

LESLEY K. MCALLISTER

University of San Diego School of Law
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PROFESSIONAL EXPERIENCE

University of San Diego School of Law

Associate Professor of Law
Assistant Professor of Law

September 2007 - present
July 2005 – August 2007

University of California San Diego, School of International Relations and Pacific Studies

Associate Adjunct Professor
Assistant Adjunct Professor

July 2009 - present
July 2006 – June 2009

Chambers of Judge Fern M. Smith, Northern District of California

Law Clerk

September 2004 – June 2005

Earthjustice International Program

Associate Attorney

Summer/Fall 2002

Environmental Protection Agency Office of Regional Counsel, Region IX

Law Clerk

Summer 2001

EDUCATION

UNIVERSITY OF CALIFORNIA AT BERKELEY, Energy and Resources Group, Ph.D. (2004)

Dissertation Title: Environmental Enforcement and the Rule of Law in Brazil

Qualifying Exam Fields: Development Sociology; Comparative Legal and Regulatory Institutions; Political Economy of the Environment

Fellowships and Awards:

Honorable Mention, Law and Society Association Dissertation Prize

Environmental Protection Agency Graduate Star Fellowship

National Science Foundation Law and Social Science Dissertation Grant

Fulbright-Hays Doctoral Dissertation Research Abroad Fellowship (declined)

Fulbright Institute of International Education Fellowship (declined)

STANFORD LAW SCHOOL, J.D. with distinction (2000)

Teaching Assistant: Multidisciplinary Introduction to Environmental Justice (School of Law); Ethics and Public Policy (Undergraduate Program in Science, Technology and Society)

Research Assistant to Professor Lawrence M. Friedman

Fellowships and Awards:

Stanford Law School Public Service Fellowship

Stanford Foreign Language/Area Studies Fellowship

Rocky Mountain Mineral Law Foundation Fellowship

PRINCETON UNIVERSITY, Civil Engineering and Woodrow Wilson School of Public and International Affairs, B.S.E. *magna cum laude* (1991)

PUBLICATIONS

Books

McAllister, Lesley K., *MAKING LAW MATTER: ENVIRONMENTAL PROTECTION AND LEGAL INSTITUTIONS IN BRAZIL* (Stanford University Press, 2008).

Articles

McAllister, Lesley K., *Dimensions of Enforcement Style in Brazil: Factoring in Regulatory Capacity and Autonomy*, 32 *LAW & POLICY* (forthcoming 2010).

McAllister, Lesley K., Benjamin van Rooij, and Robert A. Kagan, *Reorienting Regulation: Pollution Enforcement in Industrializing Countries*, 32 *LAW & POLICY* (forthcoming 2010).

McAllister, Lesley K., *Regional Climate Regulation: From State Competition to State Collaboration*, 1 *SAN DIEGO JOURNAL OF CLIMATE AND ENERGY LAW* (forthcoming 2009).

McAllister, Lesley K., *The Overallocation Problem in Cap-and-Trade: Moving Toward Stringency*, 34 *COLUMBIA JOURNAL OF ENVIRONMENTAL LAW* (forthcoming 2009).

McAllister, Lesley K., *On Environmental Enforcement and Compliance: A Reply to Professor Crawford's Review of MAKING LAW MATTER: ENVIRONMENTAL PROTECTION AND LEGAL INSTITUTIONS IN BRAZIL*, 40 *GEORGE WASHINGTON INTERNATIONAL LAW REVIEW* (forthcoming 2009).

McAllister, Lesley K., *Sustainable Consumption Governance in the Amazon*, 38 *ENVIRONMENTAL LAW REPORTER* 10873 (2008).

McAllister, Lesley K., *Revisiting a "Promising Institution": Public Law Litigation in the Civil Law World*, 24 *GEORGIA STATE UNIVERSITY LAW REVIEW* 693 (2008).

