

2024 CLIMATE SCORECARD



LAW STUDENTS *for*
CLIMATE ACCOUNTABILITY

2024 CLIMATE SCORECARD

Climate Score	Vault 100 Law Firms	
A	Akerman Cooley Davis Wright Tremaine Foley Hoag	Schulte Roth & Zabel Sheppard, Mullin, Richter & Hampton Wilson Sonsini Goodrich & Rosati
B	Boies Schiller Flexner Cadwalader, Wickersham & Taft Fenwick & West Fish & Richardson Fox Rothschild Gunderson Dettmer Stough Villeneuve Franklin & Hachigian	Irell & Manella Mintz, Levin, Cohn, Ferris, Glovsky, and Popeo Polsinelli Proskauer Rose Seyfarth Shaw
C	BakerHostetler Ballard Spahr Bryan Cave Leighton Paisner	Jenner & Block Katten Muchin Rosenman Kramer Levin Naftalis & Frankel
D	Baker McKenzie Blank Rome Cahill Gordon & Reindel Cozen O'Connor Cravath, Swaine & Moore Debevoise & Plimpton Dechert Dentons DLA Piper Duane Morris Faegre Drinker Biddle & Reath Foley & Lardner Fried, Frank, Harris, Shriver & Jacobson Greenberg Traurig Haynes and Boone Locke Lord Mayer Brown	McDermott Will & Emery Morgan, Lewis & Bockius Morrison & Foerster Nixon Peabody Paul Hastings Perkins Coie Pillsbury Winthrop Shaw Pittman Quinn Emanuel Urquhart & Sullivan Reed Smith Ropes & Gray Squire Patton Boggs Troutman Pepper Hamilton Sanders Weil, Gotshal & Manges Williams & Connolly Willkie Farr & Gallagher Wilmer Cutler Pickering Hale and Dorr Winston & Strawn
F	Akin Gump Strauss Hauer & Feld Allen & Overy Alston & Bird ArentFox Schiff Arnold & Porter Kaye Scholer Baker Botts Cleary Gottlieb Steen & Hamilton Clifford Chance Covington & Burling Crowell & Moring Davis Polk & Wardwell Freshfields Bruckhaus Deringer Gibson, Dunn & Crutcher Goodwin Procter Hogan Lovells Holland & Knight Hunton Andrews Kurth Jones Day K&L Gates Kellogg, Hansen, Todd, Figel & Frederick King & Spalding	Kirkland & Ellis Latham & Watkins Linklaters McGuireWoods Milbank Munger, Tolles & Olson Norton Rose Fulbright O'Melveny & Myers Orrick, Herrington & Sutcliffe Paul, Weiss, Rifkind, Wharton & Garrison Shearman & Sterling Sidley Austin Simpson Thacher & Bartlett Skadden, Arps, Slate, Meagher & Flom Steptoe Sullivan & Cromwell Susman Godfrey Venable Vinson & Elkins Wachtell, Lipton, Rosen & Katz White & Case

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LSCA would like to acknowledge the lineage of movement work dedicated to environmental justice which informs and has laid the groundwork for young organizers, budding legal workers, and beyond to engage critically in a just transition. We hope to work alongside communities on the frontline of the climate crisis whose lives and livelihoods have been built around or are affected by toxic and destructive industries in order to support sustainability and a livable future.



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Introduction

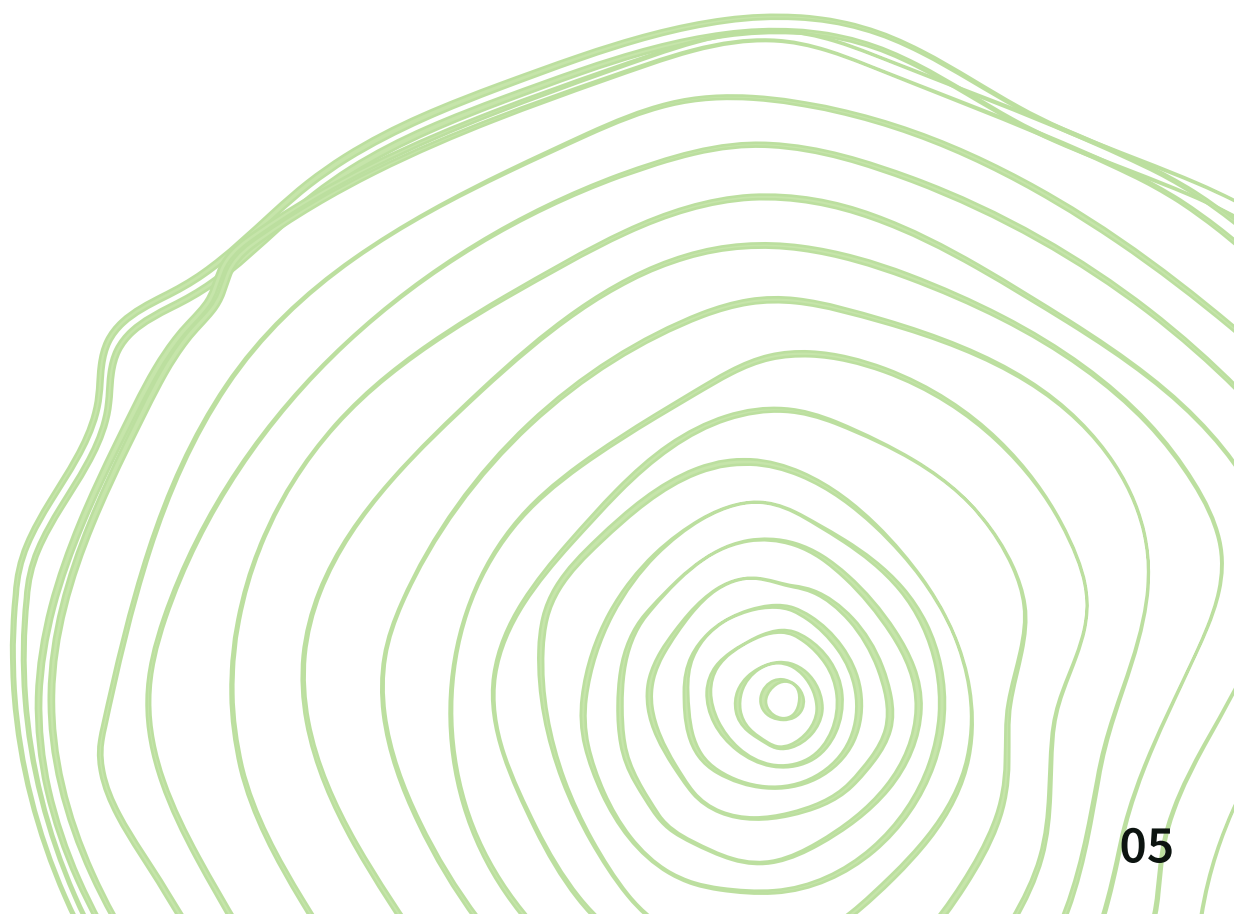
For decades, climate scientists, activists, and frontline communities have warned that the planet is on the brink of climate catastrophe. Thanks to years of industry propaganda and government complicity, the global majority has long been left to search for climate solutions with minimal support from the countries that have emitted the vast majority of greenhouse gasses. As we approach major climate tipping points, however, climate progress is finally accelerating. Governments have begun to invest hundreds of billions of dollars into carbon-free technologies, overburdened communities are liberating themselves from fossil fuel infrastructure, and pioneering industries are building new competitive sectors to eliminate harmful emissions. In a long-awaited development, powerful institutions appear to be waking up to the reality of the climate crisis.

Big Law firms, however, largely are not. The Vault 100's meager work on renewables pales in comparison to their vast efforts lobbying for, facilitating, and defending fossil fuel companies' climate arson. While the United States has invested more than \$107 billion in climate action via the Inflation Reduction Act¹ and China in 2023 deployed more solar power than the rest of the world combined,² Big Law firms have stayed firmly planted in the past. These financially

and politically powerful institutions continue shoring up record profits for oil majors³ and fighting to keep the world hooked on industries like liquified natural gas, despite the global call from frontline communities, students, activists, and beyond for immediate action toward a just transition.

The legal profession finds itself at an inflection point. Do we keep lining the pockets of fossil fuel executives, or do we reckon with our moral imperative to get on the right side of history? The world has many paths to staying under 2°C, but the time to do so is dwindling fast. The Vault 100 firms are among the biggest, most powerful points of leverage in the global economy. When they move, so will the industries they enable.

The 2024 Law Firm Climate Change Scorecard seeks to address the commitments the legal industry can make in this chapter of our planet's history. From 2019-2023, Vault 100 firms facilitated \$2.89 trillion in fossil fuel transactions, engaged in 518 instances of climate change-exacerbating representation, and received \$32.97 million in compensation for lobbying on behalf of fossil fuel interests. Meanwhile, creative legal advocates outside of Big Law find innovative strategies to challenge climate harms and injustices around the world. It is time for the Vault 100 firms to join those advocates and invest their resources into a more sustainable future — with students leading the way.





Too Little, But Not Too Late

Tipping Points

Climate scientists have long forecast certain planetary tipping points—thresholds which, when reached, may be points of no return, including mass die-off of coral reefs, boreal forest dieback, and the collapse of the Greenland ice sheet.⁴ Exactly when the Earth will reach these tipping points is uncertain. But the threshold effects will be unmistakable, and possibly irreversible.

Ecological thresholds, however, are not alone in determining the trajectory of the climate crisis. Social, economic, and political inflection points—both mitigating and exacerbating—will occur, too. Indeed, some already have. Globally, the cost of producing power with renewables has plunged over the past two decades,⁵ and new utility-scale wind and solar generation is now substantially less expensive than power from almost all fossil fuels.⁶ By achieving cost parity with coal and gas, wind and solar producers have guaranteed their products will make up the vast majority of new power.

Inflection points extend beyond the energy sector to adjacent spheres in the economy. Perhaps few are as significant as the legal industry, which must make commitments to cease its complicity in the climate crisis by discontinuing fossil fuel work. Today, according to our datasets, more than 80% of all Vault 100 firms continue to facilitate transactions for, legally represent, and even lobby on behalf of the fossil fuel industry. And none have yet committed publicly to end all work for fossil fuel companies.

We therefore call on all Vault 100 firms to take LSCA's pledge to never lobby for,

represent, or service fossil fuel interests—or to commit to an equally strong plan of their own. The first such Big Law firms will bring about a tipping point within the industry, one which signals that the moral and economic case for forswearing fossil fuels is so strong that multibillion-dollar firms can thrive without contributing to the climate crisis.

This is not merely our descendants' problem. To take one example, parts of the long-exploited U.S. Gulf Coast are already experiencing changes too swift and extreme to admit of successful adaptation measures. For instance, after the federal government repeatedly paved the way for the ethnic cleansing of Indigenous peoples, Louisiana's Terrebonne Parish was, by the 1920s, under the control of the Louisiana Land and Exploration Company, which leased out large sections of land to fossil fuel corporations.⁷ The actions the company took a century ago and subsequent decades of extraction continue to have devastating consequences.

Fossil fuel companies extracted resources from salt domes on the ocean floor a few miles out from the bayous, where previously the Mississippi River counteracted erosion from the ocean's pushback because the natural outflow of land-restoring sediment would solidify faster than the ocean could erase it.⁸ This equilibrium was destroyed in large part by elaborate canals that were carved through wetlands for boats and drilling rigs.⁹ The fossil fuel industry canals caused land erosion and saltwater intrusion, and sea level rise outpaced the natural processes of restoration.¹⁰ In the 1950s, Isle de Jean Charles covered 35 square miles.¹¹ As the island became increasingly uninhabitable and more susceptible to natural disasters from minor hurricanes, Indigenous presence dwindled.¹²

In 2001, on the verge of total displacement and in the absence of government action, the Jean Charles Tribe initiated their own resettlement plan, which garnered enough support that by 2016 they became the first federally funded community of U.S. climate migrants.¹³ Today, Isle de Jean Charles is less than one square mile.¹⁴ As of 2022, the Jean Charles Tribe has 700 members, but only about a dozen live on what remains of the island.¹⁵ The tribes of the Pointe-au-Chien, which inhabit the next island further north of the ocean's current, are now on the verge of suffering the same fate.¹⁶

Other ecological tipping points are occurring around the world: the West Antarctic ice sheet may already be collapsing, for instance, raising global sea levels.¹⁷ At more than 2°C of warming above pre-industrial levels, the Amazon rainforest will experience irreparable dieback and West African monsoons will reach unimaginable intensity.¹⁸ At more than 4°C, the very currents of the Atlantic

Ocean may collapse.¹⁹

The legal industry must choose not to aid and abet ecocide. While the Global South and marginalized communities in wealthy countries experience the impacts of climate change first and worst, lawyers, law students, and other legal service providers will not be immune to food and water shortages, mass displacement, or the resulting resource struggles. Indeed, from New York to London and beyond, the effects of climate change are already touching some of the most powerful people in the world.²⁰

Innovative Climate Lawyering

As the worst Vault 100 firms plod on covering Big Oil's tracks and minimizing the industry's liabilities for harms it perpetuates across the globe, other actors have stepped up. Some firms have modeled innovative lawyering by holding governments and climate change-exacerbating entities to account in the push for a just transition. One strategy employed by these actors is the use of the human rights framework in climate-focused legal advocacy. This framework has appeared in many different forms.



