

No. 18-36082

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UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

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KELSEY CASCADIA ROSE JULIANA, et al.,

*Plaintiffs-Appellees,*

v.

UNITED STATES OF AMERICA, et al.,

*Defendants-Appellants.*

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On Appeal from the United States District Court  
for the District of Oregon (No. 6:15-cv-01517-AA)

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**BRIEF OF AMICUS CURIAE ZERO HOUR ON BEHALF OF  
APPROXIMATELY 32,340 CHILDREN AND YOUNG PEOPLE IN  
SUPPORT OF PLAINTIFFS-APPELLEES**

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## **CORPORATE DISCLOSURE STATEMENT**

Pursuant to Federal Rules of Appellate Procedure 29(a)(4)(A), Amicus Zero Hour discloses that it is a youth-led program of Power Shift Network, a nonprofit corporation formed in Washington, D.C., which is classified as a 501(c)(3) organization under the Internal Revenue Code. Power Shift Network has no parent companies. No publicly held corporation has 10% or greater ownership in Power Shift Network, nor in its youth-led program Zero Hour.

## **STATEMENT PURSUANT TO FED. R. APP. P. 29**

Amicus has received the consent of all parties to file this brief. No party or counsel thereof contributed to writing this brief, and no person other than Amicus, its fiscal sponsor, Power Shift Network, and Counsel for Amicus contributed funds specifically intended to fund preparation or submission of this brief.

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## **IDENTITY, INTERESTS, AND AUTHORITY OF THE *AMICUS CURIAE***

*Amicus curiae* is Zero Hour, a youth-led program of Power Shift Network, a 501(c)(3) corporation. Zero Hour is filing this brief with the support of approximately 32,340 children and young people residing in approximately 140 countries around the world. Most relevantly, approximately 24,137 children and young people ages 25 and under from all 50 states of the United States of America, the District of Columbia, and several U.S. territories, have expressed their desire to join this brief, along with many of their parents and grandparents, in the mere eleven days that this brief was posted online. These thousands of young people are representative of the millions of young Americans who depend upon the rule of law to protect their rights. Amicus Zero Hour, with the stated support of these children and young people, asks the Court to grant plaintiffs a trial to prove and secure our rights to life, liberty and property.

## **SUMMARY OF ARGUMENT**

Children are people and citizens. The Constitution protects the fundamental rights of children as fully as it does the rights of adults. The Constitution states clearly it intends to “secure the Blessings of Liberty to ourselves and our Posterity.” We *are* the Posterity the Constitution protects. Scientific studies show that government actions today, including its actions of authorizing greenhouse gas discharges and subsidizing fossil fuel extraction, development, consumption, and

exportation, imperil plaintiffs' constitutional rights to life, liberty, and property. The government's fossil fuel policies and actions threaten to push our climate system over tipping points into catastrophe. We ask the Court to grant plaintiffs the opportunity to try their case and prove the harms caused and intensified by governmental action.

## **ARGUMENT**

### **I. THE CONSTITUTION SECURES AND GUARANTEES OUR RIGHTS TO LIFE, LIBERTY, AND PROPERTY**

Our rights are inherent and inalienable. The Declaration of Independence, the Bill of Rights, and the 14<sup>th</sup> Amendment recognize our rights, but did not create them. The Constitution vested the judiciary with the ultimate duty to interpret the law, including the Constitution, and thus, to protect our rights. Although our constitutional rights have not changed, government recognition of our rights has evolved. The original drafters of the Constitution denied the rights and status of women, African Americans, and children. All were and are people.

As we gained public recognition of our legal, political, and property rights, "society began to understand" our "equal dignity." *Obergefell v. Hodges*, 135 S. Ct. 2584, 2595 (2015) (giving the example of one group: "As women gained legal, political and property rights, and as society began to understand that women have their own equal dignity, the law of coverture was abandoned"). The arc of logic

and history compelled recognition of our inherent rights, and now that same arc of logic and history has given us scientific tools and methods to help us identify the sources of violations of our rights. Our right to due process, recognized by our nation's founders, entitles us to the opportunity to prove that the government's affirmative acts harm us by creating a climate crisis in violation of our constitutional rights to life, liberty, and property.

