

# BARbriefs

Louisville Bar Association

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**GREEN...**

#### **In this issue:**

- Discover how to incorporate environmentally-friendly practices into daily law office operations
- Learn terms and legal standards applicable to green construction projects
- Find out what the Environmental Law Section is planning in the way of continuing legal education

# GREENER Legal Practices

## Cutting Overhead Costs, Preventing Pollution and More

Sarah Lynn Cunningham

More and more attorneys are discovering that going green at the office is a great way to cut overhead costs, prevent pollution and improve productivity. And the opportunities, resources and incentives have never been better.

This article offers more suggestions for evolving your legal practice to darker shades of green than can be adopted all at once. Instead, a more realistic approach is to review the list, note which steps are already in place at your firm and choose a few others to adopt. After the new ones are firmly in place, pick a few more, and so on.

### Simple Steps

If just starting to reduce your practice's environmental footprint, choose higher-profile, simpler steps that everyone in the firm will notice—to promote buy-in for subsequent bigger steps.

### Lighting

Relamp with Energy Star-rated lighting. These newer technologies provide the same amount of light, in more natural colors, without the flicker and hum of older technologies. They require 60 to 95 percent less electricity, and last many times longer.

If glare from computer monitors is leaving eyes strained by the end of the day, reduce ambient lighting levels—sometimes just removing half the lamps in trough fixtures will work—and augment with adjustable task lighting where needed for reading the fine print in various books and other materials.

Substitute one-and-a-half inch diameter T12 fluorescent lamps in recessed ceiling troughs with narrower T8 (or better, T5) lamps. Replace incandescent bulbs in desk lamps, ceiling cans and track lighting with compact fluorescent lamps (CFL), which now come in cool,

warm and sun white. To better understand CFL wattage use, divide incandescent wattage by four for the comparable CFL wattage. Each 14W CFL bulb substituted for a 60W incandescent will save around \$30 over the 10,000-hour life of the CFL. The newest light-emitting diodes, or LED bulbs, operate on still less power and last even longer (e.g., LEDs for retrofitting exit lights cut power demand by 91 percent and are expected to last at least 35 years!).

All fluorescent lamps contain tiny amounts of mercury, so dispose of spent lamps properly—it's the law—via special contractors that safely recycle the glass, mercury and more. For free advice, contact the Kentucky Pollution Prevention Center by calling (502) 852-0965 or visit them online at <https://louisville.edu/kppc/es>.

### Office Equipment

Buy or lease only Energy Star-rated computers, monitors, printers and copiers. Evolve from the old bulky CRT monitors to the flatter LCD models to cut power use, reduce AC loads and recover desk space. Methodically check to ensure that each computer has been set to "Max Battery" or a similar power-saving setting (new monitors are often shipped to customers with this software turned off).

Turn everything off at the end of the day. You don't need to leave your computer on 24/7 anymore than you need to leave your TV at home turned on.

**OFFICE TIP:** Ask vendors to turn off the lights within soft-drink machine doors indefinitely; you'll still be able to see your choices, but be \$100 richer every year for each machine!

Don't let your discarded electronic equipment end up in a developing nation, where unsuspecting workers are paid a pittance to strip out heavy metals without health protections. If the new-equipment vendor won't take back your old equipment for proper disposal, find out where you can dispose of electronic equipment safely at [www.louisvilleky.gov/SolidWaste/recycling/E-Scrap+Recycling.htm](http://www.louisvilleky.gov/SolidWaste/recycling/E-Scrap+Recycling.htm) for do-it-yourself options.

### Office Paper

Reducing the firm's consumption of paper saves trees, energy, money, clutter and storage space. Avoid printing more hard copies than needed. Submit court filings electronically whenever possible. Store files electronically—computer memory is so much cheaper than filing cabinets and so much better at finding something filed "who knows where" by someone no longer with the firm.



Compact fluorescent lamps (CFLs) are miniature versions of the newer lighting technology.

Lease only copiers and printers capable of double-sided (duplex) copying—use the duplex mode whenever appropriate (e.g., working drafts). Or print on the other side of a document otherwise ready for recycling. Print deposition transcripts in reduced format, two or four-pages-per-sheet.

Use paper—from letterhead, copy paper and manila folders to washroom towels—with at least 30 percent post-consumer recycled content. It's the federal minimum, widely available at no additional cost. Use paper with a lower brightness index to reduce glare, eyestrain and show-through (making duplex copying more practical).

