMS AND ENVIRONMENTAL SCIENCES (Elsevier 2017).

Agnostic Adaptation, in *A Response to the IPCC Fifth Assessment*, 45 ELR 10027 (2015) & CONTEMPORARY ISSUES IN CLIMATE CHANGE LAW & POLICY: ESSAYS INSPIRED BY THE IPCC (Robin Kundis Craig & Stephen R. Miller, eds. 2016).

An Unnatural Divide: How Law Obscures Individual Environmental Harms, in ENVIRONMENTAL LAW AND CONTRASTING IDEAS OF NATURE: A CONSTRUCTIVIST APPROACH (Keith Hirokawa ed.) (2014).

Impact Review, Disclosure & Planning, in THE LAW OF ADAPTATION TO CLIMATE CHANGE: U.S. AND INTERNATIONAL ASPECTS (Michael B. Gerrard & Katrina Fischer Kuh, eds. 2012).

LAW REVIEW ARTICLES

Environmental Law, Disrupted by COVID-19, 51 ENVTL. L. REP. NEWS & ANALYSIS 10509 (June 2021) (with Rebecca Bratspies, Vanessa Casado Perez, Robin Kundis Craig, Lissa Griffin, Keith Hirokawa, Sarah Krakoff, Jessica Owley, Melissa Powers, Shannon Roesler, Jonathan Rosenbloom, J.B. Ruhl, Erin Ryan, David Takacs).

Scientific Gerrymandering & Bifurcation, 29 N.Y.U. ENVTL. L.J. 171 (2021) (with Megan Edwards & Frederick A. McDonald).

The Legitimacy of Judicial Climate Engagement, 46 ECOLOGY L.Q. 731 (2020).

Crafting Next Generation Eco-Label Policy, 48 ENVTL L 409 (2018) (with Jason J. Czarnezki & K. Ingemar Jonsson).

Environmental Privacy, 2015 UTAH L. REV. 1 (2015).

Accessing Law: An Empirical Study Exploring the Influence of Legal Research Medium, 16 VAND. J. ENT. & TECH. L. 757 (2014) (with Stefan H. Krieger).

Transparency in Support of Sustainability, in Rethinking Sustainability to Meet the Climate Change Challenge, 43 ENVTL. L. REP. NEWS & ANALYSIS 10342 (2013).

Personal Environmental Information: The Promise and Perils of the Emerging Capacity to Identify Individual Environmental Harms, 65 VAND. L. REV. 1565 (2012).

When Government Intrudes: Regulating Individual Behaviors that Harm the Environment, 61 DUKE L.J. 1111 (2012).

Climate Change and CERCLA Remedies, 2 SEATTLE J. ENVTL. L. 61 (2012).

Capturing Individual Harms, 35 HARV. ENVTL. L. REV. 155 (2011).

Foreword: Energy and the Environment: Empowering Consumers, 37 HOFSTRA L. REV. 911 (2009).

Using Local Knowledge to Shrink the Individual Carbon Footprint, 37 HOFSTRA L. REV. 923 (2009) (invited Idea submission), reprinted in LOCAL CLIMATE CHANGE & SOCIETY (Mohamed Salih, ed. 2012).

Electronically Manufactured Law, 22 HARV. J.L. & TECH. 223 (2008).

Harnessing the Treaty Power in Support of Environmental Regulation of Activities That Don't "Substantially Affect Interstate Commerce": Recognizing the Realities of the New Federalism, 22 VA. ENVTL. L. J. 167 (2004).

WORKS IN PROGRESS

IBA, Report of the Working Group on the Legal Aspects of Climate Change Adaptation (evaluating legal and policy responses in the context of technology transfer, climate migration, and food security) (Co-chair)

OTHER WRITING

Commentary, *For Businesses, Green Amendment is Double Green*, WESTCHESTER & FAIRFIELD COUNTY BUSINESS JOURNALS (April 19, 2021) (with Maya K. van Rossum), <https://westfaironline.com/135277/for-businesses-green-amendment-is-double-green/>.

