

# Annual Benefit Company Report 2015-2016



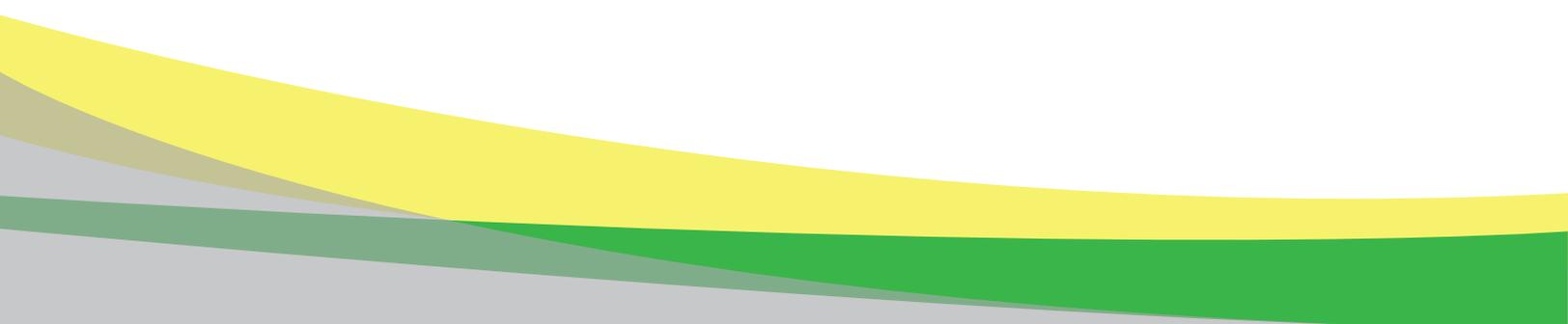
# INTRODUCTION

On April 3, 2014, Henkels Law LLC became an Oregon benefit company. The reason is simple. We believe in environmental and socially responsible practices. To stay true to that vision, we adopted and implemented a third party standard to measure our progress. The metrics primarily reported here result from 2015 activity.

[Diane Henkels](#) founded the firm in 2002. She handles legal cases in business, natural resources, sustainability, energy, and federal Indian and tribal law, and specializes in aspects pertaining to sustainability characteristics. In 2012, Henkels Law became a federally certified woman-owned business. Diane Henkels Attorney is also a State of Oregon certified WBE/ESB since that time. In 2015 Diane continued teaching as Adjunct Professor with Lewis & Clark Law School and the College of Arts and Sciences.

Our firm maintains an affiliation with [CleanTech Law Partners](#) (CLP), and through CLP represents Small Business [Utility Advocates](#) in Oregon.

Thanks to Kris Nelson of Phoenix Finance and HCollaborative for assistance in producing this report.



# GENERAL PUBLIC BENEFIT

Oregon Revised Statute 60.650(3) defines "general public benefit" as a "material positive impact on society and the environment, taken as a whole, from the business and operations of a benefit company." Through our services and operations, Henkels Law provides this material positive impact in the following areas:

## TRANSPORTATION

Henkels Law is committed to reducing fossil fuel emissions from transportation, and appreciates the social benefits of better health from using alternative means and communal ride share. Diane Henkels did not own a motor vehicle from 2012-16. She travels by bicycle, mass transit, Carshare, train, and by walking.

In 2015, Henkels Law:

- Logged approximately 1,235 bicycle commuting miles, avoiding the release of approximately .36 tons of carbon dioxide into the atmosphere by auto travel. Carbonify CO2 Calculator <http://www.carbonify.com/carbon-calculator.htm>.
- Logged approximately 5,845 miles of travel by carshare in approximately this order of frequency and mileage: Getaround, Zipcar, Turo, Car2Go. Travel included trips to the Oregon coast, Newport, Seattle, central Oregon and Salem.
- Logged approximately 700 Trimet miles for work
- Paid local car owners approximately \$1,152 for use of their private vehicles shared through [getaround.com](http://getaround.com).
- Used secure bicycle parking and a shower in shared facilities
- Purchased in 2016 offsets from locally based Bonneville Environmental Foundation ([www.b-e-f.org](http://www.b-e-f.org)) for its infrequent 2015-2016 air travel.
- Implemented distance communication tools (e.g. Skype, [freeconferencecall.com](http://freeconferencecall.com)), and continued upgrading office systems to enable higher quality distance communication with others in private practice, adding GoToMeeting in 2015-16.

