

# THE LAW OF THE LAND

One lawyer's love for the environment became a career in preservation.

BY SIMON VAN BOOY

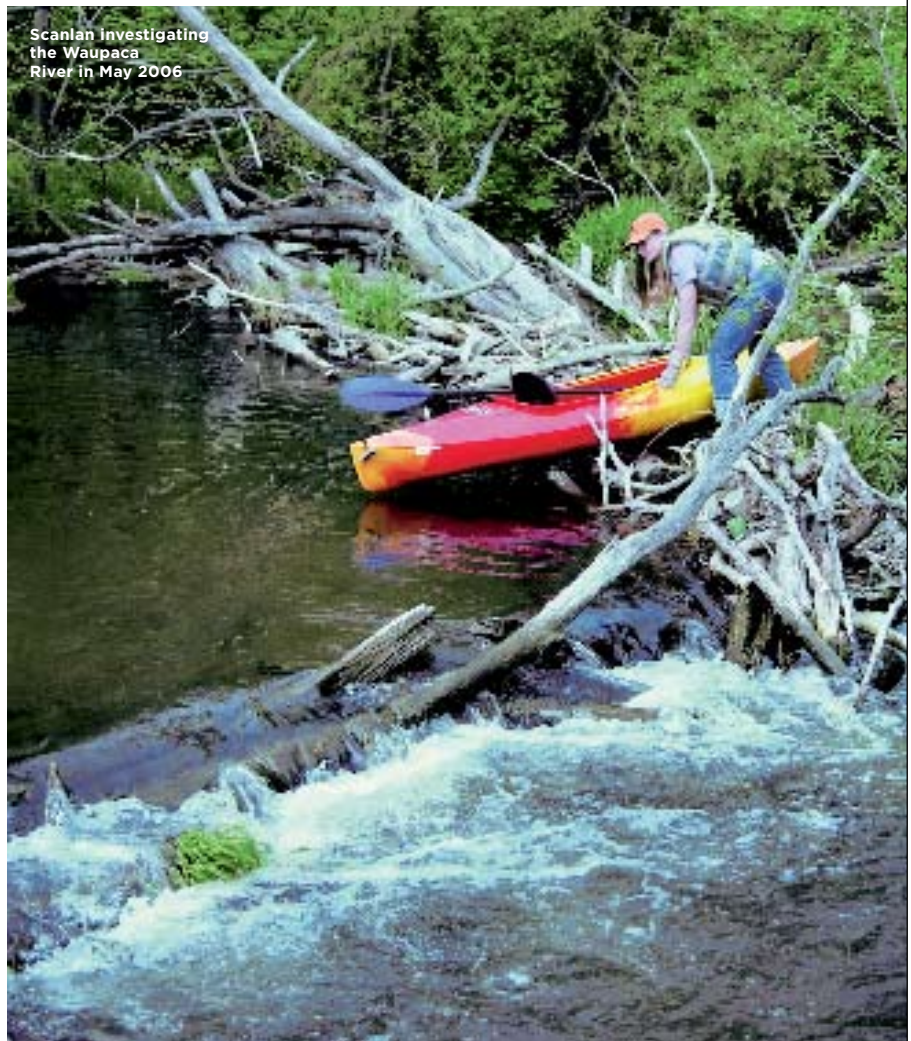
**F**ew take the effects of industrialism and pollution as seriously as Melissa Scanlan. Her efforts at policing polluters, while at the same time empowering Midwesterners through education, have been increasingly successful in holding large companies accountable for their practices. When she founded Midwest Environmental Advocates, a Wisconsin-based nonprofit environmental law firm, she may have been a twentysomething University of California Berkeley graduate student, but she was on a serious mission, and her objectives haven't changed. >>



Melissa Scanlan  
by Lake Wingra in  
Madison, WI

**O**ur original goals were—and continue even today to be—to provide high-quality legal services that support a diverse but grassroots social movement; to build local leadership; and to implement innovative solutions for environmental problems,” she says. “In other words, we work to empower community groups to hold corporations accountable for providing clean air and clean water.”

Hailing from the Fox River Valley region of Wisconsin, Scanlan grew up witnessing pollution of various kinds. This region contains the largest concentration of pulp and paper mills in the world. “As a child, my family often boated on the Fox River and had no idea that it was contaminated with invisible but deadly PCBs,” Scanlan says. “Although the mill jobs are very important for the region, this legacy of pollution saddles us with public and aquatic health threats as well as a huge price tag for clean up.



