

Intro:

Welcome to CleanLaw from the Environmental and Energy Law Program at Harvard Law School. In this episode, Professor and EELP Founding Director Jody Freeman and Professor Richard Lazarus talked with three HLS students about what drew them to environmental law, their experience at the Emmett Environmental Law Center, including working at EELP and the Environmental Law and Policy Clinic, some favorite courses, and what life at HLS is really like. We hope you enjoy this episode.

Jody Freeman:

Welcome to a special episode of CleanLaw. We're excited about this episode because for the first time we're going to talk to some of our current students. They've worked in our environmental law clinic. They've worked in our research program called the Environmental and Energy Law Program. And all of this is under an umbrella at Harvard Law School, which is called the Emmett Center. So we are extremely excited to have with us three students who've participated in all aspects of what our center offers, including our classes. And they are 3L Logan Malik, 2Ls, Eric Krebs, and Anna McDougall. Welcome to all three of you.

Richard Lazarus:

Thank you.

Logan Malik:

Thank you so much for having us.

Jody Freeman:

Great to be here. Now, joining me for our special episode is the inimitable partner in crime, Professor Richard Lazarus. It's great to be with you.

Richard Lazarus:

Hi, Jodi. This is terrific. It's a great idea. The best part of our program we always say is our students. We actually built it for them and it's designed to give them a great experience here and to help launch them after Harvard.

Jody Freeman:

Yes, it's going to be good to get their perspective too on what we think we've built here at HLS. So let's start by asking a couple of introductory questions. You guys are deeply experienced now, at least in your HLS careers, you have a lot of experience taking environmental and natural resource law classes. You've participated, as I mentioned, in our research program and in our clinic, and we just want to get a sense of what that experience has been like. You guys have also had some outside experiences, work before law school, work during law school, and we want to hear about that too. But let me go back in time a little bit to when you were first thinking of going to law school. And I'm just curious about what drew you to environmental law as a field, and more specifically, what drew you to HLS?

Let me start with you, Logan.

Logan Malik:

Yeah. So I came to law school after five years being out of undergrad. I had the opportunity to do a graduate degree and then was working in the environmental advocacy space as well as political

advocacy. So I was already fully committed to environmental issues and kind of recognized that this was going to be a key part of my career. What really drew me to HLS was I think three things. First, Harvard has such a wide range of programs, classes, and extracurricular opportunities to get involved in environmental law. And I knew that that was going to be important, and it has really borne out in my experience. Second, I think that it's rare in some of the offerings that it does provide, things like energy law, natural resources, water law. There's just some nuances that allow you to go beyond just the survey courses and to really dig in deep.

And I will say three, I was really looking for a school where having been in the professional field, having started my career already, I wanted opportunities to go outside of the classroom and to really work on implementing what I was learning in things like externships or research opportunities that I felt would have an impact while I was in school. And so Harvard has that in spades when looking at the clinic, the environmental and energy law program, and just externship opportunities. So that was kind of some of the reasons I came here and I certainly do not regret it.

Anna McDougall:

My background is in economics. That's what I studied as an undergrad. So while I was doing my BA in economics, we learned a lot about how markets allocate resources and specifically how they undervalue shared resources, natural resources, and certain interests of less resourced people. And so while I was studying, the issue of environmental policy kept coming up as something that markets have a hard time dealing with. And so we would often bring in tax policy or environmental regulations as things that could help correct the markets. And I realized that I'd like to get involved in environmental regulation or enforcement through doing environmental law work. So that's kind of how I got into environmental law as a field. So while I was looking at law schools, I was paying specific attention to the environmental law programs. Harvard, as Logan was saying, had a lot of practical opportunities to get involved in environmental law.

I was particularly interested in the clinic. And also during my admissions decision process, the admissions office here set up a time for me to talk to Professor Lazarus. And I remember him saying, oh yeah, after this talk, I'm going to go talk to some other students about different courses they might want to take if they're interested in environmental law. And the sense I got from that conversation is that program was tailored to not just helping students become good environmental lawyers, but good lawyers in general. And I think among different law schools I was looking at, and even among different programs at Harvard, that's very unique about the Harvard Environmental Law Program that the student experience holistically is very much at the center of how the program operates.

