

# FOOD EQUITY, SOCIAL JUSTICE, AND THE ROLE OF LAW SCHOOLS: A CALL TO ACTION

**November 2015**

Kim Kessler  
Emily Chen



**Global Food  
Initiative**  
UNIVERSITY OF CALIFORNIA

RESNICK PROGRAM  
FOR FOOD LAW AND POLICY



UCLA | SCHOOL OF LAW

# ACKNOWLEDGEMENTS

This report was researched and written by Kim Kessler and Emily Chen. Austin Bryniarski and Niousha Rahbar contributed research and writing assistance, Tiana Carriedo assisted with cite-checking sources, and Lauren Jow provided design assistance. This report was produced by the Resnick Program for Food Law and Policy at the University of California, Los Angeles School of Law, with the guidance of the University of California Global Food Initiative, Policy Workgroup - Law Schools and Food Equity Subcommittee.

## **Members of the Law Schools and Food Equity Subcommittee:**

Richard Frank, UC Davis School of Law  
Michele Goodwin, UC Irvine School of Law  
Angela Harris, UC Davis School of Law  
Sean Hecht, UCLA School of Law  
Kim Kessler, UCLA School of Law  
Jasleen Kohli, UCLA School of Law  
Uyen P. Lee, UC Davis School of Law  
Stephen Lee, UC Irvine School of Law  
Lesley McAllister, UC Davis School of Law  
Jessica Peake, UCLA School of Law  
Michael T. Roberts, UCLA School of Law  
Naomi Roht-Arriaza, UC Hastings School of Law  
Jeffrey Selbin, UC Berkeley School of Law  
Stephen Sugarman, UC Berkeley School of Law  
Molly Van Houweling, UC Berkeley School of Law

## **Colleagues from all five University of California law schools as well as faculty, staff, and community leaders from across the United States also provided invaluable contributions:**

Emilie Aguirre, UCLA School of Law  
Alicia Alvarez, University of Michigan Law School  
Sameer Ashar, UC Irvine School of Law  
Alina Ball, UC Hastings School of Law  
Nicole Civita, University of Arkansas School of Law  
Allison Davenport, UC Berkeley School of Law  
Anna Davis, UC Irvine School of Law

Andrea Freeman, University of Hawai'i at Mānoa School of Law

Laura Fry, UC Irvine School of Law

Mindy Goldstein, Emory University School of Law

Carrie Hempel, UC Irvine School of Law

Nina Ichikawa, UC Berkeley Berkeley Food Institute

Sushil Jacob, formerly of UC Berkeley School of Law

Hollis Kulwin, UC Davis School of Law

Emily Broad Leib, Harvard Law School

Lisa Mead, UCLA School of Law

Cathy Mayorkas, UCLA School of Law

Jay Mitchell, Stanford Law School

Smita Narula, Roosevelt House Public Policy Institute at Hunter College

Michelle Nowlin, Duke University School of Law

Janelle Orsi, Sustainable Economies Law Center

Jayesh Patel, Michigan State University College of Law

Margot Pollans, Pace Law School

Laurie Ristino, Vermont Law School

Susan Schneider, University of Arkansas School of Law

Whitney Turk, UCLA School of Law

Noah Zatz, UCLA School of Law

## **Additionally, legal practitioners working at the intersection of law, policy and food equity issues reviewed and advised on portions of the contents of this report:**

Sabrina Adler, ChangeLab Solutions

Stephen Carpenter, Farmers' Legal Action Group

Mia Hubbard, MAZON: A Jewish Response to Hunger

Mark Izeman, Natural Resources Defense Council

Mary Lee, PolicyLink

Abby J. Leibman, MAZON: A Jewish Response to Hunger

Nathan Rosenberg, Natural Resources Defense Council

The report's recommendations do not necessarily represent the views of The University of California, the contributors, or the reviewers. We sincerely thank all contributors and reviewers who were involved.

# **ABOUT THE UNIVERSITY OF CALIFORNIA GLOBAL FOOD INITIATIVE**

---

The University of California Global Food Initiative addresses one of the critical issues of our time: how to sustainably and nutritiously feed a world population expected to reach eight billion by 2025. The initiative aligns the university's research, outreach and operations in a sustained effort to develop, demonstrate and export solutions—throughout California, the United States, and the world—for food security, health, and sustainability.

# **ABOUT THE RESNICK PROGRAM FOR FOOD LAW AND POLICY**

---

The Resnick Program for Food Law and Policy studies and advances solutions for improving the modern food system. Based at UCLA School of Law, the Resnick Program is a national think tank focused on developing key legal and policy strategies, timely research, and practical tools to foster a food system that benefits both consumers and the environment.

# CONTENTS

---

Executive Summary	05
Introduction	07
The National Context	15
The University of California	19
Student Interest	22
Challenges	23
Recommendations	24
Conclusion	31
Appendices	
A. Sample Student Interest Survey	37
B. Sample Legal Needs Survey	39

# EXECUTIVE SUMMARY

The University of California’s Global Food Initiative challenges campuses to develop solutions for one of the most pressing issues of our time: the “quest to establish global food security and address related challenges of nutrition and sustainability.” This report, written as part of the Global Food Initiative, focuses specifically on the need for law schools to more visibly and holistically address this pressing societal challenge, and examines how law schools in the University of California system and across the country are addressing, and can further address, social, economic, and environmental injustice in our current food system.

The food system encompasses the supply chain in which food is grown, processed, distributed, marketed, retailed, and consumed, and the many inputs it consumes, outputs it creates, and people it employs. The prevailing food system encompasses components that harm the environment, negatively affect human health, and contribute to economic inequality.

Over the past several decades, social movements have galvanized in reaction to this dominant food regime, recognizing the inequities it has produced, in addition to food-related challenges and harms faced by the world’s population as a whole. While activism around food has manifested in many spheres and disciplines, this report focuses on ameliorating food system inequities and injustices through legal and policy means.

## Role of lawyers and legal education in promoting food equity and social justice

The emergence of “food systems law” or “food law and policy” is part of the increasing awareness of the problems of our food system over the past two decades among academics, journalists, policy makers, and the general public. These problems create opportunities for lawyers, who are problem solvers by trade, to create solutions. Much of food law

and policy addresses a whole host of issues that impact the population at large, but there are also specific and growing efforts to address the disparate distribution of the benefits and burdens of the food system on low-income and minority populations.

Public interest law has expanded from its rise to prominence in the 1960s to include public interest law organizations, law firm pro bono programs, and curricula and programs offered at many law schools. Within this public interest landscape, law schools—and their students, faculty, and funders—have often responded to the growing urgency of certain social issues by providing relevant legal education and service opportunities. Through clinical education in particular, legal educators and students have played active roles in various areas of public interest law, creating opportunities for supervised skill development and real world learning while also enhancing access to justice and advocating for more systemic reforms in the public interest.

As increasing scientific data and social awareness has clarified the breadth and depth of injustices in our current food system, both legal advocacy and legal education will be shaped by this societal reality. It is in this context that this report considers the opportunities for law schools to more actively engage with the challenge of food system inequity.

## Meaningful opportunity for law schools and law students

A meaningful opportunity exists for law schools and law students to be at the cutting edge of participating in one of the most critical issues of our time, and to connect burgeoning legal skills to a personally relatable field.

Momentum has been building nationwide in law school engagement in issues of food justice and equity, through increasing classroom teaching and scholarship, experiential learning, and student interest. In recent years:

- > A handful of law school course offerings have focused specifically on food justice.

- > Many clinics at law schools across the country are working on, or have worked on, food equity-related projects ranging in the areas of international human rights, community economic development, environmental law, social justice, startups, and transactional skills—4 of which are featured as case studies in the report.
- > Law schools from Oregon to Vermont have hosted food justice conferences involving legal scholars, legal practitioners, and food systems leaders, and an upcoming conference is being planned at the University of California.
- > Law students established at least 9 food law societies at campuses across the country, and have organized panel discussions and conferences focused on food equity.

es. This report focuses on how law schools can advance the following three goals:

- > Increase awareness of food equity issues and student engagement.
- > Train new leaders and impact the community.
- > Increase career-building opportunities for students.

Availability of resources for new activities is a concern at almost all law schools. Possible strategies for overcoming this barrier include:

- > Redeploying existing vehicles and programs for activities related to food equity issues.
- > Finding new partners and sources of support, which may include new streams of government grants, foundation grants, or interested alumni.
- > Investing in relationship building with interested partners.

## Recommendations

Much can be done to further incorporate issues of food equity into law school curriculums and student experienc-



UCLA-Harvard Law School Food Law and Policy Conference panel discussion of “Food Chains” documentary with Alegría De La Cruz, Jon Esformes, Stephen Lee, Sanjay Rawal, and Michael Rodriguez. (*Resnick Program for Food Law and Policy*)

# INTRODUCTION

Based in one of the most productive agricultural regions in the world, the University of California (UC), under the leadership of UC President Janet Napolitano, is undertaking a Global Food Initiative (GFI) to develop solutions for one of the most pressing issues of our time: the “quest to establish global food security and address related challenges of nutrition and sustainability.” The GFI involves faculty, staff and students, and encompasses curriculum, research, policy, outreach, and campus operations.<sup>1</sup>

Recognizing the need for law schools to more visibly and holistically address this pressing societal challenge, the Law Schools and Food Equity Subcommittee of the GFI Policy Workgroup is charged with elevating food equity as a priority at UC law schools. Executing on this directive, this report examines how law schools in the UC system and across the nation are addressing, and can further address, social, economic, and environmental injustice in our current food system. The primary goal of this report is to deepen conversations within law schools on developing activities dedicated to food equity and to provide guidance on monitoring university commitment to this topic over time.<sup>1</sup>

Within the UC system food equity has been identified as a priority area for faculty, administrators, and students both to leverage existing resources and to create new mechanisms for contributing to the GFI mission. This report aims to: (1) provide an overview of the issue of equity in the food system, (2) demonstrate the meaningful opportunity for law schools and law students to address food equity, (3) describe the national context and identify relevant recent activities at law schools, (4) provide a scan of UC activities and areas the UC schools can build from, and (5) make specific recommendations with implementation steps.

---

<sup>1</sup> The Resnick Program for Food Law and Policy at UCLA School of Law has played an active role in the UC GFI since its formation, with the Program’s Executive Director Michael T. Roberts serving as part of an advisory task force leading up to the GFI launch, and Policy and Special Programs Director Kim Kessler leading the Law Schools and Food Equity Subcommittee and co-leading the Food Equity Lecture Series Subcommittee.



UCLA Food Law Society Service Day with the Social Justice Learning Institute. (Resnick Program for Food Law and Policy)

## “Food equity” and the food system

The food system is complex. In their book, *Food Justice*, Robert Gottlieb and Anupama Joshi offer that “the food system is best described as the entire set of activities and relationships that make up the various food pathways from seed to table and influence the ‘how and why and what we eat,’” purposefully contemplating it broadly as to encompass its complexity.<sup>2</sup> Fleshing out this definition, the food system encompasses the social, economic, and political structures within which food is grown, processed, distributed, marketed, re-tailed, consumed, and disposed.

The prevailing industrial food system perpetuates environmental degradation, implicates human health, and contributes to economic inequality. The troubling consequences of the dominant food system are thus wide-ranging. Many current agricultural practices exploit natural resources like

water, depend on pesticides and other petrochemical inputs, emit greenhouse gases, and threaten biodiversity. Despite the United States' status as one of the wealthiest nations in the world, nearly 50 million people live in households that face food insecurity or poor access to food.<sup>3</sup> In line with the prevalence of hunger is the prevalence of diet-related diseases such as diabetes and heart disease, as well as vast disparities in access to healthy food. Farm laborers and food chain workers are not only often food insecure, due to low wages and lack of labor protection, but also face occupational safety hazards. Obstacles to full participation by marginalized communities in our nation's massive food business sector also exist, with a greater need for meaningful opportunities for people of color to own and operate businesses, from farms to food retail. Some have argued that these ill effects are undergirded by the institutions and policies that shape the food system.<sup>4</sup>

Over the past few decades, social movements have galvanized in reaction to this dominant food regime, recognizing the food-related challenges and harms faced by the world's population as a whole as well as the inequities produced by the food system and the populations it has disproportionately burdened. The mainstream "food movement"—a hard-to-define increase in awareness of the food system and its shortcomings—has pushed the notion of "good food" into the public sphere and popular discourse. (Building on this awareness, the Global Food Initiative launched the UC Food Observer, a blog that offers news, essays, and an interview series on food policy, nutrition, and agriculture topics.<sup>5</sup>) In the same way the environmental justice movement arose in reaction to mainstream environmentalism to recognize the inequitable distribution of both environmental harms and environmental benefits, the food justice movement aims to recognize and shrink these disparities as they persist in the food system. Of particular interest are the food system's effects on marginalized communities and the critical role for those communities in driving corrective policymaking.<sup>6</sup> Around the world, the food sovereignty movement has focused on the role of self-determination, especially for indigenous and peasant populations, in an increasingly global food system in which it is harder to realize their right

to define their own food and agriculture systems.