One example is in the legislature. In the United States, advocacy efforts for “Green Amendments” have popped up across the country.²¹ Green Amendments aim to secure constitutionally protected rights to a clean and healthy environment, incorporating language such as “Each person shall have a right to clean air and water, and a healthful environment” into state constitutions across the country.²² Pennsylvania and Montana added such amendments to their state constitutions in the early 1970s, but stood alone for decades.²³

Then, just three years ago in 2021, New York voters passed a ballot referendum and added a Green Amendment to the New York State Constitution.²⁴ The Amendment received support from over 70% of New York voters.²⁵ The substantial margin of victory was in large part attributable to a coalition of advocacy groups in New York state who spent decades building support for a Green Amendment. The coalition was composed of over 90 organizations — mostly local community groups, but also larger organizations, including groups not

directly tied to climate, such as the New York chapter of the AFL-CIO.²⁶ In the following section, we explore connections between labor and the climate justice movement.

The coalition's success is a testament to the power of organizing and, perhaps, an illustration of the kind of innovation within the law that could catalyze change on the scale needed to avoid pushing past major planetary tipping points. As Big Oil, supported and protected by Big Law, lobbies to secure short-term fossil fuel profits and defends against liability for poisoning communities, local groups and lawyers advocate to secure tools to protect communities from these environmental and climate impacts. The stark contrast in this work also highlights the position C, D, and F firms are choosing to occupy: rather than join those working towards a just transition, they choose to enable vast amounts of greenhouse gas emissions, edging us closer to a planetary tipping point.

As support of Green Amendments grows in at least ten states across the country, including California, New Jersey, and Hawai'i, it becomes increasingly apparent that the law firms that continue to represent fossil fuel corporations have chosen to prioritize short-term profit margins despite the direct harms perpetrated against frontline communities.²⁷ These firms have a lesson to learn from climate advocates: there are ways to support a just transition and mitigate harm from the climate crisis, but shoring up business for fossil fuel clients is not one of them.

The concept of including a clean and healthy environment within a human rights framework has taken hold internationally. The United Nations declared that a healthy environment is a human right in July 2022, demonstrating a widespread international understanding of the depth and urgency of the climate crisis.²⁸ Beyond symbolically expressing this concept, legal advocates have used human rights protections to hold their governments accountable through the courts.

In 2015, Dutch citizens and a national environmental group sued their government, demanding it do more to prevent climate change.²⁹ In 2019, the Supreme Court of the Netherlands upheld the lower court's decision finding the Dutch government in violation of the European Convention on Human Rights (ECHR), and determined the government had an obligation to reduce greenhouse gas emissions to meet its duties under the ECHR.³⁰

Half a decade later, we can see how human rights litigation in the climate space is evolving. Earlier this year, the European Court of Human Rights ruled in favor of over 2,000 Swiss women over age 64 who argued their government's inaction in

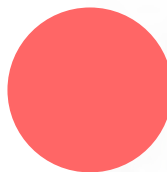
combating the climate crisis put their lives at risk, particularly during heatwaves, due to their age and gender.³¹ The Court tied the decision directly to the Swiss government’s failure to comply with greenhouse gas emissions reduction targets, noting that “future generations are likely to bear an increasingly severe burden of the consequences of present failures and omissions to combat climate change.”³²

Groups litigating these cases have found ways to overcome common barriers to climate litigation — such as an inability to trace particularized harms to specific defendants — through innovation and experimentation. And yet, despite a growing number of profitable opportunities to support burgeoning renewable energy businesses and to participate in efforts to advance a just transition, much of the Vault 100 continues to ignore the climate crisis or pay lip service to sustainability through greenwashed website pages.³³ Lawyers and community advocates are out there teaching us how to work towards a healthy climate. Big Law has for far too long failed to listen.

Lessons from the Labor Movement

LSCA is predicated on the belief that our labor power can be leveraged for good. Increasingly, lawyers and other legal workers are coming together to change their workplaces. However, even as trade unions around the world continue to organize for better working conditions, the legal profession remains overwhelmingly unorganized.

A surge in labor activity in the United States in 2023 brought the workplace to the fore as a critical site of resistance against oppression and injustice. The year saw the highest number of strikes in decades.³⁴ In May of 2024, UAW 481 I, the local union made up of 48,000 academic workers in the University of California system, authorized a strike in response to the treatment of student protestors.³⁵ The union also filed charges of unfair labor practices (ULPs) against UCLA for police violence utilized to destroy encampments at the university’s behest.³⁶ UAW 481 I’s solidarity with protestors highlights that the university’s actions are a threat to both worker safety and their academic and speech freedoms.



Similarly, Columbia University's union of student workers brought ULP charges against the university for police violence against members.³⁷

As students have mobilized globally for their values, law firms have taken notice. Big Law firms retracted offers from students who made solidarity statements with Palestine,³⁸ and 80 Vault 100 firms signed a letter pressuring law school deans to crack down on student dissent.³⁹ The power imbalance between the billion-dollar Big Law firms and the students whose offers were revoked, many of whom were Black and Brown, is striking. Attempts to restrict the most marginalized students from engaging with their values as they choose a career path show just how important our conscience is to our labor.

Workers organizing around their values is not new. Sometimes this looks like organizing with a traditional union; most prominently in the legal industry, UAW 2320 represents approximately 5,600 legal services workers in the United States.⁴⁰ But novel forms of organizing can serve to strengthen existing social movements while simultaneously opening up new fronts in the struggle for justice.

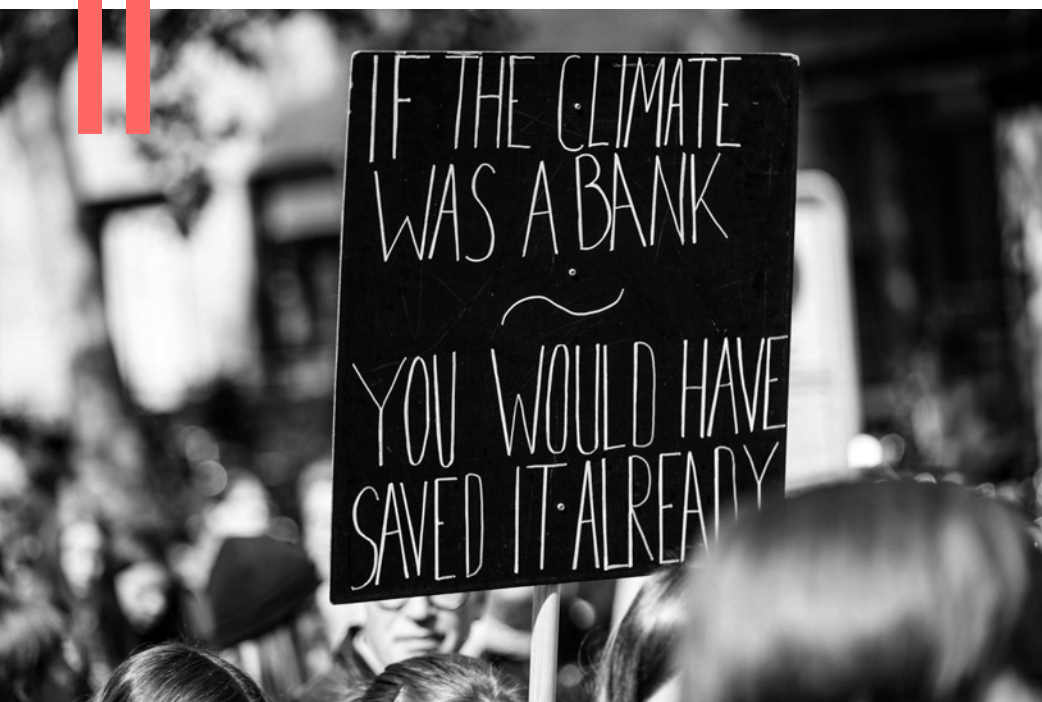
We call on legal services professionals of all kinds to understand themselves as workers in a broader system, and to think critically about how they can learn from unions and other movement organizations to leverage their labor in a struggle for justice. The collectivity that movements require is antithetical to the individualistic, competitive nature of the legal field.

We issue this critical call not merely because we believe that we have tremendous collective power and that elite gatekeeping institutions should not be the ones to dictate how we use it. We issue this call also because we know that the current trajectory of the legal industry is harmful to each of us, both in terms of climate chaos and moral injury. We have discussed frequently the ways in which the legal industry harms communities and the environment broadly.⁴¹ But here, we turn to the harms borne by workers themselves.

Frontline workers in the fossil fuel industry and lawyers who perpetuate the industry's malfeasance do not share the same plight, but their futures are inextricable. When lawyers defend, lobby for, and facilitate transactions on behalf of powerful industries that further exacerbate climate catastrophe, they embolden the toxicity already rampant in these industries. Further entrenching fossil fuels exacerbates the severe consequences that many frontline workers and communities experience, including higher risks of cancer, asthma, upper respiratory issues, and infant mortality, to name just a few of the known health

consequences.⁴² Protecting and strengthening such an industry is deeply incompatible with the Principles of Environmental Justice, which affirm the “right of all workers to a safe and healthy work environment without being forced to choose between an unsafe livelihood and unemployment.”⁴³ While physical health implications abound, workers on the frontline and the lawyers who tie together their fates must also contend with rising mental health challenges, including eco-anxiety resulting from increasingly scarce clean air and water and rapidly degrading ecosystems.⁴⁴

We recognize that the climate and environmental justice movements cannot be severed from other struggles; gender, reproductive, border, racial, and immigrant justice, for example, are all directly tied to climate. Displacement caused by ecocide committed by powerful industries creates new migration patterns, while the effects of drought, heat, famine, and severe storms are disproportionately felt by marginalized communities, both in the Global South and in wealthy countries like the U.S. and the U.K.⁴⁵ Law firms operating without an environmental moral compass continue to place our work, our lives and livelihoods, and our planet in a perilous position. We urge those firms to course correct: to take accountability for their role in the climate crisis and the harms workers face, and to reorient their models away from work that is edging us towards a planetary tipping point.





COP 28: Outcomes and Opportunities

In November 2023, over 197 nations participated in COP 28 in Dubai. The decision to host the convention in UAE was heavily criticized due to its status as an oil state and its poor human rights record,⁴⁶ raising severe doubt about the country's ability to be an effective host. The convention got off to a rocky start when a Centre for Climate Reporting investigation revealed just three days before the convention commenced that the COP president and CEO of Abu Dhabi National Oil Company,⁴⁷ Sultan al-Jaber, intended to use COP 28 to facilitate oil and gas deals.⁴⁸ Leaked documents revealed that the Sultan prepared to discuss commercial interests with at least 30 countries.⁴⁹ Despite this controversy, COP 28 saw several landmark breakthroughs.

Landmark Developments at COP 28

Loss and Damage Fund

Early in the conference, the Loss and Damage Fund was established, marking a significant step toward providing financial aid to victims of climate change and natural disasters. Although the fund currently holds \$700 million,⁵⁰ predictions indicate that vulnerable countries will face \$580 billion in climate-related damages by 2023.⁵¹ Establishing the fund in the past had been challenging because countries were concerned that providing compensation for loss and damage would be considered an admission of liability and trigger litigation.⁵² Hence, the final decision from COP 28 states “the outcomes of this agenda item are based on cooperation and facilitation and do not involve liability or compensation.”⁵³ This assures developed countries that contributing to the fund will not be considered an admission of guilt. However, whether each country could raise funds through litigation against private companies remains to be seen.

First Global Stocktake

This year marked the first-ever Global Stocktake, which was established under Article 14 of the Paris Agreement,⁵⁴ and is a “process for countries and stakeholders to see where they’re collectively making progress towards meeting the goals of the Paris Climate Change Agreement — and where they’re not.”⁵⁵ One important point reiterated in the synthesis report is the acknowledgement that developed countries are the highest emitters, additionally noting that “[t]he Paris Agreement states that developed country Parties should continue taking the lead by undertaking absolute economy-wide emission reduction targets, and that developing country Parties should continue enhancing their mitigation efforts and are encouraged to move over time towards economy-wide emission reduction or limitation targets in the light of different national circumstance.”⁵⁶ A further positive is that while methane emissions have been traditionally overlooked, the Global Stocktake report referred to methane, broadening the emissions conversation on an international stage.⁵⁷

UAE Consensus

The UAE Consensus called parties to “transition away from fossil fuels in energy systems.”⁵⁸ While this commitment is not as strong as a commitment to phase out fossil fuels, it is an important development. UN Secretary-General António Guterres has said that a “fossil fuel phase-out is inevitable.”⁵⁹ In light of this decision, it will be interesting to see whether law firms will reduce the amount of transactional work they do for the fossil fuel industry next year. Although firms suggested in private conversations that the Paris Agreement impacted their approach to fossil fuel work, many have increased their transactional work in the years since the Paris Agreement. For example, Bracewell, Davis Polk & Wardwell, Haynes and Boone, Hunton Andrews Kurth, Milbank, Reed Smith, Skadden, Slaughter and May, Stikeman Elliott, and Sullivan & Cromwell all did more fossil fuel work in 2022 than any year in the five years prior.