### Beverages, Meetings and Recycling

Serve organic, fair-trade and/or shade-grown coffee. Remove throw-away cups and provide ceramic mugs, perhaps with the firm's logo. Stock the kitchenette with reusable dishes and utensils. Ask meeting caterers to use them, too, if not also to serve at least some locally grown food. If space allows, think about an Energy Star-rated dishwasher.

Provide opportunities for recycling. Start with office paper, including what gets shredded. Expand to include the following items, depending on which wastes your firm creates:

- newsprint (including phone books)
- magazines
- corrugated cardboard
- toner cartridges
- aluminum and plastic beverage containers
- spent rechargeable batteries.

For a list of area firms providing recycling services to businesses, contact the Kentucky Pollution Prevention Center at (502) 852-0965 or <https://louisville.edu/kppc/es/recycling-services-directory.html>.

### Bigger Steps

The biggest potential reductions in the firm's environmental footprint—and energy costs—involve the location of the office, the integrity of



the building's "envelope" and the efficiency of its major appliances (i.e., the heating, ventilation and air conditioning equipment, water heater and refrigerator).

### Location and Commuting

Fighting traffic makes a poor start to a day at the office. Parking is an expensive overhead item. Employees who commute via alternative transportation arrive more relaxed and focused.

Similarly, when employees can walk to a lunch spot, they return more refreshed. For these reasons and more, consider the location's proximity to alternative transportation and nearby services, and whether sidewalks connect the office to them, when making leasing decisions.

Start an Employee Commute Options (ECO) program. If your firm is located on one of Louisville's TARC bus routes, sponsor an annual Try Transit Week. TARC can assist with identifying appropriate routes, stops and schedules. Allow flextime if needed to accommodate transit schedules. Offer monthly TARC passes to employees that commit to drive no more than once weekly; provide a few parking spaces for those days and give up the rest. A Guaranteed Ride Home Policy, wherein cab fare is provided if an employee needs to pick up a sick child right away, will allay concerns about leaving the car home (and rarely actually be used). Remind employees living too far from a TARC route to walk to it that they may ride a bicycle to the route, and store it on-board for the rest of the trip.

Sharing some of the savings from fewer leased parking spaces with employees choosing to ride TARC or to carpool would be a win-win incentive.

Ensure that your snow removal contractor clears your street-side sidewalks—also the law.

Impress your clients with the smallest, greenest automobile that meets your true needs. Visit GreenerCars.org ([www.greenercars.org/highlights\\_greenest.htm](http://www.greenercars.org/highlights_greenest.htm)) for a list of the greenest of each vehicle make and model.

Analyze lifecycle costs when buying tires (e.g., paying 50 percent more for tires that last 100 percent longer). Remind employees to avoid jack-rabbit starts, obey speed limits and keep their tires properly inflated.

Use video conferencing to reduce the costs and pollution of flying/driving to out-of-office meetings and seminars.

### Building Efficiencies

Account for energy costs of the building envelope in leasing decisions (avoid leases that include utilities, because they mask your energy costs). Some energy efficiency (E2) upgrades lower utility bills so well that they make financial sense even in triple-net leased space.

If not, ask the landlord to share the costs of upgrades to keep the firm as a tenant after the lease expires.

If the firm owns the building, have it evaluated for whether it needs more insulation in its attic and/or walls, replacement doors or windows or a more reflective, cooler roof. The foam insulation products now available in our area



Taking TARC lets you relax and read the newspaper on your way to and from the office.

are remarkably effective at insulating and blocking energy losses via the otherwise tiny air gaps throughout the envelope that commonly add up to several square feet. And because infiltrating air carries moisture into the building, blocking it also prevents mold. The return on your investment can be surprisingly advantageous, especially when you consider that healthier, more comfortable employees are more productive.

When landscaping, plant deciduous trees on the south and west sides of your building, and evergreen trees and shrubs on its north side. Recognize the costs, pollution and folly of standard lawn care—fertilizer, herbicides and irrigation lead to more mowing—and consider lower-maintenance landscaping options. Learn more from the Lawn Care for Cleaner Air program sponsored by the Air Pollution Control District ([www.louisvilleky.gov/APCD/lawncare/LowMaintenanceLandscaping.htm](http://www.louisvilleky.gov/APCD/lawncare/LowMaintenanceLandscaping.htm)).