McAllister, Lesley K., *Putting Persuasion Back in the Equation: Compliance in Cap and Trade Programs*, 24 *PACE ENVIRONMENTAL LAW REVIEW* 299 (2007).

McAllister, Lesley K., *Beyond Playing 'Banker': The Role of the Regulatory Agency in Emissions Trading*, 59 *ADMINISTRATIVE LAW REVIEW* 269 (2007).

McAllister, Lesley K., *Judging GMOs: Judicial Application of the Precautionary Principle in Brazil*, 32 *ECOLOGY LAW QUARTERLY* 149 (2005).

Book Chapters

McAllister, Lesley K., *Litigating Climate Change at the Coal Mine*, in ADJUDICATING THE CLIMATE: SUBNATIONAL, NATIONAL, AND SUPRANATIONAL APPROACHES (William C.G. Burns & Hari M. Osofsky, eds., Cambridge University Press, forthcoming 2009).

McAllister, Lesley K., *Public Prosecutors and Environmental Protection in Brazil*, in ENVIRONMENTAL ISSUES IN LATIN AMERICA AND THE CARIBBEAN (2005).

WORKS-IN-PROGRESS

“Environmental Enforcement in Mexico: 15 Years of NAFTA”: analyzing how environmental law enforcement has changed since the passage of the North American Free Trade Agreement.

“Cap-and-Trade and Citizen Suits”: analyzing the need for a citizen suit provision in potential federal climate legislation.

“Federal Authority for Cap and Trade Programs under the Clean Air Act”: analyzing the extent of authority that EPA has under the Clean Air Act to establish cap and trade programs to regulate air pollution.

INVITED TALKS AND CONFERENCE PARTICIPATION

“Alternative Lenses for Viewing Environmental Law,” a panel which I chaired and served as discussant of the presented papers at the Law & Society Association Annual Meeting, Denver, Colorado, May 31, 2009.

“Mexico’s Voluntary Environmental Audit Program,” a paper presentation at the Law & Society Association Annual Meeting, Denver, Colorado, May 31, 2009.

“Regional Climate Initiatives: From State Competition to State Collaboration,” paper presentation at the Rocky Mountain Mineral Law Foundation Natural Resources Law Teachers Institute, Chico Hot Springs, Montana, May 29, 2009.

“Cap-and-Trade in the Waxman-Markey Bill,” presented at the Center for Progressive Reform Member Scholar Meeting, Washington, DC, May 21, 2009.

“US and EU Carbon Emissions Trading,” presented at Energy Futures Symposium, sponsored by the Political Science and International Relations Department, University of San Diego, May 8, 2009.

- “Creating and Implementing Great Green Regulations,” a panel/webinar that I organized and moderated for the ABA Section of State and Local Government Virtual Spring Meeting, April 2, 2009.
- “Regional Climate Initiatives: From State Competition to State Collaboration,” a paper presentation at the University of San Diego Climate and Energy Law Symposium, February 20, 2009.
- “The Problem of Overallocation in Cap and Trade,” a paper presentation at the Breakfast Dialogue of Citizens Coordinate for Century 3 (C3), San Diego Holiday Inn at the Bay, December 4, 2008.
- “The Problem of Overallocation in Cap and Trade,” a paper presentation at the IUCN Academy of Environmental Law, Mexico City, November 11, 2008.
- “The Problem of Overallocation in Cap and Trade,” a paper presentation at Tulane Law School, October 23, 2008.
- “Enforcement Style in the Global South,” a paper presentation at *The Virtues & Vices of Legalism – A Conference Honoring the Work of Robert A. Kagan* (panel on Regulatory Enforcement and Compliance), Berkeley, CA, September 19, 2008.
- “Moving Toward Stringency in Emissions Trading: The Problem of Slack Caps,” a paper presentation at the Law and Society Association Meeting, Montreal, Canada, May 29 - June 1, 2008.
- “Climate Change and Human Rights,” a presentation at ASES SOLAR 2008, Town and Country Resort & Convention Center, San Diego, CA, May 8, 2008.
- “Climate Change and Human Rights,” a presentation at Kroc IPJ Salon, University of San Diego, April 23, 2008.
- “Moving toward Stringency in Emissions Trading: The Problem of Slack Caps,” a paper presentation as the Environmental Law Virtual Guest Speaker, April 21-25, 2008; see <http://www.law.mercer.edu/elaw/mcallister.html>.
- “Climate-relevant Commodity Chains,” a presentation at the Vanderbilt Interdisciplinary Conference on Climate Change and Consumption, April 2008.
- “Coastal Conservation,” a panel that I organized and chaired at the Spring Meeting of the Section of State and Local Government of the Annual Bar Association, Charleston, SC, March 2008.
- “Moving toward Stringency in Emissions Trading,” a paper presentation sponsored by the Institute for Legal Research and the Environmental Law Society, Boalt Hall School of Law, University of California at Berkeley, November 2007.