Law Firm Fossil Fuel Lobbying Efforts

Accountability was a significant theme of COP 28, with attendees having to disclose their affiliations to ensure “meaningful, inclusive, fair and transparent engagement.”⁶⁰ The UNCCC published the list of attendees for this year’s COP, which outlines the organizations that were present and who they were acting on behalf of.

Kick Big Polluters Out analyzed the attendee list and determined that 2456 fossil fuel lobbyists were in attendance.⁶¹ KBPO highlighted that “[f]ossil fuel lobbyists

have received more passes to COP28 than all the delegates from the ten most climate vulnerable nations combined (1509),⁶² underscoring how industry presence is dwarfing that of those on the frontlines of the crisis.”

After filtering KBPO’s data, LSCA determined that ten of these lobbyists worked for Vault 100 firms. KBPO determined that all 2456 lobbyists, including the ten Big Law lawyers and partners in attendance, can be “reasonably assumed to [be] influencing . . . policy or legislation in the interests of the fossil fuels industry.” The ten lawyers on this list came from 8 firms: Akin Gump, Baker McKenzie, Holland & Knight, Latham & Watkins, Linklaters, Norton Rose Fulbright, Sheppard Mullin, and Slaughter and May.

Notably, the industries Big Law lawyers most heavily lobbied for were carbon markets and carbon capture and storage. What is most similar and notable about these industries is that they are touted as solutions to the climate crisis that do not challenge the status quo and allow the fossil fuel industry to continue business as usual.

NOMINATOR	DEPARTMENT	LAW FIRM
International Emissions Trading Association	ENVIRONMENT AND NATURAL RESOURCES	AKIN
International Emissions Trading Association	MANAGEMENT	AKIN GUMP
International Emissions Trading Association	CLIMATE CHANGE	BAKER MCKENZIE
Edison Foundation *	EXECUTIVE	HOLLAND & KNIGHT
Global Carbon Capture and Storage Institute Ltd	CORPORATE DEPARTMENT	LATHAM & WATKINS
International Emissions Trading Association	MAINSTREAM CORPORATE	LINKLATERS
Carbon Market Institute Limited	NA	NORTON ROSE FULBRIGHT
International Emissions Trading Association	ENERGY	NORTON ROSE FULBRIGHT
International Emissions Trading Association	MEMBER	SHEPPARD MULLIN



Carbon Market Lobbying

Lawyers from six firms lobbied on behalf of carbon markets or emissions trading organizations. Carbon markets, in theory, operate to disincentivize polluting and minimize global emissions outputs by allowing polluting companies and countries to purchase emissions/pollution allowances from others to limit emissions. In practice, however, this preserves the fossil fuel industry's control over energy systems; problematically suggests that it is appropriate for certain companies and countries to buy a right to pollute;⁶³ and, of concern to many in the environmental sphere, is potentially subject to extreme mismanagement.

Furthermore, carbon markets raise concerns about fairness; for example, Souparna Lahiri, a climate advisor based in New Delhi, notes that “VCM (voluntary carbon markets) is flawed and basically a fraud, allowing the west to offset their emissions and continue business as usual at the expense of the global south.”⁶⁴ The issue of fairness and inequality runs deeper still, with accounts of indigenous communities being manipulated and driven off of their land to facilitate carbon offsetting projects. Yeb Saño,⁶⁵ the former climate negotiator for the Philippines, echoed these sentiments: “It’s not difficult to see forest- and land-use-based carbon offsetting is a mode of appropriating land in the countries that are producing those credits.”⁶⁶

Additionally, the former U.S. Securities and Exchange Commission identified three major flaws in carbon markets: flawed pricing mechanisms, lack of transparency, and “companies taking credit for offsets that are merely greenwashing.”⁶⁷ One reason why carbon markets could contribute to greenwashing is that they allow companies to appear environmentally conscious when in fact they may not have reduced how carbon-intensive their industry is at all. Second, several damning reports reveal how ineffective past carbon offset projects have been.

For example, in September 2023 researchers from Corporate Accountability and The Guardian found that 39 of the top 50 emissions offsetting projects (78%) were “worthless due to one or more fundamental failing that undermines its promised emissions cuts” or were “likely junk.”⁶⁸ In response to this analysis, Anuradha Mittal, director of the Oakland Institute think tank, said, “We cannot afford to waste any more time on false solutions. . . . The VCM is actively exacerbating the climate emergency.”⁶⁹

Furthermore, lawyers from Akin Gump, Baker McKenzie, Linklaters, and Norton Rose Fulbright lobbied specifically on behalf of the International Emissions Trading Association. The IETA helped shape the concept of the carbon market and has a long history with BP and other fossil fuel companies. The IETA was partly founded by BP (research by DeSmog confirms this,⁷⁰ although they appear to have removed reference to this from their current website). They have been unable to shake their relationship with BP, as the current Chair of the Board is Enric Arderiu Serra, former head of Low Carbon Trading at BP,⁷¹ and Ingrid Parramon, the current Vice President of Low Carbon Trading at BP, is a board member. It is troubling to see so many Big Law attorneys attending COP for an organization with such strong ties to the fossil fuel industry, and further research has revealed that all the firms that had lawyers attend as lobbyists for IETA also have lawyers that are members of the organization,⁷² although it is unclear who the specific lawyers are.

Carbon Capture Lobbying

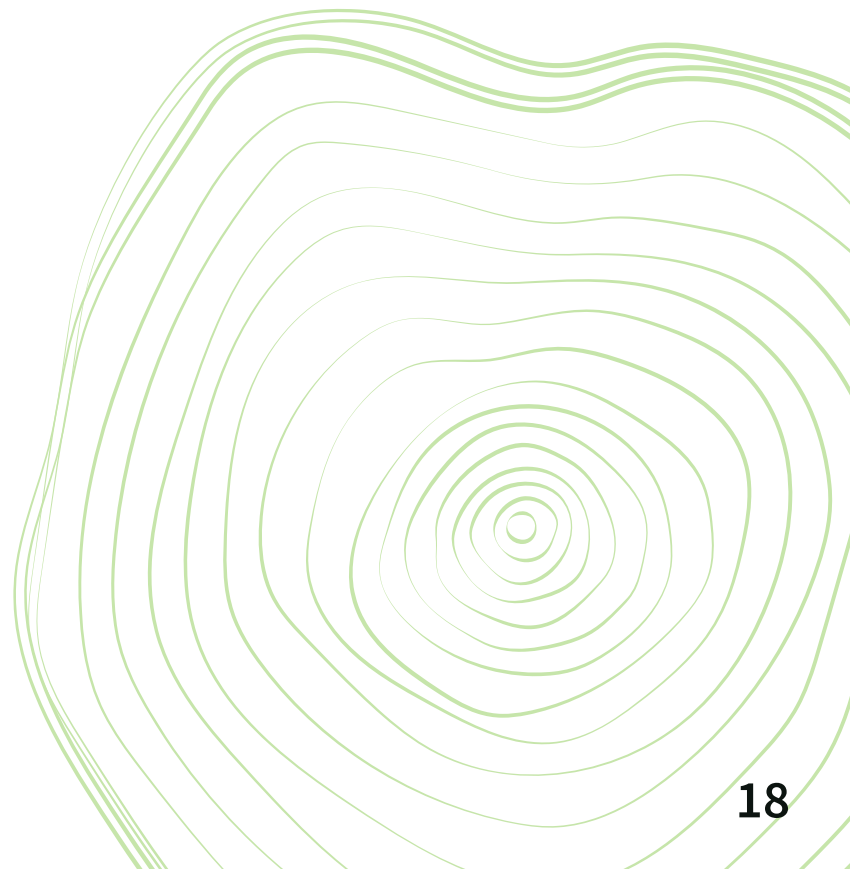
Lawyers from Latham & Watkins and Slaughter and May lobbied on behalf of Carbon Capture and storage organizations. The problems with CCS technology and its role in delaying the shift toward renewable power was outlined in detail in our 2023 Scorecard.⁷³ However, in brief, CCS is the idea that emissions can be captured and stored before they enter the atmosphere. The previous Scorecard discussed the propensity for this technology to be used for greenwashing: for example, one article celebrated CCS technology for being able to capture “100% of their CO₂ emissions” but failed to account for the emissions associated with powering the CCS technology.⁷⁴ As discussed earlier in Section One, documents recently made public in the Senate Budget Committee hearing on “Denial, Disinformation, and Doublespeak: Big Oil’s Evolving Efforts to Avoid Accountability for Climate Change”⁷⁵ reveal in greater detail the flaws and cost of CCS and the role it plays in stalling decarbonization of the energy system. For example, an internal BP presentation in 2016 revealed that a “robust carbon price (would be) needed to stimulate CCUS deployment,”⁷⁶ emphasizing its economic hurdles.

Despite the flaws in CCS, Latham & Watkins and Slaughter and May lawyers lobbied on behalf of the technology at COP 28. Furthermore, even law firms that did not lobby on behalf of CCS at COP 28 celebrated CCS as a solution in their reporting of COP 28. For example, in their analysis of COP 29⁷⁷ Clifford Chance discussed how finance can be utilized to facilitate lower-carbon solutions and that “[i]n the US, tax credits are an obvious choice to support new technologies.”⁷⁸ ExxonMobil states on its website that CCS technology would need deployment to increase by “up to 185 times”⁷⁹ to be an effective solution in IPCC Likely Below 2°C scenarios, and in an interview with the Hill said it has not invested the necessary funds because the cost would be shifted onto the consumer.⁸⁰ The Joint Staff Report from the recent Senate hearing outlines the problem with presenting tax credits as the solution to financing CCS because “[f]ossil fuel industry profits have always been significant,” and since 2021 “have shot up to the highest levels on record; raising significant questions about companies [sic] claims that they need taxpayer dollars to pursue low-carbon technologies.”⁸¹ CCS is an unproven technology that has been meaningfully funded by the fossil fuel industry, and law firms that advocate for this technology should demonstrate some caution when presenting it as an effective solution.

Lastly, UN Secretary-General António Guterres articulated effectively that “[t]he problem is not simply fossil fuel emissions. It is fossil fuels, period.”⁸² The statement highlights that there are environmental harms beyond emissions, and CCS does not address these problems or reduce production. It is perhaps unsurprising that law firms with fossil fuel clients amplify non-disruptive and unviable solutions such as CCS.

Edison Foundation Lobbying

Holland and Knight attended COP 28 on behalf of the Edison Foundation, which is affiliated with the Edison Electric Institute (EEI), a trade association of the electrical utility industry. According to Brulle, trade associations can be one part of what he called the Climate Change Countermovement Coalition. Trade associations and front groups can bolster the fossil fuel industry by undermining climate legislation or spreading climate denial.





EEL has been criticized for being involved in delaying the decarbonization of the grid. For example, in 2015, Joby Warrick at the Washington Post reported that utility companies, including EEL, campaigned against rooftop solar⁸³ based on documents from 2012⁸⁴ that outlined the industry’s fight against net metering (a policy that would allow businesses and people to sell excess electricity back to the grid) and the transition to solar. Additionally, in 2017, Tom Fanning, who is on the Edison Foundation Board⁸⁵ and is the former EEL vice chairman,⁸⁶ denied that carbon dioxide was the primary cause of global warming.⁸⁷ The current agenda of the Foundation is unclear because its website is extremely vague; the specific goals of their lobbying efforts at COP 28 are not well-defined. On their webpage exploring COP 28, EEL claims: “The track record of America’s electric companies over the past decade, together with our trajectory of continuing emissions reductions, shows that we truly are committed to getting the energy we provide to customers as clean as we can as fast as we can, while continuing to prioritize reliability and affordability.”⁸⁸ Meanwhile, just over a decade ago, they were fighting against net metering, and Fanning continues to play a significant role in the organization.

Takeaways From COP 28

The UAE Consensus highlights that future reports should closely monitor whether law firms significantly reduce their fossil fuel work. Furthermore, the involvement of some major law firms attending COP 28 as fossil fuel lobbyists underscores the complexity of their sustainability efforts and potentially the depth of their connections to their fossil fuel clients.



Methodology

Introduction

The methodology for the 2024 Scorecard utilizes the same scoring criteria as the 2023 Scorecard. A brief discussion of the updates made in the 2023 report are listed below and explained further in this section.

