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**Contacts:**

Julia Olson, 415.786.4825, [julia@ourchildrenstrust.org](mailto:julia@ourchildrenstrust.org)

Andrea Rodgers, 206.696.2851, [andrea@ourchildrenstrust.org](mailto:andrea@ourchildrenstrust.org)

Philip Gregory, 650.278.2957, [pgregory@gregorylawgroup.com](mailto:pgregory@gregorylawgroup.com)

John Mackin, 646.499.1873, [john@ourchildrenstrust.org](mailto:john@ourchildrenstrust.org)

**U.S. Department of Justice Continues to File Motions  
to Impede *Juliana v. United States* Youth Climate Case**

*DOJ files Motion to Stay and Requests Federal Judge Certify June 1  
Ruling for Interlocutory Appeal*

**Eugene, Ore.**—On Friday, July 7, the U.S. Department of Justice (DOJ) [filed a motion to stay](#) litigation in the youth-led climate case *Juliana v. United States*, as well as requested that U.S. District Court Judge Ann Aiken certify her June 1 ruling in favor of the youth plaintiffs for interlocutory appeal, in what has become a sustained effort by the DOJ to deny forward progress of the case toward trial.

In an unusually aggressive tactic, the motions filed by the DOJ late on Friday were received before the parties had even finished briefing the DOJ's motion to dismiss the plaintiffs' amended complaint, filed just two weeks earlier.

"In these past two weeks while our country celebrated independence from government tyranny, Attorney General Garland's staff have fired off three different motions trying to prevent Judge Ann Aiken from holding a trial in the Juliana case—a trial that the court has ruled is needed to resolve the constitutional controversy between the youth plaintiffs and their government," said Julia Olson, Chief Legal Counsel for Our Children's Trust. "This administration is going back on its word to protect youth from climate change and its promise to follow the rule of law. Instead, the DOJ is behaving as if the U.S. government is above the law and the rights of youth are irrelevant."

**Timeline of Recent Activity in *Juliana v. United States***

**June 1, 2023:** U.S. District Court Judge Ann Aiken [rules](#) the youth plaintiffs in *Juliana v. United States* can amend their complaint and [have their evidence heard](#) on the merits.

**June 13, 2023:** Plaintiffs [file a motion for an expedited trial date](#) by spring 2024 or for a prompt pretrial conference to set a trial schedule.

**June 21, 2023:** [An online petition](#), signed by more than 255 organizations and over 50,000 individuals, is delivered to the DOJ by the People vs. Fossil Fuels coalition, urging Attorney General Garland to end opposition to the Juliana case proceeding to trial.

**June 22, 2023:** [After eight years of delay tactics](#), and utilizing the same tools and strategy as former President Trump's DOJ, President Biden's DOJ [files yet another motion to dismiss](#) the case, despite Judge Aiken's ruling that the case could proceed on an amended complaint. In their motion, the DOJ also asked Judge Aiken to certify her forthcoming order on the motion to dismiss for interlocutory appeal, an anticipatory request. A ruling on the motion is expected in the coming months. In the meantime, the plaintiffs await a ruling from Judge Aiken on their motion to set an expedited trial date in the case.

**July 6, 2023:** Attorneys representing the plaintiffs in *Juliana* [file their response](#) to the DOJ's motion to dismiss the case, requesting the Court deny the DOJ's latest attempt to end the case's forward momentum toward trial. The response points out that DOJ repeats arguments already decided by the courts and identifies the unprecedented tactics the DOJ continues to employ to delay and deny the youth plaintiffs their day in court, which is getting to the point of sanctionable activity.

**July 7, 2023:** The DOJ attorneys continue Trump's administration tactics by using rare motions filed to prevent trial. Continuing to flood the youth plaintiffs with motions to deny trial, the DOJ files a [motion to stay the case](#), arguing it will "further judicial economy," as well as a request that Judge Aiken certify for interlocutory appeal her June 1 order granting the plaintiffs' leave to amend their complaint.

**Current Status:** With this latest development, the parties will continue briefing the same legal issues that have already been addressed by the courts multiple times, and Judge Aiken's ruling on both the plaintiffs' and the DOJ's motions can be expected in the coming months.

### **Background**

Judge Aiken's June 1 ruling granted the *Juliana v. United States* youth plaintiffs, who have faced eight years of incessant and unprecedented efforts by the DOJ to delay or dismiss their case, the ability to finally move forward to trial on the question of whether the federal government's fossil fuel-based energy system, and resulting climate destabilization, is unconstitutional.

Trial in *Juliana v. United States* would create a factual record of the youth's evidence as well as provide the U.S. DOJ with the opportunity to present their case and cross-examine experts for the youth - similar to trial in [Held v. State of Montana](#), which concluded on June 20.

The 21 youth plaintiffs in *Juliana v. United States* filed their constitutional climate lawsuit in 2015, asserting that, through the government's affirmative actions that cause climate change, it

has violated the youngest generation's constitutional rights to life, liberty, and property, as well as failed to protect essential public trust resources.

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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](http://www.ourchildrenstrust.org)*