Holland & Hart

PRACTICES

Appellate
Environmental Litigation
Environmental
Federal Lands Permitting

INDUSTRIES

Oil and Gas
Mining
Energy and Resources
Oil and Gas Litigation

EDUCATION

University of Denver Sturm College of Law, J.D.
Order of St. Ives
Morrison & Foerster/Steve Dunham Diversity Annual Scholarship
Robert B. Yegge Hispanic Annual Scholarship

University of Arizona, B.S. in Veterinary Science, Minor in Chemistry
cum laude
President's Award for Excellence Scholarship
University of Arizona Provost Scholarship

BAR ADMISSIONS

Colorado

COURT ADMISSIONS

U.S. Supreme Court
U.S. Court of Appeals for the Tenth Circuit
U.S. Court of Appeals for the District of Columbia
U.S. District Court for the District of Colorado
U.S. District Court for the District of North

Tina Van Bockern

Partner

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Tina guides clients through administrative and civil appeals, developing strategies to build and preserve the record and continuing through briefing and oral argument.

Drawing on years of experience representing energy and natural resources clients on all aspects of project development and environmental compliance, Tina regularly litigates and appeals agency rules, decisions, and orders affecting these industries.

Tina counsels clients on the best practices to avoid agency enforcement actions, the benefits of proactive participation in federal rulemaking processes, strategic intervention in cases to defend favorable project approvals, and the importance of filing policy-developing challenges and appeals to protect business interests.

She also assists clients in appealing (or defending on appeal) trial court decisions involving a variety of substantive areas including business contracts, royalties, class actions, and high-stakes divorce.

Tina is committed to pro bono legal representation. She has filed numerous amici briefs in state and federal appellate courts, including the U.S. Supreme Court, to protect civil and constitutional rights, defend anti-discrimination laws, and protect individuals' due process rights.

EXPERIENCE

Depth of Experience: Tina is well-versed in the laws that apply to her clients' projects and operations, including:

- Administrative Procedure Act (APA)
- National Environmental Policy Act (NEPA)
- Federal Land Policy and Management Act (FLPMA)
- Federal Oil and Gas Royalty Management Act (FOGRMA)
- Clean Air Act (CAA)
- Oil and gas and mining law
- Environmental law
- Indian law
- Administrative law and procedure

Broad Range of Experience: In addition to litigating in Colorado state courts, Tina has experience litigating before Federal Courts across the

Dakota
U.S. District Court for the District of Columbia

country, including:

- U.S. Supreme Court
- 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 D.C. Circuit
- U.S. District Court for the District of Colorado
- U.S. District Court for the District of Columbia
- U.S. District Court for the District of New Mexico
- U.S. District Court for the District of Montana
- U.S. District Court for the District of Wyoming

She has also brought numerous appeals before the U.S. Department of Interior's Office of Hearings and Appeals, Interior Board of Land Appeals, Interior Board of Indian Appeals, and various federal agencies, including the Office of Natural Resources Revenue and the Bureau of Land Management.

Prior to joining Holland & Hart, Tina served as a judicial law clerk for Judge Anne M. Mansfield, and as a judicial fellow for Judge Ann B. Frick, both in the Denver District Court.

CLIENT RESULTS

- Successfully obtained a judicial stay of the Environmental Protection Agency's (EPA) rulemaking that disapproved the State of Utah's state implementation plan for the 2015 ozone National Ambient Air Quality Standards. *State of Utah v. EPA*, No. 23-9509 (10th Cir.)
- Successfully obtained a judicial stay of the EPA's new regulations governing National Emissions Standards for Hazardous Pollutants for organic liquids distribution facilities. *Am. Fuel & Petrochemical Mfrs. v. EPA*, No. 20-1342 (D.C. Cir.).
- Successfully appealed and settled numerous civil penalties issued by the Office of Natural Resources Revenue.
- Successfully litigated and defended on appeal a challenge to permitting decision under the Surface Mining Control and Reclamation Act. *M.L. Johnson Family Properties, LLC v. Bernhardt*, 924 F.3d 842 (6th Cir. 2019).
- Successfully appealed trial court order precluding husband from raising the defense of laches to former wife's claim for statutory interest on child support arrears. *In re Marriage of Johnson & Johnson*, 380 P.3d 150 (Colo. 2016) (pro bono).
- Successfully appealed trial court's entry of default permanent orders where husband had participated in proceedings. *In re Marriage of Zhang & Li*, 19CA0605 (Colo. App. 2020) (pro bono).
- Defeated requests for injunctive relief in administrative appeals

challenging federal leasing and permitting decisions under NEPA.