- **Transactions:** Addition of Bloomberg Law as a new database for transactional data to supplement the transactional data sourced from IJGlobal.
- **Litigation:** Development of a scoring system for litigated cases that accounts for the level of involvement of each firm that has made an appearance in a case in place of counting each appearance as one point.
- **Across all categories:** (1) Application of a “one-time safe harbor” for firms that have engaged in a single fossil fuel representation between 2019 and 2022. (2) Removal from scoring consideration transactions, cases, and lobbying related to controversial and difficult-to-quantify technologies, referred to throughout this Scorecard as “tricky techs.” These “tricky techs” include the production of hydrogen for fuel, biofuels, biomass, carbon capture and storage, waste-to-energy technologies, and nuclear power.

Moreover, following dialogue with Vault 100 firms, the research team agreed that on a prospective basis, our data collection should ensure that we are not double-counting the points from cases where both a progenitor case and a consolidated case are listed separately by Climatecasechart.com (CCC), a publicly available climate change litigation database compiled by the Sabin Center for Climate Change Law at Columbia Law School and Arnold & Porter. To ensure the accuracy of our data, we have looked again at each case in our dataset and removed all duplicate cases that we could find. However, as mentioned in the Limitations section of this report, the databases on which we rely may have inaccuracies in their data. The LSCA research team encourages firms to contact us with any questions about our dataset, including with respect to double-counting of cases.

We believe this methodology strikes the appropriate balance between our commitment to holding law firms accountable for the climate crisis-exacerbating work they do and proper acknowledgement of the firms that have trended away from fossil fuel representation. We will continue to re-evaluate our methodology periodically to ensure the Scorecard maintains this balance.



Vault 100 Rankings Update

This year, LSCA used the 2024 Vault rankings (released in 2023) from Vault’s law firm ranking archive to identify the firms ranked in Vault’s top 100. The changes in ranking since 2023 were noted and accounted for in the dataset. We note that the dataset separates the merged firm A&O Shearman LLP into its two parent firms, Allen & Overy LLP and Shearman & Sterling LLP, because the firms’ merger was not completed until May 1, 2024. The previous year’s Scorecard data is reflected in the dataset in columns highlighted in gray that include “2018-2022” in the header.

Data Collection and Scoring by Category

This section explains the updates to the methodology that were made in the lead up to the 2023 Scorecard. These updates were the result of a stakeholder process from August 2022 through March 2023. In that time, the LSCA research team spoke with several Vault 100 firms and nonprofit environmental organizations to better understand the issues involved in evaluating the climate progress of Vault 100 firms. Two issues came up most often in these conversations, which are addressed below:

“One-time Safe Harbor.” We have granted a safe harbor to firms that have advised on a single fossil fuel transaction, represented a client in a single case exacerbating climate change, or undertaken lobbying for one fossil fuel client in any prior data year other than the most recent. We believed this change was necessary after engaging in conversations with Vault 100 firms and analyzing the data collected. Our conversations made it apparent that firms that have facilitated a single fossil fuel transaction, represented a company in a single exacerbating case, or received compensation for a single lobbying expenditure are not focused on fossil fuels representation overall.

We determined that the focus of our accountability movement should remain on firms with larger energy practices; we want to reward firms moving away from fossil fuel work that instead actively invest in mitigating climate change. To that same end, we also discount one piece of renewables work to ensure that “A” firms are genuinely committed to climate-mitigating work and renewable energy. Therefore, a firm would earn an overall climate score of a “B” in each of the following scenarios: the firm facilitated (1) one fossil fuel transaction and one renewable energy transaction from 2019-2023; (2) one fossil fuel transaction and no renewable energy transactions from 2019-2023; or (3) no fossil fuel transactions and one renewable energy transaction from 2019-2023. However, if a firm took on work once in two of the three categories — lobbying, litigation, and transaction — on behalf of a fossil fuel client, this firm would fall outside of the safe harbor and would be ineligible for better than a “C” Climate Score.

Exclusion of “Tricky Techs.” As detailed in the 2023 Report’s “tricky techs” section, we decided to exclude certain technologies from consideration in our Scorecard in light of concerns about whether they truly support a just transition or are mere “false solutions.”⁸⁹ We felt exclusion represented their role better than the “exacerbating,” “mitigating,” “fossil fuels,” or “renewables” labels. The excluded technologies are: hydrogen production, carbon capture (including direct air capture and carbon capture, utilization, and storage), biofuels and biomass, and nuclear power. However, we included battery storage, EVs and EV infrastructure (including micro-mobility), energy efficiency technologies, and electrical grid modernization technologies (such as smart grids and microgrids) as mitigating because of their increasingly widespread use and the substantial body of evidence that they work to displace fossil fuel usage.⁹⁰



Litigation

Database and Collection:

We used Climatecasechart.com (CCC) to identify cases we included in our Scorecard. CCC includes cases in which climate change is a material issue of law or fact. The docket numbers, status year, subject of the suit, and litigation location were documented in our spreadsheet used to calculate the litigation scores.

Throughout the course of our data collection, we found that not all filings in each case are included in CCC. In order to get a more accurate assessment of the involvement of all participating firms, we supplemented the data from CCC with data from both PACER (<https://pcl.uscourts.gov/pcl/index.jsf>) and Bloomberg Law’s Court Docket database. We added the firms that participated in each case into our spreadsheet for analysis.

Scoring Methodology:

Scoring the litigation data measures the level of involvement of each firm in the cases in which they undertook representation.

Prior to the 2023 Scorecard, LSCA used a binary system for scoring litigated cases (i.e. a firm that participated in one case, regardless of the level of involvement, would receive one point). However, this treated a firm that took a case from a Federal District Court to the U.S. Supreme Court the same as a firm that filed a single amicus brief. Recognizing this disparity in treatment, we undertook a methodological review to attempt to better approximate the level of involvement a firm had in a particular case. Our quantitative approach, used in both the 2023 and 2024 Scorecards, approximates a firm's involvement in a case based on how many filings a firm has made in that case for a client.

First, we identified the client a Vault 100 firm was representing in a case and whether the client's interest was either mitigating or exacerbating climate change. This determined whether the total point tally would count as mitigating or exacerbating for that firm. We then looked at the following indicators of involvement to determine a final score for that firm on a particular case:

Number of Filings. We tallied the total number of filings a firm made in a case. This data was generally pulled from Bloomberg Law Court Dockets, which collects its data directly from state and federal docket databases. Based on a representative sample of approximately fifty cases, we found that there was a cutoff of around five filings for a firm that was not heavily involved in a case. If a firm made five or fewer filings in a case, it received one point. If a firm made six or more filings in that case, it received two points for this metric.

Plaintiff or Intervenor Defendant. We recorded whether the firm involved filed the case or intervened in the case on behalf of the defendant. This metric measures whether the firm affirmatively chose to represent a client in a specific case or was simply brought in to defend in an existing lawsuit. If the firm either represented a plaintiff or intervenor defendant, the firm was assigned an additional point.

Appeal, Appellant, SCOTUS. Given the intentional choice to appeal a case and the additional resources expended to

continue representation on appeal, this metric assigns one point to every firm representing a client in a case that went up on appeal, and an additional point if a firm is representing the appellant. Finally, one further point was assigned if the case went up to the U.S. Supreme Court.

Amicus Briefs and Intervenors. One point was assigned if a firm filed an amicus brief for a client in a case. However, that point was only counted in the year it was filed. For example, if an amicus brief was filed in 2017 in a case that is still ongoing, it would not be counted for that firm's point total for this year's Scorecard, which measures only 2019-2023 representation. If a firm's sole involvement in a case was an amicus brief filed prior to 2019, that representation would cease to impact the firm's score, even if the case remains active in the data collection period. If the case had more than five combined intervenors and amici, another point was assigned to each firm involved in the case.

Removal and Change of Venue. One point was assigned if the case was removed from state court to federal court or venue otherwise changed. This metric seeks to address a recent litigation trend in which firms representing fossil fuel defendants remove cases to federal court, causing years of litigation surrounding the propriety of the removal to delay a case while climate change-exacerbating work continues. On two separate occasions in our 2019-2023 dataset, this tactic has caused lawsuits brought by cities against oil companies to reach the Supreme Court. Removal and venue changes also allow firms to forum shop for a more favorable judge for their client, which can include consequential rulings such as the dismissal of the case or the grant of summary judgment. As such, we felt these procedural tactics are important indicators of involvement and warrant inclusion.



A numerical breakdown of the methodological changes follows:

CATEGORY	POINT TALLY
Number of Filings	1 (5 filings or fewer) 2 (6+ filings)
Plaintiff or Intervenor Defendant	+1
Case on Appeal	+1
Firm represents appellant	+1
Case appealed to SCOTUS	+1
Amicus Brief	+1 (for the year filed)
5+ Combined Intervenors and Amici	+1
Change of Venue or Removal	+1

Aside from the “one-time safe harbor” granted to firms, we did not count mitigating cases as offsetting exacerbating cases. While we recognize that this work is necessary and commendable, it does not cancel out the harmful impacts of exacerbating cases. Mitigating cases only contribute to a firm’s litigation score when that firm has litigated zero exacerbating cases, in which case they elevate that firm’s score to an A in the Litigation category.

Lobbying

Database & Collection:

The Center for Responsive Politics’ online database, OpenSecrets.org, compiles data from mandatory lobbying disclosure reports filed with the Senate’s Office of Public Records. These records only include federal lobbying. OpenSecrets.org lists on each firm’s page every client from which the firm received compensation for lobbying activities. The dollar figure reported in the database reflects the amount of money the firm received in compensation for lobbying on each client’s behalf.

Analysis:

We analyzed every Vault 100 firm appearing on OpenSecrets.org with lobbying activity for any of the years between 2019 and 2023. Lobbying for fossil fuels, either for companies promoting the use of coal, oil, and gas directly, or associations representing them (e.g., industry trade groups like the American Petroleum Institute), resulted in a “fossil fuels” categorization and was counted as climate change-exacerbating work. We also recorded lobbying for renewable energy companies.

In addition to companies that produce or market fossil fuels or renewables, we included lobbying for companies that make raw materials for either industry as well as those that provide consultation or design systems/infrastructure for either industry. As noted above, “tricky techs” were excluded from consideration. Many electric utilities appear in the OpenSecrets.org data, but for similar reasons to our exclusion of “tricky techs,” we did not include these clients in our data collection unless their energy portfolio was clearly and overwhelmingly composed of fossil fuels or renewables.

Transactions

Database & Collection:

The IJGlobal Project Finance and Infrastructure Transaction database contains more than 32,000 transactions. The database includes a variety of different types of transactions across a range of categories: additional facility construction, asset acquisition, company acquisition, design-build, portfolio financing, primary financing, privatization, refinancing, and securitization. IJGlobal provides the total dollar value of these transactions, but it does not provide the amount of money that each law firm received in compensation for their work on each transaction. Due to the proprietary nature of the IJGlobal data and to maintain compliance with the terms and conditions of our licensing agreement, we are only able to publish aggregate amounts of transactions for law firms in energy categories. The data may be purchased via license from IJGlobal. In March 2024, LSCA downloaded the full dataset from the IJGlobal database for fossil fuel and renewable energy transactions from 2019-2023.

We divided the transactions in the database into two categories: fossil fuel transactions and renewable energy transactions. Fossil fuel transactions included any transactions in the IJGlobal database where “oil and gas” is listed as one of the primary transaction subsectors. The 2023 IJGlobal database also includes “LNG” (liquified natural gas) and “petrochemicals” as separate subsectors. We included these subsectors in the fossil fuel transactions category. We also included coal mining transactions in the fossil fuel category.

Some of the transactions in the fossil fuel category have minor renewable energy components—for example, acquisition of a company with largely fossil fuel holdings but some renewable energy holdings. Renewable energy transactions included the following sources: large hydroelectric, small hydroelectric, geothermal energy, photovoltaic solar, off-shore wind, on-shore wind, and thermal solar. We recognize that biofuels and biomass are not universally sustainable. Thus, for renewable energy transactions, we included transactions involving biofuels or

biomass only when in conjunction with one or more other sources of renewable energy.

We did not count transactions listed as power co-generation as either renewables or fossil fuels because we do not have information on whether the co-generation derives from combustion of fossil fuels or from multiple sources of renewable energy. We included transactions outside the U.S. because U.S.-based lawyers often arrange financing for global projects and advise on the legal risks, all of which results in enormous global contributions to greenhouse gas emissions.

After conversations with Vault 100 firms and a review of the data collected, we determined that IJGlobal only contained a fraction of the energy and infrastructure transactions performed from 2019-2023. After an extensive review of different options, we found that Bloomberg Law's Transactional Intelligence Center included a relatively robust list of transactions, almost half of which were not captured in IJGlobal's dataset. The research team also has access to this database through our respective law schools, making it accessible to most US law students.

