

Melissa K. Scanlan

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ACADEMIC APPOINTMENTS

Vermont Law School, South Royalton, VT

Associate Dean of Environmental Law Program & Director of Environmental Law Center 2013 – 2017
Co-founder and Director, New Economy Law Center 2015 – present
Professor 2016 – present
Associate Professor 2013 – 2016

- ❖ As Associate Dean, directed all aspects of top-ranked environmental law program including leading the curriculum for six masters and LLM degrees, supervising all environmentally-related centers and clinics, creating new initiatives and courses, collaboratively leading 30 environmental faculty members, and fundraising;
- ❖ Serve on key leadership committees, such as Dean's Advisory Committee (2014-2015); Trustee/Administration Strategic Planning Business Oversight Committee (2014); Faculty Strategic Planning (2015-2016); NEASC Self Study (2016); Appointments (2014, 2015, 2016, 2017); Learning Outcomes and Assessments (2016-2017);
- ❖ Teach Legislation and Regulation, Watershed Management, New Frontiers in Environmental Policy.

University of Wisconsin Law School, Madison, WI

2011- 2013

Water Law and Policy Scholar

- ❖ Joint appointment at University of Wisconsin – Milwaukee's School of Freshwater Sciences;
- ❖ Engaged in interdisciplinary water law and policy research;
- ❖ Developed and taught new interdisciplinary course in Water Law and Policy with cross campus graduate enrollment;
- ❖ Served on Environment and Resources PhD committee;
- ❖ Provided institutional bridge between UW Law School and UW Milwaukee's School of Freshwater Sciences.

Marquette University Law School, Milwaukee, WI

Spring Semester 2011

Adjunct Professor of Law

- ❖ Developed and taught course on water pollution and restoration focused on the Clean Water Act.

University of Wisconsin Continuing Education, Milwaukee, WI

2010-2012

Lead Instructor

- ❖ Developed and annually led day-long course on water law for Water Technology Certificate Program.

EDUCATION

University of California, Berkeley

Boalt Hall School of Law, J.D. May 1999

Environmental Science, Policy and Management Program, M.S. May 1999

Honors: Alvin & Sadie Landis Scholarship in Water Law - Class of 1999; Harmon Award for the Best Environmental Law Writing at UC-Berkeley (1999); California Bar Association Public Service Award (1998); Prosser Award in Feminist Theory and Welfare (1997); Charles Tigar Public Interest Award (1996)

The Catholic University of America, Washington, D.C.

World Politics, B.A. May 1993

Honors: Phi Beta Kappa, Summa Cum Laude, Honors Comprehensive Exams

The Jagiellonian University, Krakow, Poland, Foreign Studies Program 1990

PUBLICATIONS

Law for the New Economy: Sustainable, Just, and Democratic, (Melissa K. Scanlan ed., 2017)

"Climate Change, System Change, and the Path Forward," a chapter in Law and Policy for a New Economy: Sustainable, Just, Democratic, M. Scanlan, ed., Edward Elgar, (2017)

"A Comparative Analysis of the Public Trust Doctrine for Managing Water in the United States and India," a chapter in Handbook on Water Law and Policy, Alistair Rieu-Clarke, et. al. (eds.), Routledge, (2017)

"Sustainable Sewage," a chapter in *Energy, Governance and Sustainability*, Edward Elgar Publishing, (2016)

Blueprint for the Great Lakes Trail, 4 Michigan Journal of Environmental & Administrative Law 61 (Fall 2015)

Book Review of *Environmental Protection in Multi-Layered Systems: Comparative Lessons from the Water Sector*, Edited by Mariachiara Alberton and Francesco Palermo (April 18, 2014). *Publius: The Journal of Federalism*, pp.1-5 (2014) (with Richard O. Brooks)

Food and Virtual Water in the Great Lakes States, 63 DePaul Law Review 771 (Spring 2014) (with Jennifer Kehl)

Marginalized Monitoring: Adaptively Managing Urban Stormwater, in *Next Generation Environmental Compliance and Enforcement*, LeRoy Paddock and Jessica Wentz, eds. (2014) (with Stephanie Tai)

Adaptive Trading: Experimenting with Unlikely Partners, 62.4 Kansas Law Review 971 (2014)

Shifting Sands: A Meta-theory for Public Access and Private Property Along the Coast, 65 South Carolina Law Rev 295 (Winter 2013)

Marginalized Monitoring: Adaptively Managing Urban Stormwater, 31 UCLA Journal of Environmental Law & Policy 1 (Summer 2013) (with Stephanie Tai)

Implementing the Public Trust Doctrine: A Lakeside View into the Trustees' World, 39 Ecology Law Quarterly 123 (Summer 2012); *reprinted* in four part series of Trout Unlimited's quarterly *Wisconsin Trout* (2012-2013); *cited in Rock-Koshkonong Lake Dist. v. DNR*, 833 N.W.2d 800, n.4 (WI 2013)

Protecting the Public Trust and Human Rights in the Great Lakes, 2006 Michigan State Law Review 1333 (2006)