## **WASTE, PAPER, AND TOXICS REDUCTION**

In 2015-first quarter 2016 Henkels Law:

- Utilized 100% post-consumer recycled paper, now purchased on an office-wide basis by the office manager.
- Purchased business envelopes made of bamboo
- Purchased recycled ink cartridges from Cartridge World but switching to test Rapid Refill a business local to Portland, Oregon.
- Recycled paper products at desk side and other materials in the firm's common area.
- Offered office-wide recycling for glass, plastics, metal, and household hazardous waste.
- Provided office-wide composting for food wastes for the ten small law firms in the office-share.
- Used durable plates, cups, glasses, and utensils, and shared kitchen facilities.
- Communicated in writing and verbally with the office manager/landlord regarding office operations regarding water and electricity conservation, and waste reduction. Forwarded information on incentives, available programs for improving building infrastructure to support conservation measures. Communications have lead to serious consideration by office manager to approaching building owner regarding the tenant taking on improvements.
- Required non-toxic products (e.g. "Sustainable Earth") to clean office.

## **ENERGY EFFICIENCY**

Henkels Law reduced its electricity use and promoted efficiency by:

- Sharing electricity requirements through a shared, open-air office space to conserve heating, cooling, and lighting.
- Declining to use space heaters or other portable electricity run devices.
- Utilizing GoToMeeting for internal bookkeeping (w/confidentiality agreement in place), utilizing Skype and FaceTime for meetings.
- Working with the landlord to institute energy efficiency policies, such as installing energy efficient lighting.
- Using portable laptop computer that "sleeps" automatically within 30 minutes and turns off at the end of the working day.
- Sharing copier/printer with other office space colleagues for 95% of Henkels Law printing needs.
- Copier/printer "sleeps" after one-half hour's time.
- Begin carbon footprint analysis of lifestyle (electricity & transportation).

## **SUSTAINABLE SOURCING AND PROCUREMENT**

Henkels Law follows sustainable sourcing and procurement best practices by:

- Principally purchasing products from local suppliers, meaning between Newport and Portland, Oregon.
- Screening suppliers for positive practices, such as management by and employment of women and minorities, and environmentally-friendly manufacturing.
- Maintaining and implementing a written sustainable procurement policy (see attachment A).
- Sending holiday greeting cards purchased from Newport, Oregon, Arts Center, supporting local artists and their designs.
- Purchasing food from local vendors/food carts and a B-Corp providing sustainably harvested seafood caught by coastal fishing boats.

Specific suppliers in 2015-2016 include:

- Assured Bookkeeping and Payroll, woman-owned business in Gresham, OR, and member of Oregon Association of Minority Entrepreneurs
- CPA Amy Greer, woman-owned business in Newport, OR
- Technology supplier: Gatgetfix in Northeast Portland (selling refurbished smartphones, etc.)
- Jarrett Wheeler, J.D., Lewis & Clark Law School 2015 graduate, former Native American Law Student Association Chair, for contract legal services in Indian and tribal law matters
- The Savvy Organizer ([www.thesavvyorganizer.us](http://www.thesavvyorganizer.us)), a Woman-Owned Business Enterprise
- Development and Environmental Law Center—Madagascar, consulting services
- Magpie Messenger to deliver Sustainable Law Office Award across downtown Portland for OSB Sustainable Future Section

# EDUCATION

Education is essential to improving and expanding sustainability principles in and beyond our firm. In addition to required continuing legal education credits requirements, many of which are energy or sustainability related, Henkels Law in 2015-2016 encouraged the community to engage in sustainability advocacy best practices by:

- Posting energy related updates to small businesses approximately quarterly
- Participating actively as an Executive Committee member of the Oregon State Bar Sustainable Future Section [www.osbsustainablefuture.org](http://www.osbsustainablefuture.org)
- Organized an October 14, 2016 Presentation on recycling by Sustainability at Work staff at law offices by Paul de Block Sustainability Advisor, Sustainability at Work City of Portland Bureau of Planning and Sustainability  
[w: www.portlandoregon.gov/sustainabilityatwork](http://www.portlandoregon.gov/sustainabilityatwork)
- Introducing students and young professionals in equity minded organizations such as Oregon Association of Minority Entrepreneurs ([www.oame.org](http://www.oame.org)), BESThq LLC ([www.besthq.com](http://www.besthq.com)) by inviting six to the events