The categories of fossil fuel transactional data searched for on Bloomberg's database include:

- Gas-Transportation
- Oil & Gas Drilling
- Gas-Distribution
- Oil Exploration and Production
- Integrated Oil Companies
- Oil Refining & Marketing
- Oil Field Machines and Equipment
- Oil & Gas Services
- Oil-US Royalty Trusts
- Oil-Field Services
- Petrochemicals
- Coal
- Pipelines
- Gas Utilities

To collect renewable energy data from Bloomberg, we also searched for:

- Energy-Alternate Sources
- Batteries/Battery Systems
- Independent Electric Power Producers

Analysis:

To ensure that transactions were not duplicated through the addition of the Bloomberg database, the LSCA research team used both automated and manual

sorting of the data. A formula to highlight duplicates was used to match transactions represented in both databases to each other. Each match was then checked manually by the research team and duplicates were eliminated. Because an individual transaction that is included in both datasets may have two different dollar values and/or names listed, the team also conducted a search for each relevant keyword in the dataset to catch and remove additional duplicates. Overall, the datasets included more than 4,100 fossil fuel transactions and almost 3,500 renewable energy transactions. These numbers illustrate an enormous increase in our data.

Law firms' transactional scores are based on the total dollar value of the transactions they facilitated between 2019 and 2023. If multiple firms were listed on a particular transaction, we divided the total value of the project by the number of firms listed on the transaction, including firms not in the Vault 100. The divided amount counted toward each firm's score. Renewable energy transactions were factored into firms' scores in the same way as for Litigation and Lobbying (i.e. only to help a firm earn an A score aside from the safe harbor transaction).

Calculating Overall Climate Scores

A firm's overall Climate Score is derived from its scores in each of the three categories. If a firm has a C, D, or F in even a single category, their Climate Score is equal to their lowest score in any category. Firms receive a B for their Climate Score only if they receive a B in every category. If a firm has no lower than a B across all categories and has at least one A, the firm receives an A.

We arrange the Climate Score system in this way because we believe the only way to halt climate change is to phase fossil fuels out entirely and replace the fossil fuel energy infrastructure with renewable energy. To adopt a "net" Climate Score, in which firms receive a score based on the net difference between their exacerbating and mitigating work, would artificially excuse harmful work because a firm is



also doing mitigating work. The idea of “netting” is not tethered to reality, as greenhouse gas emissions are not netted out of the atmosphere simply because of the addition of more zero-emission renewable energy.

We wholeheartedly encourage law firms to increase their mitigating work. However, the only way to create accountability for their exacerbating work is to make their Climate Score reflective of the totality of that work. Firms that conduct no work for either fossil fuel or renewables companies cannot earn higher than a B. We encourage these firms to take on work actively addressing the climate crisis rather than staying neutral. This will allow “B” firms to move into the “A” range. This choice also seeks to distinguish “B” firms that do not conduct fossil fuel work simply because they do not maintain an energy practice from “A” firms that engage in climate-related work but actively reject fossil fuel work. As this year’s scores demonstrate, there are multiple firms in the Vault 100 that have undertaken only renewable energy work in their energy practices in recent years.

The metrics used in our scoring system prevent us from making a firm’s Climate Score the average of their scores in each category because each metric is unique. Number of cases, dollar value of lobbying compensation, and dollar value of the project a firm facilitated cannot be averaged to create any meaningful value. But more importantly, many Vault 100 law firms specialize in certain types of services, which would lessen the effect of their Climate Score if taken as an average across all three categories that we measure.

For example, A&O Shearman (the merged firm of Allen & Overy and Shearman & Sterling) facilitated over \$285 billion in transactions between 2019 and 2023 — the second largest amount in this Scorecard — but with the one-time safe harbor undertook zero litigation or lobbying in the same time period. A&O Shearman should not be rewarded simply for focusing on transactional services, nor should the firm be able to significantly improve its score by adding a single litigation case or lobbying client addressing climate change, as this minimal amount of work is far less significant than the enormous amount of fossil fuel transactions it facilitates. In fact, the bulk of the fossil fuel work in any category is performed by a very small subset of firms. The threshold for an F in any category is set at a high level so that only those particularly poor-performing firms receive an F. By showcasing the grossly disproportionate work that some Vault 100 firms are doing relative to the rest, we show climate-conscious law students and potential clients which firms to avoid.

We have also chosen not to score firms based on their performance relative to one another. Such a scoring system would mean the distribution of scores would remain identical from year to year and scores would not reflect the trajectory of the legal industry as a whole. We maintain a fixed rubric for our scoring system so that the industry as a whole can improve their Climate Scores — and help mitigate climate change along the way.

Our goal is not just to discourage business with poorly ranked firms, but also to incentivize improvement among all firms, even and especially those with the most harmful work. As the results of this year's Scorecard show, there is a subset of firms that are trending further away from fossil fuels and toward increasing their renewable energy practice, while other firms continue to entrench themselves in their fossil fuel representations. The criteria for grades by category is below, followed by the criteria for a firm's overall Climate Score.



CRITERIA FOR GRADES BY CATEGORY

	Litigation	Transactions	Lobbying
A	No more than one case exacerbating climate change & at least two cases mitigating climate change.	No more than one transaction for a fossil fuel client & at least two transactions for renewable energy clients.	No lobbying for the fossil fuel industry & some lobbying for the renewable energy industry.
B*	No more than one case exacerbating climate change & fewer than two cases mitigating climate change.	No more than one transaction for a fossil fuel client & fewer than two transactions for renewable energy clients.	No lobbying work for the fossil fuel or renewable energy industries.
C	Exacerbating case involvement points tally between 1 and 10.	Up to \$2 billion of fossil fuel transactional work.	Up to \$100,000 of lobbying compensation for the fossil fuel industry.
D	Exacerbating case involvement points tally between 11 and 30.	Between \$2 billion and \$40 billion of fossil fuel transactional work.	\$100,000 to \$2 million lobbying for the fossil fuel industry.
F	Exacerbating case involvement points tally greater than 30.	Greater than \$40 billion of fossil fuel transactional work.	\$2 million+ lobbying for the fossil fuel industry.

*Firms can move up a grade if we do not have data showing they exacerbate or mitigate climate change, or their renewable energy work or litigation mitigating climate change exceeds their fossil fuel work or litigation exacerbating climate change, AND the firm has taken our Law Firm Climate Responsibility Pledge.

CRITERIA FOR OVERALL CLIMATE SCORE

Criteria

A+

To receive an A+, a firm must (A) Sign the Law Firm Climate Responsibility Pledge to stop taking on new fossil fuel industry work, continue to take on renewable energy industry work and litigation to fight climate change, and completely phase out fossil fuel work by 2025, or (B) Meet the criteria for an A in every category without utilizing the “one-time safe harbor.”

A

Firm meets the criteria for an A grade in at least one of the three categories and meets the criteria for a B grade in categories that the firm does not score an A.

B

Grade in every category is a B.

C

Lowest grade in any category is a C.

D

Lowest grade in any category is a D.

F

Lowest grade in any category is a F.



Results

Vault 100

Highlights

- For the second year in a row, the Vault 100 decreased transactional work for fossil fuel clients while increasing work for renewables clients, but fossil fuel work remains more than 3x greater than renewables work.
- There are 18 firms in the 2024 Scorecard that performed zero fossil fuels work in 2023.
- For the first time, lobbying decreased for fossil fuel clients while increasing for renewables clients.
- The A firms collectively increased their renewables transactional work over 50% in 2019–2023, and Foley Hoag was tied for the 7th most renewables litigation points. Nonetheless, across all three categories the 5 largest renewables practices come almost entirely from F firms.
- While these are welcome changes, the shift in climate-related legal work is not happening nearly fast enough in the face of impending tipping points.

Firm Results

The 2023 law firm rankings from Vault saw the introduction of Akerman in the top 100, and with it the 2024 Scorecard has received another A firm. Akerman is joined by Davis Wright Tremaine as the two newest additions to the A grade. While we applaud their implicit rejection of fossil fuels work, their contributions to climate change-mitigating work are meager at best (\$290,000 in renewables lobbying and two cases — one of which is offset by the “safe harbor” provision — for renewables clients, respectively), and are dwarfed by the gargantuan amount of climate change-exacerbating work performed by many of their Vault 100 peers. For example, in the same time period that Akerman received \$290,000 for

renewables lobbying, Akin Gump received 27 times that much money (or \$7.92 million) from fossil fuels lobbying. Moreover, eleven firms received over \$1 million from fossil fuel lobbying, which accounts for more than 82% of all compensation for fossil fuel lobbying received by the Vault 100. Thus, as we encourage firms to continue upscaling their renewables practices, we seek to highlight the high concentration of climate change-exacerbating work among a few firms.

Similarly, the mind-boggling \$2.88 trillion in transactional work for fossil fuels clients between 2019-2023 was performed predominantly by ten firms, which collectively were engaged in almost \$1.5 trillion in fossil fuel transactions. In fact, White & Case, which continues to conduct the most fossil fuel transactional work of the Vault 100, advised on more than 10% of all transactions (\$299 billion). And in the litigation category, eight firms were responsible for 40% of all climate change-exacerbating litigation in our dataset, with just three firms — Paul Weiss, Gibson Dunn, and Arnold & Porter — accounting for almost 20% of total exacerbating representation.

As has been demonstrated by every iteration of the Scorecard, the specialized nature of Vault 100 firms' practice areas means that most firms have virtually no presence in at least one category of the Scorecard. Only one firm (Latham & Watkins, for its fossil fuel litigation and transactional work) is represented in the top five for fossil fuels or renewables practices in more than one category. Though the size of practices varies considerably, 63 firms were found to undertake litigation for fossil fuel clients, 78 were found to advise on fossil fuel transactions, and 30 lobbied on behalf of the fossil fuel industry. On the renewables side, 34 firms undertook mitigating representations, 75 firms advised on renewables transactions, and just 25 lobbied on behalf of the renewable energy industry.

However, the firms' specialization does often lead to overlap between the top five worst offenders — firms doing the most exacerbating work — and the five firms doing the most mitigating work. For example, nine firms across the top five worst offenders in all categories (i.e., 15 total firms) are *also* in the top five largest mitigating practices for the *same* category. In fact, in lobbying, four of five firms share the top five spots for both exacerbating and mitigating work.

Vault 100 Collective Results

Collectively, the Vault 100 are moving in the right direction—but not nearly fast enough. Though the Vault 100 decreased overall fossil fuel transactional and lobbying work in 2023 while increasing the same for renewables, the absolute

amount of fossil fuel work (\$2.88 trillion in transactions and \$32.97 million in lobbying) remains unacceptably high, especially in the face of global tipping points that threaten life as we know it. There is some cause for celebration, but the work is far from over, and it will take renewed pressure to force the Vault 100 to join the movement toward a sustainable, livable future.

Five Worst Firms for Litigation:

1. Paul Weiss: 38 cases, 146 points (7x more than the average V100 firm)
2. Gibson Dunn: 30 cases, 119 points
3. Arnold & Porter: 28 cases, 109 points
4. Latham & Watkins: 26 cases, 97 points
5. Baker Botts: 28 cases, 96 points

Five Worst Firms for Lobbying:

1. Akin Gump: 34 clients, \$7.92 million (24x more than the average V100 firm)
2. Holland & Knight: 27 clients, \$5.15 million
3. Steptoe: 15 clients, \$2.31 million
4. Squire Patton Boggs: 16 clients, \$1.95 million
5. Hunton Andrews Kurth: 9 clients, \$1.72 million

Five Worst Firms for Transactions:

1. White & Case: 271 transactions, \$299.17 billion (10x more than the average V100 firm)
2. Latham & Watkins: 358 transactions, \$220.17 billion
3. Allen & Overy: 161 transactions, \$196.57 billion
4. Vinson & Elkins: 303 transactions, \$185.29 billion
5. Linklaters: 178 transactions, \$143.93 billion

Collective Mitigating Results

From the “A” Firms:

Despite the gloomy outlook for the Vault 100 as a whole, there are some bright spots in the data collected. First, seven firms received an A this year, the most of any Scorecard. These firms (in alphabetical order) are **Akerman, Cooley, Davis**

Wright Tremaine, Foley Hoag, Schulte Roth & Zabel, Sheppard Mullin, and Wilson Sonsini.

It should be noted that some of these firms only received “A” grades due to the “one-time safe harbor” built into the methodology. Nonetheless, a few A firms deserve specific recognition for their climate change-mitigating work. In the 2024 Scorecard, **Foley Hoag** tied for the 7th largest renewables litigation practice of the Vault 100 while increasing its renewables transactional work by almost \$100 million. Furthermore, on the transactional side, **Wilson Sonsini** and **Sheppard Mullin** both increased their renewables practices between 2019–2023, each totaling \$5.29 billion. However, it is worth noting that these are both less than 1/10th of any of the 5 largest renewables transactional practices (see below).

We hope that more firms follow the lead taken by the “A” firms and shift their work away from climate change-exacerbating representations as the effects of the climate crisis become more apparent. We encourage all firms that are committed to rejecting fossil fuel clients to commemorate that commitment by joining the ranks of firms that have signed our Climate Pledge. At the end of the day, we know this Scorecard can only move the needle to the extent potential clients, law students, associates, and partners pressure firms to do better. This requires collective action on the part of all of us to use the data in the Scorecard as a tool to hold the firms accountable that have made our planet increasingly unlivable.

