

RENEE CIPRIANO

Public/Private Environmental Experience Sets Her Apart

by Olivia Clarke

If a client wants Renee Cipriano to pick a fight with the opposing side first thing out of the gate, then he or she will be sadly disappointed.

That's not her style.

"We may eventually get to the fight, but I don't start with the fight," says the 47-year-old **Schiff Hardin LLP** partner. "That's something I make clear right off the bat. I do always believe there are solutions. There is always a way to bring people together. It's been the rare case when I have not been able to achieve that. You have to keep pushing and keep on trying. When everyone is working together and trying to reach that solution without fighting, I really do believe you get there. And if you don't, then you fight."

Cipriano's practice focuses on providing environmental strategic planning and counseling to a number of clients, including those in the energy industry, with respect to local and national initiatives. This includes an emphasis on government relations and public law and policy. She has extensive experience handling complex regulatory authorization/permitting matters; local government approvals; local siting matters; public hearings and community outreach; and situational management.

"I think I am more of a consensus builder, solution driven, and I also do think I bring some street smarts to the table," she says. "If you talk to clients, that is probably what they would say; I'm solution oriented. I don't have to win every battle. I just want to get to my result. If I have to lose some disagreements or lose some little battles in the process, I am willing to do that as long as we get to the end result."

Discovering the Practice

Cipriano grew up in the northwest suburbs, a third-generation Italian. The middle child, she comes from a family of strong, independent women. Her father, a pharmacist, and mother raised her to believe there wasn't anything she couldn't do. The men in her family never made her feel inferior because of her gender.

At Loyola University Chicago, she majored in sociology but realized that a career in that field would be difficult. A professor suggested she look into going to law school because of the benefits a law degree could give her.

She attended Loyola's law school and

did an externship at the Illinois Attorney General's office. It is there that she discovered environmental law.

She worked in the environmental control division, a new area that most law students weren't exposed to in the '80s.

"I got great exposure to an area of law that I may never have been exposed to," she says. "I knew that it was what I wanted to do."

After graduating from law school in 1988, she stayed on at the Attorney General's office. Including her externship, clerkship, and time as a lawyer, she worked in the office for five years.

"When you walk in the door in the Attorney General's office, you walk in with a pile of cases," she says. "There are probably 50 cases sitting on your desk; some have been

they believed a company wanting to locate an incinerator there hadn't given the community proper notice. She investigated the situation and discovered that a number of citizens hadn't received notice.

She took the matter to court, and the company was forced to start the process all over. This situation, on top of other circumstances, shuttered the incinerator. And while she scored a victory for some in the community, not everyone there was pleased with the results.

"These businesses represent jobs and revenue for local government, and you can forget that," she says. "You forget about the balance—something you can't lose sight of in government. Yes, it would be great if we could



sitting there for a couple of years, and others require immediate attention because of the environmental threats or health threats. You are coming in with no experience, and you are asked to handle those cases. ...I had some fantastic cases that I was able to handle myself and handle with others, and I was able to achieve great successes for the people of the State of Illinois."

During her time in the Attorney General's office, she learned many valuable lessons that she takes with her in her career today. For example, members of the community of Robbins, Illinois, contacted her office because

have absolutely no pollution, but that's not possible. I got to learn that through this case and others. They needed the jobs. Many wanted the incinerator. They needed the revenue. Robbins is one of the poorest areas in the state, in the nation."

Cook County Circuit Judge Joseph Claps first met Cipriano when she was a law clerk in the Attorney General's office and he was the first assistant, and he hired her as a lawyer. He describes her work ethic as excellent and someone who always went the extra mile. He says he helped teach her how to be a lawyer and how to think and negotiate like a lawyer.

And Cipriano refers to him as one of her most important mentors.

"She's one of a kind," Claps says. "She started as a law clerk, and we put her in the environmental division, where she excelled. She went into a private practice in a major law firm and rose to being the head of the EPA. That's a rare accomplishment for anybody.

"I think especially for women attorneys who are sometimes bound by artificial ceilings, she went beyond that. She is universally liked by her clients and her opponents and fellow lawyers. She's just a class act. If a young attorney, male or female, asks 'How can I succeed?' I'd point to Renee Cipriano."

Jumping Between Dreams

Cipriano left the Attorney General's office and became an associate at Schiff Hardin. She says she was excited to work with Sheldon Zabel, who many people consider the father of environmental law.

Gabe Rodriguez, group leader for the environmental practice at Schiff Hardin, worked with Cipriano in the Attorney General's office and recommended her for the associate position at Schiff Hardin.

"Even then, she was really sharp," Rodriguez says. "You knew she was going to go places."

One example of her skill, he says, was when she first started at the firm and got the task of writing the first draft of a 7th Circuit brief involving a very technical issue under an environmental law she had little experience with. She fretted about the brief for weeks, and before she turned it into Zabel, she asked Rodriguez to read it.

Even though she was only a few years out of law school, her first draft of the brief was powerful and persuasive, yet elegant in its simplicity, he recalls. He couldn't believe she wrote the brief.

"She had spent weeks saying she didn't understand the issue, and it was an amazing brief," he says. "She gave it to Sheldon and he filed it as is. And the government called before oral argument to concede error. It was her first swing in private practice. That was an early indication of her drive and tenacity. Once she gets into a project, she doesn't let it go until she does the absolute best job she can."

Cipriano worked there for three years before government came calling again.

