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Thousands Urge Ninth Circuit to Allow *Juliana v. United States* to Go to Trial

Youth Plaintiffs' Climate Lawsuit Supported by 15 Amicus Briefs

San Francisco, California - Today, powerful voices of support for the *Juliana v. United States* youth plaintiffs and their landmark constitutional climate lawsuit filed *amicus curiae* (“friend of the court”) briefs with the Ninth Circuit Court of Appeals. In all, 15 *amicus* briefs, filed on behalf of a diverse set of supportive communities, including members of U.S. Congress, legal scholars, religious and women’s groups, businesses, historians, medical doctors, international lawyers, environmentalists, and more than 30,000 youth under the age of 25, displayed legal support for *Juliana v. United States* to proceed to trial.

The case, which was supposed to begin trial on October 29, 2018 in Eugene, Oregon, is now pending before the Ninth Circuit Court of Appeals. The Court, in a 2-1 [decision](#), granted the Trump administration’s petition for permission to bring an early (interlocutory) appeal in the case. Chief Judge Sidney Thomas and Circuit Judge Marsha Berzon decided in favor of the petition, while Circuit Judge Michelle Friedland dissented.

In January, the three-judge panel [granted](#) plaintiffs’ request to expedite the briefing schedule in *Juliana*, which put the appeal on a fast-track. The Court will hear oral arguments on the interlocutory appeal during the week of June 3 in Portland, Oregon.

Jamie Margolin, 17-year-old founder of **Zero Hour** and plaintiff in the Washington state climate lawsuit *Aji P. v. State of Washington*, supported by [Our Children’s Trust](#), said:

“The Trump administration is doing everything it can to stop *Juliana v. United States* from going to trial. The youth cannot let that happen. We are filing the Young People’s brief to show that thousands of youth across America not only feel the urgency of climate action, but also understand that the youth climate lawsuit must proceed to secure a livable future.”

Congressman Peter DeFazio, said:

“I’m proud to work with Our Children’s Trust and be part of the fight for a cleaner, safer future. In the face of a President and Republican-led Senate who blatantly ignore and discount the existential threat posed by climate change, Our Children’s Trust is working to bring our nation one step closer to achieving a legal foundation and requirement to solve this crisis. I pledge to continue to do my part in Congress by pushing for bold, transformative action that will reduce our dependence on fossil fuels, curtail greenhouse gas emissions, and protect our planet for future generations.”

Reverend Peter Sawtell, executive director of Eco-Justice Ministries, said:

“In my work with church leaders, I’ve often heard the question, “what kind of world do we want to leave to our children and grandchildren?” That’s the wrong question. We need to ask, “what kind of world do our children and grandchildren have a right to demand from us?” Eco-Justice Ministries stands with the *Juliana* plaintiffs in calling on the courts to acknowledge the right of future generations to a livable climate.”

A public health amicus brief, filed by **Wendy Jacobs, Director of the Emmett Environmental Law & Policy Clinic at Harvard Law School**, on behalf of 78 individual doctors and dozens of organizations, states:

“Children are especially vulnerable to climate-related health effects because of their developing bodies; higher exposure to air, food, and water per unit body weight; unique behavior patterns; and dependence on caregivers. GHG emissions cause harmful physical and psychological impacts via extreme weather events, increased heat stress, decreased air quality, altered disease patterns and increased climate-sensitive infections, and food, water and nutrient insecurity in vulnerable regions of the United States...health impacts will cost the United States trillions of dollars per year by the end of the century. These current and future adverse public health impacts and costs can be significantly mitigated if the federal government acts promptly to reduce GHG emissions. For these reasons, amici request that the Court grant Plaintiffs’ request for a remand to the district court for trial.”

Miko Vergun, 17-year-old *Juliana* plaintiff from Beaverton, Oregon, said:

“I’m part of an amazing group of plaintiffs who won’t put up with adults jeopardizing our futures any longer. I am so hyped to see how many other young people feel empowered to support us in this amicus brief and push for change for our futures and future generations. The amount of young people, in the United States and around the world, who added their names to support this brief is a representation of all the youth who know that their futures and their planet are at stake.”

Juliana v. United States is *not* about the government’s failure to act on climate. Instead, these young plaintiffs between the ages of 11 and 22, assert that the U.S. government, through its *affirmative actions* in creating a national energy system that causes climate change, is depriving them of their constitutional rights to life, liberty, and property, and has failed to protect essential public trust resources. The case is one of many related legal actions brought by youth in several states and countries, all supported by Our Children’s Trust, and all seeking science-based action by governments to stabilize the climate system.

Below is the list of amicus briefs that have been filed or will be filed by the end of the day. Our Children’s Trust will update [this page](#) as the briefs continue to get filed.