Richard Lazarus:

I remember the phone call really well and guiding off the phone call, really hoping that Anna would come and then was delighted when a couple years later there she was in my environmental law class as well.

Jody Freeman:

You get a star for that phone call, Richard.

Richard Lazarus:

I wasn't sure I was done. So I may have to think about how I was about to go talk to some other ... No, no. Actually, that was in fact true. That was in fact true.

Jody Freeman:

Eric, your experience, what drew you here?

Eric Krebs:

Yeah. So in college, the only thing I was certain of was that I didn't want to go to law school. The only guidance I had was anti-guidance. I majored in economics and anthropology, and a lot of what Anna said rings true for me as well, but I really came to take the idea of law school and environmental law seriously through doing my senior thesis, which was about this nuclear power plant in New York and a lot of activism against it and the hard trade-offs that that story revealed to me about environmental law and about politics and law in general. How many fish is one ton of averted carbon worth? There is no answer for that. And the more I thought about it, the more I realized that environmental law implicated all of these big picture questions that I found really interesting about trade-offs between now and the future, about trade-offs between people with power, without power, between different preferences.

And basically it was all there. All those fundamental questions were implicated through this area of law. And also, it's only the planet. So it's not that important, but it's easy to stay motivated when you see the point behind what you're studying. And it was one of those things where just the more I thought about it, the more sense it made. And then by some happenstance, I got in and I came here. And I remember during my Admitted Students Day, I just wandered into the EELP office and I thought there was going to be some sort of programming. And there was, it was just elsewhere and I was lost. But Hannah Perls came out and we sat and we talked for like half an hour in her office. I got the sense that there was both that large scale support and infrastructure and that it would be a place where I would come and make personal relationships that would help me in my career and my life and that I wouldn't just be a number on the roster.

And so far that has all come true and I haven't regretted it once.

Jody Freeman:

Let me just clarify that you were talking to Hannah Pearls, who's one of our wonderful staff attorneys. We have this wonderful team of people who work in our program and Hannah now has gone to work for the State AG's office, but we have that kind of caliber of excellent people who've worked in government, worked in the private sector. And so I think it's great you made that point that you were welcomed in and felt comfortable. I just wanted to say one more thing before turning it over to Richard, which is you all have talked about being involved in different parts of our program, the clinic, the Environmental and Energy Law research program. This now come up a few times already. I hope we can clarify this different kind of work that you've been doing, these different things you've been participating in and how they kind of work together.

Logan Malik:

Absolutely. So I would say that the program starts and is fundamentally grounded on the curriculum and the coursework, which as I mentioned, there is a wide variety of classes to choose from. And you can really pick your adventure even within the environmental law space, which is a rarity among law schools. Then you have the environmental law clinic where you have the opportunity to work either in-house with a group of fantastic attorneys on legal matters that they have with clients, or you have the opportunity to work in an externship with various different organizations. You also have the environmental and energy law program, which I would think of as a think tank that has just so many projects on numerous different issues and is really leading on a number of key matters in the environmental and energy law space. And then finally, you have a wide variety of extracurriculars.

So you have the Environmental Law Society, the Harvard Environmental Law Review, and a number of other opportunities.

Anna McDougall:

I guess I would just add two things. The first is there's a relatively new experiential learning course that I took this January. It was just a three-week course that was run by Professor Andrew Mergan, who also works with the Environmental Law Clinic and Carrie Jenks, who works with ELP. And during this course, a group of students learned a little bit about how environmental legislation and regulation gets created and also got to talk to a lot of legislators and regulators from the state of Massachusetts and also on the Hill, we took a trip to DC and got to talk to people. So that wasn't so much us doing work. It was still a course, but it was very, very hands-on and one of the most memorable experiences I've had here.

Jody Freeman:

That's terrific. And now you've mentioned a couple key personnel, Richard, we got a highlight. Andy Mergan is our fantastic clinical professor directing the clinic we have. And Carrie Jenks is our fabulous executive director for Logan, what you call the Think Tank, which is the environmental energy law program. So we have wonderful colleagues doing that work.