From the Vault 100 as a Collective:

LSCA notes that the Law Firm Climate Change Scorecard is designed first and foremost to assist law students in selecting among Vault 100 firms, regardless of their practice area of interest. The Scorecard does not cater specifically to students interested in practicing environmental and energy law. Two trends in our data highlight this distinction: (1) while “A” firms have demonstrated their commitment to move away from fossil fuel representation, none of them make up the top 5 firms in renewables representation in any category, and (2) the top 5 firms in renewables representation in each category tend to also perform a large amount of fossil fuel representation (in fact, all of them except one received an F in this Scorecard).

A few considerations help contextualize these results. First, Vault 100 firms with large energy practices tend to work for both fossil fuel and renewables clients, whereas firms with less developed energy practices tend to only work for a small number of energy clients, if any. Second, the type of energy client taken on can vary from partner to partner within a single firm; one partner may refuse to take

on fossil fuel clients and perform the bulk of a firm's renewables work. Therefore, students interested in environmental and energy work may find that "F" firms give them the greatest opportunity to do so, but that the type of client they work for is highly partner-dependent. **LSCA encourages students** who make such a decision **to advocate within their firm for more renewables work and a rejection of fossil fuel work.** Likewise, students who choose to work for "A" and "B" firms are encouraged to push their firm to grow its renewable energy practice.

To assist environmental and energy lawyers in identifying the firms with the largest renewables practice—keeping in mind the context above—the five firms with the largest renewables practice in each category are listed below.

Five Largest Renewables Practices for Litigation:

1. Covington & Burling (**F firm**): 11 cases, 41 points
 2. Latham & Watkins (**F firm**): 7 cases, 23 points
 3. Sidley Austin (**F firm**): 4 cases, 12 points
 4. Arnold & Porter (**F firm**): 4 cases, 11 points
 5. Crowell & Moring (**F firm**): 3 cases, 11 points
- *Combined, these firms had **3.9x** more points for fossil fuel clients than for renewables clients.

Five Largest Renewables Practices for Lobbying:

1. Akin Gump (**F firm**): 21 clients, \$2.24 million
 2. Squire Patton Boggs (**D firm**): 10 clients, \$2.17 million
 3. Holland & Knight (**F firm**): 18 clients, \$1.89 million
 4. K&L Gates (**F firm**): 19 clients, \$1.87 million
 5. Steptoe (**F firm**): 7 clients, \$1.35 million
- *Combined, these firms received **1.9x** more compensation from fossil fuel clients than from renewables clients.

Five Worst Firms for Transactions:

1. Linklaters (**F firm**): 235 transactions, \$105.1 billion
 2. Clifford Chance (**F firm**): 281 transactions, \$91.07 billion
 3. Norton Rose Fulbright (**F firm**): 318 transactions, \$67.87 billion
 4. White & Case (**F firm**): 204 transactions, \$61.86 billion
 5. Allen & Overy (**F firm**): 219 transactions, \$58.64 billion
- *Combined, these firms facilitated fossil fuel transactions worth **2.2x** more than their renewables transactions.

As these results indicate, even the renewables work of the five firms with the largest renewables practice in each category only constitutes approximately 30% of their total energy practice, on average.

As renewable energy practices grow and more firms move away from fossil fuel work, law students and lawyers have more power to select work aligned with their values. Despite this enormous upside, our data reflects the continued reality that Vault 100 fossil fuel work vastly outpaces renewables work— meaning we must continue to hold these firms to account and use our power to shift the legal industry faster and further from climate change-exacerbating work.



UK Transactions

In our first-ever report analyzing a jurisdiction outside of the United States, the “Carbon Circle” report, released last summer, documented fossil fuel transactions conducted by 55 firms, each of which operates in the UK and facilitated over one billion pounds of fossil fuel transactions between 2018 and 2022.⁹¹ Because the largest firms are global players, the majority of the 55 are also members of the Vault 100. As a result, we have chosen this year to include the 10 remaining non-Vault firms here. We analyzed the data utilizing the same process outlined

earlier in the methodology section. Note, however, that in the prior Carbon Circle report, we utilized only IJGlobal data. As a result, large jumps in total value of transactions are not necessarily due to an increase in the amount of fossil fuels work the firm has taken on. In the table below, we have ordered the firms from those that facilitated the most transactions to the least in last year’s dataset to better show change over time.

Firm Name	Total Value, USD B (2023 total)	Total Value, GBP B⁹² (2023 total)
Herbert Smith Freehills	232.901 (102.4)	182.851 (80.8881)
Ashurst	38.643 (31.5)	30.339 (24.9087)
Bracewell	60.885 (21.5)	47.801 (16.9534)
CMS	53.132 (14)	41.714 (11.0442)
McCarthy Tétrault	61.210 (9.7)	48.056 (7.6393)
Pinsent Masons	11.467 (8.6)	9.003 (6.8098)
Watson Farley & Williams	14.927 (8.45)	11.719 (6.6755)
Stikeman Elliott	54.588 (5.45)	42.857 (4.3055)
King & Wood Mallesons	41.203 (4.9)	32.348 (3.8473)
Simmons & Simmons	5.810 (2.18)	4.5614 (1.7222)

While we can largely access transactional data via our databases, we are not currently able to do so for lobbying. Disclosure rules in the United Kingdom have long been the subject of debate, with almost 90% of UK lobbyists and PRs calling for greater transparency in a poll published early this year.⁹³ Lobbyists in the UK are governed by a patchwork of laws, and recent efforts to shore up the regulatory framework have been seen largely as failures.⁹⁴ Particularly relevant here is the fact that lobbying disclosures are subject to a legal advice exception, obscuring the full scope of lawyers’ involvement in lobbying efforts.⁹⁵

As a result, we are not able to gather any comprehensive information about law firms' lobbying efforts in the UK. This is despite the fact that lawyers undeniably do engage in lobbying to a significant degree.⁹⁶ We hope to one day see greater transparency, and to evaluate the role of the legal industry in shaping the UK's climate impact outside of the courtroom.



Irish Transactions

Ireland's Legal Economy

Ireland is a smaller legal economy than the US and UK but nonetheless plays a pivotal role in key sectors like technology, pharmaceuticals, and aviation. As a member of the EU, Ireland also offers EU single market access through a highly educated English speaking economy, and many foreign law firms have opened offices in Dublin in the aftermath of Brexit.⁹⁷ Ireland has traditionally imported the majority of its fossil fuels.⁹⁸ However, there have been several controversies surrounding fossil fuel expansion in recent years, such as the construction of the Corrib gas pipeline and attempts to expand offshore gas fields.⁹⁹ Ireland has faced difficulties over the years meeting its climate action targets, with a recent EPA report outlining that Ireland is unlikely to meet its current 2030 targets on greenhouse gas emission reductions.¹⁰⁰

Irish Legal Ethics

Ireland, like the UK, operates on a split system model for the legal profession. Solicitors and barristers have similar but not identical ethical obligations.

In general, a solicitor is not bound to accept instructions from any client, and is bound not to accept instructions where doing so would involve the solicitor in some form of unprofessional conduct, such as a conflict of interest.¹⁰¹ Where,

given their professional, legal, and moral obligations, a solicitor decides that they cannot accept instructions from a particular person, they should immediately inform that person, in writing where appropriate, of their decision not to act.¹⁰² The Law Society of Ireland has not yet introduced similar guidance to the UK Law Society regarding obligations of solicitors in respect to climate change. This means that while solicitors can refuse to accept fossil fuel clients or work that is not in line with climate science, there is not the same clarity that exists in the UK.¹⁰³

For barristers, Ireland operates under the cab rank rule. This means that barristers cannot discriminate between clients, and that they must take on any case provided that it is within their competence and they are available and appropriately remunerated.¹⁰⁴ Barristers can refuse to accept instructions where there is a conflict of interest or where it would be difficult for them to maintain their professional independence.¹⁰⁵ On the other hand, barristers are theoretically barred by their code of ethics from refusing fossil fuel based work on the basis that it is not in line with climate science and may pose an existential threat to the planet.¹⁰⁶ A number of barristers have publicly declared they will refuse any fossil fuels work and referred themselves to the Bar Standards Board.¹⁰⁷ The Bar Council's Ethics Chair subsequently clarified that lawyers may turn down such work for moral reasons.¹⁰⁸

Data Analysis

In total, LSCA analyzed nine of the largest Irish law firms: **Arthur Cox, A&L Goodbody, Beauchamps, Matheson, Mason Hayes & Curran, McCann FitzGerald, Philip Lee, Walkers, and William Fry**. From the limited data available (see **transparency and data** section below) we have identified that at least **€32,582.89 million** worth of renewable energy transactions were carried out by Irish law firms between the start of 2010 and the end of 2022 and a total of at least **€14,429.97** worth of fossil fuel transactions were facilitated by Irish law firms over the same period. It is important to caveat that this data is incomplete and based on best estimates of the data available. We welcome further communication from law firms for more complete data.

WILLIAM FRY

Overall, since 2010, William Fry advised on transactions with a total value of at least **€1,686.53 million**. However, the firm's transaction list only contains four transactions, which once again highlights the need for more transparency around data in this area.

William Fry advised the Irish energy company, EirGrid, and French energy company, Réseau de Transport d'Électricité, on two separate stages of the "Celtic Interconnector," a project partly co-financed by the European Union. Once complete, the project will have created an undersea cable connecting Ireland and France and capable of carrying 700 megawatts of electricity between the countries. William Fry also advised clients on the acquisition of a stake in the Amarenco Group, an independent solar energy producer. Finally, the firm advised Bord na Móna and the ESB on Phase I of the Oweninny onshore wind farm in North Mayo.

MCCANN FITZGERALD

In total, since 2010, McCann FitzGerald advised on renewable transactions totalling at least **€5,193.96 million**.

McCann FitzGerald advised private equity firm I Squared Capital on its acquisition of the Viridian Group (now the Energia Group) for €1 billion. In recent years, Energia's fuel mix has slowly become 100% renewable.¹⁰⁹ The firm also advised on a number of other enormous renewable projects including the Dublin Waste-to-Energy Plant PPP in Poolbeg, Dublin (a transaction valued at €499 million) and advised Canada-based Brookfield Renewable Partners on their acquisition of a number of Bord Gáis wind-energy assets (a transaction valued at €700 million). The acquisition formed part of Brookfield's strategy in Europe to create a "leading renewable power platform."¹¹⁰

A&L GOODBODY

Since 2010, A&L Goodbody has advised on renewable energy transactions totalling a value worth of at least **€5,819.8 million**. Like McCann FitzGerald, the firm advised on the Dublin Waste-to-Energy Plant PPP in Poolbeg, Dublin. And like William Fry, A&L Goodbody advised Eirgrid, but instead in relation to the refinancing of its “East-West Interconnector” (the same idea as the Celtic Interconnector, only here it connected the islands of Ireland and Great Britain). The transaction was valued at €765.24 million.

However, A&L Goodbody also advised on a number of fossil fuel transactions (totalling €318.26 million), including for Czech energy company Energetický a Průmyslový Holding, which acquired an 80% stake in Tynagh Energy, a gas-fired power plant in Galway (the value of the transaction is not publicly available). A&L Goodbody also advised ContourGlobal on its development and construction of a heavy fuel oil power plant in Lomé, Togo¹¹¹ (the transaction was valued at €280 million). In addition, the firm advised the global energy company, the AES Corporation, on the refinancing of its Kilroot power plant in Northern Ireland, at that time a coal-burning power plant (the power plant was later bought by Energetický a Průmyslový Holding,¹¹² who in turn converted the plant to gas power¹¹³).

PHILIP LEE

Philip Lee had one of the shortest transaction lists, including only two transactions. Both were renewable in nature and totalled at least **€20.81 million** in value. The firm advised Scottish Equity Partners, who, through their Environmental Capital Fund, invested in the construction of a wind farm in Curraghderri, Co. Kerry; the transaction was valued at €13.88 million. The firm also advised Medrose Limited on its acquisition of a wind farm in Seltannaveeny, Co. Roscommon.

WALKERS

In total, since 2010, Walkers Ireland advised on renewable energy transactions valuing **€6,522 million**. It also advised on fossil fuel transactions valuing €8,557.71 million. Walkers' fossil fuel transactions include advising investment fund manager Elliott Advisors (UK) Limited regarding their acquisition of a 50% equity interest in Thiess, the world's largest mining services provider (a transaction valued at €2,200 million).

Walkers also advised on the financing of the GNPowder Mariveles coal-fired plant in the municipality of Mariveles in the Philippines (a transaction valued at €1,000 million). Finally, the firm advised the Bermuda-based global fossil fuel energy investor Seacrest Capital in its acquisition of a number of onshore oil fields known as Polo Norte Capixaba (a transaction valued at €300 million). On the renewables end, Walkers advised AMEA Power and the Sumitomo Corporation on its acquisition of an equity stake in the Amunet Wind Farm in Egypt (a transaction valued at €700 million).