- “Moving toward Stringency in Emissions Trading,” a paper presentation at *Symposium: Combating Climate Change on the Regional Level: West Coast Policy and Litigation*, University of Oregon School of Law, October 2007.
- “Climate Change Law & Policy,” at the “Workshop on Climate Change and the Responsibility to Protect,” University of San Diego’s 18th Annual Social Issues Conference, October 2007.
- “Revisiting a Promising Institution: Public Law Litigation in the Civil Law World,” a paper presentation at *Public Law Litigation and Enforcement: Comparative Perspectives*, Georgia State University College of Law, September 2007.
- “Climate Change and Land Use,” a panel that I organized and chaired at the Annual Bar Association Annual Meeting, San Francisco, CA, August 2007.
- “Beyond Playing ‘Banker’: The Role of the Regulatory Agency in Emissions Trading,” a paper presentation at the 4th IUCN Academy of Environmental Law Colloquium, Pace Law School, October 2006.
- Invited presentation at the *Roundtable on Consumption, Law and the Environment*, Vanderbilt Law School, October 2006 (co-sponsored by the Vanderbilt Law School Regulatory Program and the Vanderbilt Center for the Study of Religion and Culture).
- “Environmental Aspects of Kelo and its Aftermath,” presented at The 10th annual "Cities on the Cutting Edge" Conference: The Supreme Court Giveth, Will The People Taketh Away? *Kelo, San Remo, Lingle* And Beyond, University of San Diego School of Law, September 2006.
- “Putting Persuasion Back in the Equation: Compliance in Cap and Trade Programs,” a paper presentation at the 2006 Annual Meeting of the Law & Society Association, Baltimore, MD, July 2006.
- “Oversight of Regulatory Agencies: A Comparative Perspective,” presented at the 2005 Annual Meeting of the Law & Society Association (panel on “Democracy and Equity in Regulatory Governance”), Las Vegas, NV, June 2005.
- “Revisiting a Promising Institution: Public Law Litigation in the Civil Law World,” a paper presentation at the 2004 Latin American Studies Association meeting (panel on “Changing Faces of Law and Justice in Brazil”), Las Vegas, Nevada, October 2004.
- “Prosecuting for the Environment: Legalistic Enforcement and the Rule of Law in Brazil,” presented at the 2004 Annual Meeting of the Law & Society Association (panel on “Styles of Regulatory Governance”), Chicago, Illinois, May 2004.

PROFESSIONAL ASSOCIATIONS AND LANGUAGE PROFICIENCY

Law and Society Association (since 1999)

Latin American Studies Association (since 2002)

Member of the State Bar of California (since 2003)

Member of the American Bar Association (since 2006); Chair of the Environmental Law

Committee of the ABA Section of State and Local Government Law (2007 – present)

Member Scholar of the Center for Progressive Reform (since 2008)

Fluent in Spanish and Portuguese