Van Ness Feldman LLP

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CONTACT

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206.627.4001

PRACTICES

Endangered Species & Wildlife
Land Use
Litigation & Investigations
Native Affairs
Water

EDUCATION

University of Washington School of Law
Arizona State University

BAR AND COURT ADMISSIONS

Washington State Bar
U.S. Court of Appeals for the Federal Circuit
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the Seventh Circuit
U.S. Court of Appeals for the Eighth Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Tenth Circuit
U.S. Court of Appeals for the Eleventh Circuit
U.S. District Court for the Eastern District of Washington
U.S. District Court for the Western District of Washington
U.S. Supreme Court
Alaska State Bar

CHARLENE KOSKI

PARTNER

Professional Background

Charlene briefs and argues cases in federal and state appellate courts, advises clients on legal questions and litigation strategies, and provides briefing and other litigation support in administrative and trial proceedings. She has represented clients on a wide range of subjects, including state and federal environmental laws, water rights, Indian country, treaty rights, administrative law, constitutional law, state tidelands, public records, land use, and others. She has appeared in various U.S. Courts of Appeals, U.S. District Courts, and state courts, and has filed briefs before the U.S. Supreme Court. She also regularly represents clients as amicus curiae and intervenors in state and federal actions.

Prior to joining Van Ness Feldman, Charlene served as an Assistant United States Attorney in the Appellate Section of the Western District of Washington, where she represented the United States before the U.S. Court of Appeals for the Ninth Circuit. Before her government experience, Charlene practiced for several years in the Seattle office of a large international law firm and served as a judicial law clerk on the U.S. Court of Appeals for the Ninth Circuit.

Charlene serves as a Ninth Circuit Lawyer Representative for the Western District of Washington and as co-president of the Washington Appellate Lawyers Association. She also serves on various state and federal appellate boards and committees and has served as an appellate judge for the Northwest Intertribal Court System.

Charlene is a graduate of the University of Washington School of Law, where she served as Editor-in-Chief of the Washington Law Review. She has undergraduate degrees in English and Music from Arizona State University and, prior to law school, worked as a print journalist and band director.

Representative Experience

Selected Litigation Experience

- Representing trade association of engine manufacturers in Ninth Circuit appeal challenging emissions standards under the Clean Air Act (CAA).
- Representing irrigation district in Ninth Circuit challenge to final agency action under the Endangered Species Act (ESA).
- Representing individuals challenging local ordinance as preempted under the CAA.
- Representing property owners in appeal challenging the determination of tideland boundaries in a cove.
- Representing county in appeals defending actions taken under the Washington Growth Management Act and other statutes.
- Representing national trade organization in D.C. Circuit appeal challenging greenhouse-gas emission standards under the CAA.
- Representing various public and private entities in state and federal appeals from final agency actions under the National Environmental Policy Act (NEPA), the Administrative Procedures Act (APA), and other state and federal statutes.
- Representing natural gas pipeline company in D.C. Circuit appeal defending agency action under the Natural Gas Act (NGA).
- Successfully represented county in state court appeal involving the Washington State Public Records

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Act.

- Successfully represented individual in state court appeal asserting rights under Washington's Trust and Estate Dispute Resolution Act and recovered attorney fees.
- Successfully represented county in superior court challenge to code enforcement action.
- Successfully represented business owners in administrative appeal defending issuance of an operational permit.
- Successfully represented individual in state court appeal involving Washington's public trust doctrine.

Selected Amicus Brief Experience

- Represented climate-science research institute in Ninth Circuit amicus brief on questions of climate-change attribution and liability.
- Represented congressional delegates in federal amicus brief on questions involving international treaty obligations and the ESA.
- Represented agricultural, biomass, and greenhouse-gas lifecycle scientists in D.C. Circuit amicus brief on issues involving biofuel production and the renewable fuel standard.
- Represented shellfish growers in state supreme court amicus brief on questions arising under state constitution.
- Represented regional trade association in state supreme court amicus brief on questions of tort law.
- Represented water utility interests in state supreme court amicus brief involving questions of state water rights.
- Represented Indian tribe in Ninth Circuit amicus brief on question arising under the Clean Water Act (CWA).
- Represented municipal-attorney organizations in various amicus briefs on questions arising under the U.S. Constitution, tort law, water law, and the Land Use Petition Act (LUPA).

Government Service

Office of the United States Attorney, Western District of Washington

Assistant United States Attorney, Appellate Division

The United States Court of Appeals for the Ninth Circuit

Law Clerk, Honorable Richard C. Tallman

Awards and Honors

"Best Lawyers in America: Ones to Watch" by *Best Lawyers*

Appellate Practice, 2027

Alerts

- Ninth Circuit: Physical Presence on Tribal Land Not Required for Tribal Jurisdiction Over Nonmember, 09/23/2024
- Supreme Court Rules Against Navajo Nation in Tribal Water Rights Case, 07/06/2023
- SCOTUS Issues Two Significant Decisions Impacting Tribal Sovereignty , 06/16/2023
- Supreme Court Expands State Criminal Jurisdiction in Indian Country, 06/30/2022