Realizing the Promise of the Great Lakes Compact: A Policy Analysis for State Implementation, 8 Vermont Journal of Environmental Law 39 (2006) (with Habush Sinykin & Krohelski)

Invited Comment, received Harmon Award for best environmental law writing at University of California, Berkeley, *The Evolution of the Public Trust Doctrine and the Degradation of Trust Resources: Courts, Trustees and Political Power in Wisconsin*, 27 Ecology Law Quarterly 135 (2000); *reprinted* in four part series of *Wisconsin Trout* (2000); *cited in* Wisconsin Legislative Reference Bureau, [Constitutional Highlights](#), Vol. IV, No. 4 (October 2004); *cited in Dilley v. Johnson, et al.*, Wisconsin Circuit Court, at 5 (March 28, 2012); *cited in Rock-Koshkonong Lake Dist. v. DNR*, 833 N.W.2d 800, n.4 & n.26 (WI 2013)

Invited Comment, *The End of Welfare and Constitutional Protections for the Poor: A Case Study of the Wisconsin Works Program and Due Process Rights*, 13 Berkeley Women's L. J. 153 (May 1998)

SELECT ACADEMIC PRESENTATIONS

- ❖ World Water Congress XVI, Cancun, Mexico, Special Session Speaker, May 31, 2017, *What's next for water law and policy? Recent developments, future challenges and potential opportunities*.
- ❖ IUCNAEL Colloquium, Oslo, Norway, Plenary Speaker, June 20-26, 2016, *The Role of the Courts in Guarding Against Privatization of Important Public Environmental Resources*.
- ❖ World Water Congress XV, Edinburgh, Scotland, Selected Presentation, May 25-29, 2015, *Virtual Water in Agricultural Production*.
- ❖ First Annual Sustainability Conference of American Legal Educators, Arizona State Law School, Tempe, AZ, Panelist, May 8, 2015, *Climate Change and Law for the New Economy*.
- ❖ University of Michigan Law School, Ann Arbor, MI, Speaker, April 2, 2015, *Blueprint for the Great Lakes Trail*.
- ❖ XX International Conference Society for Human Ecology, Panelist, October 25, 2014, *Redesigning Urban Wastewater Treatment for Net Energy Production*.
- ❖ Vermont Law School, Eco-Equity: The 2014 Solutions Conference, Panelist, March 28, 2014, "Water Privatization" on the *Developing Natural Resources panel*.

- ❖ Northeastern University School of Law, Lawyering for the Sustainable City, Panelist, March 21, 2014, *Key Challenges to Lawyering for the Sustainable City*.
- ❖ Berkeley Law School, The Berkeley Exchange: Celebrating Berkeley's Contribution to Environmental Law Scholarship, Panelist, February 7, 2014, *Blueprint for the Great Lakes Trail*.
- ❖ IUCNAEL Colloquium 2014, Tarragona, Spain, Panelist, July 3, 2014, *Turning Urban Sewage Into Renewable Energy*.
- ❖ Middlebury College, Howard E. Woodin Colloquium Series, Speaker, December 5, 2013, *Social Entrepreneurs: Be the Change You Want to See*.
- ❖ University of Kansas, Kansas Law Review Symposium, Panelist, November 1, 2013, *Adaptive Management and Water Quality Trading: Experimenting with Unlikely Partners*.
- ❖ Vermont Law School Freshwater Working Group Panel Discussion, Panelist, October 18, 2013, *Implementing the Public Trust Doctrine with the Great Lakes Trail*.
- ❖ Vermont Law School Water Confab, Speaker, June 7, 2013, *Public Access to Beaches*.
- ❖ University of Wisconsin Limnology Seminar, Speaker, March 20, 2013, *Implementation of Wisconsin's Water Laws and Implications for Water Scientists*.
- ❖ DePaul University College of Law, DePaul Law Review Symposium, Speaker, March 1, 2013, *Virtual Water and Food Exports in the Great Lakes Region*.
- ❖ Mercer University Law School, Virtual Environmental Law Guest Speaker Series, February 11, 2013, *Marginalized Monitoring: Adaptively Managing Urban Stormwater*.
- ❖ Berkeley Law, George Washington University Law School, and Environmental Protection Agency Workshop, Next Generation Environmental Compliance, Speaker, December 11-12, 2012, *Technology and New Ways to Seek Compliance*.
- ❖ University of Wisconsin Law School, Panelist, October 6, 2011, *Discussion of Common Pool Resource Systems*, Featuring and Honoring Nobel Prize Winner, Professor Elinor Ostrom.
- ❖ University of Minnesota School of Law, Environmental Law Capstone: Brownfields Redevelopment and Litigation, Guest Lecturer, February 1, 2010, *Environmental Justice Issues in Urban Land Redevelopment*.
- ❖ Michigan State University College of Law & Institute for Trade in the America's Conference on The Great Lakes Water Basin, Invited Speaker, December 2, 2006, *Privatization and the Great Lakes Compact*.
- ❖ University of Toledo College of Law Conference, Speaker, November 18, 2005, *Access to Great Lakes Water Under the Proposed 2001 Agreements*.
- ❖ University of Wisconsin Gaylord Nelson Institute for Environmental Studies, Course on Green Politics, Guest Lecturer, September 28, 2005, *Environmental Theory and Practice: Oil and Water?*
- ❖ University of Wisconsin Arrowhead Lecture Series, Speaker, October 6, 2004, *The State of Wisconsin's Public Trust Doctrine and the Job Creation Act*.
- ❖ Waters of Wisconsin Forum, Speaker, October 22, 2002, *Access to Wisconsin Water: The Public Trust Doctrine – Past, Present, and Future*.