AMICUS BRIEFS	
Topic of Brief	Party Submitting
The judiciary’s duty under Article III to assess the constitutionality of the conduct of its co-equal branches and the vital role that our system of checks and balances plays in the healthy functioning of our democracy.	Members of U.S. Congress Senators: Whitehouse, Merkley, Wyden Reps. DeFazio, Blumenauer, Haaland, Tlaib
Directly supported by more than 30k US and international youth 25 y/o and younger, brief argues in support of the inalienable constitutional rights of children and the role of the Courts in upholding those rights.	Zero Hour on behalf of more than 30,000 young people
Conveying the voices of youth across the country experiencing their own individualized climate-related impacts caused by the federal government’s abdication of its PTD duty.	Sunrise Movement Education Fund
Moral foundations of government stewardship and action on climate from the perspective of multiple faiths, and support for the Federal Public Trust Doctrine.	Interfaith groups Eco-Justice Ministries, Interfaith Moral Action on Climate, General Synod of the United Church of Christ, Temple Beth Israel of Eugene, Oregon, National Advocacy Center of the Sisters of the Good Sheperd, Leadership Council of the Sisters Servants of the Immaculate Heart of Mary of Monroe, Michigan, Sisters of Mercy of the Americas’ Institute Leadership Team, GreenFaith, Leadership Team of the Sisters of Providence of Saint-Mary-of-the-Woods Indiana, Leadership Conference of Women Religious, Climate Change Task Force of the Sisters of Providence of Saint-Mary-of-the-Woods, Quaker Earthcare Witness, Colorado Interfaith Power and Light, and the Congregation of Our Lady of Charity of the Good Shepherd, US Provinces.
Valid substantive due process claims under the Fifth Amendment.	82 Law Professors
Standing, specifically regarding ocean-related harms and government action demonstrating authority over permitting and extraction.	Food and Water Watch, Inc; Friends of the Earth - US, Greenpeace, Inc
Proper role of courts as checks and balance on the political branches, how irreversible impacts justify urgency, and standing for youth.	League of Women Voters
International law supports the availability of a remedy for violations of fundamental rights.	International Lawyers for International Law
Demonstrating that US international commitments, international law, and evolving jurisprudence in other countries support the fundamental right to a climate capable of sustaining human life.	Center for International Environmental Law (CIEL); Environmental Law Alliance Worldwide (ELAW)
State-created danger claim, and the federal government’s	Sierra Club

historical deliberate indifference in causing climate change.	
Youth plaintiffs standing to bring suit and addressing Defendants' APA and separation of powers arguments, the power of the judiciary to remedy violations of constitutional rights	Earthjustice on behalf of Earth Rights International, Center for Biological Diversity, Defenders of Wildlife, Union of Concerned Scientists
Public Trust Doctrine, Federal government's obligation to protect common property.	Niskanen Center
How climate change is already impacting the business community and, rather than harming businesses, actions taken by the federal government to address climate change will have a positive benefit on them	Businesses Guayaki, Royal Blue Organics, Organically Grown Company, Coconut Bliss, Hummingbird Wholesale, Aspen Skiing Company, Protect Our Winters, National Ski Areas Association, Snowsports Industries America, and American Sustainable Business Council
Observing the history and traditions underpinning of the Plaintiffs' substantive due process claim.	78 Environmental Historians
Public health experts and public health organizations explain how GHG emissions and climate change are harming public health and have especially detrimental impact on children's health.	American Academy of Allergy, Asthma and Immunology; American Academy of Pediatrics; American Association of Community Psychiatrists; American Heart Association; American Lung Association; American Pediatric Society; American Thoracic Society; Infectious Diseases Society of America; International Society for Children's Health and the Environment; Medical Society Consortium on Climate and Health; National Association of County and City Health Officials; National Environmental Health Association; National Medical Association; and Society for Academic Emergency Medicine; and 78 individual doctors

Counsel for Plaintiffs are Julia Olson, Esq. of Eugene, OR, Philip L. Gregory, Esq. of Gregory Law Group of Redwood City, CA, and Andrea Rodgers, Esq. of Seattle, WA.

***Our Children's Trust** is a nonprofit organization, leading a coordinated global human rights and environmental justice campaign to implement enforceable science-based Climate Recovery Plans that will return atmospheric carbon dioxide concentrations to below 350 ppm by the year 2100. We elevate the voice of youth, those with most to lose in the climate crisis, to secure the legal right to a healthy atmosphere and stable climate on behalf of all present and future generations. www.ourchildrenstrust.org/*

***Earth Guardians** is a Colorado-based nonprofit organization with youth chapters on five continents, and multiple groups in the United States with thousands of members working together to protect the Earth, the water, the air, and the atmosphere, creating healthy sustainable communities globally. We inspire and empower young leaders, families, schools, organizations, cities, and government officials to make positive change locally, nationally, and globally to address the critical state of the Earth. www.earthguardians.org*

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