## ACCESS TO JUSTICE

"Access to Justice" refers to helping meet the legal needs of low and moderate income Oregonians. Henkels Law implements the equity component of our sustainability policy by incorporating Access to Justice in individual cases. We also represent traditionally unrepresented populations including:

- Small businesses in energy regulatory proceedings and,
- Individuals and entities interacting with tribal governments

Acknowledging that certain stakeholders in society do not have the same access to legal representation as others, Henkels Law specifically supports educating practitioners and persons interacting with Native American communities, historically underrepresented in the U.S. legal system. Support includes providing legal counsel at a discounted rate to clients in a tribal court matters.

## **PRO BONO SERVICES**

Henkels Law reports approximately 420 hours of pro bono services in 2015 through direct representation and non-representational services.

### Direct Representation:

In 2015, Henkels Law provided pro bono legal representation to the following local individuals, organizations, and communities:

- Small Business Utility Advocates ([www.utilityadvocates.org](http://www.utilityadvocates.org)): Henkels Law prepared and filed all briefs in this docket, and other documents with the Oregon Public Utilities Commission; attended related meetings & workshops; provided comment to Oregon Department of Energy; kept SBUA membership in the region and throughout the state of Oregon informed on activities; and surveyed energy regulatory and related proceedings on regular basis to keep membership informed of activity in the sector.(300 hours)
- Oregon Boating Foundation: Henkels Law assisted a youth boating safety and education organization in rural coastal Oregon. [www.oregonboatingfoundation.org](http://www.oregonboatingfoundation.org) (5 hours)
- Small business: Our firm provided various businesses general start up advice. (10 hours)
- Individual: Henkels Law advised and assisted client (2015-2016) in private civil rights. (10 hours)

## Non-Representational Pro Bono Services:

- Henkels Law provides educational opportunities for other lawyers to positively impact underserved communities. Our firm:
  - Organized with the Oregon State Bar Indian Law Section a Continuing Legal Education (CLE) course “Justice in Indian Country”. (15 hours)
  - Provided legal technical support to small business members of BESThq (BESThq.net), business incubator (Approximately 24 hours, two hours month through 2015).
  - Oregon State Bar Sustainable Future Section Executive Committee member 2015 40 hrs, awards/partners subcommittee (20 hours)
  - Served as member of Indian Law Section Executive Committee Secretary in 2015 (10 hours)
  - Served as member of Sustainable Future Section, Secretary for 2016 (25 hours)
- Volunteered for Le Monde French Immersion Public Charter School (7 hours), school cultural and science fair
- Taught youth sailing class on central Oregon coast (40 hours)

## **CHARITABLE CONTRIBUTIONS**

- Water for Good—financial support at least \$400
- Development and Environmental Law Center - Madagascar—financial and in-kind support
- Native American Rights Fund—financial support
- Campaign for Equal Justice—financial support
- Le Monde French Immersion Public Charter School—financial
- Center for Earth Leadership
- OregonShores Coastal Conservation Coalition—financial support
- Northwest Energy Coalition—financial support
- SAGE Senior Attorney Generals for Equity (“SAGE”)
- Oregon Boating Foundation

# SPECIFIC PUBLIC BENEFIT

While not articulated in its Article of Organization, Henkels Law continues to serve a specific public benefit. We assist two African organizations, DELC-Madagascar in Madagascar and Water for Good in Central African Republic. These entities are linked in the “Affiliations” section of [Henkelslaw.com](http://Henkelslaw.com).

DELC-Madagascar focuses on environmental justice both in-country and globally. A specific example of their work is found here: <http://www.accessinitiative.org/blog/2011/06/escape-madagascar-a-learning-experience>. In 2015, Henkels Law facilitated by Skype at Lewis & Clark Law School and College an evening Sustainability Internship Seminar class on “Environmental Justice in Madagascar”.

Water for Good provides clean water and water-related jobs to Central African Republic citizens. See [www.waterforgood.org](http://www.waterforgood.org) about how to improve access to safe drinking water for residents of that country. In 2015, Henkels Law contributed monthly auto payment donations to this organization. We also tried unsuccessfully to engage partners in the Portland metro area to achieve more education on Central African Republic. This effort continues.

