

Environmental, Social & Governance

Shareholders and other stakeholders have long evaluated corporations, including their boards and management teams, based on factors that affect long-term value. Opportunities and risks around environmental, social, and governance (ESG) matters are at the forefront of today's assessments. As the country strives to respond to the COVID-19 pandemic, racial injustices, and climate change, corporations and their boards of directors and management teams are heeding the calls of their investors, customers, and other stakeholders to place ESG matters on the front burner.

ESG represents an intersection of risk management, involving reputational and compliance issues, and strategic opportunities. By enlisting savvy counsel, companies, including their boards and management teams, can meet their obligations of risk management and exploration of strategic opportunities in an efficient and effective manner. Cozen O'Connor has developed a dedicated ESG practice to meet this burgeoning need.

When considering their ESG obligations, many companies are left wondering what aspects of their operations are relevant to the inquiry, who the stakeholders are, how to monitor and manage ESG impacts, and how to balance reporting expectations with the need to protect the company and mitigate risk. Our multidisciplinary ESG team helps clients address these issues and more as we track the ever-evolving standards, including relevant legal and regulatory developments, that bear on companies' need to collect, analyze, and disclose various types of data reflecting the broader impact of their operations.

Our mission is to help clients create business strategies and legal policies and procedures that comply with emerging environmental, social, and governance standards and evince respect for all. In addition, we recognize that investors are increasingly interested in identifying targets with strong ESG platforms — we know what to look for, and can therefore help investors find opportunities that will bring social and environmental returns in addition to financial ones.

Our team brings to the table significant experience in the full spectrum of ESG-related issues, including environmental regulation and due diligence, supply chain control and transparency, green construction and LEED certification, real estate and zoning, energy and utilities law, U.S. Securities and Exchange Commission rules and requirements, cybersecurity, tax incentives, employment/human resources issues, and government relations. Among the services our team offers are:

- **Strategy:** When considering ESG, it is crucial that a company set reasonable expectations, identify risk factors, develop appropriate and achievable goals, and set an effective implementation strategy. Our team offers strategic, business-minded advice and legal counsel to develop ESG best practices tailored to each client's needs.
- **Compliance:** Our compliance services include helping clients develop compliance programs, monitor program implementation, design crisis management plans, and develop long-term strategies to amplify performance and reputation.
- **Reporting:** Drawing on our team's extensive experience representing public companies in securities disclosure and corporate governance matters, we help clients identify relevant ESG standards and requirements, analyze those requirements, and incorporate them into their business practices to meet various disclosure requirements.
- **Stakeholder Engagement:** Our team is adept at identifying relevant stakeholders, pinpointing their interests, and helping clients engage with those stakeholders in a strategic manner to highlight and advance shared interests.
- **Due Diligence:** We help clients integrate ESG diligence into existing diligence tools and processes.



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Related Practice Areas

- Business
- Corporate
- Corporate Governance
- Environmental Regulatory & Due Diligence
- Infrastructure
- Labor & Employment
- Private Equity

Industry Sectors

- Climate Change

- Human Capital Considerations: The “S” in ESG has perhaps never carried more weight than it does now. To help our clients address the S, our services include (but are not limited to) helping clients develop and implement diversity, equity, and inclusion programs; handling human capital management disclosures in SEC filings; reviewing and revising workforce policies and programs; addressing issues related to #MeToo; identifying and remedying data vulnerabilities attendant to a remote work environment; and addressing the evolving impact of artificial intelligence.

Whatever your ESG needs may be, Cozen O’Connor is here to help.