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CHARTER FOR LEGAL COMMITTEE

WHY IS THIS MISSION NEEDED OR WHY IS IT IMPORTANT

Every aspect of this project will have its legal challenges and we need someone with expertise in these areas to advise and represent us as needed. We need to have the team in place early on so no legal issues are overlooked and potential problems prepared for in advance. Even if we can develop “boilerplate” language for most issues, there will be issues unique to each vessel or sink site to be addressed. This will be especially true in Sanctuary areas.

DESCRIPTION OF WHAT NEEDS TO BE DONE

1. Identify all aspects of the program where legal advice & management is/may be required such as (may be separate sub-committees):
 - a. Environmental (cleaning of hulls, interiors, MARAD lawsuit, EIR)
 - b. Maritime Law (ship title transfer – both to state & local grantees)
 - c. Contracts Law (Federal/State contract, shipyard contract (i.e. recoverables, etc.), towing contract, toxics removal contract, diverization contract (if needed), sinking contract)
 - d. Liability Law (pre-sinking liability, post-sinking liability)
 - e. Others To Be Identified
2. Recruit pro bono attorneys with appropriate expertise in each area to include, but not limited to Environmental Law, Maritime Law, Contracts Law, Liability Law, and others as they are identified. Note: we need to be sensitive to the burden this puts on the attorneys.
3. Each attorney will review his portion of the project for potential areas where legal issues may arise and prepare appropriate steps to be taken in advance to eliminate or prepare for said issue.

DEFINE SUCCESS FOR THIS COMMITTEE

1. Have all aspects of the program, where legal advice & management is/may be required, clearly defined.
2. Have a team of legal experts in place to handle legal needs for every aspect of the project. It is anticipated that each attorney will work directly with the other committees involved in his area of expertise.
3. Each legal advisor will have reviewed his area of expertise and has prepared his action plan to eliminate any challenges we face.
4. Each legal advisor is working on a pro bono basis.
5. Each attorney needs to advise us of issues that need to be addressed.

OVERALL PROJECT: For the Duration

SKILLS/PEOPLE OR EQUIPMENT NEEDED TO ACCOMPLISH MISSION

Attorneys and staff (preferably in California) with expertise in areas such as Environmental Law, Maritime Law, Contracts Law, Liability Law, and others as they are identified.