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## **Youth plaintiffs issue statement in climate case against EPA**

**LOS ANGELES**—On Wednesday, U.S. District Court Judge Michael Fitzgerald [granted](#) the federal government's motion to dismiss in the constitutional climate case, *Genesis v. Environmental Protection Agency*. The 18 youth plaintiffs were granted permission to amend their allegations.

Following the order, Our Children's Trust, who represents the youth plaintiffs, released these statements.

Mat dos Santos, Co-Executive Director of Our Children's Trust, said:

This order is unjust and dangerous, with significant implications for constitutional rights. When presented with a constitutional violation, there is no reason for a federal judge to throw up his hands and say nothing can be done. In doing just that, this order tells children that judges have no power to hear their complaints. Courts do, in fact, have that power. Courts have a responsibility to hear constitutional violations, as they've done in many important cases in our nation's history. If allowed to go to trial, these young people will demonstrate that their constitutional rights have been violated. We will be filing an amended complaint.

Catherine Smith, Of Counsel, Our Children's Trust, said:

In recognizing same-sex couples' fundamental right to marry, the Supreme Court explained that "new insights and societal understandings can reveal unjustified inequality within our most fundamental institutions that once passed unnoticed and unchallenged." This iterative process of recognizing discriminatory practices and unearthing them over time as constitutional infringements also applies to children's rights. If allowed to go to trial, this case will pull back the curtain and show that the federal government unjustifiably places a lesser economic value on the lives of children than the lives of

adults and that its failure to reduce carbon emissions inflicts lifelong injuries on young people in violation of their fundamental rights and equal protection of laws.

In a political environment in which adults lack the will to curb the climate crisis, courts are young people's last resort. For the judicial branch to instruct children to go to the ballot box erects an insurmountable barrier to ending the egregious violations of their fundamental rights and equal protection of laws because, unlike adults, they do not have access to the political process.

Read more background, a trial timeline and youth plaintiffs' stories at <https://www.ourchildrenstrust.org/genesis-v-epa>.

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