

Climate Change

Preventing a disastrous global temperature shift without sacrificing standards of living is a vital issue for governments, businesses, and people. The lawyers in Cozen O'Connor's climate change practice leverage their experience in clean air regulation, insurance risk, and complex environmental and commercial litigation to help clients deal with a multitude of climate change issues and to both prepare and protect their businesses in the emerging paradigm of a carbon-constrained world.

Our lawyers help clients manage their risks and pursue new opportunities in the face of a changing climate. Wind and solar power developers depend on us to help them advance their projects from permitting through financing and construction. Technology companies seek our help to protect and position their carbon dioxide (CO₂) mitigation technology. Insurers depend on us for sound advice on climate risk underwriting, disclosures and claims handling. Climate scientists retain us to defend their reputations.

Litigation

Climate-related litigation often involves the Clean Air Act, the National Environmental Policy Act and state versions of this statute, and public nuisance tort claims. The lines between these categories sometimes blur as different jurisdictions and governmental authorities grapple with the issues raised by climate change, as well as the basic questions of who has the authority and the responsibility to deal with it.

As the effects of climate change intensify as predicted, a variety of lawsuits and theories of liability will arise, including professional liability claims against engineers, architects, and consultants for errors and omissions in accounting for climate change. Directors and officers also face liability for financial harm caused by breaches of care or failure to disclose substantial risks. And finally, if greenhouse gas legislation is enacted, lawsuits most certainly will arise out of commercial and regulatory enforcement actions. Cozen O'Connor's commercial and environmental litigation experience enables us to effectively represent clients involved in such matters.

Risk & Insurance

The legal and physical impacts of climate change are having a profound impact on the insurance sector, and our extensive experience in the insurance industry enables us to represent insurers and defend insureds in all forms of climate change litigation, from public nuisance suits to regulatory actions. We provide educational and consulting services to our clients on climate change issues, focusing upon three key realities:

- The insurance industry has been among the first to experience the effects of climate change, and will undoubtedly be among the industries that are most impacted.
- The insurance industry, as a result of its financial position and superior expertise in risk analysis, is in a unique position to provide positive, international influence.
- In the coming years, insurers who are able to accurately project the likely effects of climate change will be at a significant competitive advantage.

Renewables

We represent renewable project developers — including several of the largest offshore and terrestrial wind power development projects, solar projects, and natural gas projects — that seek to reduce carbon emissions and air pollution. We offer a wide variety of services to clients in or those looking to engage with the renewable sector. We can assist with issues surrounding corporate securities, project



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Related Practice Areas

- Environmental, Social & Governance

finance, due diligence, land use planning and permitting for renewable projects, and establishing joint ventures.

Technology

Climate mitigation technology is a key driver in the climate change market. These technologies include enzymes for biofuel production, clean coal and carbon sequestration, hydrogen fuel cells, biofuels, green buildings and materials, renewable electricity generation, electric vehicle charging infrastructure, and advanced electric metering infrastructure. Cozen O'Connor represents a number of technology companies, helping them position their businesses and protect their technologies in this new marketplace. Our clients develop and distribute cutting-edge products, and we provide cutting-edge counsel by combining in-depth knowledge of their industries with keen legal and regulatory acumen.

Our Team

Our Climate Change group combines the experience of a wide variety of practice areas and includes four former U.S. Environmental Protection Agency attorneys. Our attorneys are often called upon to lecture on climate change topics for national symposia, including a Think Tank for Property and Casualty Insurers. Not only do we talk the talk – we also walk the walk. Cozen O'Connor is among only four Vault 100 law firms that earned an A grade in the 2020 Law Firm Climate Change Scorecard prepared by the Law Students for Climate Accountability and was ranked the Best Firm for Litigation Mitigating Climate Change.