Defendants argue that plaintiffs have “no constitutional right to particular climate conditions.” *Juliana v. United States*, 339 F. Supp. 3d 1062, 1097 (D. Or. 2018). This argument misses the point that our right is not to “particular climate conditions,” but to restraint of affirmative actions by the government that injure us, its youngest citizens. An essential freedom of each individual is the freedom “not to be injured by the unlawful exercise of governmental power.” *Obergefell v. Hodges*, 135 S. Ct. 2584, 2605 (2015) (quoting *Schuette v. Coalition to Defend Affirmative Action*, 572 U.S. 291, 311 (2014) in concluding that “freedom secured by the Constitution consists, in one of its essential dimensions, of the right of the individual not to be injured by the unlawful exercise of governmental power”).

The Constitution's promise is not defined by particular types of threats, nor limited to the dangers faced in 1789. Plaintiffs' claims are not about the failure of the government to take action. Rather, plaintiffs' claims are about affirmative government actions that permit, authorize, and subsidize fossil fuel extraction,

development, consumption, and exportation that create a fossil fuel energy system that endangers our lives, property, and liberty. The actions of the government are complex, but the text of the Constitution is clear. It guarantees our protection against government action that impairs our fundamental rights to life, liberty, or property without due process. Unless the Court acts, there is no practical recovery in sight. The District Court declared: “I have no doubt that the right to a climate system capable of sustaining human life is fundamental to a free and ordered society.” *Juliana v. U.S.*, 217 F. Supp. 3d 1224, 1250 (D. Or. 2016). We children have no doubt that the clear scientific proof at trial of the grave threats of tipping points and runaway heating will establish that government actions undermine “a climate system capable of sustaining human life.”

## **II. OUR RIGHTS TO NATURAL INHERITANCE ARE HELD IN PUBLIC TRUST**

As the Constitution protects our fundamental rights, the Public Trust Principle protects our inheritance of resources. It articulates the legal duty of the government, as the trustee of property held in common, to conserve our vital natural resources. The government holds and manages the public trust for us, the trust beneficiaries. The government is obligated to protect our inheritance of, and refrain from substantially impairing and alienating, the natural resources upon which all life and liberty depend. “The beneficiaries of the public trust are not just



present generations but those to come.” *Ariz. Ctr. for Law in the Pub. Interest v. Hassell*, 837 P.2d 158, 169 (Ariz. Ct. App. 1991).

### **III. THE CONSTITUTION IMPOSES ON THREE BRANCHES OF GOVERNMENT THE DUTY TO PROTECT US AND VESTS IN THE COURTS THE POWER TO INTERPRET THE LAW**

As children and young people, our future is imperiled by the “direct existential threat” that no other human generation on Earth has faced. Edith M. Lederer, *UN Chief: World Must Prevent Runaway Climate Change by 2020*, AP NEWS (Sept. 10, 2018), <https://www.apnews.com/71ab1abf44c14605bf2dda29d6b5ebcc> (quoting UN Secretary-General Antonio Guterres). The Supreme Court of the United States Court has recognized the serious harms of climate change. *Massachusetts v. E.P.A.*, 549 U.S. 497, 499 (2007) (finding the “harms associated with climate change are serious and well recognized,” and that the “Government’s own objective assessment of the relevant science and a strong consensus among qualified experts” indicate the threats of global warming). Despite this reality, plaintiffs’ trial has been delayed.

All branches share the duty to protect our rights, but the judiciary is the ultimate interpreter of the law. *Marbury v. Madison*, 5 U.S. 137, 177 (1803) (declaring “It is emphatically the province and duty of the judicial department to say what the law is.”). Thus, “the Constitution requires redress by the courts” when

the rights of persons are violated. *Obergefell v. Hodges*, 135 S.Ct. 2584, 2605 (2015). As the Supreme Court reminded us in *Obergefell*, only the courts can check the “unlawful exercise of governmental power.” *Id.* (quoting *Schuette v. Coalition to Defend Affirmative Action*, 572 U.S. 291, 311 (2014)). Our Constitution becomes impotent without judicial enforcement of the rights it enshrines.

A trial is necessary for the court to fulfill its duty of interpreting the law and assessing the proof. Defendants contend the courts have no role in this case. If the executive branch has the power to prevent the Court from interpreting the law or the Court renounces its responsibility to interpret the law, then the executive branch will “govern without legal constraint,” trumping the judiciary’s role and destroying the separation of powers upon which our ordered liberty depends. *Boumediene v. Bush*, 553 U.S. 723, 843 (2008) (announcing the supreme authority of the judiciary to interpret the law and warning against limits on the judiciary that make it possible “for the political branches to govern without legal constraint”). To fulfill its duty, this Court must allow a trial in this case.

## CONCLUSION

We, the children, grateful for the sustaining power of nature, the Constitution's guarantee of freedoms, and the judiciary's duty to interpret the law, ask the Court to grant plaintiffs a trial to determine and enforce our rights. By this grant of a trial, the Court will fulfill its duty to protect citizens against government infringement and ensure the blessings of the Constitution for Posterity.

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Respectfully submitted,

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## APPENDIX A

Youth-led Zero Hour wanted thousands of young people to be able to join their organization in submitting this brief. However, counsel for amicus curiae was concerned that an attorney-client relationship might be unintentionally formed with the young people who “joined” the brief and also that minors face certain challenges in some jurisdictions such as limitations on their ability to execute legal documents and the potential need for the appointment of legal representatives by the Court. Thus, a website was created that posted the most current draft of the brief starting on February 16, 2019, but expressly stated that the brief would be filed on behalf of the youth-led Zero Hour (Power Shift Network, a 501(c)(3) organization, serves as the fiscal sponsor of Zero Hour). Even with this limitation and for that short period of eleven days between posting the draft brief and finalizing the list of signatories, approximately 36,565 individuals expressed a desire to “join” this brief, making a listing of their names impossible within the 7,000 word limit. The individuals range in age from newborn infants (through their parents) to the elderly and represent all 50 states, the District of Columbia, and several U.S. territories, in addition to approximately 140 countries from around the world, including, for example, Afghanistan, Bangladesh, Chile, China, Congo, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Fiji, Finland, France, French Polynesia, Guatemala, Honduras, Iceland, India, Indonesia, Iran,

Iraq, , Japan, Kazakhstan, Kenya, Kuwait, Latvia, Lebanon, Madagascar, Malaysia, Mexico, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Russia, Saudi Arabia, Senegal, Singapore, Slovenia, South Africa, South Korea, Spain, Sri Lanka, Sweden, Switzerland, Syria, Tajikistan, Tanzania, Thailand, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, Uzbekistan, Venezuela, Vietnam, Zambia, and Zimbabwe. Approximately 24,137 young people, ages 25 and younger, are from the United States. A complete list of those who asked to be included in this brief and their comments about why they support this litigation can be found at [www.joinjuliana.info](http://www.joinjuliana.info). A representative list of young people from the United States and their comments has been compiled at Appendix B. Both lists redact minors' full names, but the complete list of individuals who wished to join this brief and their comments can be submitted to the Court at its request.

**APPENDIX B****Representative List of U.S.-Based Children and Young People from Among the Approximately 35,565 People Who Indicated Their Desire to Join This Amicus Brief in the Eleven Days It Was Posted Online**

<b>Initials or Names</b>	<b>State</b>	<b>Age</b>	<b>Stated Reason Why They Support this Litigation</b>
BG	Virginia	0	We believe in a healthy world for future generations. G has a right to safe outdoor play, drinking water, air to breathe - just like past generations. The U.S. government has an obligation to ensure that our kids are not burdened by our mistakes and short-term environmental decisions.
IL	Hawaii	1	Climate change is very real and terrifying. Following the Polar Vortex event in the U.S, my usually sunny and hot hometown of Lahaina has been in a constant cold and rainy storm. We went from sweating in shorts and tank tops to freezing in the thin coats that we own because we don't usually need them. We've experienced the lowest snowfall in recorded history in the Hawaiian Islands just a few days ago. My mommy is scared for me, she doesn't want someone else's ignorance to dictate my future.
OC	California	1	O can't speak for herself, but her family implores the court to consider her, her sister's, and all other children's right to a sustainable atmosphere, biosphere and planet.
KH	California	2	I want to be able to play outside all summer and fall without worrying about ingesting toxic air from California wildfires. I want a snowpack in the Sierras

			so I can sled and ski when I'm older. I want to protect our state's majestic redwood forests. I want to be able to have children of my own someday.
TT	Illinois	2	I deserve clean air and water. I should be able to swim in the river near my house without getting sick. I want to keep playing in the snow in winter and the tornadoes that come so often in the spring now scare me.
T L	Wisconsin	4	My son would love to see winters in Wisconsin when he gets older. I fear he's about to miss a chance to visit wildlife as we all are facing threat. We can do anything as long as we start somewhere and this could be that start.
ET	Minnesota	5	So I have an equal opportunity to thrive in this world. To live happily, freely and healthy.
RZ	Oregon	5	I like riding my bike outside in my neighborhood. I don't like the smoke from wildfires being so bad I can't go outside.
SJ	California	5	I'm only 5 years old. The past 5 years have been the warmest ever recorded. We need change or I won't have a future at all.
AS	Washington	6	She says "I want the trees and animals to be healthy and to see coral reefs."
SW	Florida	8	I live in Florida and love fishing. Please act on carbon pollution that hurts estuaries and coral reefs where most fish species live for at least part of their lives. I also

			missed lots of school because of hurricanes.
SV	California	8	I support the Juliana Youth Climate Lawsuit because, I believe everyone has the right to live healthy lives, without interference of the government's actions, to harm our water, food and air, it is very dangerous.
FB	Oregon	9	Most government officials aren't going to be alive when climate change makes a big impact on the world, but we will.
MR	New York	9	I support The Juliana Youth Climate Lawsuit. I am 9 years old and I am scared about what will be left for me and my family if the US government doesn't step up and start make changes to protect our environment. I want a livable future. I live in upstate NY and we have had hurricanes, tornados, flooding and warm winters. My parents said that stuff was never common when they were my age. I will fight for my future along with all the other kids to hold our country accountable to us!
OH	Wisconsin	10	It's not fair for the government to let (and help) companies pollute our air, land and water. I have a right to clean land air and water.
CH	Oregon	10	We should have taken action against climate change decades ago when scientists first realized the problem. Instead, we've allowed politicians to "kick the can" thereby passing the costs and increasing the impact to future generations. It's time to act like adults and take



			responsibility for our impact to the environment before it's too late.
JM	Colorado	11	I already have anxiety that I deal with because it's hard for me to understand why the adults in charge aren't doing anything to save our planet. They only care about money, but people are dying. They have known about this for so long and have done nothing. I want to MAKE them do something NOW.
AM	Texas	12	I want to be able to breathe the regular air without wearing a respiratory mask due to out of control smog (like the have to do in China). I want to eat good food pollinated by bees and butterflies, which are declining due to overuse of pesticides and finally I want to see abundant wildlife and ocean creatures who's food sources are increasingly being threatened due to climate change.
LR	California	13	Our generation will not be able to thrive while dealing with the extreme weather and climate change that past generations have given us
RM	Oregon	13	If we don't take action on current climate change events that have been destroying Earth for hundreds of years, our home will no longer be our home, and we are the ones that have to grow up during this crisis. We would have to look back on how things are now and try to remember when we had clear skies and dense forests in every city/state. How we had clear oceans that weren't littered with trash and plastic and oil. How many animals there were that no longer live in our "home". Imagine

			trying to explain to your children how things were like when you were their age. If we don't do something, this issue will become a crisis for everyone living on this Earth. We need a change, and we need it NOW.
SS	Oregon	13	You can dismiss climate change as much as you want but it only takes a second to look around and realize what effects are being taken place right now. Climate change affects EVERYONE, it affects our health, it affects our animals, it affects our environment, and finally the generations of young people coming into a world that will be no loner sustainable to live safely in. I shouldn't have to describe it as selfish for the government to not take action because this should come without saying, without a fight, your ruining our planet and it needs to stop.
JH	Indiana	13	Sooner than most realize, Earth will become inhabitable. Fossil fuels are expected to obliterate in the next decade, agriculture will slow down or simply evaporate, and the atmosphere will become so warm that people will perish from heat exhaustion (or will freeze to death—literally). Generation Z and Alpha do not seem to have a future, or, if somehow we survive long enough, we will be able to at least live through an incredibly brief one. We have dreams, just like you. We have wishes for the future, just like you. So why is it fair that we may not be able to experience them and make them come true? Why is the next generation being ignored, and why are we expected to fix such severe issues created by the previous

			generations? Many politicians in office often ignore this large obstacle (and the young citizens who address it). The majority of them are older, so it will not affect them, so why would they care? The Juliana Youth Climate project gives younger civilians a chance to voice their opinion, an opinion that is often swept under the rug. We are the future, we want to be heard. We don't want to be ignored anymore. It's time that the next generation is acknowledged.
CW	New York	13	I am in full support of the Juliana Youth Climate Lawsuit because the U.S. government has deprived youth of things that past generations have had, and we should have as well. We youth will not live as long because of the pollution in the air, which comes from carbon dioxide emissions contributing to climate catastrophe. We are more susceptible to diseases and possibly fatal medical conditions such as cancer from this pollution. We do not have security in our homes or health because a natural disaster resulting from climate catastrophe could dislocate us out of our homes and possibly kill us at any time. We will not have as much biodiversity in our environment, and the changes in climate will lead to exponential populations of parasitic species such as ticks and mosquitoes, which will make us more vulnerable to disease....
EW	North Carolina	13	Due to climate change, I am a growing up in a world where I don't know if I have a secure future on this planet, and where I don't know if the ecosystems and life on

			this planet will be able to survive. The homes, health, happiness, and culture of many people are being destroyed. Animals are going extinct. The weather is unpredictable and damaging. The plaintiffs in Juliana v U.S. are boldly working to end these issues in a powerful and effective way, and I wholly support them. The futures of all organisms on Earth are on the line.
MR	Illinois	13	Please listen to the children, sometimes adults do not listen to us, and we have ideas. We have fears to everyday and climate change is a big deal. I believe we all have a say in our lives, and our government should not hinder our rights to Life, liberty, and the pursuit of happiness. Destroying our planet takes all that away.
RA	Washington	14	I am young and I, like many others, am supposed to grow up and live in this world till I die. Due to the denial of climate change I may not be able to grow up and neither will the future generations. If everyone would acknowledge climate change and put a conscious effort to fix it I may get to grow up. I want myself and my generation to experience life. The least one can do is to make sure we have a future to grow up in. As young people we can only do so much. Please help save our future.
CG	Mississippi	14	It's in the Constitution that we have a right to life, liberty, and pursuit of happiness.
EW	Oregon	14	I support the climate lawsuit because I believe we have a right to a future with a clean and healthy environment. It is the responsibility of our leaders ensure that the

			<p>environment safe for future generations. These are our last few years to change the tide on climate change and I want something done before the future of our planet is ruined forever.</p>
XL	Illinois	14	<p>I believe in the very real damages caused by climate change. I believe that humanity deserves better than self-destruction at the hands of the greedy and the ignorant. We have sustainable alternatives. We should start treating this planet with respect. We should start treating Earth, our home, like a place we want to stay in.</p> <p>There is no excuse not to take action. Climate change conspicuously affects every single human being on this planet. Everyone will be impacted in some way, regardless of whether they can easily detect the changes or not. And if we want to prevent unnecessary calamities, we need to act as soon as possible.</p> <p>I believe in a better future for all of us. I believe that we can spark change. Why should we sit here and wait for catastrophe to befall us? The world is big and not everything happens the way we want it to. But we have our own responsibilities: to improve ourselves and to make the world a better place.</p> <p>Change starts with us, and it starts today.</p>
CC	New York	14	<p>The Juliana Plaintiffs gave me hope after thinking that our environment would never get better, that there was no way that the government would listen to us. I had even accepted the fact that our environment</p>

			could get so bad we wouldn't be able to live for much longer. I told myself there was nothing we could do, until I heard about this lawsuit and I believe that legal action is one of the only ways people will finally listen. When you demand to be heard you should be heard
MV	Kansas	14	As a fourteen year old, we're not supposed to be worrying about these kinds of things. I'm not supposed to have to wake up in a freezing morning that I am currently sick from because of a sudden snow storm. We have never had so much snow at once. After studying further myself I realize this snow storm "Petra" is actually spreading fast throughout the united states. Along with other factors such as the current "apocalypse" of zombie deer. With melting ice caps north of us. The world is changing, the world that gives us life now needs OUR help to give it life.
GJ	New Jersey	14	I want to be able to live my life without fearing about whether or not the world I know today will exist in 20 years. I am tired of being scared of the future that I should be excited for. I want to travel, I want to find love, I want to have kids but will that ever happen because of climate change? It is up to you to preserve our futures.
AW	Connecticut	14	I support the Juliana Youth Climate Lawsuit because this is not just our Earth, but the Earth that generations after us will inherit. Furthermore, we share our planet with countless life forms who depend on the responsibility of the human beings. Climate change is not simply an "us" or

			"them" problem, it is a "we" problem. If those in power do nothing to stop climate change, we might as well be signing away on the doom of all living beings. There are no exceptions.
JS	Florida	15	Climate change is affecting all of our lives actively. Whether we see it or not. My city is predicted to be underwater in less than 30 years. The water level is going to rise, and this beautiful city I call home will be lost. But my city isn't the only one being affected. There are a thousand other places that are being affected right now. We need to save Earth, because it's the only one we have. We don't have a 'plan B'. If we don't act right now, our planet will not be saveable, and it's going to make us pay in the long run.
EB	Oregon	15	I support the Juliana Youth Climate Lawsuit because we have to do something about climate change. Science tells us that climate change is definitely real and at least partly human caused. This means that we have to do something to stop it before it has extreme, dangerous, and irreversible consequences. Children are the best people to fight for this because we will be on earth for much longer than the people making the rules now (businesses, government). The United States must reevaluate their path forward in regards to climate change and start doing more to stop it. Therefore I fully support the Juliana Youth Climate Lawsuit.
MF	Washington	15	Climate change is the biggest issue facing the world, and our species as a whole. If something isn't done NOW, then future

			generations will have to suffer as a consequence of our ignorance and greed. Do the right thing.
LE	New York	15	I believe I have a right to live without fear that my generation -and the coming generations- will be the last to experience the world as it is before we reach the point of no return and the Earth starts dying for good.
MS	Virginia	15	The Juliana Youth Climate Lawsuit speaks up for the things that the government have tried to silence. We have a right to be heard....
DS	Texas	16	3 hurricanes in a year is not normal. Children get sick more often with diseases like asthma which I was diagnosed with last year with no apparent cause. The earth is sick and you are just making it sicker.
LG	Florida	16	We need to put an end to the government's ongoing violation of our rights. Our planet is dying and we need to stop climate change before it's too late. I want my future children and grandchildren to be able to see the beauty of nature through their own eyes, not pictures.
HM	California	16	It is the duty of the government to protect our rights to life, and the moral duty to establish safe conditions for future generations. Knowing the detrimental effects of climate change and not acting upon them is an injustice to society and the future of the United States of America, neglecting the wellbeing of our country and planet.



CT	California	17	I support the Juliana Youth Climate Lawsuit because here in California we are having a crushing cycle of droughts and heat strokes, out of control wild fires, flooding and cold snaps. The extreme temperature fluctuations are affecting the prosperity of businesses across the United States such as places in Tahoe where businesses are closing because there is either not enough snow or too much. A general store near my cabin had to sell their liquor license to get by last winter because there was no snow and no business. This year there's so much snow people can't get up because the highways are closed. My state has seen communities torn apart by climate change and I'm sick and tired of seeing people I know and care for lose their homes and jobs and opportunities.
EV	New York	17	We often act as if the world will get better effortlessly. That if we look the other way, then we won't have to face the problem head on. But this ignorance will only serve to harm my generation and the upcoming ones. This is why it is my duty to stand with the Juliana Youth Climate Lawsuit. We cannot choose to ignore climate change any longer. Denying the suffering of our planet is denying the youth's right to life.
PA	Maryland	17	Climate change can cause sea levels to rise. It'll be within time that many of our states and cities will begin to flood and eventually disappear in years. Our air quality will be dangerous to breathe and bring negative affects to our health. Rising temperatures can cause dehydration which

			also leads to organ failure. I support the Julianna Climate Lawsuit because it is the common good and we must stand against something that can increase the death rates of our country and the world as a whole.
JR	Massachusetts	17	My coastal community is at risk of rising sea levels and torrential and damaging flooding every year. Don't let small towns like mine succumb to the water any longer. We can do something to pause and even reverse the effects of climate change.
SK	Washington	17	Climate Change is an issue caused by older generations, even though those generations will be gone. We the New Era will be left with a world where there is low supply of water, rising sea levels due to global warming, and much more. I support Juliana as a young law student because we are the future. I believe we have the right to shape our world and it is our duty to fix it.
SR	Louisiana	17	In 2016, my community of southern Louisiana was devastated by prolonged flooding caused by climate change. Our infrastructure has been permanently damaged and will not be fully repaired until the prolonged hurricane seasons and increased risk of dangerous storms returns to normal levels, which they will not do while climate change continues to worsen.
IB	Arizona	17	I have chronic asthma, and I see a number of children develop asthma due to the poor air quality making it hard to breathe and manage good health. To be frank chronic illnesses will only increase with poor air

			quality, water, and the food we eat. This needs to change and change now.
Angela Maloney	Wisconsin	18	<p>Throughout my childhood I was able to experience many of the natural wonders within the United States. In Yellowstone I saw hundreds of buffalo feed off the plains, in Alaska I stood on a glacier and saw the vast sheets of ice that created it, in Florida I drove on elevated highways above the wetlands. Sadly however, these natural beauties will no longer exist in the future if we continue to treat our natural resources as expandable and deny the delicate balances of Earth's ecosystems. Future generations deserve to see and experience the beauty of the natural world. We deserve to benefit from the resources the Earth has to give long into the future. But, in order to do this we need to care for the planet and protect it. It is my right to live in a world not polluted by the waste products of a consumer society. It is my right have clean water to drink, clean air to breath, and not be afraid of the next global warming caused violent storm. I stand with the Juliana Youth Climate Lawsuit to protect my generation and future generations' right to a clean and healthy environment that promotes "life, liberty, and the pursuit of happiness."</p>
Alyssa Purpura	Texas	18	<p>I support Juliana because my state suffered from last spring's hurricanes, which have become more frequent in the warming atmosphere. I've watched lady bugs lose their distinct red hue to adapt to the warmer climate. I care because a lack of regulation of known dangerous chemicals has led to disaster in a town not far from</p>

			me, causing tons of toxins to be released into the immediate atmosphere that cause cancer and can shorten human lifespans. But I mostly care because none of it has alarmed anyone.
Dominique Kates	Washington	19	Just because I'm young doesn't mean I don't deserve to live with the same options as my elders. I deserve to breathe clean air. I deserve to drink clean water. And I deserve to have the ability to live a bright future in a healthy environment. I deserve to live without the fear that I won't be able to breathe, or the fear that I won't have a home because it's been flooded due to the rising ocean levels that can be prevented. There's still a chance to save the earth, but a change has to be made. And it has to be now.
Michael Zaprzalka	Illinois	20	I support the Juliana Youth because I have seen climate change first hand in my home town. In months like December it's supposed to be cold and white with snow in Illinois, but recently it had reached temperatures of -50 degrees, turning into a polar vortex, and the following week rising a whopping 100 degrees into the 50's. That is not normal. Many of the birds that fly south have not left, and many of the land animals that hibernate are roaming, risking their life for food. Climate change is threatening the balance on Earth that we once knew, destroying the glaciers in the arctic and soon flooding our lands. I support the Juliana Plaintiffs.

Anastacia Meconiates	Massachusetts	20	Because I've watched the destruction of low lying marshland lead to larger and more frequent flooding in my area. Because powerful hurricanes and noreasters have become more frequent during my life. Because my parents talk about how many animals they saw growing up and I see nothing but squirrels now.
Anna Zuckerman	Washington	20	Although the science is clear that humans must act now to mitigate the effects of climate change, the lawmakers of today seem to ignore the vital role they play in turning this research into action. We need our justice system to protect the right of my and future generations to a stable climate and habitable Earth.
Abygail Melo	Texas	20	We cannot claim to give our countrymen the right to life, liberty, and the pursuit of happiness if our current environmental path only leads to destruction. For that reason, I support the Juliana Youth Climate Lawsuit because, after all, it is the youth that will have to face the aftermath of what we have done to the earth's environment and climate.
Malak Saleh	California	20	How am I supposed to have a family if my kids are going to die from the effects of climate change? I've lived in Northern California my entire life and we've been struggling with extreme drought. The drought and unnaturally dry conditions contributed to the entire town of Paradise (right next to my hometown) to burn down. Their need for relocation and loss of personal property has been devastating to them as well as the surrounding

			communities. It has caused economic and environmental impacts that will be irreversible in the future. People in my town worry that WE will be next.
Nadya Eades	New York	20	I support the Juliana Lawsuit because we deserve the right to a healthy and sustainable environment. As a future teacher I want to be able to tell my students that we did everything we could to keep our Earth healthy and healthy for future generations. There are only so many changes individuals can make, we need to start making bigger ones and the time to do this is now.
Naida Serrano	Texas	20	I support the Juliana Youth Climate Lawsuit because it is helping us create a better and safer future for ourselves as well as our children. We reserve the rights given to us by the constitution and we deserve a fair trial when these rights are jeopardized. We have the voice to make a change. We are the people.
Pouya Tavakoli	California	20	We, as a race with the knowledge of how our planet and our world works should think of it as an obligation to ensure that it is capable of sustaining life as we know it. And as citizens we have the right to demand change from our government officials regardless of their personal beliefs on the matter. Especially in the face of businessmen profiting from the causes of climate change.

Peyton Schwarzman	Pennsylvania	20	Future generations of our species as well as countless others across the planet deserve the chance to grow and prosper without the environment being hindered by the mistakes of the previous generations. I want my eventual children and grandchildren to have a world worth living in. They deserve that fundamental right. We all do.
Courtney Krennrich	Illinois	20	Climate change is the most important issue of our generation with effects that can be irreversible and detrimental. We have a short window of time where we can create policies and make wide scale lifestyle changes that will slow the effects; past that window, we will be too late in taking significant action and be left to face the consequences of our actions. We, as American citizens, have the right to demand certain protections from the government, and in my opinion, we are not being provided those protections. I support the Juliana Youth Climate Lawsuit because it is time to finally call out of the government for not doing its job in protecting the youth, our rights, and the future of this nation and world.
Meagan Alonso	Indiana	21	I've seen my own town change over the years as development and climate change have taken course. What use to be a great habitat for frogs, foxes, coyotes, deer, etc. has turned into a barren area with only rabbits and birds. Weather patterns that unpredictable and harsh cause issues with wildlife and with everyday life. We need to switch to clean energy and make an effort to reverse the damage humanity has done.

Siobhan Haase	Tennessee	21	As the ones who will have to bear the load of climate change later on, our voices deserve to be heard by the government. We deserve the right to a future, one that won't be shortened because of how we have hurt our planet. The government has the power to reduce emissions and help our planet. We have the right to be heard, and they must listen to us.
Joaquin Rodarte	Florida	21	The Government is required by our Constitution to protect the rights of young people and children, including their fundamental rights to life and liberty. The Government is also required by law to protect and preserve the Public Trust, which includes the atmosphere, land and waters we rely on for life. By permitting and authorizing the emission of greenhouse gasses that it knows to be the cause of climate change, the government is violating its duty and our Constitutional rights. Only a trial can establish these facts and end the Government's ongoing violation of our rights. Climate change is an issue that affects every person's life.
Aviva Kardener	California	22	This case is fundamentally about upholding our basic human rights as young people to sustain our lives. Our government cannot continue to allow the fossil fuel industry to rip those rights away from us!
Shelby Chapman	New Hampshire	22	The fate of our planet and our ecosystems lie in the hands of the youth and they have an immediate and undeniable right to have a say in its preservation.



Haley Crim	Maine	22	It's past time to reckon with climate change and the damage it will do to us young people and future generations. The government's core mission is to protect the American people, and the decades of allowing unchecked pollution and greenhouse gas emissions - when we KNEW the entire time what it was doing to us - is an outright dereliction of that duty. The plaintiffs in the Juliana case are arguing for the future of the entire planet, and the youth of the world stand behind them.
Abdel Rahman Elmesiri	Michigan	23	Climate change is on the path to creating an uninhabitable world, and the decision makers of today will not be around to face the economic, social, and natural consequences of their actions and are therefore unfit to continue making such decisions. I genuinely fear having kids, because I don't want them to grow up in a world where farming is nearly impossible, where storms and wildfires cause record amounts of damage regularly, and where rising sea levels can eliminate coastal cities.

**UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT**

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**9th Cir. Case Number(s)**    6:15-cv-01517-AA

I am the attorney or self-represented party.

**This brief contains 6963 words**, excluding the items exempted by Fed. R. App. P. 32(f). The brief's type size and typeface comply with Fed. R. App. P. 32(a)(5) and (6).

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**Signature** s/W. Warren H. Binford **Date** March 1, 2019

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I hereby certify that on March 1, 2019, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF System.

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W. WARREN H. BINFORD