



Dear friends,

Last night, a draft Supreme Court opinion was [leaked](#) to the press. The draft, since [verified](#) by the Court as being authentic, was written by Justice Alito and purported to have a majority of five Justices voting to overturn *Roe v. Wade*.

While we recognize that we may hold very different personal views on abortion, many of us spent last night in shock, fury, and grief. First and foremost, for the brazen stripping of human rights this ruling would constitute for millions of Americans, especially those most vulnerable, those with the fewest resources and options for medical care. This court opinion would be a turning back of the clock so severe that some people born today would have fewer reproductive rights than people born almost 50 years ago. This opinion also foretells a stripping of rights that will go well beyond reproductive rights, aiming to strike at the heart of so many of our deeply held liberties.

As a women-led law firm that believes in the sanctity of the judiciary as a critical branch of government, this opinion is also a betrayal. *Roe v. Wade* is settled law. This was confirmed [as such](#) by two of the more recent appointees to the bench who affirmed this in their nomination hearings but who now appear ready to vote to overturn it. The core of this draft opinion relies on the idea that reproductive rights were not rights when the Constitution was drafted and therefore cannot be fundamental rights today. The majority says the Supreme Court has been wrong for 50 years on this subject. But women [were not protected](#) as equal to men when the Constitution was drafted. Women could not vote or even argue in the Supreme Court, much less rule from its bench, when the Constitution was drafted. The majority opinion itself demonstrates this profound contradiction: some of the very Justices who will presumably join the draft opinion would be striking at their own rights.

The hypocrisy of this draft opinion and the rights it threatens to rescind would transform U.S. society according to the agenda of a minority, who wish to create a religious state where autocracy flourishes and protects the moral

judgment and privilege of a few at the expense of the dignity of so many.

That same minority is also committed to burning our country to the ground by extracting all of the fossil fuel they can, protecting their power and their fortunes at the expense of the health and safety of our children and future generations. And the reason they are succeeding is because they have been waging this coordinated campaign for decades, unflinchingly, never giving up, never walking away from a single branch of our government.

**No doubt, this is a dark moment in our history.  
What matters now is what we do next.**

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**We want to be crystal clear: if we walk away from our courts, if we turn our backs, even for a moment, those who seek to eviscerate our rights will win.**

**We must be relentless.**

No question this Supreme Court opinion would be an enormous setback. But our children need us to be fully committed in a relentless struggle for justice. We at Our Children's Trust need you in this struggle. As officers of the court, we take an oath to uphold the Constitution. And we will.

It is important to note that last night's draft opinion - while written by one Justice, representing one majority, sitting on one bench - is the result of decades of work by an anti-abortion campaign to bring case after case to our courts, systematically testing our laws and precedent for weaknesses to exploit. It is the culmination of a relentless campaign. *But we are relentless too.* We bring case after case to every level of our courts, systematically securing favorable rulings and powerful dissents, shoring up case law and establishing judicial precedent for the cases to follow. We will continue to partner with our colleagues across the nation to stand for the half century of rights our highest court has declared.

Just as opponents of reproductive choice have spent decades attacking the right to abortion in our courts, we have spent over a decade attacking any and every argument that strips our children of their right to life, liberty, and a safe, livable climate. **They have been relentless but we have too.** And this is how we will win.

### **We cannot turn our backs on injustice.**

Righting the wrongs of history requires action at every level. We need people in the streets and [on the steps of our courthouses](#), demanding the immediate protection of human rights. We need people in the halls of government passing legislation to codify and protect these same rights. And we must continue our fight in the courts so we can secure durable, lasting change. This would-be opinion may overturn precedent, but it still holds true that the courts can enshrine protections that last longer than an election cycle. We cannot abandon this strategy. It is central to our pursuit of justice for all.

### **We cannot wait to take action until it's “our” rights on the line.**

It is a critical requirement of living in a collective society for us to take action in defense of others. We must care about everyone’s rights, not just our own. Those of us who have more privilege from attacks on human rights, or who might not be immediately affected by the stripping of someone else’s liberties, simply cannot stand back and watch. We must protect each other, especially our most vulnerable. We must be vigilant and we must push back, and move forward, in solidarity. Last night, the target was women and every person who has the capability of giving birth. With climate, it is our children. We must all continue fighting for the long-term protection of our individual and collective rights, especially when the rights at risk are not our own.

### **These are our rights. These are the rights of our children.**

Last night, we felt grief, anger, fear, and despair. Today, we get back to work. We are preparing for trial in Montana. We are getting ready to file more new cases in even more jurisdictions, accelerating our relentless pursuit to secure climate justice in our courts. And we are sharing the story of the *Juliana* 21 in the independent film [“YOUTH v GOV,”](#) where you can see a group of young people who have now sustained their relentless quest for climate justice for almost seven years...and are still going.

Watch the film and you’ll see these young people grieve when they experience devastating setbacks, only to then pick themselves up and get right back to work. You’ll see government officials who have saved thousands of documents from decades past, now to be used as evidence at trial, serving as historical whistleblowers shining light on decades-long injustice in our institutions. Our young leaders and these brave public servants are not giving up in the face of seemingly insurmountable odds. We can’t either.

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**Tonight, [at 5pm local time](#)**, wherever you live, people will be gathering on the steps of their federal, state, or local courthouses. If you are able to go safely to a courthouse tonight, we encourage you to do so. Those steps are yours. **These courts are yours.** The U.S. Constitution is yours. **THESE RIGHTS ARE YOURS.** Be present in the fight for our own justice, stand with your fellow humans, and **let us be relentless together.**

As for last night, we will watch for the majority opinion to be officially released in June. We will also watch for the dissent from the minority of the bench, one that promises to be historic in nature. Remember that, even should the majority vote come to pass as we expect it to today, dissents matter. History remembers and history corrects. Dissents forge the path to future judicial bravery. And this court will not always be what it is today.

Until then, we remain relentless.

The Team at Our Children's Trust



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