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EDUCATION	Georgetown University Law Center Washington, DC J.D., <i>cum laude</i> , May 2000 Journal: Editor-in-Chief, Georgetown International Environmental Law Review Clinic: Institute for Public Representation Moot Court: Georgetown Manfred Lachs Space Law Moot Court Team
	Tufts University Medford, MA Ph.D., Chemistry, 1997
	Massachusetts Institute of Technology Cambridge, MA S.B., Chemistry (minor in Literature), 1992
LEGAL TEACHING EXPERIENCE	University of Wisconsin School of Law Madison, WI Assistant Professor (2006-present) <ul style="list-style-type: none">• Administrative Law• Agricultural Law and the Environment Seminar• Environmental Law• Legislation• Natural Resources Law• Comparative Water Law
	Washington and Lee University School of Law Lexington, VA Visiting Professor (2005-2006 academic year) <ul style="list-style-type: none">• Natural Resources Law• Catastrophic Environmental and Health Risk Seminar• American Public Law Process (Administrative Law and legal writing for first year law students)
	Georgetown University Law Center Washington, DC Adjunct Professor (2004 – 2005 and 2002-2003 academic years) <ul style="list-style-type: none">• Introduction to Scholarly Note Writing• Applied Scholarly Editing
JUDICIAL CLERKSHIP	The Honorable Ronald Lee Gilman Memphis, TN U.S. Court of Appeals for the Sixth Circuit (Sept. 2000 – Sept. 2001)
LEGAL PRACTICE EXPERIENCE	U.S. Department of Justice Washington, DC Attorney, Appellate Section, Environment and Natural Resources Division (Nov. 2001 – Mar. 2005) <ul style="list-style-type: none">• Drafted briefs and argued cutting-edge environmental cases before U.S. Courts of Appeals.• Started as summer law intern in summer of 1999.
	Institute for Global Environmental Strategies Kanagawa, Japan Editor-in-Chief (Summer 2000) <ul style="list-style-type: none">• Edited and helped found an Asian environmental law, science, and policy journal.• Established guidelines for editing, submissions, and peer review.

PRIMARY
PUBLICATIONS

- *When Natural Science Meets the Dismal Science*, 42 A.S.U. L.J. 949 (2010). This article examines how courts have incorporated into their Commerce Clause jurisprudence evolving research in two fields of empirical study: natural science and economics (“the dismal science”). In doing so, this article focuses on wetlands protection as an area in which both of these fields raise relevant concerns and provides suggestions for how to balance these concerns in the context of the Clean Water Restoration Act currently under development by Congress.
- *Comparing Approaches Towards Governing Scientific Advisory Bodies on Food Safety in the United States and the European Union*, 2010 WISC. L. REV. 627 (2010). This article presents a preliminary comparison of how the United States and the European Commission govern the scientific advisory bodies that provide information to their food safety regulatory institutions by examining the processes by which the U.S. Food and Drug Administration’s Food Advisory Committee and the European Food Safety Authority has provided advice to government decision makers in areas of food safety risks. Through this examination, the article brings attention to the ways in which expert advice has been influenced by new governance theories and provides practical insights relevant to theoretical discussions regarding the nature of scientific expertise.
- *Science Policy Through the Lens of U.S. Domestic Climate Change Litigation*, 27 WISC. INT’L L. J. 462 (2010). This article highlights the impact that recent climate change cases have had on overall climate change research policy in the United States. In particular, it explores the phenomenon of litigation-initiated climate-change science policy by exploring in a qualitative manner how a number of climate-change related cases may have influenced the direction of climate change research beyond that already generated through grant-funded research. The article argues that the litigation process presents a factor in science policy that should be included in its overall study and begins to develop ways for science policy analysts to eventually evaluate more fully the impact of climate change litigation on scientific research development.
- *Uncertainty about Uncertainty: The Impact of Judicial Decisions on Assessing Scientific Uncertainty*, 11 U. PENN. J. CON. L. 671 (2009). This article examines how the presence of scientific uncertainty shapes judicial review of government actions, looking primarily through the lens of *Carhart II*. It argues that the Court’s approach masks an underlying inquiry into whether the science is “certain” or “uncertain,” and suggests that regardless of whether deference to legislative choices in the face of scientific uncertainty is appropriate, allowing a court to find scientific uncertainty even where the legislature expressly claimed to be acting in an area of certainty is troublesome for the accountability of public decisionmaking, the consistency of judicial decisions, and for the openness of scientific research.
- *Three Asymmetries of Informed Environmental Decisionmaking*, 78 TEMPLE L. REV. 659 (2005). This article argues that various problems observed in both statutory public participation mechanisms and administrative agencies’ treatment of developments in scientific knowledge derive from three fundamental asymmetries in existing administrative decisionmaking processes—asymmetries involving which parties are able to provide information to agencies; when parties are able to provide information; and how agencies may apply that information. The article also explains how a recent rider-based “sound science” initiative, the Information Quality Act, further exacerbates these asymmetries

