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**U.S. Department of Justice Signals Intent to File Petition for Writ of Mandamus,
Files Motion to Stay Case in *Juliana v. United States***

*Obscure legal tactic would be fifth filed in Ninth Circuit, seventh overall
in children's constitutional climate case*

Eugene, Ore.—On Thursday, January 18, Solicitor General of the United States, Elizabeth Prelogar, authorized the U.S. Department of Justice (DOJ) to file a Petition for Writ of Mandamus to the Ninth Circuit in the 21 youths' constitutional climate case *Juliana v. United States*. That same evening, the DOJ filed another [motion to stay the case](#) with U.S. District Court Judge Ann Aiken, pending their petition to the Ninth Circuit.

In their motion for stay, the DOJ suggested that children's constitutional rights should take a backseat to government operations, arguing the government will be "irreparably harmed." Rather than proceed to trial so the case could be resolved on its merits, since 2018, the government defendants have spent thousands of hours on a premature appellate process typically reserved for emergencies.

Contradicting both the federal government's increasingly dire reports on the worsening climate crisis with the hottest year ever in 2023, and the fact that the United States is leading the world in oil and gas production under the Biden administration, the DOJ asserts in its motion that "[n]othing has changed since this case was filed that would now require the Court to proceed urgently toward trial."

Julia Olson, chief legal counsel for Our Children's Trust, stated after the January 19 status conference:

"Anyone who cares about the climate crisis and our children's future should understand what their government is doing in *Juliana v. U.S.* The Solicitor General is about to file an exceedingly rare mandamus petition to try to stop the trial, just as the Trump administration did.

“The argument that spending DOJ attorney time and department funds outweighs any harm that the plaintiffs and public are suffering from the climate crisis lacks logic and is deeply offensive to the millions of children and young people across our nation whose bodies, homes, and lives are harmed each year by worsening climate change fueled storms, fires, and pollution. Our government spends billions of dollars subsidizing the fossil fuel industry while the public floats the bill for billion-dollar climate disasters.

“The youth plaintiffs do not seek money. They just want their rights protected. But the DOJ wants to shut the courthouse doors on them at any cost. It is shameful that the Biden administration DOJ is behaving just as Trump's did in a case where the youth plaintiffs just want to have their day in court.”

Attorneys for the youth plaintiffs will issue a response to the motion to stay within two weeks.

For more information, including background and timeline of events, please refer to the December 31, 2023, press release [Judge Denies DOJ's Motions to Dismiss and for Early Appeal in *Juliana v. United States*](#).

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Our Children's Trust was founded in 2010 on the idea that courts are vital to democracy and empowered to protect our children and the planet. Without a stable climate system, every natural resource we rely upon to exercise our basic human rights—life, liberty, home, happiness—is under threat. Our work will be achieved when there is universal recognition of children's climate rights by courts around the world and children's fundamental rights to life on this planet are protected. www.ourchildrenstrust.org