### HVAC and More

Install a programmable thermostat in your office. You'll arrive to a comfortable environment each morning without the costs of conditioning unoccupied space overnight that could easily pay for itself in a single month.

How efficient are your office's heating, ventilation and air conditioning systems? Do employees complain about being too hot, too cold or both? Is the refrigerator in the kitchenette or the water heater on its last leg? Firms that upgrade to efficient Energy Star models more often realize significantly more attractive rates of return.

It's also suggested and best practice to hire an energy auditor to evaluate thoroughly which savings opportunities would yield the highest financial, environmental and productivity ROIs. At minimum, take advantage of the free energy audit that the Louisville Gas & Electric Co. offers to its commercial customers ([www.lge-ku.com/commaudit/default.asp](http://www.lge-ku.com/commaudit/default.asp)). Participants are eligible to receive cash rebates for upgrading lighting, chillers and other big power users. Also, the IRS offers a 30 percent tax credit on the costs of installing geothermal heating and cooling systems.

Take advantage of recent design improvements: replace wasteful toilets, urinals and faucets with more efficient, cost-saving models.

### Alternative Energy

Purchase green power from LG&E to cover the firm's electrical demand. It's certified to come from renewable sources and is quite inexpensive ([www.lge-ku.com/green/](http://www.lge-ku.com/green/)). Given the 30 percent federal tax credits, taking your firm to the head of the pack by installing a solar hot water system or solar-electric (photovoltaic) panels onto the roof is more affordable than ever.

### Change Management for Larger Firms

Smaller firms tend to be able to roll out changes fairly easily. Larger firms may need a "green team" to communicate and promote initiatives to staff, if not to provide quality control. Either way, keep the following lessons learned in mind:

The biggest predictor of your firm's success will be how credibly the senior partners demonstrate their support. Employees everywhere are urged to



Narrower T8 fluorescent lamps use less electricity to produce equivalent light, make colors look more natural, and lack the flicker and hum of older lamps.

work smarter, cheaper and cleaner, and to share their ideas for doing so, but only bosses that walk their talk actually see results. Begin with changes that visibly demonstrate management's commitment.

Employees are aware of—if not worry about—environmental problems, from climate change to mountaintop removal in our Appalachian backyard. Providing tangible ways to reduce those problems (e.g., from recycling office paper to seeing power-saving suggestions adopted) often boosts workplace engagement, pride and overall performance.

When selecting green team members, consideration should be given to employees who are particularly enthusiastic and natural leaders—not just the logical choices per the organizational chart.

The Louisville Climate Action Network offers a free brochure with local information on reducing carbon footprints at home and the office. To request copies for your firm or office, just submit your request via the online form at <http://louisvillecan.org/Contact.html>.

### Opportunities for Recognition

I hope that attorneys reading this article will enroll in the ABA/EPA Law Office Climate Challenge ([www.abanet.org/environ/climatechallenge/overview.shtml](http://www.abanet.org/environ/climatechallenge/overview.shtml)) comprised of the following easily achieved commitments:

- Adopt best practices for office paper management ([www.abanet.org/environ/climatechallenge/wastewise.shtml](http://www.abanet.org/environ/climatechallenge/wastewise.shtml))
- Participate in the EPA WasteWise program ([www.abanet.org/environ/climatechallenge/wastewise.shtml](http://www.abanet.org/environ/climatechallenge/wastewise.shtml))
- Purchase renewable energy through the EPA Green Power Partnership ([www.abanet.org/environ/climatechallenge/greenpower.shtml](http://www.abanet.org/environ/climatechallenge/greenpower.shtml))
- Reduce energy use by 10 percent through the Energy Star program ([www.abanet.org/environ/climatechallenge/energystar.shtml](http://www.abanet.org/environ/climatechallenge/energystar.shtml))

The bad news is that the overwhelming scientific consensus says global climate change is real and beginning to present grave problems to public health, the economy, geopolitics and more. The good news is that we can take meaningful steps to lower our contributions to the problem. The best news is that we can do well for ourselves financially by doing good for everyone on the planet. Please join us.



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The Louisville Climate Action Network (LCAN)—currently 32 local businesses, churches, schools and community groups, dedicated to reducing greenhouse gas emissions through education and citizen action—offers a free brochure with local information on reducing carbon footprints at home and the office. To request copies for your firm, just submit your request via this online form: <http://louisvillecan.org/Contact.html>.