PUBLICATIONS

"ONRR Proposes New Rule to Streamline Federal Royalty Valuation," *Oil & Gas Update*, 2026

"Tenth Circuit Affirms Judgment in Marijuana Business Dispute But Remands Order Enforcing Judgment Over Public Policy Concerns," *Law.com*, August 21, 2024

"Tenth Circuit Warns Against Ignoring Procedural Rules in Declining to Reach the Merits of a Criminal Appeal," *Law.com*, April 5, 2024

"BLM Finalized New Waste Prevention Rule – What Does it Mean for Industry? ," *Holland & Hart Federal Lands Update*, April 1, 2024

"Tenth Circuit Rejects Request to Vacate $13.5M Stipulated Judgment With FTC Notwithstanding Change in Law," *Law.com*, February 13, 2024

"Tenth Circuit Rejects Qualified Immunity Defense in Section 1983 Suit Arising out of George Floyd Protests," *Law.com*, December 14, 2023

"Tenth Circuit Confirms Constitutionality of Ban on Felons' Firearm Possession in Wake of 'Bruen'," *Law.com*, October 6, 2023

"Tenth Circuit Rules Courts Cannot Dismiss Only Part of an Action Based on Forum Non Conveniens," *Law.com*, June 6, 2023

"Tenth Circuit Affirms Reliance On 'Effective Vindication Exception' to Refuse to Enforce Arbitration Provision," *Law.com*, March 9, 2023

"Tenth Circuit Affirms Sentence for the Tiger King," *Law.com*, January 9, 2023

"Here We Go Again: BLM Issues Another Methane Rule ," *Holland & Hart Client Alert*, 12/05/2022

"Tenth Circuit Clarifies Ancillary Enforcement Jurisdiction," *Law.com*, November 9, 2022

"Tenth Circuit Holds That Key Provision of Colorado's Child Abuse Confidentiality Law Violates the First Amendment," *Law.com*, September 14, 2022

"Tenth Circuit Rules That Religious Employers May Not Use the Collateral Order Doctrine To Immediately Appeal Rulings on the Ministerial Exception to Title VII Claims," *Law.com*, July 25, 2022

"The Future of Federal Agency Rulemakings After *West Virginia v. Environmental Protection Agency*," *Holland & Hart News Update*, July 15, 2022

"Supreme Court Strips EPA of Key Weapon to Combat Climate Change,"

Daily Journal, 07/11/2022

"Tenth Circuit Reverses Denial of Asylum to Transgender Woman Under the Compulsion Standard," *Law.com*, May 16, 2022

"Tenth Circuit Allows Government Officials To Assert Qualified Immunity Defense To RFRA Damages Claims," *Law.com*, March 21, 2022

"Tenth Circuit Holds That COVID Closure Orders Do Not Trigger Business Interruption Coverage," *Law.com*, January 20, 2022

"Tenth Circuit Confirms That Time Devoted To Booting Up Work Computer and Launching Software Is Compensable Under the Fair Labor Standards Act," *Law.com*, November 17, 2021

"Biden Administration Announces First Round of Revisions to CEQ's NEPA Rules," *Holland & Hart News Update*, 10/22/2021

SPEAKING ENGAGEMENTS

"Environmental Issues in Solar Energy Projects," *Panelist, Strafford CLE Webinar*, March 27, 2025

"Implications of Loper-Bright," Panelist, *2025 Environment and Natural Resources Summit*, March 13, 2025

"Agency Discretion and the U.S. Supreme Court ," Presenter, *Colorado Bar Association, CLE Presentation*, June 18, 2024

"Royalty Appeal Procedures," Program Co-Chair and Co-Presenter, *The Foundation for Natural Resources and Energy Law, Special Institute on Federal and Indian Oil & Gas Royalty Valuation and Management*, Houston, TX, April 2024

"Shifting Sands: Deference to Agency Interpretation of Statutes Under the APA, Chevron, and Major Questions," Co-Presenter, *Holland & Hart*, February 2024

"Unbundling Current Trends of Sovereign Royalties," Co-Presenter, *2023 SALT Summit*, Houston, TX, October 2023

"The Reach of Indirect and Cumulative Effects – Climate Change and Beyond ," Co-Presenter, *The Foundation for Natural Resources and Energy Law, Special Institute on the National Environmental Policy Act*, Washington, D.C., March 2023

"How to Appeal ONRR Orders and Civil Penalties: Timelines, Procedures, and Practical Tips," Presenter, *Rocky Mountain Mineral Law Foundation*, Houston, TX, October 2018

RECOGNITION

- *The Best Lawyers in America*®, Environmental Law, 2026, 2027
- *Best Lawyers: Ones to Watch*® *in America*, Environmental Law,

2021-2025; Oil and Gas Law, 2022-2025

PROFESSIONAL AND CIVIC AFFILIATIONS

- Colorado Bar Association
  - Litigation Section, Appellate Subcommittee, Member, 2019-present
  - CBA Civil Appeals Full Representation Program, Volunteer, 2014-present
  - CBA Civil Appeals Full Representation Program, Screening Committee Member, 2021-present
  - Civil Appeals Clinic, Volunteer, 2020
- Colorado Legal Aid Foundation, Board of Trustees Member, 2023
- Women's Energy Network, Member, 2017-present
- Colorado Pledge to Diversity, Steering Committee Member and Holland & Hart Representative, 2016-present
- American Bar Association, Section of Environment, Energy, and Resources, Member, 2011-2020
- The Foundation for Natural Resources and Energy Law, Member, 2011-present
- Metro Volunteer Lawyers, Denver Post Decree Consultation Clinics, Volunteer, 2008-present