Richard Lazarus:

All right, let's talk about classes. I'm going to avoid asking you who your favorite law professor was because you'd have to choose between Jodi and me or worse, pick someone other than Jody and me. I'm going to pick on you, Eric, first, because you were my environmental law class this past fall, and you were sort of the most valuable player in the class in answering whatever trivia question I happened to ask. And it came a point I didn't ask you to volunteer at some point. I just would turn to you and the rest of the class would turn to you to see if you could answer some ridiculously arcane question often about Supreme Court history. So what class topics in all the classes you've taken here, you've taken a bunch, what class topics did you find most interesting and memorable?

Eric Krebs:

So this might come as a surprise, but I found the most interesting classes have been in the environmental and administrative law space and particularly now I think what I found most interesting and troubling is just how much power and discretion laws inherently give to the executive and how much trust we have to have in our government to execute them fairly, to execute them properly, and that with hard problems like air pollution, like water pollution, there's only so much that Congress can write. And even if Congress tried to write everything, I think of this short story about a map that grows to the size of the territory that it's covering and becomes useless in doing so. Even if Congress were able to do that, there would always be new edge cases, there would always be new complications. And so you think of something like civil procedure, it's almost like a closed environment that we could create and operate as we design or as we wish.

Environmental law has to abide by things like the laws of nature. And so you have this sort of rubber meets the road problem where you're trying to make rules on paper that have to do things in the real world. And the question of how do you turn those from just ink on a page to tangible effects implicates so many big questions of institutional design, of separation of powers, of lawfulness and lawlessness in the government. And that has been really interesting to learn about, especially now.

Logan Malik:

Yeah. I would just add very much so second the process that was highlighted. I think I've kind of come into law school thinking I was going to be just an environmental attorney. And what I realized is that means I'm going to be an administrative law attorney.

Jody Freeman:

Woo-hoo. Here's Professor Freeman, shout out to administrative law.

Logan Malik:

Exactly. Yes. And I also just want to add to that, I think the process is critical, but one thing that often is easy to forget is that both the decision-making process of environmental law and the impact is fundamentally about people. And so I always found it really interesting when in environmental law with Professor Freeman, kind of thinking through what the justices were actually saying and why they were saying it, what the little dicta around the holding might mean, and what are the implications based on these justices and their background. I think similarly in environmental justice, looking at how oftentimes the most overlooked people in our communities are not involved in the process. And that in many ways, the APA and the processes that were designed to engage people have fallen short in many instances. And I think that that was just a helpful reminder that law is fundamentally about people by people, and that kind of reigned true throughout the environmental curriculum.

Jody Freeman:

So most of the time we talk about classes and they sound kind of static. You're in a room and there's somebody with a PowerPoint, you're reading doctrine and reading Supreme Court cases. I guess I want to ask how you think about really your classes plus all these other activities. How did they work together and did it change your point of view? Anna, can you jump in?

Anna McDougall:

Sure. I mean, I think they definitely feed into each other. I think we touched on that when we would talk about things like the National Environmental Policy Act in environmental law, or when we would talk about process failures like Logan was mentioning in environmental justice of certain voices not being heard. There were a lot of different points of view both on the Hill and from Massachusetts lobby shops and also regulators about different ways that permitting reform could be enacted either from certain business interests to make things easier to move projects forward in a way that was predictable, but also from people who were concerned that certain interests were not being as well represented. In an environment where Congress isn't as active in creating environmental laws, we learned in a lot of our doctrinals that puts a lot of pressure on the executive administration to handle big problems in environmental law.

And that was very much apparent from the work that I did with ELP. One of the projects that I was on just involved tracking regulations and how they changed from Trump one to the Biden administration and then back in Trump two. So I got to kind of see in real time how the administrations were interpreting certain laws and regulations changed back and forth and perhaps created an environment that was less predictable. I think the other thing that was helpful in my work in the clinic was kind of tapping into how interdisciplinary environmental law is. Doctrinals, I think by their nature, tend to look at law in a way that's a little bit partitioned off because you can only cover so much in one course. But through working with the clinic, the project I was on was about drafting model occupational heat standards, which very much looked at the intersection between environmental law and labor law.

So it was kind of a nice opportunity to see how different subject matter areas of law aren't really so separate as we might think of them.