and concludes by presenting proposals for reform that address these asymmetries.

- *Friendly Science: Medical, Scientific, and Technical Amici Before the Supreme Court*, 78 WASH. U. L.Q. 789 (2000). This article examines the participation of scientific organizations as amici before the Supreme Court. It argues that such amici participation is most important when the Court adjudicates in technical and scientific areas because the information and expertise—especially regarding the scientific process—provided by these amici are necessary for the Court to fully appreciate the consequences at stake and for the public to contextualize the Court’s rulings.
- Recent Development, *Environmental Hazards and the Richmond Laotian American Community: A Case Study in Environmental Justice*, 6 ASIAN L.J. 189 (1999). This paper examines the impact of environmental hazards on the Laotian American community in the Contra Costa County, California, and explores the environmental justice efforts of local cultural and environmental justice organizations. The paper characterizes successful tactics for Asian Pacific American communities, describes ideological tensions with such tactics, and evaluates the role that Asian Pacific American environmental justice activists can play in the environmental justice movement as a whole.
- *Vibrational Spectra, Infrared Radiative Properties, and Transition-State Analysis of CFC Substitutes* (1997) (unpublished Ph.D. dissertation, Tufts University). This dissertation examines, among other things, the global warming potentials of chlorofluorocarbon substitutes through both computational and spectroscopic methods.

SELECTED
CO-AUTHORED
PUBLICATIONS

- Maria Powell, Martin Griffin, & Stephanie Tai, *Bottom-Up Risk Regulation? How Nanotechnology Risk Data Gaps Challenge U.S. Federal, State, and Local Environmental Regulatory Capacities*, 42 ENVIRONMENTAL MANAGEMENT 426 (2008).
- Gary O’Connor & Stephanie Tai, *Legal and Appellate Weblogs*, 5 J. APP. PRAC. & PROCESS 205 (2003).
- Stephanie Tai & Andrew Loewenstein et al., *Towards a Greener Peace: Nuclear Reprocessing and Security in East Asia*, in INTERNATIONAL ENVIRONMENTAL COOPERATION: DIPLOMACY AND POLITICS IN THE ASIA-PACIFIC (Paul Harris ed., 2003).
- Richard Lazarus & Stephanie Tai, *Integrating Environmental Justice into EPA Permitting Authority*, 26 ECOLOGY L.Q. 617 (1999).
- Stephanie Tai et al., *Reassignment of the Vibrational Spectra of CH₃CHF₂ (HFC-152a), CH₃CHF₃ (HFC-143a), CHF₂CF₃ (HFC-125), and CHCl₂CF₃ (HCFC-123)*, 55A SPECTROCHIMICA ACTA 9 (1999).
- Stephanie Tai et al., *Infrared Intensities, Atomic Charges, and Dipole Moments in the Fluoroethane Series Using Atomic Polar Tensor Analysis*, 101 J. PHYSICAL CHEMISTRY A 9749 (1997).

LECTURES &
PRESENTATIONS

- *What China Is Doing about What It Doesn’t Know: Exploring the Regulatory Robustness of China’s New Food Safety Law*, Invited Speaker, East Asian Legal Studies Center, Harvard Law School, Cambridge, MA (Nov. 29, 2010).
- *Food Safety in a Globally Connected World*, Invited Lecturer, Globalization: Community Lecture Series, UW-Washington County, West Bend, WI (Nov. 3, 2010).
- *The Intersection of Agriculture, Food, and the Environment: Concentrated Animal Feeding Operations and Genetically Modified Organisms*, Invited Panel Speaker, Environmental Law: Legal and Policy Challenges in the 21st Century, Georgetown University Law Center,

Washington, DC (October 15, 2010).

