



For Immediate Release:

October 3, 2014

For inquiries or interview requests, please contact:

Phil Gregory (650) 697-6000

Julia Olson (415) 786-4825

Critical Climate Change Lawsuit Brought before the United States Supreme Court by America's Youth

Washington, D.C. — Today, a [Petition](#) was filed with the United States Supreme Court on behalf of a group of young Americans, seeking a decision that the federal government is obligated to protect essential natural resources. The Petition arises out of a lawsuit filed in May 2011 by five teenagers against six U.S. federal agencies under the Public Trust Doctrine to require the federal government to immediately implement a science-based climate recovery plan to protect our nation's atmosphere.

“This case relies on a foundational principle of government—the Public Trust Doctrine,” said Julia Olson, attorney for the Youth Petitioners and Executive Director of Our Children's Trust. “Public trust principles go back to the Emperor Justinian, the Magna Carta, and our Country's founding documents. Our Petition asks the Supreme Court to determine whether, under this long-standing doctrine, the federal government must act to protect essential natural resources.”

The youth are appealing a decision by the Court of Appeals for the District of Columbia Circuit. The [decision](#) held that the federal government has no obligation to protect any natural resource under the Public Trust Doctrine, and that any such obligation lies only with the individual states. The Court of Appeals ruling is in conflict with decisions issued by courts throughout the world, including multiple U.S. courts of appeals and the U.S. Supreme Court.

“There is enormous national importance for the Supreme Court to decide the issues in this case now, because of the narrow window left to address global climate change,” said renowned constitutional law scholar and professor Erwin Chemerinsky, who recently joined the team of attorneys representing the Youth Petitioners in their case. “We hope the Supreme Court will understand the extreme implications of the D.C. Circuit's opinion, specifically the consequences of the federal government's inability to assert its public trust authority in the future concerning essential public resources.”

Climate change is the greatest threat to our constitutional rights and liberties that humanity has ever seen. The lower court in the District of Columbia agreed: “This is a very important case, this

is an important issue, and it raises serious questions.” In the three years since the complaint was filed, atmospheric carbon dioxide levels have risen from 390 parts per million (ppm) to 397 ppm, and those levels are still rising. The maximum level of carbon dioxide the earth’s atmosphere can tolerate if there is to be any hope of reversing catastrophic global warming is 350 ppm. “Establishing climate justice is different from other civil rights struggles,” declared Phil Gregory, attorney for the Youth Petitioners and a partner at Cotchett, Pitre & McCarthy. “In many civil rights cases, the next generation could always remedy the wrongs of prior generations. With the limited window left to fix the climate crisis, for the first time in human history, future generations will *not* have the opportunity to repair the serious problems we have created. The science is indisputable: our generation is the only one who can restore a stable climate system for future generations.”

The Supreme Court Petition contends the federal government has the power and obligation to address this catastrophic deterioration of the nation’s atmosphere, but has refused to do so. The Petition urges that global climate change is accelerating at an alarming pace that will soon escape the reach of corrective measures. The Petition states, in part: “The narrow window of time left to address global climate change and the significant consequences to the welfare of our nation’s children and future generations add urgency to the legal issue. The D.C. Circuit’s complete refusal to recognize the public trust doctrine turns a blind eye to the federal government’s responsibility to future generations and undermines the federal government’s ability to assert its public trust authority in the future to conserve public resources.” The Petition concludes that the federal officials named as defendants in the action have the power and obligation to address this catastrophic deterioration of the nation’s atmosphere, but have refused to do so.

“Climate change is the largest intergenerational justice issue in the world,” said Alec Loorz, one of the Youth Plaintiffs and founder of Kids vs. Global Warming and iMatter. “We are running out of time. If our government does not act now, we endanger the lives of our youngest generations and generations to come. Without a comprehensive plan for climate recovery by the U.S. government, we cannot achieve the scientifically necessary restoration of our atmosphere. We are asking the Supreme Court to do what is right for all of us, our children, and our children’s children.”

To learn more about this case, visit: www.ourchildrenstrust.org/US/Federal-Lawsuit. To watch *A Climate of TRUST*, the newest film in the 10-part award-winning documentary series *Stories of TRUST: Calling for Climate Recovery*, visit: www.ourchildrenstrust.org/trust-films/AClimateOfTRUST. Support the youth taking legal action by signing their pledge here: www.ourchildrenstrust.org/sign-our-pledge-support.

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 a federal, state, local and international human rights and environmental justice campaign to establish the legal right to a healthy atmosphere and stable climate. We use law, film, and media to elevate the compelling youth voice seeking enforceable science-based Climate Recovery Plans. www.ourchildrenstrust.org.

###