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**Youth Plaintiffs in *Navahine v. Hawai'i Department of Transportation*
Argue Against Delays in Historic Climate Case**

State Transportation Department sought to postpone trial 8-12 months

HONOLULU, Hawai'i—Today attorneys for the 14 youth plaintiffs in the constitutional climate case *Navahine F. v. Hawai'i Department of Transportation* appeared at the O'ahu First Circuit Court in Honolulu, arguing to keep their trial date on the calendar in 2023. The youth plaintiffs sought “to ensure the escalating harms they are already experiencing can be redressed in time to alleviate their losses and suffering and avert a climate catastrophe,” according to their motion filed last month.

After this motion was filed, attorneys for the State of Hawai'i, Governor Green, and the state Department of Transportation filed a motion to postpone the trial date currently set for September 26, 2023, for an additional eight to 12 months, even though they already had nearly a year since the case was filed to prepare their defense.

During the hearing, Judge Crabtree granted the State's motion to continue the September 2023 trial date, explaining that due to the delays that have already occurred in the case, he wants to give the State enough time to prepare their defense to ensure both sides have a fair trial. Judge Crabtree did not reset the trial date, instead opting to meet with attorneys representing both parties on Friday, June 2, to discuss in greater detail how long the trial will be and whether he can accommodate it on his calendar before his state-mandated retirement in February 2024.

“A trial date in 2023 is imperative to stop the State's ongoing constitutional violations,” said Andrea Rodgers, Senior Litigation Attorney at Our Children's Trust and co-counsel for the youth plaintiffs. “Every day that defendants continue to operate a state transportation system that results in high levels of greenhouse gas emissions makes the climate crisis worse and more difficult to solve. As children, these youth plaintiffs cannot afford to wait any longer for delays caused by their own government and they deserve prompt redress to ensure their constitutional rights are protected.”

“Unfortunately, given the delays that have already occurred in this case, and the ongoing backlog facing the judiciary, Judge Crabtree felt that he had no other choice than to push the trial date out,” said Leinā‘ala L. Ley, Senior Associate Attorney in Earthjustice’s Mid-Pacific Office, and co-counsel for the youth plaintiffs. “Youth plaintiffs call on the defendants to commit to diligently preparing for trial and good faith settlement discussions, and not to engage in legal posturing that does not advance resolution of the claims made in this case.”

Kaliko T, one of the youth plaintiffs, stated: “There are so many kids that are going to be birthed into a world that might not be safe. It is really important that my case is not delayed because this Court and this generation needs to address the climate crisis.”

Mesina D.-R, another youth plaintiff, stated: “I have patiently waited for the judicial system to work since my case was filed, and it would be profoundly unjust for my trial date to be delayed. What could be more important than protecting the children of Hawai‘i?”

Emphasizing the urgency of this case, many students watched the hearing in-person and online. The courtroom was filled with students from various schools, including Moanalua High, Punahou, and ‘Iolani. Outside the courtroom, the Hawai‘i Youth Climate Coalition displayed at least 500 pairs of children’s shoes on a symbolic march from the state capitol to the Department of Transportation, where they held a rally and press conference calling for urgent action on climate change.

About *Navahine F. v. Hawai‘i Department of Transportation*

Navahine F. v. Hawai‘i Department of Transportation, filed in June 2022, contends the state’s department of transportation operates a system that emits high levels of greenhouse gasses (GHG), violating the youth plaintiffs’ state constitutional rights, causing them significant harm, and impacting their ability to “live healthful lives in Hawai‘i now and into the future,” according to the [complaint](#). Hawai‘i has sought to be a leader in state-level climate action, yet GHG emissions from the transportation sector are on the rise and HDOT has missed every interim benchmark to reduce overall GHG emissions since 2008. The youth plaintiffs seek to hold HDOT accountable to ensure they meet the state’s goal to decarbonize Hawai‘i’s transportation sector and achieve a zero emissions economy by 2045.

The youth plaintiffs are represented by Andrea Rodgers, Kimberly Willis, and Joanna Zeigler with Our Children’s Trust, and Isaac Moriwake and Leinā‘ala L. Ley of Earthjustice. This is one of several youth-led constitutional climate lawsuits brought by Our Children’s Trust with local counsel like Earthjustice’s Mid-Pacific Office.

Our Children’s Trust also represents and supports young people in active global and U.S. state climate litigation like *Natalie R. v. State of Utah*, *Layla H. v. Commonwealth of Virginia*, and *Held v. State of Montana*, which will be the first-ever constitutional climate trial, and first-ever children’s climate trial, in U.S. history when it proceeds to court next month. Our Children’s Trust also represents the 21 youth plaintiffs in the landmark federal constitutional climate lawsuit, *Juliana v. United States*, where the youth are currently awaiting a decision in their case that could put them back on the path to trial.

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Our Children's Trust is the world's only nonprofit public interest law firm that exclusively 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 safe climate, based on the best available science. Globally, we support youth-led climate cases in front of national courts, regional human rights courts, and UN bodies. www.ourchildrenstrust.org

Earthjustice is a premier non-profit public interest law firm committed to environmental justice. We wield the power of the law and the strength of partnership to protect people's health, to preserve magnificent places and wildlife, to advance clean energy, and to combat climate change. www.earthjustice.org