



Sustainable Practices: How Law Firms Can Reduce Their Carbon Footprint

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With global concern over climate change, it is not surprising that law firms are becoming more focused on reducing their carbon footprint and embracing sustainable practices. They recognize that even though they do not produce emissions like manufacturers, the airline industry, or oil and gas companies, they have a duty to the environment and to be good corporate citizens. This commitment to environmentally conscious policies attracts clients by creating a positive reputation in the legal marketplace.

This reflects a broader trend over the last decade, as corporate behavior has shifted significantly toward environmental stewardship due to the increasing concern for climate change. Many businesses began implementing environmental, social, and governance (ESG) initiatives, including the voluntary release of sustainability reports, in response to investor demands and the public's desire for transparency.

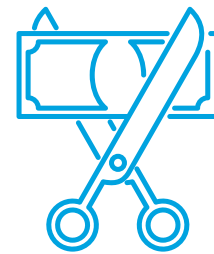
New ESG Regulations

On March 6, 2024, the Securities and Exchange Commission (SEC) announced its adoption of final ESG disclosure rules with the first compliance period in 2025.¹ According to the SEC, this effort is in response to "investors' demand for more consistent, comparable, and reliable information about the financial effects of climate-related risks."² The rules apply to publicly traded corporations worth \$75 million or more.³ Companies have a lot to do to comply, which means court challenges were filed against the rules right away. Amid these various legal challenges, the SEC announced it would voluntarily delay the rules' implementation. The consensus is that, despite the delay, companies should continue to prepare for ESG disclosure requirements.⁴

While law firms generally are not publicly traded companies, they very likely represent clients who are—and who consider their environmental responsibility in every business relationship. Clients are looking for firms that align with their view of climate change and demonstrate a commitment to reducing their carbon footprint. A client may ask questions about a law firm’s energy use, waste generation response, natural resource conservation, and other green efforts as part of the hiring process.

Many law firms are stepping up and committing to sustainable practices. Green trends like hybrid and remote work schedules, virtual meetings, and digital technologies are now “business as usual” in law firms. Attorneys in ESG litigation or environmental law practices are particularly accountable to their clients. They know they need to demonstrate both compelling litigation skills and a commitment to net zero emissions.

As we recognize Earth Day 2024, it is a fitting time for law firms and attorneys to evaluate and adopt sustainable strategies to make their practices greener. It is not just about being eco-friendly either—the waste produced by firms can translate to a direct cost for your firm or end client. While sometimes waste is unavoidable, a small amount of research and preparation can go a long way in cutting back your on-site consumption and overhead. Below are some tips to get you started.



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Strategies to Reduce Law Firm Waste

1. Go Paperless...or Use Paper Less

Litigation has historically been a paper-intensive endeavor, which meant firms in years past had higher carbon footprints. Storing documents meant additional office space requiring temperature control and lights, and more building materials with related production and transportation emissions. Shipping documents pursuant to document production or to a trial war room meant higher emissions during transport. Shredding documents added to landfill waste with perhaps toxic chemicals from paper production processes and ink. In the recent past, it was not unusual to see banker boxes stacked up in a room or thousands of pages sent to the shredder. Not only is such an approach wasteful, but the cost to print these exhibits can be more than \$100,000 in some instances—highlighting the need for a more mindful approach to trial preparation.

Now, digital document storage and transfer have greatly reduced the environmental impact of these former practices. Law firms are becoming infinitely more mindful of their consumption and the impact it has on the environment. With technology at our fingertips, there is no reason to print every document. Instead, use digital copies to save paper and ink.

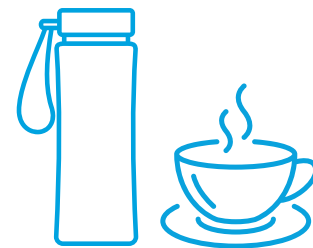
Some judges are also taking a more progressive approach to trial preparation, recognizing the importance of reducing paper waste and saving costs. Instead of requesting copies of every exhibit, they may only require hard copies of the exhibits used in outlines to create witness binders. In cases where there are large exhibits, parties may be asked to agree on using only relevant portions to avoid extraneous printing.

Law firms should follow the example set by these judges, and attorneys should be advocates for this approach, as it helps to minimize waste and reduce unnecessary expenses. Furthermore, where appropriate, firms might consider using virtual demonstratives in the form of a video or other format displayed onscreen, instead of paper demonstratives. These can offer increased functionality, with sustainability as an added benefit.