**“We need to keep bringing these enforcement actions so bad actors will stop gaining an uncompetitive advantage over companies that play by the rules.”**

“Like other non-coastal areas of the United States, Wisconsin has historically had difficulty attracting service from public-interest environmental lawyers,” she continues. “As the last century ended, there were no Wisconsin nonprofits staffed by lawyers who could go into court to protect the environment.”

Scanlan contends that Wisconsin’s state agency responsible for protecting the environment, the Department of Natural Resources, had become highly politicized, curtailing efforts to implement existing

environmental laws.

To combat this, MEA’s strategies include training local leaders and building an active constituency, which can then be mobilized to vote on legislative reforms. New votes might make the difference in precedent-setting legislation. Scanlan believes this combination of approaches provides the foundation for long-term environmental change.

Anyone wondering how effective this blueprint has been can find a host of issues that MEA has been involved with on the company’s website, [www.midwestadvocates.org](http://www.midwestadvocates.org). They include preventing a company from bottling spring water in Wisconsin; winning compensation for a family that was sickened by manure-contaminated well water; and making sure a mining company was held accountable for cleaning up a creek it contaminated with copper mining waste.

“Although our goals haven’t changed,”

## **4** PRIMARY OBJECTIVES OF MIDWEST ENVIRONMENTAL ADVOCATES:

- 1. INCREASE** legal support on environmental issues for lower-income groups.
- 2. ENFORCE** environmental laws, regulations and agreements.
- 3. STRENGTHEN** a diverse coalition of communities impacted by environmental problems.
- 4. MAXIMIZE** community education and public participation in environmental decision-making.

# SEEDS OF KNOWLEDGE

## Advice from a Nonprofit Entrepreneur

"Pay attention to your gut instincts on a candidate and hire potential leaders even for your most basic positions, because your staff will be more innovative." Scanlan also suggests creating part-time positions for people with family obligations so the business can maintain talent through various stages of life.

Advise any potential leaders in the nonprofit field to learn as much as they can about nonprofit management, business start-up issues and philanthropy, so he or she can build and carry through a solid business plan.

As Gandhi once said, "Be the change you wish to see in the world." In other words, practice what you preach.

MEA's office space, located in a turn-of-the-century building that formerly housed a grocery store, butcher shop and residential apartments, exemplifies these words. It was remodeled using green design principles, including daylight maximization to reduce electricity usage and recycling construction waste that would have otherwise ended up in a landfill.



Midwest Environmental Advocates' office was converted using green building principles.

Scanlan says, "the types of cases we work on has evolved as new environmental issues have emerged. For instance, we originally focused on reducing the pervasive mercury contamination that is impairing some of the waters in Wisconsin. We fairly quickly expanded that to working to protect families from livestock factory pollution because of all the phone calls we were receiving regarding the matter."

Most recently, MEA opened a second office in Milwaukee to serve what is the most populated part of the state, which also suffers from high rates of poverty and environmental degradation.

But how willing are individual companies to address their environmental concerns? Scanlan says that it depends on the type of business, how severe the existing problem is and how sensitive the company is to negative public exposure.

"In almost all of our cases, polluters have settled and fixed the problem

in short order," she says. "We've been told by regulators of the positive ripple effect this has had on other companies and how they are more willing to come into compliance with environmental laws. We need to keep bringing these enforcement actions so bad actors will stop gaining an uncompetitive advantage over companies that play by the rules."

Since 1999, MEA has functioned as a nonprofit law firm, and while Scanlan admits to having a significant amount of paperwork involved in "reporting and maintaining nonprofit status," she believes the advantages far outweigh the administrative drawbacks.

"The advantage is that we take on clients based on our mission and not on our bottom line," she says. "We are able to fund our work in large part through tax-deductible donations from private individuals, foundations and businesses."

For any visionary entrepreneur,



recruiting can often be very difficult, but Scanlan believes it's one of the most important things a business manager does.

"We get a solid array of applicants for our positions," she says. "But culling through the resumes to make the correct choices on talented self-starters who can work in an entrepreneurial mode is always tough."

Scanlan wants MEA to continue identifying and building local leaders, and reaching favorable environmental results through lawsuits and policy work, but she also hopes to develop the next generation of public interest environmental lawyers through MEA's work with law students.

"In the long term," Scanlan says, "I hope MEA is instrumental in transforming how we live and work in the Midwest by greening the business community and creating more sustainable and civic-minded individuals and communities." ✈