In addition to the development of the food justice and food sovereignty movements, a right to food paradigm has also received attention in human rights discourse. This paradigm posits that everyone has a right to adequate and sufficient food.<sup>ii</sup> Others have begun to frame the lack of access to sufficient and healthy food experienced by many in the United States as a civil rights issue.<sup>iii</sup> Consistent with these critiques of, and movements to transform, the food system, work in pursuit of food equity seeks to identify where inequities and injustices in the food system exist and address them. While activism around food has manifested in many spheres and disciplines, this report focuses on ameliorating food system inequities through legal and policy means.

Food inequity is based on the premise that injustice and unfairness exist at all points along the food supply chain with marginalized groups bearing greater burdens of the food system and also receiving fewer benefits than more advantaged groups. Consider the following illustrative examples:

- > In 2013, 14.3 percent of households in the United States were food insecure (down slightly from 14.9 percent food insecure in 2011, the highest number recorded since these statistics have been kept). Rates of food insecurity were substantially higher than the national average for households with incomes near or below the Federal poverty line, single-parent households (particularly female-headed single parent households, at 35.3 percent),

---

<sup>ii</sup> More specifically, the Special Rapporteur on the Right to Food defines this right as: "the right to have regular, permanent and unrestricted access, either directly or by means of financial purchases, to quantitatively and qualitatively adequate and sufficient food corresponding to the cultural traditions of the people to which the consumer belongs, and which ensure a physical and mental, individual and collective, fulfilling and dignified life free of fear." See Special Rapporteur on the Right to Food, United Nations Office of the High Commissioner for Human Rights, <http://www.ohchr.org/EN/Issues/Food/Pages/FoodIndex.aspx> (last visited Aug. 29, 2015).

<sup>iii</sup> For example, the anti-hunger organization MAZON: A Jewish Response to Hunger has begun to argue for a civil rights approach to food justice. For further analysis of possible approaches to "right to nutrition" in the United States, a thoughtful discussion can be found in Paul A. Diller, *Combating Obesity with A Right to Nutrition*, 101 *Geo. L.J.* 969 (2013).

and Black- and Hispanic-headed households. 26.1 percent of Black households and 23.7 percent of Hispanic households faced food insecurity in 2013, while that figure for White households was 10.6 percent.<sup>7</sup>

- > Minority populations suffer from disproportionate rates of diet-related disease, such as type 2 diabetes, compared to their White counterparts. While diabetes has been a growing national epidemic since the early 1990s, minority racial/ethnic groups and socioeconomically disadvantaged groups have experienced the steepest increases and most substantial effects from the disease.<sup>8</sup> As of 2012, around 13 percent of both Black and Hispanic populations in the US live with diagnosed Type 2 diabetes, compared to just under 8 percent of White Americans. The proportion of American Indians with diabetes is even higher, at nearly 16 percent.<sup>9</sup>
- > Studies have revealed disparities in access to points of sale for food, like supermarkets, showing how

predominantly Black neighborhoods have fewer supermarkets compared to predominantly White neighborhoods.<sup>10</sup> One study found that Black neighborhoods have only 52 percent of the supermarkets that are available in predominantly White neighborhoods and that Hispanic neighborhoods have only 32 percent of the supermarkets that are available in non-Hispanic neighborhoods, a difference that still existed after controlling for relevant covariates, including neighborhood income.<sup>11</sup> In addition to the inequity reflected in these data points, additional factors beyond geographic distance also contribute to a community's access to good food, including price and availability of culturally appropriate and quality choices.<sup>12</sup> Research conducted on healthy food access in Los Angeles between 2001 and 2011, for example, found disparities in the quality and health of the food available in South Los Angeles compared to other parts of the city.<sup>13</sup>

- > The effect of historic institutionalized discrimination in government land distribution, lending,



(Courtesy of Harvard Food Law and Policy Clinic)

and crop subsidies continues to create inequities in agricultural business, particularly for minorities and females.<sup>14</sup> As of 2012, racial minorities totaled less than 5 percent of the 2.1 million farmers in the United States. Black farmers totaled 1.6 percent of all farmers, Hispanic farmers 3.2 percent, and White farmers an overwhelming 95.4 percent of the farmer population.<sup>15</sup> Of this total, women made up just 12 percent of the total farmer population.<sup>16</sup> Minority populations are also more vulnerable to crop subsidization and funding policies that favor large farms and commodity crops.<sup>17</sup> 94 percent of Black-owned farms, 85 percent of Hispanic-owned farms, and 91 percent of female-owned farms, had sales of less than \$50,000 annually, compared to the national average of 75 percent.<sup>18</sup>

- > In 2010, 54 percent of food retail (grocery) workers were earning poverty wages, at a rate of about 70 percent of the median hourly wage earned by the California workforce overall. This disparity is reflected in food retail workers suffering double the rate of “low” or “very low” food security as the general population. As Saru Jayaraman, an expert on workers’ rights in the food sector, has explained, “workers who sell food in California, the largest producer of food in the U.S., are twice as likely as the general populace to be unable to afford sufficient quantities of the food they sell or the healthy kinds of food their families need.”<sup>19</sup>
- > Pollution from agriculture can also impact marginalized communities living near farms. Fertilizer and pesticide use creates public health concerns for those exposed to nitrate contamination in drinking water; for example, in California’s Tulare Lake Basin and Salinas Valley, roughly 254,000 people are currently at risk for nitrate contamination of their drinking water, many of whom are low-income and cannot afford the water treatment infrastructure necessary to limit exposure.<sup>20</sup> Communities of color near pork-producing operations in North Carolina

have organized against animal agriculture under the banner of environmental justice, backed up by a study that found that counties with larger minority populations in North Carolina were home to greater concentrations of hog waste, when controlling for other factors.<sup>21</sup>

**For purposes of this report, we have used the following description of food equity to guide our research:**

In an equitable food system, all people have meaningful access to sufficient healthy and culturally appropriate food, and the benefits and burdens of the food system are equitably distributed. The concept of “food equity” encompasses the adverse effects of both the production and distribution of food that marginalized communities face. On the food production side, equity concerns include (1) wages and working conditions of people producing food at every step along the food chain—from farm to restaurant and grocery store; (2) barriers to control over the means of food production (including barriers to opportunities to land, to production subsidies, and to capital), leading to impediments to meaningful opportunities for people of color and vulnerable populations to participate as owners of food-related businesses; and (3) protection from food production-related environmental contamination (such as air and water pollution, pesticide contamination, and noxious odors). On the food distribution side, equity concerns arise when certain populations (typically low-income, minority communities) (1) lack sufficient access to healthy food options and (2) experience disproportionate rates of diet-related disease, such as type 2 diabetes and cardiovascular disease. Poverty, geographical disadvantages, and exploitive marketing all also hinder access in marginalized communities.



Food Law Student Leadership Summit panel moderated by Emily Broad Leib. (Courtesy of Harvard Food Law and Policy Clinic)

Food equity aims to consider various demographics and how the food system produces disparities among them. A relatively new term to the discussion and advocacy around food systems,<sup>iv</sup> food equity is intentionally broad. It aims to encompass the fairness and justice issues that span the food system and recognize the importance of placing historically marginalized groups at the center of discussions about revamping the food system.

## Role of lawyers and legal education in promoting food equity

The emergence of “food systems law” or “food law and policy” is part of the increasing awareness of the problems of our food system over the past two decades among academ-

<sup>iv</sup> Equity has been increasingly recognized as a crucial principle for those seeking to change the food system. Reflecting this, the topic has been a focus at local convenings from Los Angeles to New York in the past year. For example, two recent events brought together advocates, experts, and interested participants to discuss why the topic of equity matters in food system oriented work. See <http://nycfoodpolicy.org/new-york-city-food-forum-equity-matters-nyc-food-system/>; <http://goodfoodla.org/2015/08/12/see-you-on-thursday-august-2-lafpc-august-network-meeting/>.

ics, journalists, policy makers, and the general public.<sup>22</sup> As discussed by Neil Hamilton, Professor of Law and Director of the Agricultural Law Center at Drake Law School and one of the early legal scholars focusing in this area, these problems create opportunities for lawyers—who are problem solvers by trade—to create solutions:

**[W]ho will be the next generation of America’s farmers, how can we manage the transition of the nation’s farmland from the current generation of owners to the next, and how can communities use food policies to address not just nutrition and health but sustainability and economic opportunity[?]... For those in the legal community who work with the tools and technologies of justice, there are a multitude of ways the law and lawyers can play key roles in designing the new programs, developing the government policies to support them, and addressing the very real legal issues involved with creating new farm businesses, transferring America’s farmland to new owners, and creating food systems based around local production, healthy food, and sustainable practices.<sup>23</sup>**

### Case Study: A Longstanding Program Addresses Food Justice at the University of Arkansas

In the field of food law and policy, the University of Arkansas School of Law has been foundational. For decades, the law school has been at the cutting edge of food and agricultural law and scholarship—it was the first law school to offer an advanced legal degree focused in agricultural and food law, the first to publish a specialized journal devoted to food policy issues, and the first to offer a fully integrated opportunity for face-to-face as well as distance education for students and practitioners. Its outreach efforts, Indigenous Food & Agriculture Initiative, and Food Recovery Project bring additional national attention.

The breadth of course offerings in the LL.M. program in Food and Agricultural Law is exhibited by its inherently interdisciplinary approach to food law that incorporates sustainability, food system resilience, and global food security. The program fosters the flourishing of ideas that are not traditionally considered in the legal academy.

Its extensive curriculum includes the following food equity-specific courses:

- > Food Justice: Law & Policy, which provides a survey of the legal and political issues that undergird—and undermine—the food justice movement, ranging from food insecurity, public health concerns, and food waste,
- > The Right to Food, which presents an overview of the historical development of the right to food, evaluating rights, obligations and responsibilities and examining the legal and non-legal mechanisms used to adjudicate the right to food,
- > Business, Human Rights and Corporate Social Responsibility in the Food/Ag Sector, which explores the business-human rights nexus with a particular focus on the food and agricultural sector and uses case studies from around the world to show the linkages between business and human rights from a variety of perspectives (legal, regulatory, and policy), and
- > Legal Issues in Indigenous Food & Agriculture, which explores the complex interaction of tribal law, treaties, and federal agricultural and food laws, including property law applicable to tribal lands, and tribal food sovereignty.

LL.M. courses are available to an expanded audience of law and graduate students and interested professionals across the country. In Fayetteville, or far away, students and practitioners can partake in the School of Law's novel approaches to food law.

Much of food law and policy addresses a whole host of issues that affect the population at large, but there are also specific and growing efforts to address the food system's disparate impacts on low-income and minority populations. With the growing interest in food system equity among advocates and policy makers—who are pursuing a wide range of issues from food industry workers rights to the marketing of junk food to minority youth—it is not surprising that an important role for lawyers is taking shape. As Scott Cummings, a leading scholar on public interest law, has observed: with regard to efforts to bring about justice, lawyers are often necessary allies, though never on their own sufficient.<sup>v</sup>

While academic literature is home to a thoughtful debate on the scope and effectiveness of public interest lawyering, it is undeniable that since its rise to prominence in the 1960s and 1970s, public interest law has expanded and become more professionalized.<sup>24</sup> This is reflected in the growth of the public interest law sector, law firm pro bono programs, and in the curricula and clinics offered at many law schools.<sup>25</sup> In addition to training and supporting students who are committed to careers in public interest law, many law school programs aim to provide learning opportunities to all students and to cultivate work in the public service and volunteerism as a value for the profession at large.<sup>26</sup> Law schools have demonstrated their commitment to this area by adding degree specializations, public interest scholarships, stipends for summer and post-graduate public interest positions, and either mandated public service requirements for graduation (an approach that the California State Bar has also recently proposed for statewide application)<sup>27</sup> or voluntary programs facilitating such service.<sup>28</sup>

Within this public interest landscape, law schools—and their students, faculty, and funders—have often responded to the growing urgency of certain social issues by providing

<sup>v</sup> Scott L. Cummings, *What Are Good Lawyers*, in *THE PARADOX OF PROFESSIONALISM: LAWYERS AND THE POSSIBILITY OF JUSTICE 3* (Cambridge University Press 2011), available at <http://ssrn.com/abstract=1763337> (Cummings' observation was made in the context of an analysis on the role of lawyers in social change generally, which includes a discussion of the factors that also limit lawyers in making transformative social change. He argues that lawyers efforts in pursuit of justice is enhanced when they work to contest power, rather than in service of it.)



