

Sustainable Development – How Can the Legal Profession Contribute?

November 20, 2020

“Sustainability” and “sustainable development” have become important, even essential, concepts and core responsibilities for many businesses. Both concepts are complex and difficult to define with any accuracy.

There is no uniform definition of “sustainability.” In fact, there are many different views on what this concept means and how it can best be achieved.

The most often quoted definition for “sustainable development” comes from the Brundtland Commission of the United Nations (UN) in its “*Our Common Future*” report of 1987. The Brundtland Commission defined “sustainable development” as development “that meets the needs of the present without compromising the ability of future generations to meet their own needs.”

Since 2015, this definition has been used as the basis for the 17 Sustainable Development Goals (SDGs) adopted by the UN, which form a blueprint for the achievement of a better and more sustainable future. The 17 SDGs reveal the many facets of sustainability. They are intended to promote, among others, gender equality, peaceful and inclusive societies, access to justice for all, and sustainable energy and action that combats climate change and its impact. According to the UN, sustainable development calls for concerted efforts towards building an inclusive, sustainable and resilient future for all.



How can the legal profession contribute to these goals?

Lawyers have a unique and important position that allows them to play a key role in contributing towards the achievement of the SDGs. They should think of sustainability and sustainable development as more than an abstract concept and take the lead in supporting change and innovation. They should take action to maximize the impact of these changes so as to ensure a sustainable future for all.

Specific actions to ensure the sustainable development of law firms, their services and the legal profession in general

	<p>Law firms should prioritize diversity at the workplace to ensure equal professional opportunities. Gender equality, diversity and inclusion are essential, and a diverse work force enables a firm to better respond to client needs.</p>
	<p>In order to meet this goal, a number of law firms are leading the way by adopting the Mansfield Rule, which measures whether law firms have affirmatively considered women, lawyers of color, LGBTQ+ and/or lawyers with disabilities – at least 30% of the candidate pool – for significant leadership and governance roles and client pitch teams, as well as promotions to equity partner and senior lateral hiring decisions.</p>
	<p>Law firms traditionally use vast amounts of paper and energy, and often produce a large amount of waste. They should work towards decreasing their environmental footprint and should start implementing measures that make them more eco-friendly.</p>
	<p>There are many measures that law firms can implement to reduce their ecological impact, such as reducing paper usage by duplex printing or implementing a paperless office, e-filing and e-billing, and by choosing vendors with sustainable goods and services, etc.</p>
	<p>Law firms play an important role in fighting unequal access to justice. They should also contribute to the protection of human rights through their work and pro bono initiatives.</p>

Building a sustainable practice by understanding and responding to clients’ needs

Furthermore, lawyers should be dedicated to creating a sustainable legal practice that responds to their clients’ needs. They need to leave behind the traditional way of delivering legal services and embrace a more sustainable future.

Increasingly, law firms are recognizing that sustainable development initiatives strengthen their reputation on the market and are important to their clients.

Clients expect not only a good understanding of their business, a fast response time, and cost consciousness and efficiency, they also expect their law firm to develop and implement sustainable practices. It is increasingly common that evidence of sustainable development will be a deciding factor in where to take their business,

and clients are increasingly indicating that they will choose to work with law firms that have a diverse partnership and can staff their matters with talented and diverse teams at all levels.

Law firms must react to these client needs and make it a key criterion in outside counsel hiring decisions. They have to demonstrate that they are not only able to meet their clients' legal needs, but also that they share their clients' values. Services and solutions that go beyond the purely legal should be offered to clients. Lawyers need to familiarize themselves with their clients' business and commercial decisions not only in order to deliver more targeted and relevant advice, but also, to ensure that their advice matches their clients' values. This is the sole way to establish strong, long-term relationships.

Sustainability and the law

Finally, a last important area to consider is the law itself, which is often seen as a brake on innovation. The law should not only promote sustainability and sustainable development ("sustainability in the law"), it should itself be sustainable ("sustainability of the law").

In recent years, there has been an increase in legislation that mentions sustainability and sustainable development, especially in connection with climate change. Different areas of law are directly engaging in climate issues. However, despite the increase in legislation to ensure environmental and ecological sustainability, it is obvious that these laws are not always sufficiently effective in the face of growing environmental challenges. Moreover, knowledge of environmental and sustainable legislation has become essential for companies in order to comply with their legal obligations.

Much of today's new legislation attempts to prevent problems from the past being repeated in the future. But this is not enough. Legislation should not merely be a *coping strategy*, but should focus on *being intergenerational*; i.e., legislation should be built by the present generation, on the basis of the past and the present, so that not only the needs of the present generation but also those of future generations can be served. This approach requires specific skills, reflection and experience.

"Since its foundation, Crowell & Moring Brussels has developed and participated in initiatives aimed at creating a better world. In 2018, our firm created a Corporate Social Response Committee whose job is to support our CSR strategy and identify areas for improvement and good causes to support based on the UN Sustainable Development Goals. We believe and invest in the future of our firm, our people and our clients.

First of all, we take gender equality, diversity and inclusion in our firm to heart. Diversity and inclusion form part of Crowell & Moring's core values when elaborating a long-term HR and client development strategy. Furthermore, our firm believes that sustainable client development also requires a rapidly changing marketing strategy and the provision of services that are adapted to our client's needs and demands, especially in the areas of innovation and digitalization.

Finally, we are proud about our constant will to tackle tough societal challenges such as improving access to justice. The pro bono projects of our firm bring the legal profession and the public closer together and demonstrate our lawyers' dedication to their profession."

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