Commentary, *Why Do We Need the Green Amendment*, NEW YORK LAW JOURNAL (March 15, 2021), <https://www.law.com/newyorklawjournal/2021/03/15/why-do-we-need-the-green-amendment/>.

Ethics & the Profession 2020 Annual Report, American Bar Association Section on Environment, Energy, and Resources Year in Review 2020 (with James May).

Richard Webster & Katrina Kuh, *Energy, Climate and Hazardous Site Remediation*, ABA ENERGY COMMITTEES NEWSLETTER, Dec. 2010, at 5.

CONFERENCES & SPEAKING ENGAGEMENTS

Environmental Law Collaborative, Facing the Worst Climate Case: The Role of Law, Colorado Springs (upcoming July 2021)
Planning Committee and Discussant

American Bar Association, Section on Environment, Energy, and Resources, Virtual Conference, Climate Change in the West: Land, People, Markets, and Law (June 2021)
Conference Planning Committee

New York Environmental Rights Panel (June 2021)
Presenter: Green Amendment

New York City Bar Environmental Law Committee (May 2021)
Presenter: Green Amendment

Webinar, Environmental Rights Constitutional Amendment, New York Water Environment Association (April 2021)
Presenter: Green Amendment

Elisabeth Haub School of Law Environmental Law and Policy Hack Competition (November 2020)
Director

Elisabeth Haub School of Law Faculty Workshop (June 2020)
Presenter: Scientific Gerrymandering & Bifurcation

II Congreso Internacional De Derecho, Universidad Científica (June 2020)
Presenter: Climate Change Litigation

New York City Bar Association, International Environmental Law Year in Review (June 2020)
Presenter: Climate Change Litigation and Other Key Developments

Workshop for Environmental Scholarship, James E. Rogers College of Law (February 2020)
Presenter: Scientific Gerrymandering and Bifurcation

American Bar Association, Climate Disruption and Decarbonization Conference (February 2020)
Conference Co-Chair

Agriculture and Food, Environmental, and Natural Resources and Energy Works in Progress, AALS (January 2020)

Presenter: Scientific Gerrymandering and Bifurcation

Virtual Environmental Law Professors Workshop (November 2019)

Presenter: Scientific Gerrymandering and Bifurcation

Scientific Controversies Colloquium, Brooklyn Law School (November 2019)

Presenter: Scientific Gerrymandering and Bifurcation and Professional Responsibility and the Corporate Hoodwink

The Problem of Peace Seminar, Columbia University (November 2019)

Presenter: Protection of the Rights of Future Generations and Presentation of the Normandy for Peace Chair of Excellence

New York Law School Faculty Workshop (October 2019)

Presenter: Professional Responsibility and the Corporate Hoodwink

Climate Change Works-in-Progress Symposium, Bren School of Environment, Berkeley (August 2018)

Presenter: Judicial Climate Engagement

Environmental Law Collaborative, Essex, MA (July 2018)

Presenter: Malignant Normality

Rocky Mountain Mineral Law Foundation, Natural Resources Law Teachers Workshop, Victoria, B.C. (July 2018)

Presenter: Judicial Climate Engagement

Sabin Colloquium on Innovative Environmental Law Scholarship, Columbia University (June 2018)

Invited Discussant

Tony Oposa Intergenerational Moot Court, Caen, FR (June 2018)

Judge

Elisabeth Haub School of Law at Pace University, Gilbert and Sarah Kerlin Lecture on Environmental Law (November 2017)

Presenter: Against the Will of the People for the Good of Humankind: The Counter-Majoritarian Difficulty and the Role of Courts in an Environmental Democracy

Georgetown Law School, Environmental Research Workshop (March 2017)

Presenter: Eco-Labeling Policy

27th Meeting of the Legal Advisers, United Nations International Law Week (October 2016)
Presenter: Legal Dimensions of the Concept of Climate Justice, Technology Transfer