BEAUCHAMPS SOLICITORS

Another firm with very little publicly available data, Beauchamps Solicitors' list of transactions since 2010 includes only three transactions, all renewable in nature. Their total valuation is at least **€55.73 million**. The firm advised German energy company, ABO Wind, in relation to the financing and construction of the Cappawhite B Wind Farm in Tipperary (a transaction valued at €26 million). Beauchamps also advised HSH Nordbank in relation to the refinancing of the Crockbrack Wind Farm (€13.5 million) and in relation to the Tullynamoyle Wind Farm (€16.23 million).

MATHESON

Since 2010, Matheson has advised on renewable energy transactions with at least a total value of **€628.33 million** and non-renewable energy transactions of at least **€454 million**.

In terms of renewable energy work, the firm advised Hanwha Energy Corporation and Lumcloon Energy on the development and financing of two 100MW Battery Energy Storage Systems in Lumcloon and Shannonbridge in County Offaly (€102.9 million). The firms also advised Seahound Wind Developments Limited on its development of the Letteragh Wind Farm in Kilmaley, Co. Clare (€37.6 million).

However, like A&L Goodbody, Matheson also advised Energetický a Průmyslový Holding in its acquisition of an 80% stake in Tynagh Energy. Matheson further advised European liquid (e.g. oil products) distribution and logistics company Exolum (formerly the CLH Group) in its acquisition of the Inter Pipeline Western European Terminal Portfolio (€454 million).

ARTHUR COX

Since 2010, Arthur Cox has advised on at least **€7,899.15 million** worth of renewable energy transactions and **€3,300 million** worth of fossil fuel energy transactions.

Arthur Cox has an extensive portfolio of renewable energy transactions. For example, it has advised on the financing of Meenadreen wind farm (€125.9 million), Sliabh Bawn wind farm (€86.7 million), and Castlepook wind farm (€65 million), among a host of other wind farm-related transactions.

Arthur Cox has also been involved with fossil fuel transactions. For example, it played a role in the acquisition of the the Greater Tortue Ahmeyim liquified natural gas (LNG) project—an offshore project set to be one of Africa's deepest subsea developments, estimated to produce 2.3 million tonnes per annum (mtpa) of LNG in its initial phase. The project is worth at least €1,500 million.

MASON HAYES & CURRAN

Since 2010, Mason Hayes & Curran has advised on at least **€4,756.18 million** worth of renewable energy transactions and at least **€1,800 million** worth of non-renewable energy transactions.

Renewable energy transactions advised on by Mason Hayes & Curran include the financing of Ardderroo wind farm (€178.1 million), Cordal wind farm (€159.8 million), and Galway wind park (€195.01 million).

Non-renewable energy transactions advised on by Mason Hayes & Curran include the acquisition of Dragon Oil by the Emirates National Oil Company (Enoc) (€1,800 million).

Transparency and Data

It is important to caveat all of this data with the fact that Ireland, like the rest of the EU, lacks fossil fuel transparency laws. This means that law firms are not obligated to disclose fossil fuel transactions. Ireland also lacks the same databases and culture of disclosure which exists in larger legal markets in the US and UK. Further, as a country with minimal fossil fuels of its own, Ireland lacks the same domestic market for fossil fuel-related legal work. This does not negate the work being conducted in renewable energy by Irish law firms, but it does mean that our data is incomplete and may not accurately reflect the scale of fossil fuel transactions being managed by Irish law firms. To avoid the risk of greenwashing, we have decided not to provide Irish law firms with a formal score until there is full disclosure of the nature and scale of all of their transactions.

However, as was highlighted by our efforts to contact Irish law firms, many law firms were unwilling to share data. Of the 14 Irish law firms that we contacted, only one—DLA Piper—disclosed more complete data that allowed us to fully understand their level of fossil fuel and renewable energy transactions. Many either did not reply to our requests or declined to disclose data. In the short term, we hope that the next edition of this report will provide a full-scale overview of fossil fuel and renewable energy transaction data being handled by Irish law firms, with the willing cooperation of these firms' voluntary disclosure. In the medium term

we believe this highlights the necessity of introducing Irish and EU-wide fossil fuel disclosure laws. In Ireland’s case, we already have precedent for similar kinds of laws through the Gender Pay Gap Information Act, which obliges employers to disclose and publish their gender pay gap data.¹¹⁴ Adopting similar laws for fossil fuel transactions would help deliver a clear picture of the scale of the Irish legal sector’s involvement with the continued expansion of fossil fuels.

Key Lessons

The climate emergency is neither a sector-specific nor a region-specific crisis. It is a global emergency which requires a response from all professions—and the Irish legal sector is no different. And while the data analyzed in this report does generally show an overwhelmingly positive trend towards renewable over non-renewable work, there is far too little data available to know whether this is an accurate reflection of Irish legal firms’ role in addressing the climate emergency. Firms need to come forward with data to support their own stated climate commitments. DLA Piper, for example, published a *Sustainability Report*¹¹⁵ this year which sets out the firm’s “efforts to be a sustainable and responsible business”¹¹⁶ going forward. These voluntary efforts are welcome and should be part of a wider push for mandatory fossil fuel disclosure laws. It is only when such data is available that a fully accurate picture of the Irish legal sector’s role in both mitigating and exacerbating the climate emergency can be understood, and in turn, when steps can be taken to ensure the Irish legal sector plays a positive, science-led role in addressing the climate emergency.

Limitations

The 2024 Scorecard utilizes the methodology first implemented in the 2023 Scorecard. As we continue to look for ways to provide a more accurate and nuanced representation of Vault 100 firms’ work in the climate space, we address here the limitations of our report.

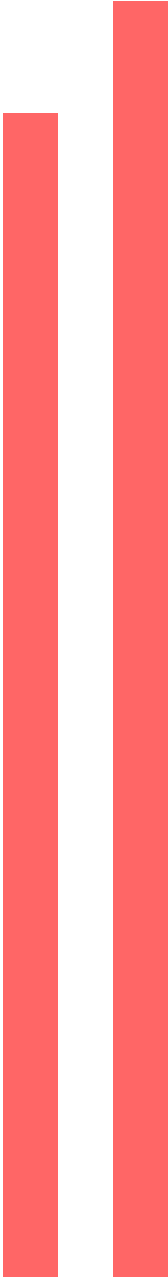
First, our data only captures the subset of “advised emissions” for which Vault 100 firms directly work with companies involved in fossil fuels and renewable energy.¹¹⁷ We are unable to capture data of downstream emissions that result from the advice a law firm provides to a client. For example, many law firms in the Vault 100 represent financial institutions that fund the buildout of energy infrastructure. Because a financial institution is not generally the project company building a specific project under its name, emissions resulting from the advice a law firm provides to such a financial institution often escape our databases and are not reflected in the Scorecard.

Second, we are reliant upon available datasets. Our litigation data is based exclusively on cases represented in the Sabin Center database, Climatecasechart.com, which specifically identifies cases where climate change is a material issue of law or fact. This scope of analysis ensured each case involves climate impacts, but did not include every case with climate or environmental justice impacts. As we evaluated the cases identified by Climatecasechart.com, we used Bloomberg to supplement the amount of filings visible in each case. Despite our data constraints, adding the points system — discussed in the Methodology section — allowed us to identify firm involvement with greater accuracy. We acknowledge this system does not directly capture a firm’s level of involvement in a case, but rather serves as a proxy to estimate it.

Our transactional data similarly enables us to create a proxy for a firm’s impacts, but does not directly measure them. Using the data in Bloomberg and IJGlobal, we were able to identify that the dollar value of each transaction was the best metric available to us to measure the amount of a firm’s work. This amount may not represent the time or resources a firm spent on a particular transaction, but can signify, to an extent, the potential impact of that transaction. Further, in transactions involving multiple firms, we divided the total value by the number of firms involved. While this allows us to allocate a portion of a transaction to each firm involved, we do not know the relative level of each firm’s involvement. We cannot be sure this division is proportional to the true level of a firm’s work. Finally, in both IJGlobal and Bloomberg, the dollar values of many transactions are confidential or unreported. These transactions were excluded from our dataset, though they may have significant climate impacts. Despite these barriers, the addition of Bloomberg data to supplement transactions found in IJGlobal beginning in the 2023 Scorecard allowed us to identify transactions totaling roughly double the total dollar value of those we identified in years prior.

Our lobbying data faced similar constraints. OpenSecrets.org, which includes a searchable database of mandatory federal lobbying disclosure forms that we relied on in our research, is limited to the information required on those forms. However, we were able to identify firms’ lobbying clients as well as the amount of compensation a firm received for work on behalf of that client each year. The metric the Scorecard used, therefore, is the dollar value of compensation received from fossil fuel and renewable clients. We recognize that this obscures the particular policies lobbied for or against, and the extent of harm those policies would have on the climate and on environmental justice communities. Further, this database only includes federal lobbying data, so we were unable to account for any state and local-level lobbying, which is likely significant.¹¹⁸

Other limitations of our report are broader. First, although LSCA strives to center environmental justice, our rankings themselves cannot encompass the full spectrum of harms that the principles of environmental justice seek to address. For example, the amount of work a firm conducts on behalf of fossil fuel clients in litigation, lobbying, and transactions is not a measure of the environmental harms perpetrated by these firms; other kinds of work also implicate environmental justice, and the amount of work a firm performs does not correlate directly with the amount of harm caused. Specific harms are much more difficult to quantify, so while they are not represented as clearly among our A-F grading, we work to incorporate specific environmental justice concerns throughout the rest of the report. Despite our efforts to classify cases as mitigating or exacerbating and lobbying and transactional work as either fossil fuels or renewable, we recognize the nature of this binary does not sufficiently capture environmental justice and human rights harms.



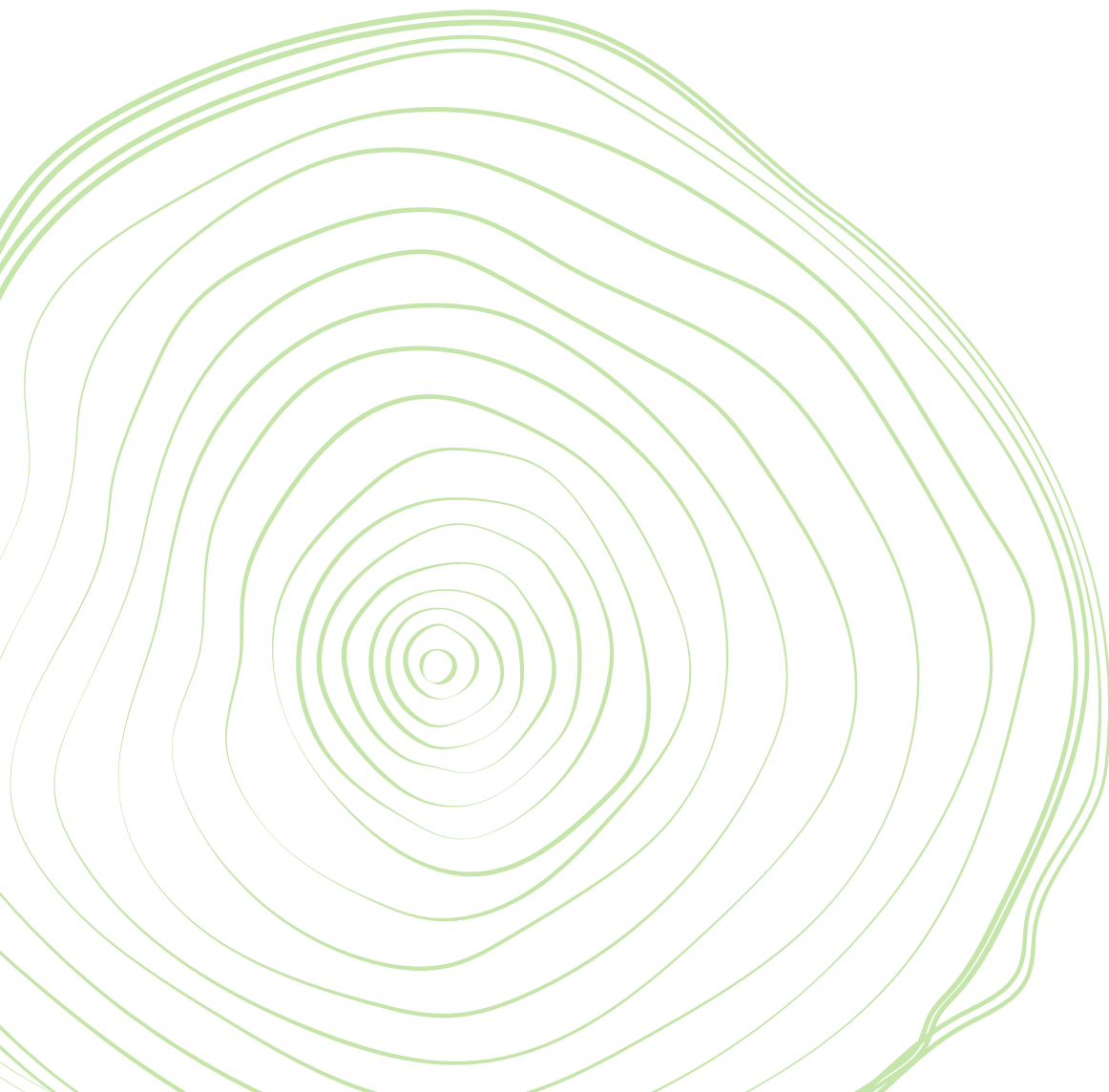
Relatedly, because the Scorecard assigns grades to Vault 100 firms based solely on work in the climate space, even firms receiving high grades may still perpetrate harm in other areas. We hope other groups invested in improving the legal profession investigate and illuminate such work to allow students and clients to make even more informed decisions. As just one example, there is substantial overlap between environmental injustice and the perpetuation of oppressive policing and law enforcement systems. The Stop Cop City movement, for instance, is campaigning against the construction of a police training facility in the Weelaunee Forest near Atlanta.¹¹⁹ The movement has challenged the construction on many fronts, including through litigation alleging a Clean Water Act violation.¹²⁰ In fact, Vault 100 firm Troutman Pepper is defending the City of Atlanta in the lawsuit.¹²¹

Notably, Troutman Pepper is not working alone; court documents show that a local law firm is representing the Atlanta Police Foundation. The Scorecard is limited to the Vault 100 firms, and therefore does not capture the climate change-exacerbating work of local or regional firms. While the Vault 100 firms perform massive amounts of fossil fuel work, they are not the only law firms or legal actors whose work exacerbates the climate crisis, and this is a limitation of the Scorecard.

