

Trial Lawyers as Environmental Stewards

I love San Diego. I love its natural beauty. Twilight, when the sky's eastern edge darkens, is my favorite time of day. It's best while in the water, sitting on my surfboard near my sons or my best friends. So many of us share moments like this; whether in the water, up a mountain, or on a trail. So many of us share a love for San Diego. The Consumer Attorneys of San Diego is proud to have as its members and colleagues so many attorneys who love San Diego's natural resources and fight to protect them.

San Diego's beautiful natural resources are under stress. For example, ocean acidification threatens a wide array of marine species. Dissolving carbon dioxide in seawater increases the hydrogen ion concentration in the ocean and, as a result, decreases ocean's pH level. The increase in acidity, among other things, hampers the growth of carbonate shells and disrupts delicate ecosystems. (See Scripps Oceanography's article on Ocean Acidification.) This isn't politics. It's science. And, given how many people in and around San Diego depend on the ocean, it's a serious problem.

Trial Lawyers have unique opportunity to help preserve San Diego's natural resources. Litigation can serve as a powerful, and sometimes a lone, voice for protecting nature. Code of Civil Procedure section 1021.5 encourages attorneys to take cases that confer "a significant benefit" on the "general public or a large class of persons." The California Environmental Quality Act allows for judicial review of projects that have "significant environmental effects." As a practical matter, these and similar laws allow attorneys to take on important cases that are often opposed to prevailing economic forces. These laws aren't necessarily contrary to development, but they seek to balance a healthy economy with a healthy environment. Environmental litigation is an engine that spurs innovation into cleaner methods and technologies. The Trial Lawyers who advance such cases deserve respect for fulfilling a vital role in preserving the place we are so fortunate to call home.

"Our earth needs constant concern and attention. Each of us has a personal responsibility to care for creation, this precious gift which God has entrusted to us. This means, on the one hand, that nature is at our disposal, to enjoy and use properly. Yet it also means that we are not its masters. Stewards, but not masters. We need to love and respect nature..." Pope Francis, Address to European Parliament (Nov. 25, 2014). Trial Lawyers have an incredible set of tools, including access to and understanding of, the courts. These tools allow them to vindicate San Diego's precious natural resources, so they remain for our children and grandchildren. If not the Trial Lawyers, then who else? **TBN**

by: Jim Iagmin, CASD President



Jim Iagmin is a partner at Williams Iagmin LLP. For nearly twenty years, Jim has represented only plaintiffs, primarily in catastrophic personal injury and employment cases. Jim has been a member of CASD since 2000 and is a four-time recipient of CASD's Outstanding Trial Lawyer award. Jim earned his Bachelor's degree at Loyola Marymount University and his Juris Doctorate at the University of San Francisco.

Member Accomplishment Information Sought

CASD members are urged to submit significant achievements about themselves or others to Dana Grimes, Editor-in-Chief of *Trial Bar News* (trialbarnews@gmail.com) for consideration for publication in our Member Accomplishments section. The achievement must involve representation of a client in a civil or criminal matter which was resolved by settlement, arbitration, mediation or trial verdict. The representation should involve difficult liability or damage issues, unique subject matter or defense, time constraints associated with preparation or presentation of the case and a successful result.