At about age 30, she was asked to become associate director and chief counsel of the Illinois Environmental Protection Agency. She says she couldn't pass up this job and the chance to supervise a staff of about 40 lawyers.

"My love for policy and the government work" trumped the cut in pay she took, she says.

She got the chance to work with Mary Gade, the director of the Illinois EPA and another early pioneer in the environmental law field. She also learned the importance of lawyers respecting the line between practicing law and being a technical person. Lawyers need to rely on others to provide the technical expertise and not try to do it themselves, she says.

"The one thing clients in this area hate most is when lawyers in our field try to act as if they know the technical issues more than the clients' own technical people. I've learned that boundary, and that was really one of the most important lessons that I think I learned at the agency."

In addition, she enjoyed getting to draft and negotiate legislation and meet with legislators who were trying to handle constituent issues.

She returned to Schiff Hardin as a partner in 1998 but then received a call about a year later from Gov. George Ryan's office about becoming senior advisor on environment and natural resources to the governor. She oversaw the activities of a variety of agencies in the executive branch, such as the departments of natural resources, agriculture, energy, nuclear safety, and environmental protection.

She learned "what it's like to push through an agenda and work in the executive branch."

When the director of the Illinois EPA moved on to a job in Washington, she became the director. She stayed on in that position when Gov. Rod Blagojevich took over—the only cabinet member to stay on after a change in parties.

John Cullerton, president of the Illinois Senate, first met Cipriano when she worked for the EPA and when she became its director.

"She was one of the best if not the best director I've ever worked with," he says. "She worked under Republican and Democratic governors. She was extremely knowledgeable, obviously in her area, but she also understood the politics of the legislature. ...She can walk the line between environmentalists and the business community, which is what you need to do in the legislature to get things done, to get things passed. The fact that she was a lawyer helped tremendously in drafting legislation."

She returned to Chicago and worked at Sonnenschein, Nath & Rosenthal LLP for a few years before returning to Schiff Hardin, where she has been for the past three years.

An Evolving Practice

Cipriano says she likes the environmental practice because it allows her to combine different disciplines—technical, chemical, biological, problem solving, community relations, and health strategies—to reach a goal.

"It's not an area that involves straight law," she says. "It involves all of these other disciplines and it really makes it very exciting. It was just perfect for me."

Today's practice calls on many of the tools she gathered from her government work.

"Clients come to me usually with a big problem that requires a policy shift or a strategy that involves more than good analysis of the law," she says. "It involves helping them think of community relations, public relations, government relations, strategically thinking about the best way to get where they need to be."

For example, one of her clients, Finkl & Sons, wanted to move their operations to the South Side, which involved a lot more than getting environmental permits because the company needed to work with the community. Being technically sound is not enough today.

She says the most important thing "is recognizing that people do have concerns, legitimate concerns that you can't just brush off. You have to explain why their concerns aren't the reality but in a way that's respectful."

She says her environmental law practice has grown, and because of her government experience, it's geared more towards strategy assistance and less toward day-to-day compliance issues.

For example, in 2006, the EPA proposed mercury regulations that her utility client, Ameren Corp., couldn't comply with. Instead of fighting the regulations, she and her client worked to fashion an alternative to the straight mandate, which provided additional air pollution reductions in exchange for more time to comply with the mercury reduction regulations.

She negotiated with the EPA and interested legislators, and the compromise was adopted as part of the mercury rules that are now on the books in Illinois. In the end, everyone was pleased with the compromise, she says.

Susan Knowles, managing assistant general counsel of Ameren Corp., says the company relied on Cipriano's political judgment during the mercury regulations' negotiations. The rest of the industry wasn't necessarily on the same page, but by the end, the environmentalists and the government were all in agreement, Knowles says.

"She's very different than other lawyers who come out of large firms because of her substantial government experience," Knowles says. "She is really, really very good at seeing the entire playing field and figuring out how to position that issue."

"She can put herself in any position to see their perspective. That's a unique ability. She's able to work very well with regulators and

company folks to find a way to bridge issues. Lots of times people talk past each other and she can hear that.”

Rodriguez says Cipriano really focuses on a strategy when working with her clients. She listens to them to figure out where they need to go and helps them understand how to get there.

“It may not be a straight line, but she’s always looking to get to the finish line and it’s always about the client,” he says. “She is dogged in the pursuit of her clients’ objectives, and she does it with a lot of style and a great sense of humor.”

Obsessed With Cooking

When Cipriano isn’t practicing law, she enjoys spending time with her family. Sunday Italian-style dinners are a regular occurrence for her and her family.

She and her cousin enjoy making dinner, and she jokes that they often pretend they are on the Food Network preparing food for the television audiences to see. She says she prides herself on being able to make any type of homemade pasta noodle.

“I absolutely love cooking. I’m obsessed,” she says. “It’s very relaxing. I also love being outside and any opportunity to hike or bike is wonderful. I spend a lot of time with my family. I think that’s really important to keep yourself grounded. It helps relax me because it pulls you so far out of the work setting.

“I get absolutely no pass on Sunday when I have to have 15 to 24 people in my house and I’ve got some big work matter the next day.”

About a year ago, she got married for the first time to a vice president of an environmental firm. “We are able to talk environmental talk over dinner,” she says.

Whether a client or colleague, people describe how Cipriano’s law firm and government experience make her a special lawyer.

Knowles, from Ameren, says Cipriano “has the ability to make you feel very comfortable. It’s a breath of fresh air when you have someone who can listen to you and hear what you have to say.” ■