

Endangered Species Act Case to Protect Atlantic Sturgeon

By: Kate Schiller

Kate Schiller, a Student Attorney in the Clinic, Spring 2025, assisted Clinic Volunteer Attorney and former Clinic Director Ken Kristl in his representation of Delaware Riverkeeper in an Endangered Species Act [case](#) pertaining to the Atlantic Sturgeon. The Atlantic Sturgeon and all five population segments were listed as endangered species beginning in 2012. Atlantic Sturgeon reside in rivers spanning from Delaware to Canada. They were listed as endangered species due to the overfishing of their population, yet their most susceptible threat is due to bycatch by commercial fisheries. Bycatch is defined by NOAA as a method of unintended catch by fisheries due to the type of net used, including but not limited to gillnets and trawling. The Delaware case was brought along with similar cases filed in New Jersey and New York against for the states' failure to obtain incidental take permits for commercial fisheries operating within the known habitat of the endangered Atlantic sturgeon, as is required by the ESA.

Schiller performed research on the procedural aspects of the lawsuit as well as the intricacies of the ESA. Schiller met with the clients and experts weekly throughout the semester to discuss case strategy and prepared multiple research memoranda.