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**Washington Indian Tribes, Civil Rights and Environmental Organizations Ask State Supreme Court to Take Up Youth Constitutional Climate Change Case**

SEATTLE – The Swinomish Indian Tribal Community, the Fred. T. Korematsu Center for Law and Equality, the League of Women Voters, the Center for Environmental Law and Policy, and Environmental Law Alliance Worldwide are among the entities that filed “friend of the court” briefs in support of 13 young plaintiffs who are trying to get their constitutional climate change case, [Aji P. v. State of Washington](#), heard by the Washington Supreme Court.

The youth seek Supreme Court review of a Washington Court of Appeals panel decision that the plaintiffs have no fundamental right to a healthful environment, even though it is the only right the legislature has characterized as “fundamental and inalienable” under Washington law. The panel ruled that climate change is a global problem and that the political branches have unlimited authority to take action that destroys the climate system.

“Courts around the world have recognized that climate change implicates fundamental rights and allowed young people to present evidence on their fundamental rights claims, but Washington State has gone in the other direction and closed the courthouse doors on these youth,” said Andrea Rodgers, Senior Litigation Attorney at Our Children’s Trust, which represents the plaintiffs. “As our state is facing the hottest temperatures we have ever seen, it is now up to the Washington Supreme Court to protect our children and hold the political branches accountable for achieving the emission reductions that they have promised, but failed, to meet.”

The lawsuit, [filed in 2018](#), names the state, Gov. Jay Inslee, and several state agencies as defendants. It claims that actions the defendants are taking make the climate crisis worse and cause the youth plaintiffs harm. The complaint asserts that in causing climate change, Washington has violated the youngest generation’s constitutional rights to life, liberty, property and equal protection of the law, and has caused impairment of essential public trust resources. In spite of recent legislative action supporting decarbonization of the state’s energy system, [Washington’s GHG emissions continue to rise](#), illustrating the

need for judicial engagement in this crisis.

The League of Women Voters noted in its brief that these youth “lack a voice in the political process; many cannot vote to protect their rights and lack the political power to influence Washington’s energy and transportation systems. Redressability through the courts is their only option to safeguard their fundamental rights.”

The plaintiffs seek a declaration of their fundamental rights to life, liberty, and a healthful environment -- and, if necessary, a government-created plan to comprehensively address the crisis.

“When the political branches infringe rights guaranteed by the constitution, the judicial branch has the duty and power to act,” noted the Korematsu Center’s brief. “Great harm occurs when courts shy away from this duty. As was true of Black children in 1954, the plaintiffs here need the courts to vindicate their rights when other branches of government have infringed their constitutional rights.”

Washington tribal governments, including the Swinomish Indian Community, said the Washington Court of Appeals’ decision “fails to account for tribal values -- thereby excluding the values of native peoples ... For the Tribes there is no question that the right to a livable climate -- and the corresponding right to continue the way of life they have enjoyed since time immemorial -- is fundamental.”

Meanwhile, the Pacific Northwest grapples with triple-digit heat that the National Weather Service says “could rival some of the longest lasting and extreme heat waves in the recorded history of the Inland Northwest.” And heat waves like this are one of the [clearest manifestations of human-caused global warming](#), with studies showing that climate change boosts the odds of their occurrence and heightens their severity.

[Aji P. v. State of Washington](#) is one of several youth-led climate change lawsuits brought by [Our Children’s Trust](#). Other state cases include [Held v. State of Montana](#) and [Sagoonick v. State of Alaska](#). Our Children’s Trust also represents the youth plaintiffs behind the landmark federal constitutional climate lawsuit, [Juliana v. United States](#), which was brought by 21 young Americans and the youth-led climate organization, Earth Guardians.

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*Our Children’s Trust is a nonprofit public interest law firm that provides strategic, campaign-based legal services to youth from diverse backgrounds to secure their legal rights to a safe climate. We work to protect the Earth’s climate system for present and future generations by representing young people in global legal efforts to secure their binding and enforceable legal rights to a healthy atmosphere and stable climate, based on the best available science. We support our youth clients and amplify their voices before the third branch of government in a highly strategic legal campaign that includes*

*targeted media, education, and public engagement work to support the youths' legal actions. Our legal work – guided by constitutional, public trust, human rights laws and the laws of nature – aims to ensure systemic and science-based climate recovery planning and remedies at federal, state, and global levels. [www.ourchildrenstrust.org/](http://www.ourchildrenstrust.org/)*