Food Law Student Leadership Summit field trip to Commonwealth Kitchen. (Courtesy of Harvard Food Law and Policy Clinic)

relevant legal education and service opportunities. Through clinical education in particular, legal educators and students have played active roles in various areas of public interest law, creating opportunities for supervised skill development and real world learning while also enhancing access to justice (thus advancing the public interest in the process-oriented sense) and advocating for more systemic reforms in the public interest (as with the work of many environmental law clinics in advocacy for stronger environmental protections).<sup>vi</sup>

<sup>vi</sup> While this report focuses on live client clinics that are often organized around a mission, it is worth noting that within the clinical educational community there is debate over the proper role of mission oriented clinical work, with different views of how to manage the dual goals of advocacy and student training. Other clinical instructors support the simulation model rather than live clients in order to focus on teaching exclusively. For discussion of these issues, see, e.g., Anna E. Carpenter, *The Project Model of Clinical Education: Eight Principles to Maximize Student Learning and Social Justice Impact*, 20 *CLINICAL L. REV.* 39, 39 (2013), Deena R. Hurwitz, *Lawyering for Justice and the Inevitability of International Human Rights Clinics*, 28 *YALE J. INT'L L.* 505, 531 (2003), and Ralph S. Tyler & Robert S. Catz, *The Contradictions of Clinical Legal Education*, 29 *CLEV. ST. L. REV.* 693

For example, the increase in immigration to the United States beginning in the 1980s and the attendant issues that arose underpinned the transformation of immigrant rights work into a “distinctive field.”<sup>29</sup> By 2011, a Center for the Study of Applied Legal Education review of clinical programs at American law schools found that there were 55 live-client immigration law clinics across the country, making it one of the most offered types of clinics at law school campuses.<sup>30</sup>

On a longer but similar trajectory, legal advocacy for environmental protection made significant gains in the 1960s and 1970s, with a string of both courtroom and legislative victories that provided the foundation of environmental law as we conceive of it today, and a corresponding field of legal education and school-based advocacy work arose.<sup>31</sup> Environmental law is now a commonly taught area of law, and the

(1980), available at <http://engagedscholarship.csuohio.edu/clevstlrev/vol29/iss4/8> (last visited Aug. 28, 2015).

same 2011 study of clinical programs found 37 clinics focusing on environmental law across the country.<sup>32</sup> Another recent example is the rise of human rights law, which followed from the growth of a global human rights movement; this area of study had a small presence at law schools as recently as the 1990s but is today much more well-represented in law school curricula and clinical activities.<sup>33</sup>

As increasing scientific data have clarified the breadth and depth of injustices in our current food system and social awareness of the issue has grown, both legal advocacy and legal education will be shaped by this reality, moving law schools and law students to develop as allies to a growing cadre of food equity advocates across the country. A meaningful opportunity exists for law schools and law students to engage via food equity in the broader national conversation on the interconnected issues of social, racial, and economic injustice. Further, offering opportunities to engage in food

equity may attract students from marginalized communities traditionally underrepresented in law schools and the legal profession to consider law as a career in an area that may relate to their life experience or the conditions that exist in the communities from which they come, thereby helping to address the issue of equity within law schools themselves. It is in this context that we consider the ways in which law schools can more actively engage with the challenge of food system inequity.

## Scope of analysis and methodology

For the purposes of analyzing law school engagement, this report categorizes law school activities into four core types: classroom teaching, experiential learning, career development, and scholarship.

### Case Study: Emory University School of Law Students Involved in Food Law and Policy Projects from Local to Federal Levels of Government

In recent years, the Turner Environmental Law Clinic at Emory University School of Law has made food law and policy one of its central focuses, with projects at all levels of government. Whether drafting a local zoning ordinance or commenting on federal legislation, students have been involved with food equity topics within the Clinic's "Sustainable Agriculture and Urban Farming" initiative.

Students in the Clinic have unprecedented exposure to local food policymaking and advocacy work. Students wrote a zoning amendment for the City of Atlanta to encourage the development of urban farms while partnering with Georgia Organics and the Atlanta Local Food Initiative. After reporting on the laws and regulations governing urban agriculture in sixteen other cities, students drafted language that would facilitate urban agriculture operations in Atlanta. Students also collaborated with clients to build support for the amendment to get it passed. These urban farms can provide Atlantans with healthier food options in places where they would not otherwise have them.

The amendment makes Atlanta "one of the most permissive cities of urban agriculture practices in the country." Following Atlanta's lead, neighboring municipalities have already passed zoning changes of their own, and one student recently suggested amendments to the zoning ordinance in nearby Fulton County. Another student cited his participation in the amendment process as "the highlight of [his] law school experience."

Building upon its expertise, the Clinic is now working with other nonprofit organizations, government leaders, and farmers throughout metro-Atlanta to: promote safe, lawful composting; develop a comprehensive farm-to-school program for Atlanta Public Schools; negotiate long-term farm leases; and revise local and state-wide legislation to permit and promote urban agriculture.

The Clinic has also focused its attention on food and agriculture issues nationally. When the Food and Drug Administration published the Produce Rule—a regulation issued pursuant to the federal Food Safety Modernization Act—for public comment, students prepared a series of recommendations to make the law fairer for smaller, sustainable producers and more protective of the environment. On behalf of the National Sustainable Agriculture Coalition, students provided comprehensive comments that requested that the FDA revise the Produce Rule so that it would not force the closure of small, sustainable farming operations. The project illustrated the complexities of food safety regulation and administrative law.



Laurie Ristino and Vermont law students speaking with Luna Bleu organic farm. (Courtesy of Vermont Law School)

The report draws on interviews (most conducted by phone and lasting approximately one hour), email exchanges, online surveys, and a review of secondary sources. Specifically, research includes:

1. Interviews with twelve UC law school faculty members and administrators;
2. Interviews with eight law school faculty members and clinical instructors elsewhere across the country selected for their range of experience and geographic diversity;

3. Email exchanges with several UC clinical instructors and administrators; and
4. Literature review of academic and public interest development of this area (including academic literature, news sources, organization and law school websites, and other sources of relevant information).

The short time-frame for data gathering limited the scope of the report, which focuses on capturing the major trends, challenges, and opportunities for law school engagement. The primary emphasis is on identifying potential strategies for the UC system rather than a comprehensive nationwide review. Research was conducted over a two-month period from mid-April to mid-June 2015—coinciding with the end of the academic year, a busy period for many faculty, clinical instructors, administrators, and students—which presented an additional challenge to a complete review.

## THE NATIONAL CONTEXT

---

### Recent developments in law school engagement outside the University of California

Historically, law school engagement with food system issues has focused on the regulatory aspects of food and drug law and agricultural law. In recent years, increasing complexity and integration of the food and agriculture sectors have led scholars to take a more systems-oriented approach, combining food law, agricultural law, as well as components of other fields of law, into a single emerging field of food law and policy, which includes attention on equity issues.<sup>34</sup> Recent developments in law schools throughout the United States show interest in and need for addressing food equity issues across various legal subjects, skill areas, and geographies.

Law schools currently engaging in food equity issues span diverse geographies across all regions of the country, and are located in urban, suburban, and rural settings, reflecting the range of equity issues in the food system impacting local communities. Some schools are engaging with food equity issues through classroom coursework and scholarship, while at other schools engagement with food equity issues has developed through experiential learning such as clinical projects and externships. Still at other schools a combination of these approaches is emerging, as faculty, staff, and students have begun to help formalize the foundation of a growing field, and to recognize the legal component of the aspects of the food movement that are most concerned with social justice.

## Increase in classroom learning opportunities and scholarship

In the last few years, law school course offerings focused specifically on food systems issues have increased from a handful to at least twenty, according to research completed in 2012 and conducted by Emily Broad Leib and Baylen Linneken.<sup>35</sup> The schools offering these courses represent 10% of approximately 200 accredited law schools in the country. While only a few focus specifically on food equity issues, such as the Food Justice: Law and Policy and the Right to Food courses offered at the University of Arkansas School of Law,<sup>36</sup> and Recent Developments in Food Security: An Intersection for Environmental and Health Law & Policy at the University of Hawai'i at Manoa,<sup>37</sup> many touch upon food equity as part of the survey course.<sup>vii</sup> Additionally, courses in subject areas beyond food specifically, such as environmental law, environmental justice,<sup>38</sup> and health law<sup>39</sup> include examination of issues such as impacts of agricultural pollution on low-income rural communities and disparate access to healthy and adequate food.

There have also been new scholarly activities on topics

---

<sup>vii</sup> For example, Arkansas has an integrated approach to the offerings in their LL.M. in Food Law and Policy program, examining food system issues holistically, which by its nature includes discussion of food equity issues. Interview with Susan Schneider, May 6, 2015.

### Case Study: Harvard Law School Home to the First Food Law and Policy Clinic in the Nation

Since its founding in 2010, the Harvard Food Law and Policy Clinic at Harvard Law School has been at the forefront of providing students with hands-on opportunities to engage with food law and assisting nonprofit and government clients with legal questions and policy recommendations. Projects vary in scope, span the country, and encompass all parts of the food supply chain, from production to distribution to consumption. These projects aim to promote policies consistent with the Clinic's four major initiatives: preventing diet-related disease by increasing access to healthy foods, making it easier for small and sustainable producers to enter the market, planning and assisting the endeavors of Food Policy Councils, and mitigating food waste. In their work, clinical students learn the ways in which federal, state, and local laws affect the food system.

In one example project, since 2013, the Clinic has worked with leaders in Navajo Nation to identify policies that can address the food security problems faced by the communities living there. Like other "food deserts," healthy food is expensive and hard to find in Navajo Nation, while unhealthy processed foods are much easier to come by. By one count, about 76 percent of households in Navajo Nation face food insecurity, and some residents must travel over 100 miles roundtrip to get to the nearest grocery store. The added layer of tribal and chapter law in Navajo Nation adds greater complexity to the regime of federal, state, and local policy that structures the food system. The unique aspects of the policy landscape in Navajo Nation make it an apt project for students and stakeholders alike to attempt to wrestle with the intricacies of food law and assess which policies might best suit the creation of a healthier, more sustainable, and more equitable food system in Navajo Nation.

The Clinic works on a slate of issues within the Navajo food system—everything from its infrastructure, its food assistance programs, and the role of institutions like schools. The Clinic has worked with a number of groups, like the REACH Food Coalition, a food systems advocacy organization in Navajo Nation, the COPE Project (a division of Partners in Health), and the Navajo Department of Health. In May 2015, clinical students travelled to Navajo Nation to present a Navajo-specific food policy toolkit that lays out a menu of policy options tailored to the food system issues faced by Navajo Nation.

related to inequity in the food system.<sup>40</sup> In 2005, Arkansas launched the *Journal of Food Law and Policy*, the first and only student-edited legal journal in the country of its kind, and the inaugural issue included articles on food equity issues.<sup>41</sup> In 2011, the University of Oregon School of Law hosted a Food Justice Conference, which included both legal scholars and scholars across other disciplines.<sup>42</sup> To further support the development of teaching and scholarship on food law issues generally, the Resnick Program for Food Law and Policy at UCLA also hosted a workshop for faculty interested in this area in October 2014, with 28 attendees from law schools across the nation.

## Launch of centers and programs focused on food system issues

There are several law school-based centers and programs focused on food and agriculture that provide students the opportunity to engage in food equity issues through coursework and research projects, and to contribute to scholarship

and community impact on food equity issues.

Launched in 2013, the Center for Agriculture and Food Systems at Vermont Law School has a dual mission of training the next generation of food system advocates and creating innovative legal tools to support the new food movement, which they carry out through a curriculum that includes food equity-specific courses such as Food System Justice and Sustainability.<sup>43</sup> They join the Drake Law School Agricultural Law Center, which (as one of the oldest programs in the country focused on food system issues) has been studying how the legal system shapes and influences the food and agricultural sectors since 1983.<sup>44</sup> Both Vermont and Drake have been engaged in farmland tenure projects and providing resources such as toolkits to beginning and established local and regional farmers.<sup>45</sup> Other programs dedicated to these issues include Arkansas' LL.M. in Agricultural and Food Law, the Harvard Food Law Lab, the World Food Law Institute at Howard University, and the Resnick Program for Food Law and Policy at UCLA.



Food Law Student Leadership Summit session led by Kim Kessler. (Courtesy of Harvard Food Law and Policy Clinic)

### Case Study: Food System Advocacy through Transactional Work at the University of Michigan Law School

Students in the University of Michigan Law School's Community and Economic Development Clinic have been working to create the legal backbone of the "good food economy" developing in Detroit. Through transactional work, including entity formation, governance, tax, land use, employment, regulatory, and intellectual property work, students in the Clinic look for ways to facilitate the operations of urban farmers and food-related businesses associated with nonprofit organizations to operate in the City. Student attorneys work with clients under the supervision of faculty with significant transactional law experience. One of the Clinic's most longstanding clients is the Detroit Black Community Food Security Network, an activist organization seeking to improve food security in the area. The Clinic also works with the Restaurant Opportunities Center of Michigan. Students worked to structure a food cooperative, a grocery store where consumers become members and control the operations of the business.

