Atmospheric Trust Litigation (ATL)

Motivated by Government Inaction, Youth Seek Climate Recovery Plans through State and Federal Public Trust Lawsuits

How It Got Started:

- Inspired by Alec Loorz, a 17-year old climate champion who has been working to find solutions to the climate crisis since he was 12, youth from around the country joined together with public interest attorneys, law students, scholars, and top climate scientists. Together, they launched the nationwide Atmospheric Trust legal effort to compel the state and federal governments to prepare scientifically-viable climate recovery plans, rather than just politically-viable ones.

About Atmospheric Trust Litigation (ATL):

- We stand on the brink of a human-induced climate catastrophe. We are rapidly approaching a “tipping point” beyond which it will become virtually impossible to reverse climate change, yet our government leaders continue to ignore the existing, scientifically-proven solutions for reversing climate change. Children and future generations have the most at stake but did nothing to cause the problem.

- ATL uses the Public Trust Doctrine, a legal doctrine enshrined in every civilized government to hold governments responsible for protecting the resources we all share in common and depend upon for our very survival, such as air, water, forests and wildlife. The Public Trust Doctrine embodies the human rights principle of intergenerational justice which, simply put, means that current generations cannot continue on their current, destructive path and leave the planet damaged for future generations.

- When you combine the Public Trust Doctrine with the passionate youth who are fighting for their future, the result is Atmospheric Trust Litigation, an advocacy movement that can provide the legal mandate needed to compel governments to address the climate crisis. ATL provides young people from across the country a way to hold their government accountable for failing to safeguard the atmosphere they will inherit.

Why Youth are Taking to the Courts:

- We now face a climate crisis of epic proportions. Urgent action to reduce carbon dioxide emissions is the only option that protects the future of youth and generations to come.
Legislative action has failed, agency action is not working, and international action is not moving fast enough, so youth are going to the courts, the third branch of our democratic government. It is the duty of our judges to enforce the Public Trust Doctrine and ensure that the other two branches of government are protecting and restoring this vital shared resource.

Building Momentum:
- This is a key time in the campaign as the youth square off in court against:
  - The State of Washington on **January 20**
  - The State of Oregon on **January 23**
  - The State of New Mexico on **January 26**
  - The State of Arizona on **February 10**
  - The State of Alaska on **February 15**
- This winter youth will also face the Environmental Protection Agency and the Departments of Defense, Interior, Commerce, Energy and Agriculture in a nationally significant hearing on preliminary injunctive relief to address irreparable harm from the climate crisis.

In The Words of These Young Plaintiffs:

“Our society’s addiction to fossil fuels is messing with the perfect balance of nature and threatening the survival of our generation. It needs to stop, and we will not sit idly by as our leaders make decisions that negatively impact our future.”  – **Alec Loorz, plaintiff in the federal ATL lawsuit**

“The main problem we are facing in the northern reaches of the world is that winter is coming late. This causes increased erosion due to permafrost melt, increased flooding due to the warmer temperatures, and intensified storms because the sea ice forms later in the season and is unable to provide a natural barrier for our coastal communities. This affects our communities as we could lose our homes, our culture and our way of life.”  – **Nelson Kanuk, a Yup’ik Eskimo and plaintiff in the Alaska ATL lawsuit**

“Everyone in the world shares the same sky. So if we don’t take care of it, we are not just hurting ourselves. We are all connected, and a chain is only as strong as its weakest link. The generations before mine thought of the world as limitless. My generation and the ones to follow are going to have to work hard to fix the mess that’s been created. We need to step back and start thinking about what we can accomplish together. What can my community do? What can my government do? I can’t act alone.”  – **Glori Dei Filippone, plaintiff in the Iowa ATL lawsuit**
What are the Youth Asking For from the Courts?

The request of the plaintiffs is simple. They want courts to declare that:

- The atmosphere is a resource we all share;
- Since the atmosphere is a shared resource, it must be protected, in trust, by our governments; and
- That protection means adopting and implementing Climate Recovery Plans. These plans, based on the best available science, would establish **peak global carbon dioxide emissions by 2012**, **reduce annual carbon dioxide emissions by at least 6 percent every year**, and commit to widespread reforestation.

No money damages. No punitive damages. No big settlement. They are just asking adults to develop and implement a smart strategy to protect our atmosphere and their futures.

**RESOURCES**

**Stories of Trust**

- To demonstrate how government inaction is impacting day-to-day lives, ATL Youth Plaintiffs are telling their stories in 10 professionally produced mini-documentaries.
  
  - Watch [*Trust Alaska*](#) and meet Nelson Kanuk, a native Alaskan all too familiar with the impacts climate change pose.
  - Watch [*Trust Montana*](#) and meet John Thiebes, a young farmer fighting climate change in the agricultural heart of Montana.
  - Watch [*Trust California*](#) and meet Alec Loorz, co-founder of Kids vs. Global Warming and climate change activist in California.
  - Go to Flickr to see photos of other Youth Plaintiffs.

**For State-Specific Information on Lawsuits:**

- Go to: [http://ourchildrenstrust.org/legal-action/lawsuits](http://ourchildrenstrust.org/legal-action/lawsuits)

**iMatter Trust Partners include:**

- [*Our Children’s Trust*](#)
- [*Kids vs. Global Warming*](#)
- [*WITNESS*](#)
- WildEarth Guardians
- Crag Law Center
- Western Environmental Law Center

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