

What Does It Mean to be a Plaintiff?

What is a Plaintiff?

The plaintiff is the person who brings the case or starts the lawsuit. If you are under 18 years of age, courts usually require that you bring the case with the advice, support, participation, and supervision of an adult, called a guardian. If you are under 18 and agree to be a plaintiff, we will need to have a guardian (such as your parent or another adult) participate in the lawsuit with you. If you reach the age of 18 while the case is ongoing, your parent or guardian would be removed from the lawsuit and you can continue to participate in the case on your own.

You should decide of your own free will whether to join a lawsuit, and never feel pressured or compelled to participate in one. A good rule of thumb is that you should always be able to describe why you want to take this action.

Why Might You Want to Join in this Lawsuit?

As a plaintiff you would be part of a group of youth who are seeking to stop Alaska's government from taking actions that are contributing to Alaska's climate crisis while also protecting your state constitutional right to a safe climate and equal access to natural resources.

You would also be joining a larger group of young climate activists all over the world who are engaged in similar lawsuits and other legal actions to protect their legal right to a safe climate. This new lawsuit is part of a groundbreaking national and international campaign that seeks to require governments to stop causing climate change and act to protect youth's fundamental human rights.

You would receive support from a team of experienced lawyers, some of the world's leading scientists, and other activists who are familiar with the law and science. You will also be supported by a communications team should you choose to engage in press, events, or social media about your case.

How Much Money Would You Have to Commit to be a Plaintiff?

None! The legal services in this case, as well as communications support and travel costs to attend court-related events like hearings and trial, will be provided to plaintiffs free of charge.

How Much Time Would You Have to Commit to be a Plaintiff?

Serving as a plaintiff requires certain time obligations, such as the ones listed below. Your lawyers would do most of the work and you can always choose – and change - your preferred level of engagement in media or events supporting your case. The time commitment should always be manageable, although some time periods will be busier than others.

1. COMPLAINT – A lawsuit is started by filing a document known as a “Complaint.” The attorneys will prepare the Complaint but will need your help with one critical part: telling your story. You would work with someone from Our Children's Trust to write a 2-3 paragraph description of the ways climate change is impacting you or will impact you in the future and why you chose to be involved in the lawsuit. Typically, the lawyers will draft this section after having a conversation

with you and will then ask you to review for accuracy. This conversation usually takes an hour or two of your time.

2. **DECLARATION** – You may be asked to help prepare and sign a document called a declaration. A declaration is a legal document that describes who you are and why you are harmed by climate change and your government's actions that cause and contribute to climate change. It also describes how, if the court makes a decision in your favor, life for you and other youth will be improved. After talking with you, your lawyers would draft your declaration and it typically takes only an hour or two of your time. You would then review, edit, and approve the declaration.

3. **DEPOSITION** – Depending on what happens in the case, you may be asked to participate in a question and answer session known as a “deposition.” During a deposition, your lawyers as well as lawyers for the government would ask you questions about the way in which you are harmed by climate change. Your lawyer (and, if you are a minor, your guardian) would be present for your deposition. Depositions are usually no more than a couple of hours and your lawyers would help you practice and prepare in advance.

4. **DOCUMENT COLLECTION** – Depending on what happens in the case, you may be required to provide some documents to your lawyers. This may include documentation about how climate change has impacted you personally, such as photographs of climate events you have experienced, emails, text messages, or medical records. Your lawyer will work with you to ensure that these, and any sensitive documents, are treated as confidential, even if they have to be provided to the lawyers for the defense.

5. **COURT HEARINGS** – You may be asked to attend important hearings in the case, if possible. These hearings are infrequent and typically do not last more than an hour. You typically would not be required to be present at every hearing, but your attendance would be appreciated. Hearings are an amazing opportunity to learn about how courts work and to show the judge that you are committed to protecting your rights in the case. Hearings and court appearances also provide opportunities for media photographs, events, public engagement opportunities, and making statements to reporters, if you are interested.

6. **COURT TESTIMONY**– Depending on what happens in the case, you may be asked to offer testimony at a court hearing. As with a deposition, your lawyers as well as lawyers for the government would ask you questions about the way in which you are harmed by climate change. This kind of testimony would require a significant amount of preparation, and your attorneys would provide ample support, but does not occur until the later stages of your case.

7. **UPDATES** – Your lawyers would keep you updated on the progress of your lawsuit, generally with regularly scheduled meetings. We are always happy to answer any questions or concerns that you may have both before the case is initiated and throughout the process. Being a plaintiff is an incredible learning opportunity.

8. MEDIA – There will likely be numerous opportunities to speak with the media about your concerns with and actions to address climate change, as well as your involvement with this lawsuit. You might write pieces that could be published online or in a newspaper, or speak at events or give presentations. Social media opportunities, including creating and curating content like photos and videos and participating in livestreams, are also possible. These opportunities, and others like them, are all optional and are not required for you to join this case. However, youth who have participated have found it very rewarding. Whatever you are comfortable with, our communications team is happy to provide guidance and support.

Confidentiality

Finally, if you become a plaintiff, there will be certain things that your lawyers may ask you to keep confidential about your case. Information about the case that gets posted publicly, such as on social media, should be first run by your lawyers or Our Children's Trust. But for the most part, you would be able to speak openly about why you are involved in the case and why you want your government to stop causing climate change and act to protect your fundamental human rights.

Contact Information

If you have any questions or are interested in being a plaintiff, please fill out our [New Client Interest Form](#), contact Our Children's Trust's Alaska Plaintiff Engagement Coordinator at michelle@ourchildrenstrust.org, or leave a voicemail with your name and contact information indicating your interest in the Alaska lawsuit at (574)375-0158.

Our Children's Trust is the world's only non-profit public interest law firm dedicated exclusively to securing the legal rights of youth to a healthy atmosphere and safe 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.

Information provided in response to this document will be kept confidential, however submission of any information does not create an attorney-client relationship; Our Children's Trust will only establish an attorney-client relationship through a signed retainer agreement. Our Children's Trust attorneys are not admitted to practice in Alaska. Our Children's Trust attorneys will affiliate with local counsel and seek admission pro hac vice for the lawsuit. Our Children's Trust, 1216 Lincoln Street, Eugene, OR 97401.