Beyond the co-op, students in the Clinic have successfully negotiated a license agreement with the City of Detroit to convert city-owned land into an urban farm, successfully registered a mark, counseled several groups regarding subsidiaries and affiliated organizations, counseled a group regarding its employment structure, negotiated a trademark licensing agreement, counseled groups regarding governance, negotiated several commercial leases, formed a farmers' market organization, and drafted liability releases and policies for urban farming volunteers. The Clinic has supported the work of the Detroit Black Community Food Security Network and its Executive Director, Malik Yakini, in several ways including the expansion of D-Town Farm, the city's largest urban farm.

In addition to coursework and community impact, the centers and programs have been active in serving as community conveners on food equity issues. For example, Vermont co-sponsored a conference this summer for scholars, legal practitioners, and food systems leaders that focused on the right to food and also included discussion of gender inequality in the food system.<sup>46</sup>

## Increase in experiential learning food equity projects

While the growing attention to food equity-related issues is significant across the spectrum of law school activities, it is perhaps in the food-related work of legal clinics that the scope, significance, and tangible nature of food-related social justice challenges becomes most evident. In the last several years, three food system-focused clinics launched in law schools across the country, training students in legal skills while assisting communities impacted by inequalities in the food system. This in part corresponds to the ongoing changes in legal education and increasing support for clinical education. The Harvard Food Law and Policy Clinic, established in 2010, was the first clinic in the nation dedicated to food law and policy matters, including the advancement of equity in the food system.<sup>47</sup> The Food and Agriculture Clinic at Vermont launched in 2013, and Michigan State University

College of Law launched its Urban Food, Farm & Agriculture Law Practicum in January 2012.<sup>48</sup>

In addition to the food system-focused clinics taking on equity projects, there have been approximately thirty different clinics at over twenty schools working on such projects across the country, ranging in the areas of international human rights, community economic development, environmental law, social justice, startups, and transactional skills.<sup>viii</sup> One such example is the Organizations and Transactions Clinic at Stanford Law School, which chose by design to partner with nonprofits working on food systems issues, and has created farmers' market rules and regulations, and developed contracts, leases, loan documents, operating policies, and educational materials for a wide range of organizations working on behalf of food system change.<sup>49</sup>

Clinics traditionally have worked mainly with pro bono clients, whether organizations or individuals. As a result of the eligibility screening process, entities working to address, and individuals impacted by, inequities in the food system tend

<sup>viii</sup> An examination of the top 100 law schools found that 30 different clinics at 23 schools had engaged in food law and policy projects in the last few years. Baylen J. Linnekin & Emily M. Broad Leib, *Food Law & Policy: The Fertile Field's Origins and First Decade*, Wis. L. Rev. 557, 605 (2014) (citing unpublished manuscript). Of those, nearly all involved food equity issues. Interview with Emily Broad Leib, May 14, 2015. The examination was taken in 2012, and it is likely that even more clinics have engaged in food equity projects at this point.

to qualify for pro bono assistance and thus form the clients for these projects.<sup>50</sup> One of the first clinics in the nation to focus on the particular legal challenges farmworkers face as vulnerable participants in food production, in particular immigration and employment law issues, is the Farmworkers Legal Assistance Clinic at Cornell Law School, which recently launched in August 2015.<sup>51</sup>

## THE UNIVERSITY OF CALIFORNIA

### Collectively at the forefront of law school food equity engagement, with opportunity for increased activities at individual schools

Collectively, the five law schools within the University of California system—Berkeley, Davis, Hastings, Irvine, and Los Angeles (UCLA)—are at the forefront of the legal academy in engaging in food equity issues. Individually each school has opportunities for growth, either in increasing classroom

learning and scholarship, experiential learning or career development. The following tables reflect some of the activities in these categories in which the various campuses are engaged.

### Growth in classroom learning and academic centers

All five schools have offered at least one course that touches upon food equity issues. Berkeley, Davis, Irvine, and UCLA together have offered at least eight courses focused on food systems issues, with two specifically on equity. In the spring 2016 semester, UC Irvine will be offering a new Food Justice course, expanding upon its previously offered course on food workers issues.

In addition, the Resnick Program for Food Law and Policy at UCLA is the first academic center in the nation to focus specifically on food law and policy, with inequity in the food system as a focal point of its research, public programs, and student offerings.<sup>52</sup> Because the subject of food equity intersects with so many legal areas, courses and academic centers in other disciplines also touch upon the topic, as reflected in Table 2.



UCLA Food Law Society Service Day with the Social Justice Learning Institute. (Resnick Program for Food Law and Policy)

**Table 1: UC’s Food System-focused Courses and Academic Centers<sup>53</sup>**

FOOD EQUITY COURSES	
<b>Food Justice</b> UC Davis	Overview of economic, equity, and environmental implications of the industrial food system from a critical perspective.
<b>Food Justice</b> UC Irvine	Exploration of how law can address the ways in which food causes, or provides the context for, subordination of traditionally marginalized groups.
<b>The Food We Eat and the People Who Feed Us</b> UC Irvine	Discussion of issues impacting food workers.
FOOD LAW AND POLICY COURSES	
<b>Food Law and Policy</b> UC Berkeley	Discussion of food access, childhood obesity, small farmers/artisan producers versus large food companies, conditions on farms facing workers and animals, what “feeding the world” requires.
<b>Introduction to Food Law and Policy</b> UCLA	Focus on one issue in particular—sugar—and examine its place in the history of food and food trade and the attempts to regulate this sweetener.
<b>Food Law and Policy</b> UCLA	Discussion on a host of topics: food safety, obesity, nutrition, sustainability, food deserts, labeling, marketing, trade, biotechnology, organic, private standards, urban agriculture, hunger, right-to-food, local food programs, and farmers’ markets.
<b>City Food Policy: Legislative and Policy Advocacy</b> UCLA	Study city food policies addressing the challenges faced by urban communities: disparities in healthy food access, diet-related disease, food insecurity, and sustainability planning.
<b>Food Fraud: The Need for Regulatory Reform</b> UCLA	Students study and recommend regulatory action to address the problem of non-enforcement against economic adulteration (food fraud).
<b>Sustainable Agriculture Law</b> UCLA	Explored currently developing potential solutions to environmental problems, the advantages, disadvantages, and challenges of each solution, focusing in particular on equity issues (access and affordability).

**ACADEMIC CENTER**

<b>Resnick Program for Food Law and Policy</b> UCLA	Examines the ways in which the modern food system shapes consumers’ physical, economic, social and environmental health.
--	--

**Table 2: UC’s Non-food System Focused Courses and Academic Centers that Intersect with Food Equity Topics<sup>54</sup>**

COURSES	
<b>Public Health Law</b> UC Davis	Role of government and law in addressing health on a population basis.
<b>International Human Rights</b> UC Hastings	Includes discussion of right to food and water as a socioeconomic right.
<b>Biotechnology and the Law</b> UC Irvine	Regulation of food, labeling, and federalism issues, whether GMOs resolve hunger problem, food deserts, patenting.
<b>Public Benefits Law</b> UCLA	Includes unit on Supplemental Nutrition Assistance Program benefits.
ACADEMIC CENTERS	
<b>Aoki Centers for Critical Study of Race and Nation</b> UC Davis	Student independent research project on access to clean water in farmworker communities in the Central and Salinas Valleys tainted by fertilizer runoff.

*Note: Some courses were offered in past years, but may not be offered currently or into the future. The two tables are not necessarily meant to be comprehensive, but rather a snapshot of recent offerings.*

## Several experiential learning projects

There is currently not yet a clinic focused on food system issues at any of the UC law schools. (UCLA’s Resnick Program is developing one.) However, there are at least five different clinics across three schools working on food equity projects, some with multiple projects impacting marginalized communities in food production and distribution.

**Table 3: UC Clinics Working on Food Equity Projects<sup>55</sup>**

CLINIC	PROJECT
<b>Green-Collar Communities Clinic of the East Bay Community Law Center</b> UC Berkeley	Provide legal advice for client that turned a city park into edible food areas open to all to eat, including advice on obtaining food processing permits.
<b>International Human Rights Law Clinic</b> UC Berkeley	<p>Draft ground lease for land trust client to lease land to an urban garden project on abandoned properties. Client’s goal is to counter gentrification of neighborhoods at risk of displacing low-income residents.</p> <p>Collaborating with the Food Labor Research Center at UC Berkeley and the Restaurant Opportunities Centers United on a project analyzing the human rights implications of the federal minimum wage for tipped workers.</p> <p>Collaborated with the Safe Water Alliance since 2012 to push for implementation of California’s Human Right to Water law by state agencies. Drafted a guidance document for state agencies regarding implementation, held a briefing at the capitol, convened a meeting of stakeholders in Sacramento where an implementation tool was developed, and have met with various state agencies as well as officials from the Governor’s Office about the law and how it can be used to address the lack of access to clean and affordable water faced by many disadvantaged groups throughout the state, including rural, urban and tribal communities.</p>
<b>Social Enterprise and Economic Empowerment Clinic</b> UC Hastings	Assisting rural communities in the Salinas Valley to set up legal entities to be eligible to access state and federal grants earmarked for cleaning water systems.
<b>Community Economic Development Clinic</b> UC Irvine	<p>Provide assistance with nonprofit formation, obtaining tax exempt status, working with the city and neighboring property owners, and other legal advice to a community garden nonprofit in Ontario, California, considered a “food desert”.</p> <p>Represent farmworkers in Coachella Valley in a project to provide them with adequate housing.</p>

<b>Immigrant Rights Clinic</b> UC Irvine	Represented hotel restaurant and room service workers in Long Beach, California, for meal, rest break and unpaid wage violations.
---	---

*Note: Table not necessarily meant to be comprehensive, but rather a snapshot of recent projects.*

In addition to clinic projects, externships are another avenue through which students can learn more about food equity issues while developing legal skills outside the classroom environment. While there may be existing externship opportunities at UC law schools for students to gain experience in and exposure to working on food equity issues, such as through a legal aid organization or government agency working with indigent communities, in some of the UC law schools they have not to date been identified specifically as such.<sup>56</sup> To address this, the Resnick Program at UCLA, in collaboration with the law school’s externship program, is offering students the opportunity to participate in full-time or part-time externships during the 2015-2016 academic year with leading public interest organizations working on cutting-edge food law and policy issues tackling inequity, such as ChangeLab Solutions, PolicyLink, Natural Resources Defense Council, and Public Justice.<sup>57</sup>

## Emergence of scholarship and academic events

In recent years, at least two schools have promoted scholarship and organized academic events addressing equity issues in the food system through a legal lens, including two led by student journals. As part of the Law Schools and Food Equity Subcommittee’s directive to elevate food equity as a priority at UC law schools and beyond, UC Irvine will be hosting a food equity symposium in March 2016, co-sponsored by the UC Global Food Initiative and all five UC law schools. It will feature presentations by legal scholars from UC law schools and from across the nation as well as a student writing competition addressing the circumstances in which food operates as the cause of or sets the context for inequality, including topics arising within the field of food law but also other areas of law such as immigration, health, and the en-

vironment. The student writing competition will be open to all current students and recent graduates of UC law schools, with the winner having the opportunity to both present his or her work at the symposium and also submit the paper for publication in the symposium issue of the UC Irvine Law Review.

**Table 4: UC Scholarly and Academic Events Addressing Food Equity<sup>58</sup>**

EVENT	TOPIC
<p><b>Journal of International Law and Policy Symposium: Confronting Child Labor in Global Agricultural Supply Chains (April 2014)</b> UC Davis</p>	<p>Discussion of efforts to combat child labor in global agricultural supply chains, including an array of laws and regulations.</p>
<p><b>UCLA-Harvard Law School Food Law and Policy Conference: Transparency in the Global Food System (October 2014)</b> UCLA</p>	<p>One session focused on transparency’s relationship to improved equity.</p>
<p><b>Pigford v. Glickman: Addressing USDA Racial Discrimination with One of the Largest Civil Rights Settlements in History (January 2015)</b> UCLA</p>	<p>Discussion of two class action lawsuits against the USDA involving allegations of racially discriminatory practices in administering its farm loans and assistance programs. Pigford v. Glickman focuses on a class of black farmers; Keepseagle v. Vilsack on a class of American Indian farmers.</p>
<p><b>Journal of International Law and Foreign Affairs Symposium: The Right to Food (March 2015)</b> UCLA</p>	<p>Discussion focused on three issues: the impact of global trade of agricultural products on the right to food, the threat of climate change and environmental degradation on the right to food, and mechanisms and tools to enhance implementation, enforcement and accountability of the right to food.</p>
<p><b>Hunger and Food Insecurity in the LGBT Community (June 2015)</b> UCLA</p>	<p>Discussion of how the LGBT community disproportionately experiences poverty and food insecurity.</p>

*Note: Table not necessarily meant to be comprehensive, but rather a snapshot of recent events.*

While there is demonstrated growth in this area among UC law schools and beyond—providing rich subject matter for academic exploration and allowing law students to make contributions toward advancing equity—there is more that can be done.