Eric Krebs:

I'm a big defender of doctrinals and I love learning theory and doctrine in the law. And I think I love it on its own terms in that I think it's like a puzzle and you're trying to figure out the internal logic of these cases and these doctrines and how they develop over time. But at the same time, you need to know when you read court decisions, when you read regulations, they're citing case law, they're citing doctrine, and you have to know what the sort of language of the law is and what the grammar is to understand what it means in the real world or not. And so I think it's just such a necessary precondition to being able to engage with ongoing shifts and current events is understanding what the Supreme Court said 80 years ago, because everything is downstream of that. And I think the way I've seen that manifest outside the classroom is I do a lot of work with the environmental law review and I think about my 1L fall reading drafts or reading pieces and really not knowing what was going on, taking the author at their word.

And now I go in and I read something, I have a grounding in the law and the theory, and it gives me a base from which I can critically evaluate these pieces in a much more informed way than I was.

Logan Malik:

I came into law school knowing that kind of the experiential element was going to be central to my time at Harvard. And so I've really made it my mission to max out my externship opportunities and as many of the kind of research opportunities that were available through the EELP, I took them. I got to see this fusion between what we were discussing inside of the classroom and what was going on outside of the classroom in very real time. So just as a few examples, in my 1L when I took environmental justice and we learned about section 112 of the Clean Air Act and hazardous air pollutants, I ended up doing a research project for EELP on ethylene oxide and various rules by the Biden administration to kind of reduce the ethylene oxide emissions, which has huge implications for environmental justice communities. When I was in your class, Professor Freeman, I was learning about NEPA and about kind of the impact and its import in our environmental law scheme, I was externing at the White House Council on Environmental Quality.

And that was the same time that Marin Audubon came down and there was this real question of, can CEQ actually promulgate regulations? And just in this last semester, I was in Professor Lazarus's course and got a chance to write a paper on a preemption question that came up as a result of my time externing at the Massachusetts Governor's legal office. And so there really is this great opportunity to tie the classes and the readings that you do with the practical work. And I think my time at Harvard has shown how much those two factors interact with each other.

Richard Lazarus:

Well, I'll tell you, you've got two professors here who are smiling from ear to ear to hear how the different facets of the program have worked well together. If I can pivot to a different question, and that is, what about your fellow students here? What kind of role has that played, having a community of students who are interested in the same kinds of issues you are or in different issues, but still all on the environmental law umbrella? If that's okay, I'll start with you, Anna.

Anna McDougall:

Sure. I think just writ large, my favorite part about being at Harvard has been the people that I've met, whether it's the professors I've worked with or the other attorneys in the program, but especially my fellow students. I think doing the experiential learning course was a really great way to get to know some other people. We were all in the same hotel. Some of us were rooming together, we were eating together. At the start of the program, we'd all seen each other in doctrinals, maybe some of the same extracurriculars, but just being in the environment where we're discussing all of these very specific policies in environmental law, going to listen to guest speakers and then having conversations about what we thought about some of the things that they said was a really good way, not only to get to know each other, but to really delve into what people thought in depth.

And everyone kind of comes into environmental law, I think, since it's such a broad field with their very specific backgrounds and interests. So kind of enriching my own understanding of environmental law with the takes and expertise of other people was really a cool experience.

Eric Krebs:

I completely agree. I think you could go on Google and look up these court decisions. You could go and read books, but that is not going to get you the same experience as actually being in the classroom, being in a community. So it's more than just a dialogue between you and what you're reading. It's really between you, what you're reading and the people you're reading it with. I remember studying for environmental law, sitting on Zoom with two of my best friends talking about the Clean Air Act for 12 hours straight. And I think what is so great about law school, and I'm a big law school defender. I'm a big law school lover. I think it's awesome. And I think when it becomes awesome is when you finally feel like you've gotten over the hill and you know what you're talking about. Because when you're just in this sort of swamp of cases and doctrine and you're feeling your way through the dark, that's great too.

But once you have at least some sense of what you're doing or at least think you have a sense of what you're doing before you inevitably learn that you don't, it's those discussions, then you suddenly find yourself, it's lunch and you're talking about these things just for fun. I found myself texting about the major questions doctrine at two in the morning and I'm like, "What am I doing?" But-

Jody Freeman:

I'm so joyous. I'm overjoyed at the moment.

Richard Lazarus:

Yeah, this is the best. Yeah.