## ACCOMPLISHMENTS AND CHALLENGES IN 2015-16

Accomplishments in 2015-16 included:

- Implementing high quality project work in the renewable energy area and laying the foundation for additional projects in the future.
- Achieving successes for underrepresented clients.
- Representing, through Cleantech Law Partners and Small Business Utility Advocates (SBUA), small business in energy regulatory matters. [www.utilityadvocates.org](http://www.utilityadvocates.org)

In 2015-2016, Henkels Law experienced challenges in appropriate staffing levels, and work-life balance issues. This resulted in delegating work to contract assistance, relying on partners and affiliate attorneys with the goal of increasing benefits provided to those working with the firm in 2016.

# MOVING FORWARD

Henkels Law did work to achieve progress in the following:

- Adding baseline metrics to transportation, composting, recycling, percent of firm income contributed to charities, number of students taught in sustainability, and the number of pro bono hours contributed.
- Increasing our employment or engagement of women and minority legal assistance, or certified firms, and rural based firms.
- Incorporating a Specific Public Benefit in organizing documents and achieving these benefits —have increased support of these entities but have not formalized these efforts as a specific Public Benefit
- Increasing accountability and transparency to clients by surveying clients, working with vendors to improve firm performance and attention to client needs. Survey questions/results of the main ten clients included:

Overall, how would you rate the service you received from Henkels Law LLC? 90% excellent, 10% good

Overall, how would you rate Henkels Law timing, for example, punctuality and follow up by e-mail, phone, etc.? 90% excellent, 10% good

How did you find the pricing of Henkels Law services? 70% said about right for services received, surprisingly low for services received.

Henkels Law was very knowledgeable about the subject area of the services you received. Strongly agree 70%, Agree 30%

## **LOOKING FORWARD TO 2016:**

Henkels Law seeks to build an Advisory Board of three individuals to provide input on the most effective way to maximize the firm's sustainability—economic, environmental, and social equity.

Henkels Law seeks to more accurately measure pro bono work.

Henkels Law seeks to continue increasing engagement of other expertise in assisting the firm to accomplish its objective of providing excellent client services.

# APPENDIX A

Sustainability Policy of Henkels Law LLC  
An Oregon Benefit Company  
Last reviewed and revised on 6/1/15

Sustainable development is meeting the needs of the present without compromising the ability of future generations to meet their own needs. Henkels Law seeks to implement system conditions or principles articulated by The Natural Step (<http://www.thenaturalstep.org/sustainability/the-system-conditions/>). To become a sustainable society we must eliminate our contributions to:

- 1) the systematic increase of concentrations of substances extracted from the Earth's crust (for example, heavy metals and fossil fuels)
- 2) the systematic increase of concentrations of substances produced by society (for example, plastics, dioxins, PCBs and DDT)
- 3) the systematic physical degradation of nature and natural processes (for example, over harvesting forests, destroying habitat and overfishing); and,
- 4) conditions that systematically undermine people's capacity to meet their basic human needs (for example, unsafe working conditions and not enough pay to live on).

We at Henkels Law LLC recognize that all human activity, including the operation of a law office, has an impact on the natural world and society. Within the firm we make daily choices in performing work that can either reduce or increase that impact on the natural world. As a firm we seek to reduce the impact. We seek to achieve and exceed the third party standard that we have chosen as an Oregon Benefit Company. Henkels Law LLC commits to having a general public benefit by material positive impact on society and the environment, taken as a whole, from the business and operations of the company. Henkels Law LLC also commits to having a specific public benefit of supporting efforts in the Africa region to support the Development and Environmental Law Center—Madagascar in its environmental justice efforts and also Water for Good supporting potable water systems in the Central African Republic.

**Education.** Because the daily actions of each person working in or with firm will contribute to the success of this policy, this policy includes a provision for orientation for vendors and ongoing education for all personnel on sustainability matters. Henkels Law LLC ongoing education consists of formal trainings mostly in the form of attending Continuing Legal Education produced by the Sustainable Future Section of the Oregon State Bar, and also informally by absorbing best practices observed in Portland metro area including Beaverton, the central coast of Oregon, and Pacific Northwest Indian tribes. The firm commits to communicating its sustainability practices to vendors and building management systematically, and also to office share colleagues at least twice annually. And anyone working for the firm for 40 hrs or more annually.

