

Sarah J. Fox

Associate Professor

Marquette University Law School

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ACADEMIC APPOINTMENTS

Marquette University Law School,
Associate Professor, 2024-present

Courses taught: Land Use Regulation; Property; Local Government Law; Seminar: Climate Change Law in the Great Lakes Region

Northern Illinois University College of Law,
Associate Professor, 2020-present; Assistant Professor, 2017-2020

Courses taught: Environmental Law; Property; State & Local Government; Administrative Law

Awards & grants: inaugural NIU Law Board of Visitors Faculty Scholarship Excellence Award (2023-2026); grant from Illinois Municipal League (2022-2023)

ACADEMIC VISITS & FELLOWSHIPS

University of Iowa College of Law, *Visiting Professor of Law*, Spring 2024
Courses taught: Environmental Law; Land Use

Georgetown University Law Center, *Environmental Law & Justice Clinical Teaching Fellow*, 2015-2017

EDUCATION

Georgetown University Law Center,
L.L.M., with honors, in Advocacy, 2017

Georgetown University Law Center,
Juris Doctor, cum laude, 2009

University of Oklahoma,
Bachelor of Arts, summa cum laude, in International and Area Studies; minor in Spanish, 2006

Pontificia Universidad Católica de Valparaíso, Valparaíso, Chile (February-July 2005) University of Oxford, Brasenose College, Oxford, England (June-July 2003)

CLERKSHIP & PRACTICE

Jones Day, New York, NY
Litigation Associate, 2011-2015

United States District Court for the Northern District of Oklahoma, Law Clerk to the Honorable Claire V. Eagan, 2010-2011

Quinn Emanuel Urquhart & Sullivan, LLP, New York, NY
Litigation Associate, September 2009-August 2010

PUBLICATIONS

LAW REVIEW ARTICLES, ESSAYS AND BOOK CHAPTERS

Br(e)aking Environmental Progress [work in progress]

When Local Voice Meets Social Change: Renewable Energy, Data Centers, and Housing (forthcoming), _ Minnesota Journal of Law, Science & Technology _ (forthcoming 2027).

The United States of America, IN EDWARD ELGAR HANDBOOK ON CITIES AND CLIMATE CHANGE LAW (Anél du Plessis & Cathrin Zengerling, eds.) (Edward Elgar 2026) (invited contribution)

Soil Governance and Private Property, 2024 Utah L. Rev. 1 (2024)

- Article selected to appear in 2025 Environmental Law and Policy Review, and as the featured article at the 2025 ELPAR symposium at Vanderbilt Law School
- Article selected for reprinting in the 2025 Land Use and Environment Law Review (Thomson Reuters)
- Article reviewed by Prof. Shelley Saxer in JOTWELL (Jun. 4, 2024), “Is It a Resource or Is It Property? How About Both?”

A Research Agenda for Sustainable Land Use Policy and Planning (chapter), in A RESEARCH AGENDA FOR LAND USE AND PLANNING LAW: US AND COMPARATIVE PERSPECTIVES (Sarah Schindler & John Infranca, eds.) (Edward Elgar, Elgar Research Agenda Series 2023) (invited contribution)

Climate Changed Communities (chapter), in ADAPTING TO HIGH-LEVEL WARMING: EQUITY, GOVERNANCE, AND LAW, Environmental Law Institute (2025) (invited contribution)

The Prospect and Perils of Climate Preemption for Public Health Law, 15 Northeastern Law Review 1 (2023) (invited contribution to symposium edition)

The 4° City (essay), in *Adapting to a 4°C World*, Environmental Law Reporter (March 2022) (invited contribution)

How the Biden Administration Can Empower Local Climate Action (essay), 51 Urban Lawyer 203 (2021)

Why Localizing Climate Federalism Matters (Even) During a Biden Administration (essay), 99 Texas L. Rev. Online 122 (2021)

Localizing Environmental Federalism, 54 U.C. Davis L. Rev. 2133 (2020)

Environmental Gentrification, 90 Univ. Colo. L. Rev. 803 (2019)

Home Rule in an Era of Local Environmental Innovation, 44 Ecology Law Quarterly 575 (2017)