Logan Malik:

Yeah. I'll just add, Harvard is made up by the people who are here and it is fundamentally, that makes up your experience and that is what makes this place special. I kind of want to emphasize what Eric just touched on, which is that the environmental law community, I would say, and this was a surprise to me, is quite diverse. I kind of came in and was like, "Okay, people are going to think about this very similar to the way that I think about it, going to have a similar background and kind of the same goals." And it's been amazing to see how varied and diverse the community is as far as what they see as fundamental, where they're going, and just phenomenal thinkers. And that has been so fun for me as well, just to kind of spend three years, as I'm kind of reflecting on my time here, three years just being around some incredible people and knowing that this is going to be the community that I'll continue to work with in my professional career.

And again, we're going to continue to have different experiences, different approaches, different takes, and that is going to kind of enrich the entire process. And that has been very true, especially because of the spaces that the law school create and that you guys have created in the clinic at EELP to help to build community. I just

Richard Lazarus:

Want to underscore something Logan said there at the end based on my own experience having graduated let's say a few decades ago, you're absolutely right. It's a gift that never stops giving. The friends you make here, the community develop here, especially in the environmental law community, it's going to be with you for a long time. They're going to be the people who you write to, maybe now text. We wrote, but maybe text now, still at 2:30 in the morning, years from now, the people you're going to call on, the people who are going to call you for ideas, for whether you're taking on different projects and the rest, it's lifelong friendships that one creates here and they last. They're quite enduring.

Jody Freeman:

I want to follow up on something you guys said about thinking about your careers and moving forward. I mean, how has the experience being, not just in the classroom, but part of these other aspects of our program, working on projects like you did, Eric, when you wrote that amicus brief on the endangerment finding rescission or the separate research projects, Anna, that you worked on, you talked about the lab, the sort of going out into the world and watching lobbyists do their work. And Logan, you've done so many different things. You've worked on every aspect of our program too. How does all that affect how you think about your careers? Are you basically going to do the same thing you thought you would do when you started HLS or have you been shaped or directed in some way and your career path has been affected by your experience here?

Logan Malik:

So I am going to probably be doing what I thought I was going to be doing after coming into law school. And I think in many ways that is actually a testament of the experience. I have seen so many different things and gotten a chance to really explore and it has given me kind of certainty around what issues I want to be working in, what is important to me and how I think I can make an impact. But the exploration, I think I am recognizing as I'm concluding how important it was to try out different things and to really know what interests me and what inspires me. And I thought I was going to be working on state and regional issues because it has a nice balance between pushing the needle, changing the conversation at the federal level and directly impacting people on the ground.

Anna McDougall:

I came in with a lot less clarity than Logan, and I think I'm coming out with both more clarity and also more questions. I think the first course I took in the environmental law program was environmental justice with Patrice Sims. And I think that really framed the way I want to look at potential future employers throughout my career. I think the ideas Logan was talking about environmental law is really about people and trying to center the actual people at the heart of your decisions is a really important aspect of any sort of environmental work. So whether I work for a state administration or a nonprofit, I'd really like to work for a group of people that's focusing on making decisions in a way that's fair and takes into account all of the people who are going to be impacted. In terms of more questions, this lab program and also working with the clinic, a lot of the experiences that I've had at Harvard have been just so outside the realm of things I'd really been considering.

I came in to the environmental law program expecting that it would be very litigation focused. I would come out and do impact litigation, things like that. Meanwhile, I've been helping to draft model regulations. I've gotten to talk to people who work for the Congressional Research Service, people who are doing the research underlying regulations, people who are doing the drafting, lobbyists, people who are coming up with policy ideas. So there's just so many more options than I ever could have imagined. And I'm not entirely sure where I slot in after law school, but one thing I have learned is lawyers' careers are long, so hopefully I'll have the opportunity to try out a lot of different things.

Jody Freeman:

That's great. Eric?

Eric Krebs:

Yeah, I think if I could take one lesson away, something that I've learned is I know that I want to do litigation, and that's something that has been reinforced to me both within environmental law and in the things I've done that are beyond the environmental law space here. What I've really learned is that I love the form and the act of doing it. I love writing. I love thinking about arguments. I love drafting arguments. I love sitting around a table and having other people tear what I wrote to shreds and vice versa. And that, what I've realized is even when it's a case that is about something you never thought you would be interested in, it's the act of doing it that makes it fun, that makes it interesting. I think the ultimate point there is that the environmental law program isn't only useful for showing you, here's one form of environmental law, here's another.

