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IOWA TEEN TAKES CLIMATE LAWSUIT TO THE STATE'S SUPREME COURT

Des Moines, IA – Today, Glori Dei Filippone, a 14-year-old Iowan, filed an appeal to the Iowa Supreme Court after the Court of Appeals ruled against her in her case to compel the Iowa Department of Natural Resources to adopt rules limiting greenhouse gas emissions. Glori Dei had argued that the State of Iowa has an obligation to protect the atmosphere under the Iowa Constitution and the Public Trust Doctrine.

The three-judge panel declined to hold that the atmosphere is a public trust resource in Iowa, but Judge Doyle issued a strong concurring opinion inviting the Iowa Supreme Court to resolve the question of first impression – whether the atmosphere all Iowans depend upon for their very existence is a public trust resource.

According to Judge Doyle, the legislative intent to protect the atmosphere is “as clear as a crisp, cloudless, autumn Iowa sky,” and although Iowa courts have never had the occasion to extend the Public Trust Doctrine to include the atmosphere, he believes “there is a sound public policy basis for doing so.” Judge Doyle has joined the ranks of three other state court judges, from Texas, New Mexico, and Arizona who have also indicated that the atmosphere falls within the protective mandate of the Public Trust Doctrine.

“It is fitting that the Iowa appeal was filed the day after Dr. James Hansen, a native of Dennison, Iowa, and the chief science advisor to Our Children’s Trust announced his retirement,” said Channing Dutton, Glori Dei’s lawyer. “Although the legal basis for the lawsuit in Iowa is contested, the Iowa DNR and the Iowa court system have accepted the science on climate change, provided by Dr. Hansen for the litigation, as fact.”

Glori Dei’s drive for bringing her lawsuit comes from the changes she has witnessed in Iowa, including the droughts and flooding that affects agriculture. According to Dr. Hansen, “the science is crystal clear—we must rapidly reduce fossil fuel carbon dioxide emissions if we are to have a chance of protecting Earth’s natural systems for these young people.”

“In my retirement from NASA I will support these young plaintiffs in their lawsuits to protect the atmosphere as a public trust,” said Dr. Hansen, a native Iowan.

Note to Media: Recent press coverage of other Atmospheric Trust Litigation by Youth can be found here: <http://ourchildrenstrust.org/page/247/media-coverage-youth-atmospheric-trust-legal-actions-july-2-2012-current> The Iowa opinion can be found here: http://www.iowacourts.gov/court_of_appeals/Recent_Opinions/20130313/2-1005.pdf

Our Children's Trust is a nonprofit advocating for urgent emissions reductions on behalf of youth and future generations, who have the most to lose. OCT is spearheading the international human rights and environmental TRUST Campaign to compel governments to safeguard the atmosphere as a "public trust" resource. We use law, film, and media to elevate their compelling voices. Our ultimate goal is for governments to adopt and implement enforceable science-based Climate Recovery Plans with annual emissions reductions to return to 350 ppm. www.ourchildrenstrust.org/

iMatter is a youth-led campaign of the nonprofit group, Kids vs Global Warming, that is focused on mobilizing and empowering youth to lead the way to a sustainable and just world. We are teens and moms and young activists committed to raising the voices of the youngest generation to issue a wake-up call to live, lead and govern as if our future matters. www.imattercampaign.org/

WITNESS is the global pioneer in the use of video to promote human rights. We empower people to transform personal stories of abuse into powerful tools for justice, promoting public engagement and policy change. In partnership with the TRUST Campaign we seek to bring visibility to the challenges our youth already face because of the changing climate and call for a massive assault on fossil fuel emissions. Without an all out assault effects will range from drought to disease, from food shortages to tainted water supplies, from the loss of homes due to floods, erosion and fire to massive relocations. The human rights challenge is most succinctly summarized by Mary Robinson, "Climate change will, in short, have immense human consequences." WITNESS partnered on this campaign in hopes that predictions will not become realities. To view Stories of TRUST: Calling for Climate Recovery told by our youth plaintiffs, go to www.ourchildrenstrust.org.

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