International Bar Association Annual Conference, Washington, D.C. (September 2016)
Presenter: Technology transfer, Working Group on the Legal Aspects of Climate Change

Columbia Journal of Environmental Law, Climate Change Symposium (April 2016)
Discussant: Fossil Fuel Abolition Legal and Social Issues, Karl S. Coplan

New Directions in Environmental Law, Yale Law School (February 2016)
Presenter: Limits to Regulating Individual Behavior

Smartphone Apps for Citizen Scientists Workshop Series, Columbia University (February 2016)
Presenter: Legal Challenges to Data Trespass Laws

Sustainability Conference of American Legal Educators, Tempe (May 2015)
Presenter: Agnostic Adaptation

Pace Law School, Faculty Colloquium (April 2015)
Presenter: Informational Regulation, the Environment, and the Public

Florida State University College of Law, Faculty Colloquium (April 2015)
Presenter: Informational Regulation, the Environment, and the Public

Berkeley Environmental Law Colloquium, Berkeley (February 2015)
Presenter: Informational Regulation, the Environment, and the Public

Environmental Law Collaborative, Jackson Hole (July 2014)
Participant: IPCC Fifth Assessment

Recovery and Rebuilding After Superstorm Sandy, Hempstead (April 2013)
Presenter: Science and Adaptation

Indiana University Robert H. McKinney School of Law, Faculty Colloquium (September 2013)
Presenter: Personal Environmental Information

Hofstra University School of Law, Faculty Workshop (June 2012)
Presenter: Personal Environmental Information

Vanderbilt Law School, Supply & Demand: Barriers to a New Energy Future (February 2012)
Presenter: Personal Environmental Information

Hofstra University School of Law, Junior Faculty Forum (February 2012)
Presenter: Personal Environmental Information

Hofstra University School of Law, Faculty Workshop (June 2011)
Presenter: When Government Intrudes

Pace Law School, Faculty Colloquium (March 2011)
Presenter: When Government Intrudes

Northeast Regional Scholarship and Teaching Development Workshop, Albany (January 2011)
Presenter: When Government Intrudes

Hofstra University School of Law, Junior Faculty Forum (November 2010)
Presenter: When Government Intrudes

“Prawfsfest” Conference, Brooklyn (July 2010)
Presenter: When Government Intrudes

Energy & the Environment: Empowering Consumers, Hempstead (March 2009)
Conference Director

Hofstra University School of Law, Junior Faculty Forum (October 2008)
Presenter: Capturing Individual Harms

Southeastern Association of Law Schools Annual Meeting, Palm Beach (July 2008)
Presenter: Electronically Manufactured Law

“Prawfsfest” Conference, Hempstead (July 2008)
Presenter: Electronically Manufactured Law

Hofstra University School of Law, Faculty Workshop (June 2008)
Presenter: Electronically Manufactured Law

Brandenburgische Technische Universität Cottbus, Marienthal (November 2007)
Presenter: The United States and Kyoto Post-2012: Reflections Based on Domestic Developments

PROFESSIONAL AFFILIATIONS/BAR ADMISSIONS

International Bar Association

-Co-chair, Working Group on the Legal Aspects of Climate Change Adaptation

American Bar Association

-Section on Environment & Energy Resources, Ethics & Profession Advisor

New York State Bar Association

-Executive Committee Member, Environmental and Energy Law Section

-Chair, Task Force on Environmental Aspects of the New York State Constitution, New York State Bar Association Environmental and Energy Law Section, *Report and*

*Recommendations Concerning Environmental Aspects of the New York State
Constitution*, 38 PACE L. REV. 182 (2017)

The Association of the Bar of the City of New York

Bar Admissions: New York (State) ▪ United States Court of Appeals for the Fourth Circuit ▪
Southern District of New York ▪ Eastern District of New York ▪ Northern District of New York ▪
District Court for the District of Maryland.