And it's not a program that is made for people who only know that they want to go be a capital E environmental lawyer, but it teaches you about, I believe Anna said this earlier, how to become a good lawyer in whatever subject it is. And these are skills that are transferable everywhere.

Richard Lazarus:

This is music to my ears, but I want to amend your answers a little bit. Our goal here is certainly to recognize you don't just want to be an environmental lawyer. You want to be a lawyer, but not a good one. Our goals are much more ambitious than that. We want you to be great lawyers. And the greatest environmental lawyers are great lawyers. And you all are going to be great environmental lawyers. One thing I just want to also mention is, Eric, you may know is going to be in the Ames Moot Court Finals this fall, which is really this fabulous program here at the law school, which puts together these teams of six students in the finals who go through the crucible of several rounds of competition their second year. And the capstone is to be in the Ames final in the fall of the third year.

So when you hear Eric talk about that process of each other tearing each other's work apart, that is the skillset of the best Ames Moot Court final teams.

Jody Freeman:

I have to say, if we had time to run down Anna, Logan, and Eric, what each of you have done here and the things you've been involved in here, it is so impressive. I've got it all listed out in front of me, but the amount of both classwork, work on research for our program, work in the clinic, work on student journals. You guys are among the busiest people I can imagine. Can you comment a little bit on balance and how you do all this in law school?

Eric Krebs:

So I'll give two answers to that question. One is tangibly, you pick multiple things that have different workflows, that have different schedules, different obligations. Sometimes when I take on a research assignment, I know I have a month to do it and I figure out when in that month I'll have time. I know when there's a brief due for the AIMS competition, that's the day it's due and there's nothing I can do about it. And so I think balancing things that you have flexibility on control over and sort of forging your own path is really important. I'd say zooming out answer to that question is finding things and making sure you're doing work that rejuvenates you as you do it. And that is not going to be true all the time. I loved the AIMS process. I loved the mooding process, the writing process. I'm on a team with all my best friends.

And still when you turn in the brief, it's like, I never want to see any of this again until, but God, I really hope I get to the next round so they'll let me do more. And so I think that is the balance. And then the secret third answer that I neglected to mention earlier is just committing to yourself to make time. You can always find time to do something that is out of the law realm. Like for me, I play guitar, I play piano, and I make time every single day. And if it means I get fewer minutes of sleep each night, that's fine for me because I know that making time for myself and something that has nothing to do with my career will only serve me in the long run and it makes me happy.

Anna McDougall:

I think I would underscore all of that and also add finding a good community of people who care about you. I mean, I think it's come up several times during this conversation that some of the best HLS has to offer in general is the people here. And I've met a lot of good friends through the environmental law program. I've also met a lot of people who aren't doing a lot of the same things that I'm doing. If you've got a large group of people, certain people are going to have more busy periods than others if they're doing different things. And so we look out for each other. We take care of each other, make sure everyone's eating and sleeping enough and taking a few minutes for themselves just because I think as a demographic, we're not always the best at making sure that we for ourselves are being the healthiest in terms of work-life balance, but if you've got friends who really care about you, they'll remind you to do that.

So I think the thing that has made the workload the most manageable for me is having a good community of people to kind of do it with.

Logan Malik:

And I would very much so emphasize the importance of community, both on the law school campus and outside of the law school campus. Sometimes it's easy to think that this is the only universe, but spend time with your other friends. Don't forget that you have a whole life outside of this world as well. And I think that that helps to really bring balance and also perspective to the importance of your work, but also the importance of yourself more broadly.

Richard Lazarus:

What advice would you give to students thinking about going to law school and thinking about studying environmental law with the potential for becoming active in that area? Anyone want to go first?

Eric Krebs:

I would say be comfortable with what you don't know and what you can't do yet. And the key in being a student and the key in going to law school is putting yourself in places that are going to challenge you, putting yourself in places that are going to reveal to you not only the things that you don't know, but the

things that you don't know that you don't know. And it is one big learning process. Being comfortable with that is really important. As Anna said earlier, your career, hopefully, if you're lucky, will be long. And so right now it's about giving yourself a base and giving yourself an orientation. It's not about reaching the conclusion of figuring out, oh, I want to do exactly this in five years and exactly this in 10 years. It's about putting yourself in a place where it keeps those doors open and helps you understand what questions you should be asking to evaluate these life choices and these opportunities.