- *Judicial Review of Agency Decisions in the Face of Scientific Uncertainty*, Invited Speaker, Shanghai Jiao Tong University Law School, Shanghai, China (Sept. 8, 2010).
- *Judicial Review of Agency Decisions in the Face of Scientific Uncertainty*, Invited Speaker and Panel Commentator, Conference on Comparative Administrative Law, Zhejiang University Hangzhou, China (Sept. 6, 2010).
- *When Natural Science Meets the Dismal Science*, Invited Lecture, Doshisha University, Kyoto, Japan (June 1, 2010).
- *What China Is Doing about What It Doesn't Know: Exploring the Regulatory Robustness of China's New Food Safety Law*, Speaker, Conference on Strategies for Import Safety: Regulatory and Market Approaches, UW-Madison (April 14, 2010).
- *What China Is Doing about What It Doesn't Know: Exploring the Regulatory Robustness of China's New Food Safety Law*, Speaker, Institute for Legal Studies Ideas and Innovations in Legal Scholarship, UW-Madison Law School (March 26, 2010).
- *Public Participation and Scientific Expertise in the Development of Food Safety Regulations and the Permitting of Confined Animal Feeding Operations*, Invited Speaker, AALS Open Source Program on Food, Law, and Values (Jan. 10, 2010).
- *Comparing Approaches Towards Governing Scientific Advisory Bodies on Food Safety in the United States and the European Union*, Invited Speaker, Wisconsin Law Review Symposium, *New Governance and the Transformation of Law: Promoting Innovation and Accountability in Reform* (Nov. 20-21, 2009).
- *What China Is Doing About What It Doesn't Know: Exploring the Regulatory Robustness of China's New Food Safety Law*, Big Ten Aspiring Scholars Conference (Aug. 2-4, 2009).
- Invited Speaker, Global Legal Studies Center Outreach Workshop on Global Legal Issues: *International Agriculture and Food* (Apr. 21, 2009).
- *Science Policy Through the Lens of U.S. Domestic Climate Change Litigation*, Invited Speaker, Wisconsin International Law Journal Symposium, *Global Climate Change and Sustainable Development: Challenges and Opportunities for International Law* (Mar. 6, 2009).
- *Uncertainty about Uncertainty: The Impact of Judicial Decisions on Assessing Scientific Uncertainty*, Big Ten Conference, Big Ten Aspiring Scholars Conference (Aug. 7-8, 2008).
- Invited Speaker, Global Legal Studies Center Workshop on Global Climate Change: Lessons from Bali, (Apr. 11, 2008).
- *Whose Science Is Our Science? Institutional Roles in Assessing Science and the Impact of Scientific Knowledge*, Invited Speaker, University of Alabama School of Law Symposium, *Legal Doubt, Scientific Certainty: What Scientific Knowledge Does for and to Law* (Apr. 11, 2008).
- *U.S. Climate Change Litigation and the Role of Science and Scientists*, Panel Presentation, American Chemical Society National Meeting (Aug. 20, 2007).
- *Advice and Dissent: Reluctant Legal Consciousness in the Scientific Community*, Panel Presentation, Annual Meeting of the International Association of Mental Health and the Law (June 29, 2007).
- *The Importance of Legal Coordination in Sustainable Water Management*, Lecture, Second Annual Meeting of the Environmental Health Network for Chinese Scholars (June 21, 2007).
- *Climate Change Litigation and Energy Efficiency Measures*, Lecture, Ho Chi Minh City University of Law (June 5, 2007).
- *International Environmental Law and Global Climate Change*, Lecture, University of Wisconsin Law School (April 24, 2007).
- *Environmental Health Law and Policy*, Lecture, First Annual Meeting of the Environmental Health Network for Chinese Scholars (Sept. 17, 2006).

