Building Community Capacity in Environmental Decision-Making Through Community Lawyering: A Case Study

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Community Lawyering is an emerging approach to the practice of poverty law where representation decisions are based on community-identified needs. In addition to litigation, Community Lawyering involves policy research, community education, and transactional work aimed at increasing the capacity of communities to affect government decision-making. Rhode Island Legal Services' (RILS) Community Lawyering Project helped build the capacity of low-income residents to affect environmental policy decisions. First, RILS represented residents in a lawsuit challenging the Rhode Island Department of Environmental Management's (DEM) decision approving the siting of public schools on the former Providence City Dump. The lawsuit was successful, and DEM was ordered to convene a Stakeholder Group that included RILS' clients to develop policy proposals on community involvement and environmental justice. Before the court's ruling, RILS obtained U.S. Environmental Protection Agency (EPA) funds to conduct policy research on state agency environmental justice programs. The Stakeholder Group used the research's results to develop policy proposals. This year, DEM adopted a comprehensive environmental justice policy developed by the Stakeholder Group, and additional proposals will be considered by DEM in 2010. With other EPA funding, RILS conducted several community educational forums on environmental issues residents expressed interest in, culminating in the first statewide conference on environmental justice. Thereafter, conference attendees decided to form the Environmental Justice League of Rhode Island (EJLRI). RILS helped EJLRI incorporate and obtain funds to hire staff. Changes in DEM policies and creation of a new organization have significantly increased the capacity of environmental justice communities to participate in environmental policy decisions.