Planning for Density in a Driverless World, 9 Northeastern Univ. L. J. 151 (2017)

This is Adaptation: Elimination of Subsidies under the National Flood Insurance Program, 39 Colum. J. Envtl. L. 205 (2014)

CERCLA, Institutional Controls, and the Legacy of Urban Industrial Use, 42 Env'tl. L. 1211 (2012)

Note, “A Climate of Change: Shifting Environmental Concerns and Property Law Norms Through the Lens of LEED Building Standards,” 28 Va. Env'tl. L.J. 299 (2010)

CO-AUTHORED WORKS

It Doesn't Have to Be This Way (chapter), in *BLUE SKY THINKING FOR A RED SKY WORLD*, Environmental Law Institute (forthcoming 2027) (with Jessica Owley & Rebecca Bratspies) (invited contribution)

The Supreme Court's Expansion of Private Property Rights is an Obstacle to the Good Life (chapter), in *THE GOOD LIFE IN THE ANTHROPOCENE*, Environmental Law Institute (forthcoming 2026) (with Jessica Owley & Rebecca Bratspies) (invited contribution)

Environmental Preemption, *The Local Power and Politics Review* (2020) (with Jennifer Hensley, Sierra Club) (invited contributor)

Principles of Home Rule for the Twenty-First Century, National League of Cities (February 12, 2020) (with Richard Briffault, Nestor Davidson, Paul Diller, Laurie Reynolds, Erin Scharff, & Rick Su)

OTHER WORKS

SlogLaw: The State and Local Government Law Blog (invited contributor)

“What Does it Take for a City to Decarbonize Its Buildings?” (Nov. 22, 2021)

“Planning for Climate Change? Plan for Climate Change Gentrification, Too.” (Sept. 14, 2021)

Amicus Curiae Brief on behalf of International Municipal Lawyers Association and Professors Sara Bronin, Nestor Davidson, Keith Hirokawa, Ashira Ostrow, Dave Owen, Jonathan Rosenbloom, and Sarah Schindler, *Portland Pipeline Co., et al. v. City of South Portland, et. al.* (Supreme Judicial Court of Maine 2020)

Amicus Curiae Brief on behalf of International Municipal Lawyers Association and Professors Sara Bronin, Nestor Davidson, Keith Hirokawa, Ashira Ostrow, Dave Owen, Jonathan Rosenbloom, and Sarah Schindler, *Portland Pipeline Co., et al. v. City of South Portland, et. al.* (1st Cir. 2019)

The Climate Report, Jones Day (2012-2015)

“Shareholder Resolutions Pressure Corporations to Disclose Plans for Climate Change”

“Insurance Industry Think Tank Turns Attention to Climate Change”

“Maine Public Utilities Commission Tables Consideration of Offshore Wind Pilot Project”

“Virginia Supreme Court Confirms Denial of Insurance Coverage in Climate Change Suit”

“Rio+20 Conference on Sustainability Attracts Greater Corporate Involvement”

PRESENTATIONS AND APPEARANCES

“When Local Voice Meets Social Change,” State and Local Government Works-in-Progress Workshop, University of Michigan Law School (Dec. 5-6, 2025) (invited)

“Climate of Conflict: Local Environmental Action versus Federal Authority,” Cooper-Walsh Colloquium, “Urban Unflappability: How Local Law can Withstand a Hostile Federal Government,” Fordham Law School (October 17, 2025) (invited)

“Local Roots, Global Goals: The Pros and Cons of Localizing Environmentalism,” Environmental Federalism Symposium, Property and Environment Research Center, Bozeman, MT (Aug. 19, 2025) (invited)

“Climate Changed Communities”

People Places Planet podcast, Episode 16, Season 7, Environmental Law Institute (2025)

Hubbell Environmental Law Initiative, “Adapting to a Warming World: Perspectives from the Environmental Law Collaborative,” University of Iowa College of Law (April 14, 2023)

Fifth Annual Chicagoland Junior Scholars Works-in-Progress Conference (Sept. 30, 2022)