2. Minimize Single-Use Plastics

Single-use plastics, such as water bottles and disposable utensils, are substantial contributors to an organization's environmental impact. According to a report entitled *The New Plastics Economy: Rethinking the Future of Plastics* published by the Ellen MacArthur Foundation, 32% of plastic packaging is discarded in the environment.⁵ Much of it ends up in landfills and oceans, where it stays for hundreds of years.

That said, the popularity of reusable water containers demonstrates that consumers are plugged into the fact that single-use plastics are detrimental to the environment. Consider providing reusable water bottles, coffee cups, and utensils to war room staff. Encourage your team to use these items and provide easy access to water fountains, coffee makers, and other amenities that limit the need for single-use plastics. This reduces waste and can save you money in the long run. Additionally, hiring a catering service that provides real plates and silverware can be a much more cost-effective and environmentally friendly option than repeatedly ordering takeout from restaurants that typically use disposable plastics.



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In situations where single-use items are necessary, consider materials that are recyclable or compostable. This includes paper products, such as napkins and paper plates, as well as biodegradable plastics made from plant-based materials. Ensure that these items make it into a recycling bin at the hotel or facility that is running the war room.

Another firm policy that can support sustainability practices in the workplace involves reusing office supplies where possible, such as notebooks, binder clips, file boxes, and dividers which can easily last through multiple uses. It is a simple matter of purging these from materials and reorganizing them in the supply cabinet for easy access.

3. Limit Emissions Through Reduction in Air Travel

One of the most significant contributors to a law firm's carbon footprint is air travel. The use of video conferencing to facilitate remote attendance at hearings and depositions goes a long way toward reducing the need for flights. Further, firms should make it a priority to schedule case staffing in a way that minimizes the number of flights each person must take to and from the war room.

Air travel is sometimes necessary to attend proceedings in person, but firms might consider purchasing carbon offsets to mitigate the impact of attorney air travel on the environment. Carbon offset programs allow individuals or organizations to purchase a carbon reduction credit from the airline or a third-party seller to make travel carbon neutral. More than thirty IATA member airlines currently offer these programs to their customers.



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4. Avoid Tossing Trial Equipment

Many times, if trial supplies cost more to ship than they cost to purchase—such as printers, monitors, and cables—it is simply easier to throw them out. Instead of discarding these items, consider donating them to a local charity, school, or organization. This not only helps decrease waste but can also benefit the community. To prevent this situation in the first place, consider renting the equipment needed for trial.

A Commitment to Going Green

Earth Day has become a global environmental movement since its inception in 1970, mobilizing more than one billion people annually to protect the planet.⁶ The annual commemoration is the perfect opportunity for law firms to review sustainable practices and renew commitments to reduce their carbon footprint. Legal professionals can work together to decrease waste and make a positive impact on the environment while saving costs for their firm and the end client.

This is an update to the [original article](#) published in 2023. It can also be found on [Law360.com](#).

References

¹ Day, J. (2024, March 6). SEC Finalizes Climate Disclosure Rules. Insights | Jones Day. <https://www.jonesday.com/en/insights/2024/03/sec-finalizes-climate-disclosure-rules>

² a SEC.gov | SEC Adopts Rules to Enhance and Standardize Climate-Related Disclosures for Investors. (2024, March 6). <https://www.sec.gov/news/press-release/2024-31>

³ Hanawalt, C. F. a. C. (2024, March 18). The SEC's Final Climate Disclosure Rule: Key Requirements, and the Materiality Threshold. Climate Law Blog. <https://blogs.law.columbia.edu/climatechange/2024/03/11/the-secs-final-climate-disclosure-rule-key-requirements-and-the-materiality-threshold/>

⁴ Day, J. (2024b, March 19). JONES DAY TALKS®: Court Stays SEC's Climate Disclosure Rule, but Companies Should Continue Preparations. jonesday.com. <https://www.jonesday.com/en/insights/2024/03/jones-day-talks-court-stays-secs-climate-disclosure-rule-but-companies-should-continue-preparations>

⁵ The New Plastics Economy: Rethinking the future of plastics. (n.d.). <https://www.ellenmacarthurfoundation.org/the-new-plastics-economy-rethinking-the-future-of-plastics>

⁶ www.earthday.org

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