**Sustainability Coordinator.** One person is designated as the Sustainability Coordinator for the firm. The Coordinator leads the firm's Sustainability efforts, is responsible for informing vendors and associates, and clients where appropriate, of this sustainability policy, review and update this policy and implement improvements, and keep awareness of this policy at a high level in the firm. The Sustainability Coordinator is responsible for producing the firm's Oregon Benefit Company Report.

**Sustainability Team.** The firm's sustainability team consists of the sustainability Coordinator collaborating with office staff and vendors whom the firm engages to assist with sustainability efforts.

**Purchasing.** Sustainability shall be considered in the purchase of supplies, equipment, and services. Examples of sustainability criteria are recyclability, biodegradability, recycled content, waste minimization, hazardous-chemical free, energy conservation, resource conservation, locally manufactured or provided by businesses or individuals residing within the central coast or Portland metro area.

**Waste Reduction and Recycling.** Subject to security and other requirements, the firm shall minimize the use of paper in data storage, printing and copying, internal and external communications, and mailing. Systems will be established to minimize disposables and packaging, reuse equipment and supplies where feasible, and maximize recycling of all items that can be recycled in this region.

**Energy.** The firm shall implement practices that encourage energy conservation and efficiency in heating/cooling, lighting, and equipment. This involves communications in the course of subleasing office space from Corey Law Group, and through those communications, Henkels Law LLC will facilitate a transfer of information to the building manager to seek best practices.

**Travel.** Firm members shall reduce carbon emissions from travel, and increase health benefits in its travel choices utilizing pedestrian, bicycle, carshare, teleconferencing and purchasing carbon offsets.

**Tenant Improvements.** The firm shall communicate best practices to building management with regard to this sustainability policy including expressing support for best practices employed, energy and water conservation opportunities, and reducing or eliminating toxics in office maintenance.

**Implementation and Measuring Success.** In implementing this policy, firm personnel shall be guided by the following: (1) The third party standard adopted for use by Henkels Law LLC as an Oregon Benefit Company, (2) The Oregon State Bar Sustainable Future Section Partners in Sustainability Criteria. Where practicable, baselines shall be established for practices that can be measured such as paper used, recycled content of supplies, disposables purchased, percentage of office waste that is recycled, and electricity used. Progress shall be reported to the firm and available to the public at least annually in the firm's Oregon Benefit Company Report.

# APPENDIX B

## THIRD-PARTY STANDARD

Pursuant to ORS 60.768(2), Henkels Law must select a third party standard and assess the extent to which the benefit company met or exceeded the standard, and describe the process and rationale the firm used to select or to change the third party standard. To ensure that it maximizes its general public benefit upon the environment and social welfare, Henkels Law has chosen to gauge its general public benefit by utilizing two third-party standards: the B-Lab B Impact Assessment and the Oregon State Bar Sustainable Future Section Partners in Sustainability (“SFS Partners”).

## THIRD-PARTY STANDARD ELIGIBILITY

### *B-IMPACT ASSESSMENT*

The B Impact Assessment was created by B Labs, a nonprofit organization “dedicated to using the power of business to solve social and environmental problems.” <http://www.bcorporation.net/>. The B Impact Assessment provides an objective, comprehensive, and comparable rating on the significance of a company’s current impact. The B Impact Assessment complies with Oregon’s benefit company statute requirements of ORS 60.750(6) in its applicability, independence, and transparency. First, B Impact applies to business activities as articulated in ORS 60.750(6)(a). Second, B Impact was created by B Lab, which is not under the control of Henkels Law, LLC or its affiliates. Lastly, B Lab has made the following information publicly available:

- 1** The criteria that B Impact Assessment uses to measure an entity’s overall social and environmental performance and the relative weight the standard gives to each criterion. [www.bimpactassessment.net/how-it-works/frequently-asked-questions/the-standards](http://www.bimpactassessment.net/how-it-works/frequently-asked-questions/the-standards)
- 2** The process by which B Lab’s Standards Advisory Council (SAC) selects and weighs the criteria in the B Impact Assessment. [www.bcorporation.net/what-are-b-corps/the-non-profit-behind-b-corps/standards-advisory-council](http://www.bcorporation.net/what-are-b-corps/the-non-profit-behind-b-corps/standards-advisory-council).
- 3** The names and affiliations of the SAC, an independent committee of 20-22 members who are responsible for the content and the weighting of the standards expressed in the B Impact Assessment. [www.bcorporation.net/what-are-b-corps/the-non-profit-behind-b-corps/standards-advisory-council](http://www.bcorporation.net/what-are-b-corps/the-non-profit-behind-b-corps/standards-advisory-council).