## NATIONWIDE GROWTH IN STUDENT INTEREST

Growth within the last decade of food law societies evidences increased law student interest in food system issues. Schools with recently launched food law societies include: University of Chicago Law School, Fordham University School of Law, Harvard Law School, University of Mississippi School of Law, New York University School of Law, UCLA School of Law, University of Washington School of Law, University of Wisconsin Law School, and Yale Law School.<sup>59</sup>

These student groups have been able to catalyze their shared interests into a new set of platforms and activities relating to the advancement of food equity. For example, in 2014, the Stanford Food Law and Policy Society coordinated a food justice panel as part of a student-organized conference addressing present and future social and environmental justice issues,<sup>60</sup> and in 2015 Harvard students organized a forum on the intersections between social, economic, and environmental justice and the food system.<sup>61</sup> At Yale, the students were able to influence curriculum offerings, by first organizing a reading group on food law and policy and ultimately successfully lobbying for the teaching of Yale’s first food law and policy course.<sup>62</sup> Recognizing this growth in student interest and leadership, Harvard amplified such efforts by convening the first Food Law Student Leadership Summit in October 2015, gathering law students from around the country to develop strategies to start or expand student food law organizations, build a national network of food law and policy colleagues, and begin to develop coordinated strategies for addressing pressing food law and policy concerns.<sup>63</sup>

Faculty characterize student interest as “enormous,” “enthu-

siastic,” and “very engaged.” A contingent of students came to law school specifically to engage in food equity, while for others it became a passion area after exposure in law school.<sup>64</sup> In some cases, there may be interest, but no obvious outlet at present to pursue food equity at their law school.<sup>65</sup> Additionally, some may be interested but not engage due to a belief in lack of future employment prospects.<sup>66</sup>

Echoing faculty impression, from the student perspective, interest has ranged from advanced to unconvinced. One student expressed a belief that food equity is “a niche area” and while important, may not translate into usable knowledge in most existing legal career paths.<sup>67</sup> In contrast, another student was so passionate as to craft her own food equity education by taking law courses that do not mention food in the title, but are fundamental to food equity work, including Immigration Law and Policy, Water Law, Consumer Protection Law, Income Tax, State Law & Policy, and Global Economic Development, and drawing on resources outside the law school such as food-related courses in the city planning, public poli-

cy, and journalism schools within the university, in addition to relying on student-led activities.<sup>68</sup>

## CHALLENGES TO INCREASED ENGAGEMENT ON FOOD EQUITY ISSUES

---

Although there has been much growth in law school activities and student interest in food equity within the last few years, lack of awareness about the issue and resource constraints remain challenges to law schools in building and furthering curriculum, scholarship, and career development opportunities. Given the diversity in schools across the country, there are of course circumstances unique to each school, but several recurring themes arose from law school faculty and administrator interviews across the country.

### **Case Study: Food Equity Research and Advocacy from a National to Global Level at New York University School of Law**

Food equity projects need not exist within the confines of a food-specific clinic—they can crop up in any number of legal fields and in a variety of organizations.

Under the direction of then-Faculty Director Smita Narula, the International Human Rights Clinic of the Center for Human Rights and Global Justice at New York University School of Law undertook numerous research and advocacy projects that focused on food and agricultural policies and on the right to food. These included projects to support the mandate of then-United Nations Special Rapporteur on the right to food, Olivier De Schutter, who served in this appointed, honorary position from 2008 to 2014.

In 2009, the Center released the report *Transnational Corporations and the Right to Food*. The paper, which was authored by a group of law students under the direction of Professor Narula, helped inform a multi-stakeholder consultation convened by the Special Rapporteur on the role of the agribusiness sector on the realization of the right to food.

The Clinic’s 2010 report, *Foreign Land Deals and Human Rights: Case Studies on Agricultural and Biofuel Investment*, was prepared in support of the work of the Special Rapporteur to promote a set of principles and measures to address the human rights challenges associated with large-scale agricultural land investments. Based on a year-long review of four investment case studies in the Global South, the report called for greater transparency and accountability in large-scale land deals to help ensure the human rights and food security of affected communities in host countries.

In 2013, the Clinic published *Nourishing Change: Fulfilling the Right to Food in the United States*, a groundbreaking study that addresses the crisis of food insecurity in the United States in human rights terms. The report urges a shift in focus from food assistance as charity to access to adequate food as a human right, and concludes with key policy recommendations to help fulfill the right to food in the United States.

Both Clinic reports were co-authored by Clinic students and by Professor Narula.



Harvard Food Law and Policy Clinic volunteer outing at The Food Project farm. (Courtesy of Harvard Food Law and Policy Clinic)



Hilal Elver keynote speech at UCLA Journal of International Law and Foreign Affairs symposium “Realizing the Right to Food.” (Resnick Program for Food Law and Policy)

## Lack of awareness about both food system inequity and its educational value

The threshold question for some faculty, administrators, and students is, what does the concept “food equity” encompass?<sup>69</sup> For others, a related question is how engaging with food equity issues will contribute to students’ education and future employment.<sup>70</sup> For faculty already addressing food equity in classroom or experiential learning settings, a lack of socioeconomic diversity within the student population has

resulted in skepticism on the part of some students that disparity exists or that law and policy can impact the well-being of marginalized communities.<sup>71</sup>

## Resource constraints impeding coursework and career services development

Budget constraints also form a serious barrier to development of food equity curriculum, such as hiring additional faculty, or scheduling existing faculty, to teach in new areas.<sup>72</sup> Similarly, budget constraints limit focus on creating or increasing student placement opportunities with organizations working on food equity projects, as well as funding additional postgraduate public interest fellowships in this area.<sup>73</sup>

## RECOMMENDATIONS

Foundational to any recommendations for mobilizing law schools to address food equity issues is the importance of developing a shared understanding of: (1) the effects of our current food system on the health and economic mobility of disadvantaged communities throughout the food chain—from production to distribution (farm to fork), and (2) the resulting social and legal issues lawyers and law schools are in a unique position to address, and which can provide essential skills training for law students. This awareness and attention on the part of faculty and administrators, which already exists among some, is a predicate to educating students and reaching out to community partners for further engagement and impact on these issues.

An overarching recommendation is to frame engagement in food equity issues as both an opportunity for students to engage in experiential learning and to recognize their law degree “as an empowering degree—how to use law in a rule of law society”.<sup>74</sup> For law schools, engagement in food equity issues is also “an opportunity to provide students the skills to be leaders and problem solvers” in a developing and complex area and to “try legal approaches which they can then

take the confidence of experience into other spaces in their careers.”<sup>75</sup>

## Resource constraints: Leverage existing programs and seek new partners

Availability of resources for new activities is a concern at almost all law schools, particularly as many law schools face declining applications and, often, constricting budgets.<sup>76</sup> Two possible strategies for overcoming this barrier are:

- > Using redeployment of existing vehicles and programs for activities related to food equity issues, such as dedicating a journal conference to related topics, or taking on a clinical project within an existing program that relates to food equity.
- > Finding new partners and sources of support, which may include new streams of government grants, foundation grants, or interested alumni. As an example, Vermont Law School was awarded a \$500,000 grant through the United States Department of

Agriculture (USDA) to support a research project on farmers market governance, which is notable as law schools have not been traditional USDA grantees.<sup>77</sup>

Many of the schools creating new initiatives, activities and opportunities in the area of food equity have successfully used these approaches, as well as other innovations. In addition, contrary to popular perception, potential champions of food equity-related activities should recognize that not everything new needs to add to the budget—it may just involve an investment in time or activation of an interested partner. As the legal community just begins to more deeply engage in this area of law and policy, small steps, such as inviting speakers and reaching out to organizations with related work, can be meaningful. In this way, some important efforts that law schools can take will turn more on relationship building and information gathering rather than major investments of new dollars.

To address some of the challenges to furthering law school engagement outlined earlier, following are the best emerging practices and suggested implementation measures and related metrics of progress.

### Case Study: Stanford Law School Student Food Justice Project Turned into State Law

Nicholas Reed conducted an independent study in his Local Government Law class during his third year at Stanford Law School. Little did he expect his project would turn into state law. In the fall of 2013, Governor Jerry Brown signed Assembly Bill 551—the Urban Agriculture Incentive Zones Act—into law. Under the legislation, cities can elect to lower the property tax rates for land, as long as that land is used for urban farming for a minimum of five years.

In developing what would become AB 551, Reed worked with Stanford Law alum Juan Carlos Cancino, a fellow at the law school with an interest in food, under the supervision of Professor Richard Ford. Reed and Cancino were freshman year roommates as undergraduates at Stanford, and had previously collaborated on a project with an urban agriculture nonprofit. Together, they testified on the research they collected and partnered with the San Francisco Planning and Urban Research Association. Shortly thereafter, Assemblyman Philip Y. Ting introduced a revised version of their paper to the floor of the California State Assembly.

Since the bill’s passing, San Francisco has established urban agriculture incentive zones within city limits. Other cities such as Los Angeles are looking to do the same. In San Francisco, private landowners that want to open up their land to cultivation can receive a tax break, and farmers who are hard-pressed to find affordable land can break ground without breaking the bank.

“Don’t look at your time at law school as time away from the world—try to seize the opportunity to try to change the local places and your environment for the better,” Reed told Stanford’s *The Dish*. For Reed and Cancino, the opportunity to discuss their interest in urban farming was enabled by their studies and interwoven with coursework. Reed worked with an effective mindset to make change: “I realized that there was a problem to solve, and at Stanford Law School we identified the problems around us and sought to resolve them.”

## Classroom learning: Incorporate food equity related topics and innovate alternatives to existing academic formats

### GOAL: Increase thinking and student engagement

BEST PRACTICE	IMPLEMENTATION	METRIC/INDICATOR
<p>Incorporate food equity related topics into classroom readings and discussions, where appropriate and relevant</p>	<p><b>Implementer:</b> Faculty</p> <p><b>Implementation strategy:</b> Consider dedicating one class within a course in a related area (e.g., labor, benefits, environment, human rights, land use, water rights, food and drug law) to a food equity aspect next semester or next academic year</p> <p><b>Suggested activities:</b> Consider hosting a guest speaker (scholar, practitioner, or community leader who focuses on equity issues in the food system); Develop resource sharing tools for curriculum development and publicize those tools</p>	<p>Increase in either available classes or content within existing relevant courses that addresses an aspect of inequity in the food system in the next academic year</p>
<p>Innovate alternatives to existing academic formats</p>	<p><b>Implementer:</b> Curriculum Directors, Deans, and Faculty</p> <p><b>Implementation strategy 1:</b> Consider new types and formats for course offerings, such as a short course, a practicum, or summer term course offerings, which can address food equity without competing with existing fall and spring term offerings</p> <p><b>Suggested activities:</b> Invite one scholar or practitioner expert on food equity issues to lead a course offering for the next academic year; Improve resource sharing to make it easier for faculty new to food equity issues to teach these courses</p> <p><b>Implementation strategy 2:</b> Leverage existing coursework addressing food equity issues at other law schools<sup>78</sup></p> <p><b>Suggested activities:</b> Increase opportunities for cross-listing courses between UC and other law schools for students at one school to take advantage of course offerings at another during planning process for the next academic year; Outline the requirements to take courses at another law school in course enrollment materials for next semester or next academic year</p>	<p>Increase in course offerings on food equity</p>
<p>Encourage student initiative in co-creating academic opportunities</p>	<p><b>Implementer:</b> Curriculum Directors, Career Services Directors</p> <p><b>Implementation strategy:</b> Encourage students to take a course that addresses food equity issues at other law schools, to supplement their education at home school; Encourage students to seek independent studies, practicums or externships</p> <p><b>Suggested activities:</b> Mention the options of taking courses at another law school, and seeking independent studies, practicums or externships in enrollment and career services materials for next academic year; Provide list of outside experts that can serve as mentors to students and co-supervise students together with faculty on independent study projects</p> <p><b>Implementer:</b> Faculty</p> <p><b>Implementation strategy:</b> Consider supervising independent study students</p> <p><b>Suggested activities:</b> Consult outside experts for subject matter expertise</p> <p><b>Implementer:</b> Students</p> <p><b>Implementation strategy:</b> Take courses that address food equity issues at other law schools; Seek independent studies, practicums, or externships, work within existing formats but with a focus on issue areas or skills you are seeking to learn about</p> <p><b>Suggested activities:</b> Review the requirements for an independent study, practicum, or to take classes at another law school in course enrollment materials for next semester or next academic year, perhaps in conjunction with an externship; Evaluate research opportunities within non-food system specific courses that allow writing on food system issues; Consider conference and publication opportunities in this area</p>	<p>Increased number of students engaged in food equity learning and scholarship</p>

### **Case Study: University of California, Berkeley Law Students Collaborate with Sustainable Economies Law Center to Reduce Municipal Legal Barriers**

As a third year law student, Janelle Orsi asked, “What are the legal issues that come up when people share land to grow food?” Orsi was writing a paper while taking a transactional law class at UC Berkeley School of Law, and in answering her question, realized that she could be a lawyer who helps facilitate sharing.

