



Maurer School of Law
Indiana University Bloomington

Conservation Law Clinic students help draft new Indiana prescribed burn legislation

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A new Indiana law that expands the state's prescribed burning capacity was signed by Indiana Governor Mike Braun on April 30, in part due to efforts by Indiana University Maurer School of Law students through the school's Conservation Law Clinic.

The law expands a prescribed fire training program administered through the Indiana Department of Natural Resources and defines the standard of liability for those certified through the training program. Before the bill was signed, Indiana was one of only a few states nationwide without a certification program or standard of liability clearly defined through legislation. This new law will allow interested members of the public to now take advantage of the training program offered by Indiana Department of Natural Resources. The law is designed to increase the frequency and efficacy of prescribed fire as a land management tool in the state.

"This bill marks an important step forward for conservation and private land stewardship in Indiana," said Jarred Brooke, chair of the Indiana Prescribed Fire Council. "With clearer training standards and liability protections, prescribed fire can continue to be applied safely, effectively, and more widely across the landscape."

Indiana Law students played a major role drafting the initial version of the bill and advising Indiana Prescribed Fire Council throughout the legislative process.

"Our law students worked extensively on the background research and drafting for this legislation over the past year," said [Christian Freitag](#), executive director of the Conservation Law Center. "This is a particularly important tool to maintain oak-hickory, forests, woodlands, and savannas, which are critical for many species. Cerulean warblers, for example, will go extinct if we don't figure out how to save oak-hickory climax forest and woodlands."

Though the CLC is an independent public interest law firm, it partners with the Law School to offer the Conservation Law Clinic, giving second- and third-year law students the opportunity to work on real issues for clients who need assistance with natural resource conservation.



Christian Freitag

Freitag estimates Indiana Law students spent upward of 700 hours of time on the project, which is now state law.

One of those students is rising 3L **Erin Shea**.

“The fact that we could do something that will affect landowners’ rights for years to come has been an incredible experience,” Shea said. “I definitely did not think I’d have this kind of experience in law school, and, as someone who is interested in environmental law, the fact that what we did have such a big impact is really rewarding.”

“Other states have prescribed fire statutes that lay out standards to ensure private landowners can do it safely,” Shea said. “If a landowner knew about prescribed burning and wanted to do it, they’d have to go outside of Indiana to be properly trained. That’s more expensive and discourages landowners from doing it. We really wanted to find a way to encourage landowners to conduct prescribed burns in safe conditions and with local training and certification. Prescribed burning is a really good tool that’s been used for ages to help clear dead foliage and allow new life to grow.”



Erin Shea

Shea and two of her colleagues—**Joy Atadoga** and **Nathan Evers**—researched and drafted the legislation, but first they had to gain a better sense of the problem and how best to solve it.

“Jarred Brooke meet with us and gave us some of the history and science behind prescribed burns,” Shea said. “Jarred described how fire is an important ecological process necessary for the health of fire adapted ecosystems including the oak-hickory forest ecosystem in southern Indiana. He further described the training and planning required for safely and effectively completing prescribed burns,”

Indiana State Rep. Beau Baird introduced the draft legislation, which then went through the traditional legislative process of receiving public and lawmaker input. The students then did the research to determine how proposed amendments to the bill might affect the original legislation.

“It was interesting to hear when the Indiana Senate Natural Resources Committee and the House committee held hearings where several landowners came to talk about how they’ve been doing prescribed burns and how it has made such a difference on their land,” Shea said. “They were really passionate about it and it was rewarding to see how excited they were about something we were doing and how it will impact their lives.”

Shea intends to pursue a career in real estate or environmental law after she graduates in 2026. She will serve in the Conservation Law Clinic again starting this fall.