“Community Development for Resilience in the Face of Climate Change,” Community Economic Development Section, Co-Sponsored by Poverty Law, Property Law, and State and Local Government, AALS Annual Meeting, San Diego (January 6, 2023) (selected from call for papers)

“Climate-Smart Urban Planning Legislation,” United Nations World Cities Day, Urban Law Center at Fordham University School of Law (Oct. 31, 2022)

“A Research Agenda for Land Use and Planning Law: US and Comparative Perspectives—Sustainability”

Association for Law, Property & Society, University of Southampton, UK (May 13, 2023)

Book Workshop, Suffolk University Law School (Oct. 28-29, 2022)

“Soil Governance and Private Property”

National Academy of Sciences, US National Committee for Soil Sciences (April 17, 2024)

University of Iowa Faculty Workshop (February 2024)

Association for Law, Property & Society, University of Southampton, UK (May 13, 2023)

Agricultural and Food Law, Natural Resources and Energy Law, and Environmental Law Joint Works-in-Progress Session, AALS Annual Meeting, San Diego (January 5, 2023)

“Land as Local Natural Resource”

Second Annual Environmental Law Scholars Workshop at Starved Rock Lodge (Oct. 12-15, 2022)

Eighth Annual International & Comparative Urban Law Conference (July 15, 2022)

Rocky Mountain Mineral Law Foundation Works-in-Progress Session (June 4, 2021)

“Tackling State Preemption,” ClimateXChange State Legislators Meeting (June 2022)

“The Prospect and Perils of Climate Preemption for Public Health Law,” Northeastern Center for Health Law and Policy Annual Health Law Conference (April 2022)

“Subnational Law and Policy in Planning for a 4^o Future”

Environmental Law Collaborative (discussion leader and invited participant) (July 27-29, 2021)

“Shell Climate Ruling”

Guest, WGN Radio’s Legal Face-Off (May 26, 2021)

“Why Localizing Climate Federalism Matters (Even) During a Biden Administration”

Fourth Annual Chicagoland Junior Scholars Works-in-Progress Conference (Oct. 1, 2021)

6th Annual Sustainability Conference of American Legal Educators, Arizona State University (May 14, 2021) (invited through competitive selection process)

“Urban Gentrification and Environmental Justice: Land Use, Climate, and Social Equity in America’s Cities”

Fordham Law School (invited panelist; symposium based on 2018 Environmental Gentrification article) (April 22, 2021)

“Hot Topics in Water & Land Planning for Climate Adaptation”

Rocky Mountain Land Use Institute 2020 Western Spaces/Western Places Conference, University of Denver Sturm College of Law (invited panelist) (March 5, 2020)

“Environmental Governance Gaps”

West Virginia Law Review Symposium on Local Government (invited panelist) (February 28, 2020)

“State Preemption of Local Democracy”

2019 Michigan Association of Municipal Attorneys (October 17, 2019)

2019 Ohio Municipal Attorneys Association Conference (July 26, 2019)

“A New Era of Preemption: The Recent Wave of Preemption in the Health and Public Health Contexts”

2019 Health Law Professors Conference, Loyola University Law School (June 7, 2019)

“Localizing Environmental Federalism”

3rd Annual Chicagoland Junior Scholars Works-in-Progress Conference (Oct. 2, 2020)

9th Annual State and Local Government Works in Progress Conference, Willamette School of Law (September 25, 2020)

Rocky Mountain Land Use Institute 2020 Western Spaces/Western Places Conference, University of Denver Sturm College of Law, Cheever Scholarly Workshop (March 6, 2020)

Agricultural and Food Law, Natural Resources and Energy Law, and Environmental Law Joint Works-in-Progress Session, AALS Annual Meeting, Washington, DC (January 3, 2020)

2nd Annual Chicagoland Junior Scholars Works-in-Progress Conference, Loyola Law School (Sept. 27, 2019)

8th Annual State and Local Government Works in Progress Conference, University of Virginia Law School (September 20, 2019)

Sabin Colloquium on Innovative Environmental Law Scholarship, Columbia Law School (May 1617, 2019) (invited through competitive selection process)

5th Annual Sustainability Conference of American Legal Educators, Arizona State University (May 10, 2019) (invited through competitive selection process)

