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Montana Youth Announce Dates for Historic Climate Trial

HELENA, Mont. – Today, the 16 youth plaintiffs and their attorneys in the constitutional climate case [*Held v. State of Montana*](#) announced dates for what will be the first children's climate trial in U.S. history.

Trial in *Held v. State of Montana* will begin on Monday, February 6, 2023 at the First Judicial District Court in Helena, Montana. The trial will conclude Friday, February 17, 2023.

"This trial is an unprecedented opportunity to present a full factual record before the court establishing how the State of Montana's ongoing actions to promote fossil fuels are causing and contributing to the climate crisis, and resulting in grave injuries to these 16 youth plaintiffs," said Nate Bellinger, Our Children's Trust senior staff attorney and co-counsel for the plaintiffs.

"Through this trial, we will have an opportunity to prove that the State of Montana's actions promoting a fossil fuel-based energy system are violating the fundamental constitutional rights of the plaintiffs."

"Montana is one of only a handful of states that recognizes a fundamental right to a clean and healthful environment, and that includes the climate," said Melissa Hornbein, senior attorney at the Western Environmental Law Center. "Montana has a long history of promoting fossil fuels and exacerbating the climate crisis, and we are hopeful our case could turn over a new leaf for the state and its youth. We're not only talking about 'future generations.' The people who we need to take action to protect from the climate crisis are already here in our schools, daycares, and cribs."

Grace, one of the *Held v. State of Montana* youth plaintiffs, noted, "Going to trial means a chance for me and my fellow plaintiffs to have our climate injuries recognized and a solution realized. It means our voices are actually being heard by the courts, the government, the people

who serve to protect us as citizens and Montana’s youth. Knowing that we have the dates for the first youth constitutional climate case ever, I feel hopeful that finally our government may begin to serve our best interest.”

The youth plaintiffs in *Held v. State of Montana*, which was filed in March 2020, assert that by supporting and promoting a fossil fuel-driven energy system that contributes to the climate crisis, Montana is violating the constitutional rights of the youth plaintiffs. Those rights include a clean and healthful environment; the ability to seek safety, health, and happiness; and individual dignity and equal protection of the law. In addition, the suit alleges that Montana’s fossil fuel energy system degrades and depletes constitutionally protected public trust resources, including the atmosphere, rivers, lakes, fish, and wildlife.

Counsel for the Montana plaintiffs include Nate Bellinger of Our Children’s Trust, Roger Sullivan and Dustin Leftridge of McGarvey Law, and Melissa Hornbein of the Western Environmental Law Center.

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Media resources attached as PDF:

- 1) Case Summary**
- 2) Abridged Timeline**
- 3) FAQ**