ACADEMIC GRANT FUNDING SECURED

\$2,600,000 gift from Lynde B. Uihlein to endow and create an interdisciplinary Center for Water Policy	2011
\$300,000 gift from Lynde B. Uihlein to create a new position of Water Law & Policy Scholar	2011
\$50,000 University of Wisconsin Madison/Milwaukee Chancellors' Intercampus Research Grant	2011
\$20,000 research grant from Bradshaw-Knight Foundation	2010

PROFESSIONAL EXPERIENCE

Melissa K. Scanlan, LLC, Milwaukee, Wisconsin

2010-present

Founder & Principal

- ❖ Created consulting firm specialized in producing water scholarship, teaching, and promoting social enterprises engaged in water policy;
- ❖ *On the Commons Fellow*, 2010;
- ❖ Represented Lynde B. Uihlein in designing and launching Center for Water Policy at University of Wisconsin-Milwaukee and closed a \$2.6 million gift for this venture.

Midwest Environmental Advocates, Madison & Milwaukee, Wisconsin

Founder & Executive Director

1999- 2007

Senior Counsel

2007- 2010

Board Member

2010-present

- ❖ Received two prestigious fellowships to found Wisconsin's first environmental law center: National Association of Public Interest Law (now Equal Justice Works) and Echoing Green;
- ❖ Directed and managed all aspects of organization from start up phase to stability;
- ❖ Provided legal and policy advice to governmental and non-governmental collaborative of the Southeastern Wisconsin Watersheds Trust, tribal governments, and community groups;
- ❖ Experienced in administrative, state and federal court proceedings;
- ❖ Successfully negotiated numerous high impact cases and policy determinations;
- ❖ Experienced working with scientific and economic experts;
- ❖ Raised up to \$500,000 per year from private foundations and donors;
- ❖ Established clinical externship program with University of Wisconsin Law School: taught, mentored and trained over 50 law students in one-on-one practice-based setting;
- ❖ Produced original research ranging from advocacy reports to law review articles.

HONORS AND AWARDS

Wisconsin Super Lawyers Rising Star

2006, 2007, 2008

Mesa Refuge Writing Fellowship

June 2005

National Association of Public Interest Law (now Equal Justice Works) Fellowship

1999-2001

Echoing Green Fellowship

1999-2003

SELECT MEDIA, BOOK, AND FILM APPEARANCES

- ❖ Does the US Constitution Ensure a Future Livable Planet? Law360, opinion article, January 10, 2017.
- ❖ The dismantling of Obama's climate legacy by a President Donald Trump, ThinkProgress, quoted on the Supreme Court, October 19, 2016.
- ❖ On Point with Tom Ashbrook podcast, interviewed on "Blueprint for a Great Lakes Trail," June 1, 2015.
- ❖ "Q&A: Legal scholar Proposes World's Longest Walking Trail around Great Lakes," Michigan Distilled, April 13, 2015.
- ❖ High-Capacity Well Regulation in Wisconsin, U.S., National Driller, quoted on September well regulation decision, November 1, 2014.
- ❖ Burlington Free Press, January 19, 2014, quoted in Joel Banner Baird, "Vermont Law School's Top 10: Environmental Watch List for 2014"
- ❖ Narrator in documentary film, 2011, "Crossing the Line: Defending Wisconsin's Environmental Commons"
<http://www.youtube.com/watch?v=hmd0UfL6Q78&feature=channel&list=UL>
- ❖ Milwaukee Journal Sentinel, May 25, 2009, quoted in Dan Egan and Larry Sandler, "Can Water Keep City Budget Afloat?"
- ❖ Chicago Tribune, January 13, 2009, quoted in Scott Bauer "Coalition Pushes Green Technology in Stimulus"

- ❖ GO: Air Tran Airways Inflight Magazine, February 2008, featured in Simon Van Booy, “Law of the Land: One Lawyer’s Love for the Environment Became a Career in Preservation”
- ❖ THIRST, 2007, quoted in Alan Snitow, et. al. Chapter 8 “When Nestle Comes”
- ❖ Sierra Magazine, Nov/Dec 2007, featured in Andrew Becker, “Hot Jobs for a Warming Planet”

PROFESSIONAL SERVICE

Environmental Law Section of the Wisconsin Bar Association, <i>Elected Board Member</i>	2010-2013
Sierra Club National Litigation Committee, <i>Elected Member</i>	2004-present
Midwest Environmental Advocates, <i>Board Member</i>	2010-present