She first started thinking about sharing and the law when she came across the People’s Grocery, an organization in Oakland, Calif. that maintains a number of community gardens primarily in areas that are considered food deserts. “It got me interested because I was thinking about where we grow food and recognizing there is a lot of land in cities to grow food, but a lot of it is private, in people’s backyards.”

Some of her first clients as a lawyer were community gardens and others working in the food industry. In her early work, she saw firsthand the legal barriers to what people wanted to do: start small-scale, low-risk, community-based food and farm businesses. To investigate and reduce the number of these hoops, Orsi co-founded the Sustainable Economics Law Center (SELC). SELC “cultivates a new legal landscape that supports community resilience and grassroots economic empowerment” by providing legal assistance. SELC offers fellowships for new attorneys and internships for law students. SELC also hosts a weekly “café” where clients and lawyers can get legal advice or gain a new understanding about how law can facilitate more equitable economic partnerships.

Recent successes of the SELC include the successful passage of the California Neighborhood Food Act, which prohibits homeowner’s associations from prohibiting growing produce in yards, and the California Homemade Food Act, a cottage food bill that allows small food entrepreneurs to sell their foods more easily. More recently, the SELC partnered with Berkeley Law’s Students for Economic and Environmental Justice (SEEJ) to publish *Legal Eats: Legal Resources for Food Justice Enterprises*, a legal guide for small food businesses that improve food access and impact social change. More specifically, SELC has maintained a partnership with SEEJ’s Community Food Enterprise Project, a student-initiated legal services project that has conducted research, hosted workshops, and advised farms and food entrepreneurs with the SELC.

## **Experiential learning: Recognize how equity issues in the food system intersect with existing subject areas and collaborate with existing contacts for projects**

Along with clinical projects, externship opportunities, summer placements, pro bono service projects, and volunteer projects are additional mechanisms for exposing students to the intersection between law and lack of equity in our food system. As most law schools have programs and staff dedicated to facilitating these kinds of opportunities, they may be good partners in expanding the range of opportunities related to food equity that students encounter.

In January 2015, New York’s new 50-hour pro bono service requirement as a condition to apply for bar admission went into effect. Following on New York’s lead, California has proposed a similar 50-hour requirement (either pre- or post-ad-

mission) “devoted to pro bono or modest means clients.” With two of the largest state bars in the country either having implemented or proposed 50 hours of pro bono service as pre-requisites for recent graduates to become licensed for law practice, there is even more incentive for law school experiential learning programs and staff to expand upon existing public interest projects and offerings, and food equity is an area ripe for growth to meet this anticipated increased demand.<sup>79</sup>

## Experiential learning

### GOAL: Train new leaders and impact community

BEST PRACTICE	IMPLEMENTATION	METRIC/INDICATOR
Recognize how established issue areas intersect with equity issues in the food system	<p><b>Implementer:</b> Clinic Directors</p> <p><b>Implementation strategy 1:</b> Consider projects in existing subject area that intersects with food equity</p> <p><b>Suggested activities:</b> Develop one project for next semester or next academic year</p> <p><b>Implementation strategy 2:</b> Conduct relationship building / business development with organizations that may yield quality project opportunities in this area</p> <p><b>Suggested activities:</b> Attend one food policy council or network meeting next semester, perhaps send clinic students as representatives</p> <p>Circulate a legal needs survey via food policy councils, or directly with nonprofit organizations that focus or touch upon food equity issues that may intersect with existing subject area, before planning process for next semester or next academic year</p>	<p>Increase in projects addressing food equity</p> <p>New organizations that can be potential project partners</p> <p>New projects</p>
Utilize / leverage existing contacts	<p><b>Implementer:</b> Clinic Directors</p> <p><b>Implementation strategy:</b> Reach out to existing contacts and organizations in subject area and inquire as to food equity intersections</p> <p><b>Suggested activities:</b> Reach out to two during the planning process for each semester or academic year</p>	<p>New projects</p>
Encourage student initiative to co-create experiential opportunities	<p><b>Implementer:</b> Career Services Directors, Public Interest Directors, Externship Directors</p> <p><b>Suggested activities:</b> Include in externship information materials instructions on how to create own opportunities and the process for adding community organizations that do not have an existing relationship with the law school to the approved opportunity list</p> <p><b>Implementer:</b> Students</p> <p><b>Implementation strategy:</b> Independently research community organizations and understand externship program requirements and pro bono program requirements for approval of new organizations or projects</p> <p><b>Suggested activities:</b> Check existing lists of organizations within career services offerings or academic centers at home school or other school and pitch a potential project with two organizations on the list; reach out to two new organizations that do not have an existing relationship with the law school to brainstorm or pitch a potential project</p> <p><b>Implementer:</b> Pro Bono directors and campus leaders</p> <p><b>Implementation strategy:</b> Conduct relationship building / business development with organizations that may yield quality project opportunities in this area</p> <p><b>Suggested activities:</b> Attend one food policy council or network meeting next semester</p>	<p>Increased number of students participating in externships involving food equity</p> <p>New potential externship projects and increased number of students working on food equity projects on a volunteer basis</p> <p>Increase food equity related volunteer opportunities by identifying organizations that can be potential volunteer project partners</p>

**Career Development: Bring greater attention to food equity opportunities and consult existing contacts**

**GOAL: Increase career-building opportunities for students**

<b>BEST PRACTICE</b>	<b>IMPLEMENTATION</b>	<b>METRIC/INDICATOR</b>
Specifically identify food equity-related opportunities as such, bring greater attention to this area	<p><b>Implementer:</b> Career Services Directors, Public Interest / Pro Bono Directors, Externship Directors</p> <p><b>Implementation strategy 1:</b> Educate students, particularly ones interested in public interest or social justice, on this issue area</p> <p><b>Suggested activities:</b> Add “food equity” category to existing list of placements available to students, increase student understanding of types of opportunities available to them in this area</p> <p>Conduct student survey on food systems interest</p> <p>Identify and invite alumni working on food system issues to speak on a panel</p> <p>Add “food equity” category to existing list of alumni that students could contact</p> <p><b>Implementation strategy 2:</b> Conduct relationship building / business development with organizations that may yield quality project opportunities in this area</p> <p><b>Suggested activities:</b> Contact small law firms that work on food equity issues (e.g., California law schools can contact the Food Law Committee of the Litigation Section of the California State Bar for potential leads)</p> <p>Invite one organization that focuses on food equity issues to next public interest fair; attend one food policy council or network meeting next semester</p>	<p>Increased student awareness of opportunities to work on food equity issues</p> <p>Increased number of potential mentors for interested students</p> <p>Increased student opportunities to work on food equity issues</p> <p>New organizations that can be potential placement partners</p>
Utilize / leverage existing contacts	<p><b>Implementer:</b> Career Services Directors, Public Interest / Pro Bono Directors, Externship Directors</p> <p><b>Implementation strategy 1:</b> Identify existing opportunities within community organizations that already have a relationship with the law school</p> <p><b>Suggested activities:</b> Reach out to two organizations already on existing list of placements per semester or once a year that may already touch upon these issues (e.g., direct legal services nonprofits, government public benefits or environmental agencies)</p> <p><b>Implementation strategy 2:</b> Leverage academic centers and clinics’ knowledge of and contacts at community organizations (e.g. environmental law program or immigration law clinic)</p> <p><b>Suggested activities:</b> Set up one meeting with academic centers and clinics per semester or once a year to share recommended contacts. In lieu of, or in addition to, such a meeting, email a list of 3-5 potential contacts and orgs (or facilitate email introductions) per year before fall semester begins</p> <p><b>Implementation strategy 3:</b> Reach out to interested alumni</p> <p><b>Suggested activities:</b> Reach out to two alumni per semester to serve as a supervising practitioner for student projects</p>	<p>Increased student opportunities to work on food equity issues</p>

## Scholarship: Increase collaboration and resource sharing

Faculty, administrators, and students might consider collaborations between legal subject areas, and with other academic disciplines outside of law—both within and outside the same university. Collaborations between schools in different geographies and areas of expertise can facilitate knowledge sharing and leverage local community partnerships. Urban area schools may have the ability to bring attention to the issues to a broader mainstream audience, while rural schools in agricultural areas may be able to contribute on-the-ground experience and research data expertise.

To further cultivation of a community of scholars, interested faculty and students can either leverage the existing information sharing platforms and contribute to them by submitting scholarship updates, or replicate these models locally. An opportunity exists for the development of a website or database to serve as an accessible information exchange for interested faculty, administrators, students, and food policy advocates that lists law courses and experiential learning projects addressing food equity issues, course material sources, and collaboration opportunities.

## University of California: Furthering system-wide law school engagement on food equity

While the majority of our recommendations are actions faculty, administrators, and students at individual law schools both within the UC system and beyond can take to further engage in food equity issues, system-wide action and support can be critical to elevate current and anticipated efforts by such actors. Below are two recommendations for the University of California that would further strengthen its leadership in this area:

- > Make available several modest catalyzer grants (\$5,000-\$10,000 each, \$25,000-\$50,000 per year) to classroom and clinical faculty, administrators such as career services, public interest, externship, and pro bono directors, and students, to explore innovative ways to further engage in food equity issues. Example uses of such funds include: hiring an adjunct instructor who is a food law or social justice practitioner familiar with equity issues in the food system to teach a seminar, providing seed money to establish a clinic focused on food equity issues, developing a clinical project addressing an aspect of food equity, sponsoring a student writing competition focused on equity issues in the food system, funding a student independent research project or summer internship stipend, or developing a website to serve as a platform for faculty, administrators, students, and food policy advocates to share scholarship, resources, and collaborate on projects.
- > Establish and fund a cross-campus faculty, administrator, and student workgroup tasked with implementing and assessing progress on university engagement in this area. The Law Schools and Food Equity Subcommittee of the GFI could serve as the basis for such a taskforce. The mission of the workgroup would be threefold: to track accountability of activities, build a community of scholars, and elevate food equity as a topic in law schools. The current work group, consisting only of classroom and clinical faculty, has funding for one follow-up meeting within approximately six months of the March 2016 symposium. The University of California could consider granting funding for an annual meeting of the broader taskforce.

A two- or three-year funding stream would provide a reasonable amount of time to develop, execute, and evaluate the results of new efforts to support this area. Moreover, it would demonstrate system-wide commitment to impactful law school engagement in the issue of food equity.

## CONCLUSION

---

The increase in engagement with food equity-related issues at law schools across the nation is a start towards involving future lawyers in creating a more just food system and society. Still, significant opportunity remains for increased education and training in this area. Both the development of new and leveraging of existing resources will be needed to increase awareness and engagement of the legal education community on these issues. It is clear that schools can contribute to efforts to recognize and address existing inequities in our food system through scholarship, clinical projects, externship opportunities, and pro bono service opportunities. In this way, law schools can, and should, play an important role in producing lawyers that are also good food citizens and equity advocates, regardless of where their career ultimately takes them.

# THOUGHTS ON FOOD EQUITY AND LAW

## SCHOOLS FROM LEADING FOOD EQUITY LEGAL PRACTITIONERS AND EDUCATORS

---

“There is a strong connection between food equity and many other systemic injustices – such as the social, racial, and economic justice issues that are front and center at the moment. We need to develop a more diverse pipeline of attorneys interested in working on this subject matter.”

– Sabrina Adler, Senior Staff Attorney, ChangeLab Solutions

“There is the issue of utilizing food equity and the potential for coursework and advocacy on the topic to recruit and attract students of color to study law. Students of color are rarely made aware of the potential to pursue coursework in fields that may relate to their life experience or the conditions that exist in the communities they come from. Also, very young students are taking up the issue of food justice – it would be wonderful to see the law schools working intentionally with youth on food equity and at the same time ‘planting the seed’ about attending law school as a way of pursuing advocacy as attorneys.”