WORKS IN
PROGRESS

- *What China Is Doing About What It Doesn't Know: Exploring the Regulatory Robustness of China's New Food Safety Law.* This article examines China's new Food Safety law from the perspective of regulatory robustness: that is, the ability of a regulatory system to respond to uncertain inputs and events. In particular, the article explores the potential effectiveness of the particular mechanisms chosen to address existing uncertainties. The article ultimately argues that the Food Safety Law, while significantly strengthening China's ability to deal with food safety issues by clarifying standards and penalties and requiring risk assessments, is still inadequately robust in areas of institutional and enforcement uncertainties.

- *Local Knowledge, Local Fears: Science and Public Participation In Concentrated Animal Feeding Operation Permitting.* This article uses examines Concentrated Animal Feeding Operation (CAFO) permitting processes to provide a window into the greater debate about the role and capacity of citizens to take part in public participation proceedings regarding environmental matters. Ultimately, the article urges legislatures and agencies to tackle more deliberately the question of the role of the public in CAFO permitting decisions through focused study and inquiry.

TEACHING &
RESEARCH
INTERESTS

Primary: environmental law, administrative law, property, torts, natural resources law, and agricultural law.

Secondary: law and science, legislation, federal courts, appellate advocacy.

AWARDS

Special Commendation for Outstanding Service in the Environment and Natural Resources Division of the U.S. Department of Justice, Fall 2003 and 2004.

U.S. Manfred Lachs Space Law Moot Court Competition, Best Brief and Overall Runners-Up, Team Competition, Spring 2000.

Georgetown University Law Center Leahy Moot Court Competition, Best Brief, Fall 1999.

Graduate Research Traineeship in Environmental Chemistry, National Science Foundation, June 1994.

Graduate Student Fellowship, Tufts University Center for Environmental Management, for project: Global Warming Potential and Infrared Intensities of Technological Gases: Experimental and Computational Studies, June 1993.

SELECTED
MAJOR
LITIGATION

As lead counsel

- *Selkirk Conservation Alliance v. U.S. Forest Service*, 336 F.3d 944 (9th Cir. 2003) (defending the grant of an easement to a lumber company for a road-building project in a national forest from challenges under the National Environmental Policy Act and the Endangered Species Act).
- *GDF Realty v. Norton*, 326 F.3d 622 (5th Cir. 2003) (defending the application of the Endangered Species Act to intrastate endangered cave invertebrates from a Commerce Clause challenge).
- *Indiana Forest Alliance v. U.S. Forest Service*, 325 F.3d 851 (7th Cir. 2003) (defending a decision to implement a plan to maintain forest openings in a national forest from challenges raised under the National Environmental Policy Act and the National Forest Management Act).

As co-counsel

- *Monsanto v. Geertson Seed Farms*, S. Ct. No. 09-475 (2010) (representing organic farmers in presenting the impacts they would face from deregulation of genetically modified alfalfa).
- *Entergy Corp. v. Environmental Protection Agency*, S. Ct. Nos. 07-588, 07-589, 07-597 (2008)

(explaining how the EPA's cost-benefit approach to evaluating cooling water intake structures will affect commercial fishers)

- *Massachusetts v. Environmental Protection Agency*, S. Ct. No. 05-1120 (2006) (representing an amicus group of climate scientists who explain the current state of climate change science with a focus on its certainties)
- *Environmental Defense v. Duke Energy Corp.*, S. Ct. No. 05-0848 (2006) (representing an amicus group of legislators who argue that the Clean Air Act treats the increase in annual emissions that resulted from improvements made to Duke Energy's generators as regulated major modifications).
- *United States v. Phillips*, 367 F.3d 846 (9th Cir. 2004) (defending a defendant's conviction under the Clean Water Act and explaining the application of Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act to the defendant's case).

SELECTED
PROFESSIONAL
ACTIVITIES

American Bar Association Special Committee on Environmental Law (2010-present)

The Green Bag Board of Advisors (2009-present)

Institute of Medicine Committee on Decision-Making Under Uncertainty
(2007-present)

Midwest Environmental Advocates Board of Advisors (2007-present)

Edward M. Coke Appellate Inn of Court
(Mar. 2004 – May 2005)