The report also does not capture the renewables work of firms

outside the Vault 100. And while we seek to assist students in their decisions during the Big Law recruitment process, the Scorecard cannot capture information about work environment or other aspects of firm culture.

Despite these limitations, we continue to produce the Scorecard because we believe it is a valuable resource for students, attorneys, and the broader public. As part of our push for climate accountability in the legal profession, we hope to offer firms a vision of what a just transition industry looks like in the legal industry. Our Law Firm Climate Pledge asks firms to commit to take on no new fossil fuels work, and to phase out existing work by 2025. To date, sixteen firms and legal organizations have signed the pledge. We encourage students to learn more about these organizations and we encourage other firms to follow their lead.





Conclusion

Key Takeaways

- Overall, the Vault 100 firms facilitated about \$121 billion less (4.02%) in fossil fuel transactions in the 2019-2023 data collection period than in the 2018-2022 data collection period. The Vault 100 also received approximately \$1.4 million less (4.09%) in lobbying compensation in the 2019-2023 data collection period than the prior period.
- Despite the marginal decrease in fossil fuels work, Vault 100 firms facilitated about \$178 billion more (20.17%) in renewable energy transactions than in the prior data collection period, conducting transactions worth a total of \$878 billion. However, these transactions still pale in comparison to the \$2.89 trillion in fossil fuel transactions facilitated by the Vault 100 from 2019-2023.
- Many of the firms undertaking the most substantial climate change-exacerbating work have not slowed down their fossil fuels work even as they ramp up their renewable energy practices. Akin Gump, for example, received the most compensation for fossil fuel-related lobbying from 2018-2022 (\$7.1 million), and in this year's dataset spanning 2019-2023, received nearly one million dollars more in compensation (\$7.9 million), while increasing its renewable energy industry lobbying by nearly 60%.
- On the litigation side, there has been a slight decrease in overall climate litigation from the 2018-2022 data collection period to the 2019-2023 period. Yet the firms with the most fossil fuels litigation have not slowed down. Paul Weiss, last year's top offender in the litigation category, has again topped all other firms with the same number of fossil fuel representations as the prior period. Notably, Paul Weiss has not undertaken any climate change-mitigating litigation in the same period.

To sustain Earth's ecosystems and livable communities, attorneys must recognize that conducting work to maintain and expand fossil fuel infrastructure is incompatible with a habitable world, and join the ranks of those fighting the climate crisis.

Recommendations & Commitments

Even in the face of a changing climate, rapidly developing technology, and variable political infrastructure, the goal of our recommendations and commitments remains consistent with prior Scorecards: a livable planet for all. We recognize there are many paths possible to pursue this goal. With our underlying commitment to supporting environmental justice, we additionally recommend the following.

For Clients of Law Firms

Clients of law firms possess the power to directly impact the legal industry with their choices for representation. While evaluating counsel firms, clients should assess whether their organizational values align with their own, and whether a firm's practices and investments are sustainable into the future. Many clients have commitments to climate justice, racial equity, and social justice more broadly, and may question whether they should give additional business to the same lawyers who represent companies and corporations making the largest contributions to the climate crisis. This Scorecard provides a resource for clients looking to avoid law firms whose current and/or ongoing practices do not align with a just transition away from fossil fuel use.

Invitation to Frontline Communities, Organizations and Activists:

Law Students for Climate Accountability commits to continue to engage in solidarity with frontline communities, organizations, and activists who seek environmental justice. We also invite frontline communities, organizations, and activists to engage in our analysis and continued campaigns, and to connect with us on future campaigns.

To Law Students:

Students have much to contend with in joining the legal profession, especially given the tricky trajectory of the transition to clean, equitably- and justly-sourced energy. We recognize and acknowledge that choice is a privilege that we must wield responsibly, and that education is an opportunity we can utilize powerfully. Since the release of the 2020 Scorecard, hundreds of law students across the country have joined the call for climate accountability. Many students have taken specific actions to show law firms they are concerned about continuing fossil fuel work. Indeed, many of our peers in the legal academy may be from frontline and/or environmental justice communities, navigating learning the field of law and living the destructive impacts brought on by the industry simultaneously.

In addressing the commitments and recommendations students can make, we invite those who possess the privilege of choice to engage in the broader conversation around climate accountability and environmental justice in our profession. Each law student has unique personal and financial circumstances that affect what actions they can take. Nevertheless, every student can take action to hold the legal industry accountable for exacerbating climate change.

The following actions (all of which have been taken in the past few years by fellow law students) are encouraged:

- Take the Law Student Climate Pledge.
- Share this report within your law school community, and start conversations with peers about the role of the legal industry in the climate crisis.
- Ask questions during law firm recruitment events and interviews. For example, “I understand that your firm has taken steps, such as energy efficiency and recycling programs, to improve the sustainability of your office. How has your firm extended this commitment to sustainability to your decisions about representing clients from the fossil fuel industry?”
- Ask questions of the career services offices at your school when they offer advice. As an example, “I am very committed to climate justice; do you know how this firm performs in that area? Are there options you could share with me that might align with my values?”
- Take a look at the Fossil Lawyers report for more information about the elite schools that are training the most lawyers to work for the fossil fuel industry.
- If you take an internship or job at a law firm, inquire about the firm’s climate change commitments and advocate for the firm to take stronger action to reduce its role in the climate crisis.
- If possible given personal circumstances:
 - Reconsider working for a law firm who scores poorly.
 - Join a nationwide campaign and pledge not to work at a particular firm given its extensive work supporting fossil fuel companies and harming frontline communities. Examples include #DropExxon (Paul, Weiss) and #DonewithDunn (Gibson Dunn).
 - Pledge to not work at any firm that represents the fossil fuel industry.

Law Student Climate Responsibility Pledge

Recognizing the unprecedented immensity of the climate catastrophe, I pledge to do all that I can to stigmatize and ultimately eliminate the legal industry's complicity in perpetuating climate change. If my financial and other personal circumstances permit, I pledge to refuse to work for a law firm that represents fossil fuel industry clients. If my financial and other personal circumstances do not yet permit me to make such a refusal, I pledge to do all that I can to hold my firm accountable for its role in perpetuating climate change, to push it to discontinue its fossil fuel representation, and to fight for justice through a substantial pro bono practice.

Law Firms:

To the firms who have taken the pledge and to the lawyers who seek to shift their organizations from extractive processes towards generative potential, we thank you for your commitment.

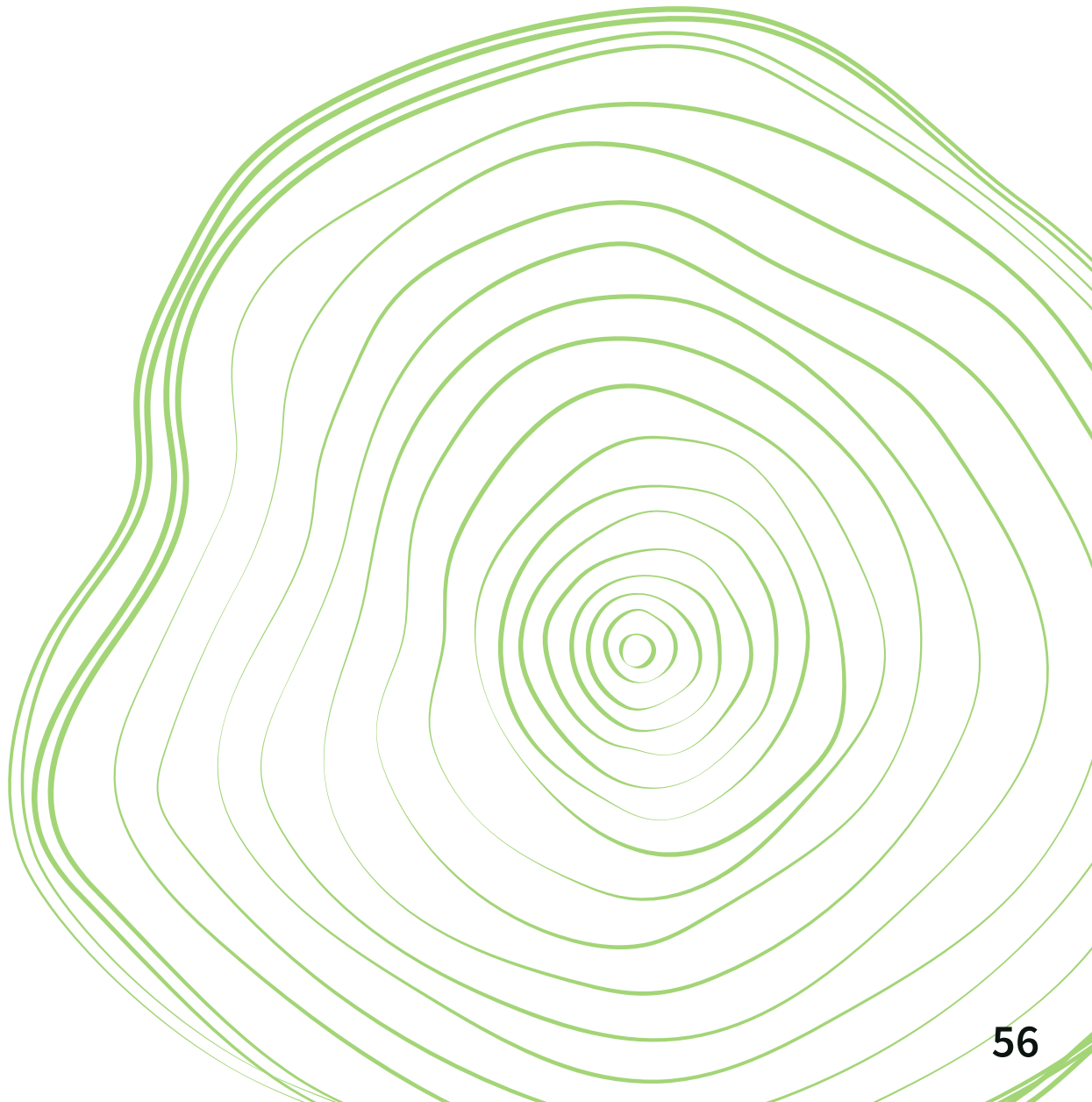
For firms who are newly engaging in the tough work of transition, we encourage you to continue and to engage wisely with your peers. The legal industry is not neutral. Choose to be accountable to future lawyers in the field, to communities who are impacted by your work, and to the planet we all inhabit. Each case that is litigated has consequences; consider repercussions that extend beyond profits. Further, we call on law firms to engage in the following:

- Take the Law Firm Climate Pledge.
- Implement **data transparency**. Across lobbying, litigation, and transactions at your firm, create databases and transparently share the numbers and kinds of clients and subject matter worked on.
- Carefully consider who and what you represent. In lobbying and transactions, phase out representation for fossil fuel companies. In litigation, decline to take on cases that could result in further environmental injustices. If a conflicts-check is involved in your representation decisions, amend the process to include climate justice as a factor.
- Interrogate your practices and culture to align with environmental justice and climate accountability.
- To firms currently representing fossil fuel clients: ensure employees have the opportunity to decline work that will perpetuate the climate crisis and harm frontline communities.

Law Firm Climate Pledge

"We, at the undersigned law firm, pledge to not take on work to support the fossil fuel industry, now and into the future.* We further pledge to take on some work or continue to work in at least one of the following areas: to support renewable energy development, to address climate change, and to advance climate justice."

*Effective immediately, all firms signing the pledge will not take on any new work to support the fossil fuel industry. Any firms signing the pledge that currently work to support the fossil fuel industry will phase out this work by 2025, at the latest.



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