– Mary Lee, Deputy Director, PolicyLink

“Differences based on class, race, and gender are essential in thinking about equity in agriculture. The tendency – in society in general, in the food movements, the legal world, including law schools – to let these inequities slip through the cracks or to be deemphasized is a strong one. The form of inequity one finds in the production of food, such as discrimination based on race in agriculture, and the possible solutions that promote more equitable food production, hinges largely on law and policy. Food equity is therefore an especially appropriate topic in a law school.”

– Stephen Carpenter, Deputy Director, Farmers’ Legal Action Group

“Social justice-minded and progressive-minded students tend to focus on civil rights and anti-discrimination issues but may not think about how our systems affect the disadvantaged. In that way, equity issues in the food system is a useful teaching tool. Such students may stay away from tax, land use, corporations, and business law, but transactional work is important to this issue area, and it’s a neat opportunity to demonstrate this in clinical projects intersecting with food equity. Engaging with food equity is a great way for students and lawyers to participate in building a healthy system – healthy infrastructure and institutions.”

– Angela Harris, Professor of Law and Director of The Aoki Center for the Critical Study of Race and Nation, UC Davis School of Law

“Food equity as a topic in law school is a function of teaching students how the law adapts and works in modern society, allowing them a greater sense of appreciation for what the law is. That will serve the students well no matter what kind of law they practice. We need leaders, even if they are not food lawyers, to be better food citizens. Citizenship requires action and activity. To the extent we have better informed citizens leave law school who engage at a local level (whether as members of local councils or school boards), engaging in food equity in law school is for their own benefit: it helps build skill sets, gain appreciation for what the law is and what it can do, and develops them as leaders in the community.”

– Michael T. Roberts, Executive Director, Resnick Program for Food Law and Policy, UCLA School of Law

## ENDNOTES

---

1. Alec Rosenberg, *UC Launches Global Food Initiative*, UC NEWSROOM (Jul. 1, 2014), <http://www.universityofcalifornia.edu/news/uc-launches-global-food-initiative> (last visited Jun. 22, 2015).
2. Robert Gottlieb & Anupama Joshi, *Food Justice* 5 (2010) (quoting Professors Geoff Tansley and Tony Worsley, authors of *The Food System: A Guide* (1995)).
3. Alisha Coleman-Jensen, Christian Gregory & Anita Singh, *Household Food Security in the United States in 2013*, USDA Economic Research Service, Sep. 2014, available at <http://www.ers.usda.gov/media/1565415/err173.pdf>.
4. Lindsey Haynes-Maslow & Ricardo Salvador, *The Food System Should Unite Us, Not Divide Us*, J. OF AGRIC., FOOD SYSTEMS & COMMUNITY DEVELOPMENT, Aug. 24, 2015, at 105-108, available at <http://www.agdevjournal.com/volume-5-issue-4/559-food-system-should-unite.html> (last visited Aug. 25, 2015).
5. My April Newsletter, President Janet Napolitano, University of California Office of the President, Apr. 30, 2015, <http://www.ucop.edu/president/public-engagement/letters-to-uc/apr-28-2015.html> (last visited Aug. 3, 2015).
6. *Supra* note 2.
7. *Supra* note 3.
8. Gloria L. Beckles, Julia Zhu, & Ramal Moonesignhe, *Diabetes - United States, 2004 and 2008, Morbidity and Mortality Weekly Report*, Center for Disease Control (Jan. 14, 2011) available at <http://www.cdc.gov/mmwr/preview/mmwrhtml/su6001a20.htm>.
9. National Diabetes Statistics Report: Estimates of Diabetes and Its Burden in the United States, 2014, US Dept. of Health and Human Services 2 (2014), available at <http://www.cdc.gov/diabetes/pubs/statsreport14/national-diabetes-report-web.pdf>.
10. Kelly M. Bower et al., *The intersection of neighborhood racial segregation, poverty, and urbanicity and its impact on food store availability in the United States*, PREV. MED., vol. 58, Jan. 2014, at 33-39, available at <http://www.sciencedirect.com/science/article/pii/S0091743513003988>.
11. Renee E. Walker, Christopher R. Keane, & Jessica G. Burke, *Disparities and access to healthy food in the United States: A review of food deserts literature*, HEALTH & PLACE, vol. 16, issue 5, Sep. 2010, at 876-884, available at <http://www.sciencedirect.com/science/article/pii/S1353829210000584>.
12. Gwendolyn Flynn, *The Truth about Food Deserts: Refocusing Priorities in Addressing Healthy Food Access in Historically Underserved Communities*, COMMUNITY HEALTH COUNCILS, Oct. 12, 2015, <http://www.scribd.com/doc/284637430/The-Truth-about-Food-Deserts-Refocusing-Priorities-in-Addressing-Healthy-Food-Access-in-Historically-Underserved-Communities>.
13. *Id.*
14. Laura Ackerman & Don Bustos, *Disadvantaged Farmers: Addressing Inequalities in Federal Programs for Farmers of Color*, INSTITUTE FOR AGRIC. & TRADE POLICY, Mar. 28, 2012, [http://www.iatp.org/files/04\\_DisadvantagedFarmers\\_f.pdf](http://www.iatp.org/files/04_DisadvantagedFarmers_f.pdf).
15. *Socially Disadvantaged Farmers: Race, Hispanic Origin, and Gender*, USDA Economic Research Service, <http://www.ers.usda.gov/topics/farm-economy/beginning-disadvantaged-farmers/socially-disadvantaged-farmers-race,-hispanic-origin,-and-gender.aspx#.VEaDsRax39V> (last visited Oct. 15, 2015).
16. *Id.*
17. *Supra* note 14.
18. Preliminary Report Highlights, U.S. Farms and Farmers, USDA Nat'l Agric. Statistics Service (Feb. 2014) available at [www.agcensus.usda.gov/Publications/2012/Preliminary\\_Report/Highlights.pdf](http://www.agcensus.usda.gov/Publications/2012/Preliminary_Report/Highlights.pdf).

19. Saru Jayaraman, *Shelved: How Wages and Working Conditions for California's Food Retail Workers have Declined as the Industry has Thrived*, UC Berkeley Labor Center, Jun. 1, 2014, <http://laborcenter.berkeley.edu/shelved-how-wages-and-working-conditions-for-californias-food-retail-workers-have-declined-as-the-industry-has-thrived/> (last visited Aug. 7, 2015).
20. Addressing Nitrate in California's Drinking Water, California Nitrate Project & Center for Watershed Sciences at UC Davis (Jan. 2012), available at <http://groundwater.nitrate.ucdavis.edu/files/138956.pdf> in Building a Healthy Food System for Los Angeles: Strategic Priorities 2012-2013, Good Food Office, City of Los Angeles (2013), available at <http://goodfoodla.org/wp-content/uploads/2013/02/Good-Food-Office-Strategic-Priorities-3-8-13-1203pm.pdf>.
21. Wendee Nicole, *CAFOs and Environmental Justice: The Case of North Carolina*, ENVIRON. HEALTH PERSPECT., vol. 121, no. 6, Jun. 1, 2013, at A182-189, available at <http://ehp.niehs.nih.gov/121-a182/>.
22. Stephanie Tai, *Food Systems Law from Farm to Fork and Beyond*, 45 SETON HALL L. REV. 109 (2015).
23. Neil Hamilton, *Farms, Food, and the Future: Legal Issues and Fifteen Years of the "New Agriculture"* (adapted from remarks delivered at the Symposium, *Cultivating Our Future: New Landscapes in Food and Agricultural Law and Policy*, 26 J. ENVTL. L. & LITIG. 1 (2011)).
24. Scott L. Cummings, *The Pursuit of Legal Rights—and Beyond*, 59 UCLA L. REV. 506, 511 (2012) (noting "There are now more public interest lawyers (relative to all lawyers) than there were in the early period, suggesting that the project of public interest law's professionalization had been successful.").
25. *Id.* at 527-31; Scott L. Cummings, *What Are Good Lawyers, in The Paradox of Professionalism: Lawyers and the Possibility of Justice*, at 6 (Cambridge University Press 2011), available at <http://ssrn.com/abstract=1763337>.
26. *Id.* at 527-32; Scott L. Cummings, *The Future of Public Interest Law*, 33 U. ARK. LITTLE ROCK L. REV. 355, 358 (2011).
27. Bar Pre-Admission Pro Bono, American Bar Association, [http://www.americanbar.org/groups/probono\\_public\\_service/policy/bar\\_pre\\_admission\\_pro\\_bono.html](http://www.americanbar.org/groups/probono_public_service/policy/bar_pre_admission_pro_bono.html) (last visited Jul. 20, 2015).
28. *Id.*; see also Chart of Law School Pro Bono Programs, American Bar Association, [https://apps.americanbar.org/legalservices/probono/lawschools/pb\\_programs\\_chart.html](https://apps.americanbar.org/legalservices/probono/lawschools/pb_programs_chart.html) (last visited Oct. 20, 2015).
29. Scott L. Cummings, *The Internationalization of Public Interest Law*, 57 DUKE L.J. 891, 908 (2008).
30. David A. Santacroce & Robert R. Kuehn, *The 2010-11 Survey of Applied Legal Education*, Ctr. For the Study of Applied Legal Educ., 9 (2012).
31. E-law: What Started It all? Natural Resources Defense Council, <http://www.nrdc.org/legislation/helaw.asp> (last visited Aug. 3, 2015).
32. *Supra* note 30.
33. Deena R. Hurwitz, *Lawyering for Justice and the Inevitability of International Human Rights Clinics*, 28 YALE J. INT'L L. 505, 524-527 (2003).
34. Baylen J. Linnekin & Emily M. Broad Leib, *Food Law & Policy: The Fertile Field's Origins and First Decade*, WIS. L. REV. 557, 599 (2014). Stephanie Tai, *Food Systems Law from Farm to Fork and Beyond*, 45 SETON HALL L. REV. 109 (2015). Susan A. Schneider, *A Reconsideration of Agricultural Law: A Call for the Law of Food, Farming, and Sustainability* 34 WM. & MARY ENVTL. L. & POL'Y REV. 935 (2010).
35. Linnekin & Broad Leib, *supra* note 34, at 601 (table 6).
36. Interview with Susan Schneider, May 6, 2015. Email from Susan Schneider to Emily Chen, dated May 7, 2015.

37. David M. Forman, <https://www.law.hawaii.edu/personnel/forman/david> (last visited Jun. 18, 2015). Interview with Andrea Freeman, May 6, 2015.
38. See, e.g., Environmental Justice, <https://www.law.stanford.edu/courses/environmental-justice> (last visited Jun. 18, 2015). Interview with Jay Mitchell, May 5, 2015.
39. See, e.g., Public Health Law and Policy, <http://hls.harvard.edu/academics/curriculum/catalog/index.html?o=65913> (last visited Jun. 18, 2015).
40. Since 2009, seven law review articles in Westlaw's database have addressed "food justice," based on a title search for "food justice" conducted on Jul. 27, 2015.
41. Linnekin & Broad Leib, *supra* note 34, at 590-591; Symposium, *Food Law & Policy: The Past, the Present, and the Future*, J. OF FOOD LAW & POLICY (2015), <http://law.uark.edu/academics/llm/journal-of-food-law-policy-symposium/> (last visited Jun. 21, 2015).
42. Conference, *Food Justice*, University of Oregon, <http://foodjusticeconference.com/about/index.htm> (last visited Jun. 19, 2015).
43. Center for Agriculture and Food Systems, Vermont Law School, <http://www.vermontlaw.edu/academics/centers-and-programs/center-for-agriculture-and-food-systems> (last visited Jun. 18, 2015).
44. Agriculture Law Center, Drake Law, <http://www.law.drake.edu/clinicsCenters/agLaw/> (last visited Jun. 18, 2015).
45. *Supra* notes 43 and 44.
46. The conference was co-sponsored with the University of Vermont. Conference, *Food Systems Summit 2015, The Right to Food: Power, Policy, and Politics in the 21st Century*, University of Vermont, Jun. 16-17, 2015, <http://www.uvm.edu/foodsystems/?Page=summit.html&SM=summitmenu.html> (last visited Jun. 18, 2015).
47. Linnekin & Broad Leib, *supra* note 34, at 605.
48. Urban Food, Farm & Agriculture Law Practicum, Michigan State University College of Law, <http://law.msu.edu/clinics/food/index.html> (last visited Jun. 18, 2015).
49. Mills Legal Clinic, Organizations and Transactions Clinic Fact Sheet Jun. 2014, Stanford Law School (courtesy of Jay Mitchell, on file with authors). Interview with Jay Mitchell, May 5, 2015.
50. Jay Mitchell, *Getting Into the Field*, 7 J. FOOD LAW & POLICY 69 (2011).
51. Farmworker Legal Assistance, Cornell Law School, <http://www.lawschool.cornell.edu/Clinical-Programs/Farmworker-Legal-Assistance/> (last visited Jun. 18, 2015).
52. Linnekin & Broad Leib, *supra* note 34, at 603. Resnick Program for Food Law and Policy, UCLA Law, <https://law.ucla.edu/centers/social-policy/resnick-program-for-food-law-and-policy/about/> (last visited Jun. 18, 2015).
53. Resnick Program, *supra* note 52. Stephen Lee CV, <http://www.law.uci.edu/faculty/full-time/lee/leeCV.pdf>. LAW 634 - Food Law and Policy, <https://law.ucla.edu/faculty/faculty-profiles/michael-t-roberts/law-634/> (last visited Jun. 25, 2015). LAW 440 - Introduction to Food Law and Policy, <https://law.ucla.edu/faculty/faculty-profiles/michael-t-roberts/law-440/> (last visited Jun. 25, 2015). LAW 165 - Food Fraud: the Need for Regulatory Reform, <https://law.ucla.edu/faculty/faculty-profiles/michael-t-roberts/law-165/> (last visited Jun. 25, 2015). LAW 912 - City Food Policy: Legislation & Advocacy, <https://law.ucla.edu/faculty/faculty-profiles/kim-kessler/law-912/> (last visited Jun. 25, 2015). LAW 679 - Sustainable Agriculture Law, <https://law.ucla.edu/faculty/faculty-profiles/margot-pollans/law-679/> (last visited Jun. 25, 2015). Emails from Stephen Lee to the authors, dated Jul. 17 and 20, 2015. Email from Stephen Sugarman to Emily Chen, dated Aug. 26, 2015. Email from Angela Harris to Emily Chen, dated Aug. 27, 2015.