Richard Lazarus:

Anna, any thoughts?

Anna McDougall:

Following on Eric's point, just keep as open mind as possible in terms of what you want your work to look like and the different skills you might want to develop. As I said earlier, there's a lot of different ways to be a Capital E environmental lawyer and there's a lot of ways to become a good lawyer or a great lawyer, as Professor Lazarus was saying, that don't involve just doing strictly environmental things like the Ames Moot Court. That's a very generalist and rigorous extracurricular that Eric's doing. And I've done work with the immigration clinic here that's given me a lot of skills in terms of how to develop client relationships, things like that. So I think just keeping an eye out for opportunities that don't maybe look exactly like what you were envisioning for your career and going after those anyway is really important.

Logan Malik:

I would make perhaps a slight amendment, though I very much so agree with what has been said. I think come in with an open mind and an open heart, but also with confidence about who you are, what you care about and what impact you want to make so that you make sure that you're really digesting and kind of learning from all that you have to offer, but ultimately you are charting a path that aligns with who you are and what you value. I would also say work as hard as you can to get it right, but also be okay and recognize that it's okay to not always get it perfect. This law school is where, as Eric was saying, is where you're learning. And so I would rather be bold and put yourself out there and recognize that it's okay if you don't get it perfect and it's not the end of the world.

And I would just add by saying, don't be afraid to chart your own path. There are things in the world, issues that aren't addressed and that need to be addressed. And sometimes the best way to do that is in a way that has never been done before and never been tried before. And being flexible and not being afraid to do what you think kind of aligns with what impact you want to make is important.

Jody Freeman:

Well, you guys are full of wonderful wisdom, I must say. I mean, I hope- This is

Richard Lazarus:

No surprise. Who chaired admissions when they were all admitted?

Jody Freeman:

I wonder who that might've been. I'm not sure. I have a few rapid fire questions and anybody can answer anything, but some of them are myth-busting. So there's an idea that Harvard's very intimidating, professors are unapproachable and accessible and so on. Agree, disagree, shed light?

Eric Krebs:

Disagree. I think it is true that Harvard is a big law school, but I think every professor I've had here who I've made an effort to try and get to know, who I've tried to make an effort to go to office hours to work with has reciprocated and I feel like I know the people I'm learning from. I'm still intimidated, but in a very good, healthy way, not in a sort of scary way. It's just the thought of I want to learn as much as I can from this person and I'm always in awe of the people I'm learning from and the people I'm learning with.

Logan Malik:

Disagree as well. I think professors at their heart are professors because they want to teach and because they want to form relationships. I would also add though that you don't need to be best friends with every single one of your professors. I think that really where you can find value is recognizing the connections that you can build. And similarly, they can't build relationships with all 560 people here. So recognize where there's a connection and the opportunity to work more. And I think that that will just be reciprocated in turn a thousand fold.

Anna McDougall:

Yeah, also disagree. When some of my friends prior to me coming here found out I got into Harvard Law, they sat me down and made me watch *The Paper Chase*.

Jody Freeman:

No, no, no, no. I

Richard Lazarus:

Love the paper. Funny movie. There

Jody Freeman:

You go. I just mean not representative of the current moment. Keep going.

Anna McDougall:

Which I think paints this picture of professors being intimidating for the sake of being intimidating. I think there's a wide range of how people choose to run classrooms at HLS, but it's, at least in my experience, never been with the express desire to intimidate. It's just always with the desire to teach the material in a way that's as effective as possible. And I would also say following on Logan's point, especially in more experiential programs, I've gotten to know quite a few professors quite well. So being in the clinic, being in some of the think tank programs, it's been a really great way to get to know people.

Jody Freeman:

And then another couple things. Is there any super nerdy thing you do, listen to a particular podcast, follow oral arguments on [supremecourt.gov](http://supremecourt.gov), whatever it is that you want to share that you think has really enriched your experience at HLS?