Association for Law, Property & Society, University of Michigan Law School (May 19-20, 2017)

“Environmental Gentrification”

Marquette Law School Faculty Workshop (April 9, 2019)

Chicagoland Junior Scholars Works-in-Progress Conference, Loyola Law School (Oct. 4, 2018)

11th Annual Summer Works-in-Progress Symposium on Climate Change, Energy and Natural Resources Law & Policy, University of California, Santa Barbara (invited participant) (August 9-10, 2018)

Colloquium on Environmental Scholarship, Vermont Law School (September 23, 2017)

Marquette University Junior Works-in-Progress Conference (September 29-30, 2017)

“Home Rule in an Era of Local Environmental Innovation”

International Research Group on Law and Urban Space, “A Jurisprudence of the City?: The Judiciary and the City,” Fordham Law School (June 14-15, 2017)

Colloquium on Environmental Scholarship, Vermont Law School (September 24, 2016)

University of Washington Junior Environmental Scholars Workshop (June 23-24, 2016)

Sabin Colloquium on Innovative Environmental Law Scholarship, Columbia Law School (May 2627, 2016) (invited through competitive selection process)

“Planning for Density in a Driverless World”

Junior Scholars Works in Progress Workshop at “Legal Scholarship 4.0” conference, Northeastern University School of Law (October 31, 2015)

SERVICE & COMMUNITY ENGAGEMENT

Marquette University Law School

Advisor to Environmental Law Society.

Coach National Environmental Law Moot Court Competition team (2024-2025; 2025-2026).

Member of faculty committees: Academic Programs; Admissions; Curriculum.

Northern Illinois University College of Law

Taught several sessions of undergraduate environmental studies course.

Advisor to Environmental Law Society.

Elected by faculty to serve on Dean Search Committee (2019-2020).

Chair of Admissions Committee (2022-2023; 2023-2024).

Organize Chicagoland Junior Scholars Conference.
Chair of AALS Section on State and Local Government (2022-2023).
Member of AALS Membership Review Committee (2022-2025).
Ex Officio NIU Representative on DeKalb Citizens Environmental Commission (2020-2023)

Local Solutions Support Center, Law Professor Working Group

Member of law professor working group focused on articulating and explaining legal issues with new forms of preemption and participating in proposals for new forms of home rule.

Faculty Associate in Northern Illinois University Institute for the Study of the Environment, Sustainability, and Energy

Represent College of Law in University-wide interdisciplinary environmental efforts and development of environmental specialization at the College of Law.

Participate in planning for Northern Illinois Center for Community Sustainability in state-wide Illinois Innovation Network, a collection of universities with programming focused on sustainability planning and research for Illinois.

Section Editor, Sustainable Development Code

Teach about and edit student contributions to the Sustainable Development Code, a national effort to create a model development code for communities hoping to adopt sustainability measures.

ADDITIONAL EXPERIENCE

Environmental Law Institute, Washington, DC

Volunteer Researcher, 2009-2010

U.S. Department of Justice, Environment & Natural Resources Division, Washington, DC

Law Clerk, Law and Policy Section, 2009; *Appellate Section*, 2008

Georgetown University Law Center,

Senior Writing Fellow, 2008-2009

National Environmental Law Moot Court Competition, Pace Law School, White Plains, NY

Participant, 2007-2008; *Coach*, 2008-2009

U.S. District Court for the District of Columbia, Judge Emmet Sullivan, Washington, DC

Judicial Intern, 2008

Professor Richard Lazarus, Washington, DC

Research Assistant, 2008

Georgetown University Law Center,

Legal Research & Writing Law Fellow, 2007-2008

Georgetown Environmental Law and Policy Institute, Washington, DC

Research Assistant, September 2007-May 2008

Public Citizen Litigation Group, Washington, DC

Law Clerk, May 2007-August 2007

BAR MEMBERSHIPS

State of Illinois; State of New York

U.S. Courts of Appeals (District of Columbia, Second Circuit)

U.S. District Courts (District of Columbia; Eastern District of New York; Southern District of New York; Western District of Wisconsin)