54. Interview with Naomi Roht-Arriaza, Apr. 30, 2015. Email from Noah Zatz to Kim Kessler, dated Aug. 21, 2014. Interview with Angela Harris, Apr. 27, 2015.
55. Interview with Sushil Jacobs, Jun. 1, 2015. Interview with Alina Ball, May 22, 2015. Email from Allison Davenport to Emily Chen, dated May 28, 2015. Email from Carrie Hempel to Emily Chen, dated May 28, 2015. Email from Sameer Ashar to Emily Chen, dated Jul. 28, 2015.
56. Interview with Cathy Mayorkas, Jun. 2, 2015. Interview with Lisa Mead, Jun. 1, 2015. Email from Laura Fry to Emily Chen, dated May 29, 2015.
57. Resnick Program externships fact sheet 2015-2016, available at <https://law.ucla.edu/~media/Assets/Resnick/Documents/Resnick%20Program%20Externships%20June%202015.ashx>.
58. Symposium, *Confronting Child Labor in Global Agricultural Supply Chains*, UC Davis School of Law, Apr. 4, 2014, <http://childlaborconference.com/> (last visited Jun. 21, 2015); Events – Resnick Program for Food Law and Policy, <https://law.ucla.edu/centers/social-policy/resnick-program-for-food-law-and-policy/events/> (last visited Aug. 24, 2015).
59. Linnekin & Broad Leib, *supra* note 34, at 607-608.
60. Stanford Food Law and Policy Society, Stanford Law School, <https://www.law.stanford.edu/organizations/student-organizations/stanford-food-law-and-policy-society> (last visited Jun. 22, 2015); Panels & Workshops, Shaking the Foundations: The West Coast Progressive Lawyering Conference, Stanford Law School, <http://shaking.stanford.edu/panels.html> (last visited Jun. 22, 2015).
61. Conference, *Just Food? Forum on Justice in the Food System*, Harvard Food Law Society and Food Literacy Project, Mar. 28-29, 2015, <http://foodbetter.squarespace.com/food-justice-conference> (last visited Jun. 25, 2015).
62. *From Farm to Fork to Landfill – Yale Law School Debuts Food Law and Policy Course*, Yale Law School, Feb. 12, 2015, <http://www.law.yale.edu/news/19343.htm> (last visited Jun. 25, 2015).
63. Food Law Student Leadership Summit, Center for Health Law & Policy Innovation, Harvard Law School, <http://www.chlpi.org/food-law-and-policy/food-law-student-leadership-summit/> (last visited Jun. 25, 2015).
64. Interview with Michael T. Roberts, May 15, 2015. Interview with Margot Pollans, Apr. 29, 2015. Interview with Noah Zatz, May 18, 2015. Interview with Angela Harris, Apr. 27, 2015. Interview with Stephen Sugarman, Apr. 30, 2015. Interview with Susan Schneider, May 6, 2015. Interview with Nicole Civita, May 12, 2015. Interview with Laurie Ristino, May 5, 2015. Interview with Emily Broad Leib, May 14, 2015.
65. Interview with Andrea Freeman, May 6, 2015.
66. Interview with Naomi Roht-Arriaza, Apr. 30, 2015.
67. Survey response, Cory Stumpf, UCLA School of Law, Class of 2016.
68. Survey response, Allison Johnson, UC Berkeley School of Law, Class of 2015.
69. Interview with Michael T. Roberts, May 15, 2015. Interview with Stephen Sugarman, Apr. 30, 2015. Interview with Lisa Mead, Jun. 1, 2015.
70. Interview with Hollis Kulwin, May 27, 2015. Interview with Naomi Roht-Arriaza, Apr. 30, 2015.
71. Interview with Michael T. Roberts, May 15, 2015. Interview with Margot Pollans, Apr. 29, 2015. Interview with Nicole Civita, May 12, 2015.
72. Interview with Stephen Sugarman, Apr. 30, 2015. Interview with Andrea Freeman, May 6, 2015. Interview with Naomi Roht-Arriaza, Apr. 30, 2015. Interview with Nicole Civita, May 12, 2015. Interview with Angela Harris, Apr. 27, 2015.

73. Interview with Cathy Mayorkas, Jun. 2, 2015. Interview with Lisa Mead, Jun. 1, 2015.
74. Interview with Laurie Ristino, May 5, 2015.
75. Interview with Emily Broad Leib, May 14, 2015.
76. Natalie Kitroeff, *Law School Applications Set to Hit 15-Year Low*, Bloomberg Business, Mar. 19, 2015, <http://www.bloomberg.com/news/articles/2015-03-19/law-school-applications-will-hit-their-lowest-point-in-15-years> (last visited Aug. 24, 2015).
77. *USDA Awards \$500,000 to VLS for Farmer's Market Project*, Environmental Law Bulletin, Vermont Law School, Fall 2014, [http://www-assets.vermontlaw.edu/Assets/elc/ELCNewsletter\\_Fall2014.pdf](http://www-assets.vermontlaw.edu/Assets/elc/ELCNewsletter_Fall2014.pdf).
78. By way of example, UC Davis allows students to take courses at participating law schools, with approval on a case by case basis. Interview with Hollis Kulwin, May 27, 2015.
79. *Supra* note 27.

# APPENDIX A

---

## Sample Student Interest Survey Questions

1. Please provide your name and contact information (you have the option to complete the survey anonymously):

Name: \_\_\_\_\_  
Email address: \_\_\_\_\_  
Telephone number: \_\_\_\_\_  
Class year: \_\_\_\_\_  
Willingness to be contacted for follow-up questions (Yes or No): \_\_\_\_\_

2. What specific food equity issue would you be interested in learning about and/or working on? (check all that apply)

- a. Food security/hunger
- b. Healthy food access/food environment
- c. Food production impacts (on health of neighboring marginalized communities)
- d. Food production access (to land and capital)
- e. Food system sustainability
- f. Labor/worker justice
- g. Development of food businesses in underserved communities
- h. Other (please specify):

3. Were you aware of and/or interested in food equity issues prior to law school? (Yes or No): \_\_\_

- a. (Please elaborate further here, if desired)

4. Did you come to law school intending to study or work on food equity issues? (Yes or No): \_\_\_\_

- a. (Please elaborate further here, if desired)

5. Do you see food equity as an important social issue to be discussed (e.g., incorporated into classes, public programs and conferences) in a law school environment, and for the law school to engage in through providing related learning experiences, career development or service opportunities? (Yes or No): \_\_\_\_\_.

- a. Why? (Please comment)

Please indicate the level of your interest in the following activities:

6. Taking a class that focuses on or touches upon food equity issues

No interest      Somewhat interested      Very interested      I have participated

7. Assisting a professor with research and/or writing an independent research paper on a food equity topic

No interest      Somewhat interested      Very interested      I have participated

8. Internship or externship placement at an organization or company focused on or that touches upon food equity issues

No interest      Somewhat interested      Very interested      I have participated

9. Participating in a law school clinic/practicum that focuses on or touches upon food equity issues (policy, litigation, and/or transactional matters)

No interest      Somewhat interested      Very interested      I have participated

10. Attending speaker events or conferences at the law school featuring food equity issues

No interest      Somewhat interested      Very interested      I have participated

11. Learning more about various career paths that involve working on food equity issues (policy, litigation, transactional work)

No interest      Somewhat interested      Very interested      I have participated

12. Joining a law student organization focused on or that touches upon food equity issues

No interest      Somewhat interested      Very interested      I have participated

13. Availability of scholarship funds earmarked for research or other work addressing food equity issues

No interest      Somewhat interested      Very interested      I have participated

14. Please use this space to add any additional comments:

# APPENDIX B

---

## Sample Legal Needs Survey Questions

1. Please provide the name, address and website (if you have one) of your organization:

Organization name: \_\_\_\_\_

Organization address: \_\_\_\_\_

Organization mission: \_\_\_\_\_

Organization website: \_\_\_\_\_

2. Please provide the name and contact information of the person filling out this survey:

Name: \_\_\_\_\_

Email address: \_\_\_\_\_

Telephone number: \_\_\_\_\_

Willingness to be contacted for follow-up questions (Yes or No): \_\_\_\_\_

3. Which of the following best describes your organization?

- a. Business
- b. Non-profit organization (501(c)(3) or other non-profit legal designation)
- c. Informal group (no legal formation)
- d. Other/hybrid (please specify):

4. If you selected "Business" for Question #3, please provide an estimate of the business' yearly net revenue:

\_\_\_\_\_

5. What type of issues is your organization involved in? (check all that apply)

- a. Food security/hunger
- b. Healthy food access/food environment
- c. Food production (agriculture, gardening, aquaculture, etc.)
- d. Food processing (baking, cooking, canning, etc.)
- e. Food distribution
- f. Food system sustainability
- g. Labor/worker justice
- h. Development of food businesses
- i. Other (please specify):

6. How many full-time employees are there at your organization?

- a. 3 or fewer
- b. 8 or fewer
- c. 15 or fewer
- d. 16 or more

*For the following situations, please indicate the extent to which access to free legal services, research or analysis would be useful – either to your organization or to those that you work with or on behalf of as part of your organization’s mission.*

7. Dealing with zoning or land use issues related to growing food or creating healthy food environments

Not useful at all, because this issue is rarely (or never) encountered	Not useful; this issue is sometimes encountered, but there have been no significant barriers or challenges	Useful; there have been some barriers or challenges	Very useful; there have been significant barriers or challenges
--	--	---	---

8. Advocating or lobbying for city, state or federal regulations related to healthy food access, food environments, or sustainable food production (for example, tracking and analyzing policy developments, drafting legislative testimony, drafting model ordinance, researching and writing policy document or briefing paper)

Not useful at all, because this issue is rarely (or never) encountered	Not useful; this issue is sometimes encountered, but there have been no significant barriers or challenges	Useful; there have been some barriers or challenges	Very useful; there have been significant barriers or challenges
--	--	---	---

9. Navigating or interpreting city, state or federal regulations or administrative procedures related to healthy food access, food environments, or sustainable food production (for example, seeking permits for food growth or sales, interpreting food safety regulations)

Not useful at all, because this issue is rarely (or never) encountered	Not useful; this issue is sometimes encountered, but there have been no significant barriers or challenges	Useful; there have been some barriers or challenges	Very useful; there have been significant barriers or challenges
--	--	---	---

10. Developing or utilizing contractual or financial tools with regard to business activities to facilitate healthy food access or food production (for example, obtaining a loan or tax credit, drafting a memorandum of understanding)

Not useful at all, because this issue is rarely (or never) encountered

Not useful; this issue is sometimes encountered, but there have been no significant barriers or challenges

Useful; there have been some barriers or challenges

Very useful; there have been significant barriers or challenges

11. Issues related to corporate formation or nonprofit governance (for example, 501(c)(3) formation or evaluating liability risks)

Not useful at all, because this issue is rarely (or never) encountered

Not useful; this issue is sometimes encountered, but there have been no significant barriers or challenges

Useful; there have been some barriers or challenges

Very useful; there have been significant barriers or challenges

12. Please use this space to add any additional comments: