Oregon’s Politicians, Businesses, Faith Groups, and NGOs Support Youth Plaintiffs in
Chernaik v. Brown, the Climate Lawsuit Against the State

Salem, Oregon - Today, the two young Oregonians who filed the climate change lawsuit, Chernaik v. Brown, were supported by 53 different individuals and organizations that live, work, and recreate in the State. The individuals and groups filed an amicus curiae (“friend of the court”) brief with the Oregon Supreme Court and represent a wide variety of interests, including government, communities of color, public health, youth, faith, business, conservation, and education. The constituents and members that these individuals and organizations represent include hundreds of thousands of Oregonians from across the State.

The amicus brief presents the Supreme Court with evidence from state and federal agencies about how climate change is already harming Oregon’s resources and citizens to illustrate that many people are affected by the erroneous Court of Appeals’ decision, and that if it is not corrected, it will result in a serious and irreversible injustice. The brief also explains that the State of Oregon has not taken adequate steps to address climate change, despite numerous opportunities to do so, and accordingly, judicial review is imperative.

Eric Richardson, President of the Eugene and Springfield chapter of the NAACP, which joined the brief, said:

“The Eugene/Springfield NAACP is committed to strong environmental justice engagement and supporting climate strategy leaders. With this understanding we support a global view of change with a strong focus on creating meaningful partnerships and alliances on behalf African American youth to engage with people of all backgrounds to strengthen our world through advocacy and networking. Therefore the Eugene Springfield NAACP stands in full support of the the youth petitioners appeal for review of the Chernaik v. Brown case.”
Senator Jeff Golden, *amici* and Chair of the Senate Committee on Campaign Finance and a member of the Joint Committee on Carbon Reduction, said:

“Whether or not climate change is real is no longer up for debate; it’s here. We see the effects every year with hotter, drier summers and wildfires that have tremendous costs to our ecosystems, our economy, and our health. Now the question is: What do we do about it? How could it not be the State’s obligation to take action to combat climate change when it has such far-reaching consequences for the lives of all Oregonians, especially for the younger generations who will have to live with our decisions for decades to come? I support the plaintiffs in fighting for this issue, and hope that this case will be heard with the gravity and consideration it deserves.”

Representative Pam Marsh, *amici*, Oregon State Representative of District 5, the Vice Chair of the House Revenue Committee, and a member of the Joint Committee on Carbon Reduction, said:

“Every day I hear from constituents who believe the disintegrating climate is an existential crisis and, for some, a generational betrayal. We have a moral obligation to do everything we can to shift the climate trajectory through legislative and personal action.”

In January, the Oregon Court of Appeals ruled that the common law public trust doctrine imposes no affirmative duty on the state to protect public trust resources like beaches. The court declined to state which natural resources fall within the scope of the public trust, leaving much of the youth plaintiffs’ questions unanswered.

Plaintiffs Ollie Chernaik, 18 and Kelsey Juliana, 23 are now asking the Oregon Supreme Court to review their case and find that under Oregon law the State has a duty to protect Oregon’s natural resources from the impacts of climate change. The public trust doctrine was adopted by the Oregon Supreme Court more than a century ago and provides that the state holds certain natural resources in trust for the benefit of all Oregonians. Oregon Governor Kate Brown and Attorney General Ellen Rosenblum defended the State’s failure to address climate change, arguing in the case that the state had no responsibility to the youth to protect state public trust resources from climate change.

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. Our Children’s Trust also supports the climate lawsuit, *Juliana v. United States*, which was brought by 21 youth plaintiffs, including *Chernaik v. Brown* plaintiff Kelsey Juliana.

Youth plaintiffs are represented by Crag Law Center and Liam Sherlock at Hutchinson, Cox, Coons, Orr & Sherlock, P.C. Kelsey and Ollie’s lawsuit was filed with the help of Our Children’s Trust.

*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/

Crag Law Center is a community-based public interest law firm that provides legal aid for the environment, protecting and sustaining the natural legacy of the Pacific Northwest. crag.org

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