- Assess Your Impact  
97% Complete
- Review & Compare Your Impact Report  
124 PTS / 200
- Improve Your Impact
- Complete Your Profile  
100% Complete
- Upload Documents  
0% Complete
- Review Data Sharing
- For Certified B Corps  
0% Complete

#### Contact B Lab Staff

thelab@bcorporation.net  
Office: 610-293-0299

- Best Practice: Protect Your Mission
- Review Data Sharing
- How to Become a Certified B Corporation
- Review Quick Tips

### B Impact Report

Henkels Law LLC Assessment (2016-06-30) - 98% Complete

#### Interested in B Corp Certification or a GIIRS Rating?

Submit your completed assessment and B Lab will be in contact to schedule a review call to discuss your answers - the next step toward a validated score.

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### Overall Rating

Your Total Pts  
**124.1 pts**

Percent Earned **82.4%**

#### Governance

Mission & Engagement	6.0	100%
Corporate Accountability	1.4	46%
Transparency	3.2	53%
Mission Locked	10.0	100%

#### Community

Diversity & Inclusion	12.7	64%
Civic Engagement & Giving	25.0	100%
Local Involvement	18.0	100%
Suppliers, Distributors & Product	6.8	56%
Local Economic Development	8.6	57%
Supply Chain Poverty Alleviation	0.4	1%

#### Environment

Land, Office, Plant	5.3	33%
Land, Office, Plant (Virtual Office)	5.3	33%
Inputs	1.0	14%
Outputs	2.5	50%
Renewable or Cleaner-burning Energy	3.2	7%
Environmental Education & Information	1.7	4%

#### Customers

Economic Empowerment for the Underserved	0.4	1%
Support for Underserved/Purpose Driven Enterprises	0.4	1%
Impact Improvement	1.3	2%
Serving In Need Populations	16.2	36%

B Lab has not verified and does not make any claims about the veracity of any of the information contained in this report. The B Impact Scores presented in this report are also self-reported and unverified and are thus of limited use for benchmarking. B Impact Scores typically decline by a material amount after review by B Lab, typically as a result of misunderstanding of questions, not misrepresentation of answers.

\*\* For Ordinary Businesses, Other Sustainable Businesses, and Certified B Corps, Total B Impact Scores will not equal the sum of the sub-scores since each reflects a median score.

## OREGON STATE BAR SUSTAINABLE FUTURE SECTION PARTNERS IN SUSTAINABILITY

Henkels Law has been a certified Oregon State Bar Partner in Sustainability through this Partners period. The Sustainable Futures Section of the Oregon State Bar's Partners in Sustainability program (<https://osbsustainablefuture.org/the-long-view-archives/home/partnerships-in-sustainability/>) was designed as a third party sustainability standard for Oregon licensed law offices.

The Partners program, while not suitable as a primary third-party standard for Henkels Law, is useful as a secondary standard to gauge the firm's sustainability measures. The program complies with Benefit Company requirements ORS 60.650(6)(a) and (c) because it applies to the business operations of Henkels Law, and contains sufficient information about how what the criteria are, the process by which criteria were selected, and material owners and members of the organization's executive committee, all of which can be found at <http://osbsustainablefuture.org/>. However, Diane Henkels, Henkels Law's Managing Member served on the Oregon State Bar's Sustainability Task Force [https://www.osbar.org/\\_docs/resources/09SustainabilityTaskForceReport.pdf](https://www.osbar.org/_docs/resources/09SustainabilityTaskForceReport.pdf), and currently serves on the executive board of the Sustainable Futures Section and has been instrumental in creating the standard and updating it periodically. Despite the ineligibility of the Partners program third party standard in Henkels Law's particular instance, Henkels Law chose to include this standard to demonstrate its usefulness to other law firms in Oregon.

8/11/16

Diane Henkels, Attorney and Managing  
Member Henkels Law LLC



**Example of Work Done: 2015 - 2016**

**First of two installments of Solar photovoltaic for Commercial Apiary**