Eric Krebs:

Sure. I'll share one that I'm happy to share and then one that I know I shouldn't, but I'll share anyway. I really love the podcast *Divided Argument*. It's with these two professors, Dan Epps and Will Bode. And

Wilbod is one of the leading originalist scholars in the country. Dan Epps is hard to place, but is certainly center right. But they have such a good inside take on Supreme Court opinions. They ask great questions and they pick stuff apart in a way that has exposed me to a lot of new ideas and I really love that. I'd say the absolute nerdiest thing I do is during AIMS, I would fall asleep while listening to oral arguments with the hope that it would enter my brain through osmosis while I was

Jody Freeman:

Asleep. Amazing. This is an amazing example.

Eric Krebs:

And you know it's kind of a perverse incentive structure because the better the oral argument is, the more it keeps you awake and the worse it is, the better it works as a sleep aid. And so it sort of leads to some bad selection effects on my part. I'm going to say cut that, but I know that'll end up in the podcast anyway, so it's fine.

Jody Freeman:

Anything you guys do that we would not know about that's extremely nerdy?

Logan Malik:

So two clear winners here would be number one, listening to CleanLaw, which is something that I would do.

Jody Freeman:

Yes.

Logan Malik:

And two, reading Jodi Freeman's LinkedIn post, which

Jody Freeman:

Is another thing- Oh, this answer's in the pod for sure.

Richard Lazarus:

I'm not so sure.

Logan Malik:

But in all seriousness, I do think that those are two things I did and that I do think enriched my experience and I would come away kind of thinking, oh, maybe I should actually go read that opinion or I hadn't thought about it that way. I think very much so my 1L year, especially in classes like legislation and regulation and constitutional law, I got such a kick out of it because you'd learn about the doctrine, but then you'd get to hear the Supreme Court justices discuss it kind of in oral argument with the advocates. And I really enjoyed that and I felt like it was an incredibly useful way to just add color to the cases that you're reading. You get to learn all the nuances of what the debate actually were by listening to the argument.

Anna McDougall:

I don't know that I can really take credit for this because this was more the initiative of some other people that I'm friends with, but I have a particular group chat of people that I'm friends with from my section in 1L, especially over the summer when we were apart, if there was a large Supreme Court decision that came down, someone would drop a link to the opinion in the chat. We would all read it as our work days allowed and then just kind of throughout the day drop comments. It would lead to, I would maybe go on lunch break after three hours of not being on my phone and just see 57 text messages from different people with their little bits of analysis. But I found that really helpful just in that, like I said, a lot of my close friends from Section are working in a lot of different spaces than I am. So while I might read something and think about its implications on environmental law, you'd have people who know more about civil rights law or immigration law or Supreme Court advocacy more generally and hearing their takes on things was really interesting and helpful.

Jody Freeman:

Richard, do you have more? Anything else?

Richard Lazarus:

No, I would say the conversation reminds me why it's so much fun to teach here and why it's such a privilege to have these wonderful students.

Jody Freeman:

Well, we have to say congratulations, Logan, because you're a 3L. You're about to leave us. You're a chick flying into the world. We're launching into the world. So congratulations to you. I know we'll hear from you. I hope you'll stay in touch. And Anna and Eric, you have one year left. What are you guys doing this summer? May I ask?

Eric Krebs:

Sure. So this summer I'll be at a litigation firm in New York called Selendige, and then I'll be doing a road trip with my dad from San Francisco to Seattle.

Jody Freeman:

That's great. Anna, what are you doing?

Anna McDougall:

I'll be at Earth Justice Clean Energy in Chicago. And I guess for the remainder of the time, I'll spend a lot of time in Wisconsin with my parents and dogs.

Jody Freeman:

All right. Well, we'll see you two next year. Logan, we'll be looking for you. Make us proud.

Logan Malik:

I'll be just right down the street. I'm going to be clerking at the Massachusetts Supreme Judicial Court. So it's not too far away and I'll be continuing to listen to CleanLaw and see EELP kind of continue to move forward.

Jody Freeman:

Great. Well, thank you all three for making time during exam season. And Richard, always wonderful to do these things with you. Thank you. And it's been a really fun conversation. I hope we get to do more of this with more of our students over time. Thanks everybody. Yeah, thanks a lot.

Richard Lazarus:

Thank you. Thank you so much.