Eight amicus briefs, from legal scholars, religious, women’s, libertarian, and environmental groups, including QEW, alongside legal nonprofits, displayed resounding legal support for denying the mandamus petition, and allowing the Juliana v. U.S. case to proceed to trial on February 5, 2018. Read the press release below and the BeFriending Creation article about the case here.

GROUPS SUPPORTING PLAINFTIFFS IN JULIANA v. U.S. URGE DISMISSAL OF TRUMP’S MANDAMUS PETITION

San Francisco - Today (September 5th, 2017), powerful voices of support for Juliana v. United States youth plaintiffs in their landmark climate case filed amicus curiae (friend of the court) briefs in opposition to the Trump Administration’s mandamus petition with the Ninth Circuit Court of Appeals. In all, eight amicus briefs, from legal scholars, religious, women’s, libertarian, and environmental groups, alongside legal nonprofits, displayed resounding legal support for denying the mandamus petition, and allowing the Juliana v. U.S. case to proceed to trial on February 5, 2018.

On June 9th, the Trump Administration filed its mandamus petition, arguing intervention in the case by the Ninth Circuit was necessary due to what the Trump Administration characterized as burdensome discovery issues. On August 28th, attorneys for the youth plaintiffs filed their answer to the petition with the Ninth Circuit, making clear that the U.S. government already admitted that its actions imperil youth plaintiffs with “dangerous, and unacceptable economic, social, and environmental risks.” The Trump Administration has until September 11th to reply to the youth plaintiffs’ answer before the Ninth Circuit panel makes its ruling.
Before the Trump administration filed its mandamus petition, the District Court of Oregon issued an order for trial to begin on February 5, 2018 in Eugene, Oregon, with Judge Ann Aiken presiding. On August 25th, the District Court of Oregon also submitted a letter, signed by federal Judge Ann Aiken and Magistrate Judge Thomas Coffin, to the Ninth Circuit stating, “In short, we do not believe that the government will be irreversibly damaged by proceeding to trial.”

Victoria Barrett, 18, Juliana v. US youth plaintiff, said:

“We're living in a world right now where it's becoming increasingly integral to have allies that care about the quality of life that future generations will have. The support that our lawsuit is receiving indicates that there are still people who care about protecting what is right.”

Jacob Lebel, 20, Juliana v. US youth plaintiff, said:

“It's an amazing, heartwarming feeling to have the support of all these accomplished organizations and individuals and to know that they have our backs in this fight. Right now, my home in Oregon is choking in smoke while the Southwest drowns in floodwaters. It makes me hopeful that communities of faith and global advocacy groups are standing united to defend youth’s right to safe climate and I look forward to moving rapidly to trial.”

Michael Brune, Executive Director, Sierra Club said:

“The Trump Administration has made clear that its number one goal is protecting the profits of corporate polluters instead of the lives of vulnerable communities and future generations. Rather than wrestle with how to address the climate crisis, President Trump and his appointees are working overtime in a vain attempt to write it out of existence. The Sierra Club is proud to support these brave kids who are showing the world what true climate leadership is by speaking truth to power, seeking their day in court, and holding the U.S. government accountable for protecting their lives and their future.”

Erika Lennon, Senior Attorney at Center for International Environmental Law (CIEL), said: “The government’s attempt to circumvent the judicial process and avoid discovery is inappropriate, misguided, and should be denied.”

Julia Olson, co-lead counsel for plaintiffs and executive director of Our Children’s Trust, said:

“Juliana v. U.S. raises critical constitutional claims that the District Court is ready to hear. When the U.S. government takes actions that cause climate danger, those actions violate the rights of our youth plaintiffs. These distinguished legal scholars and diverse advocacy organizations have weighed in powerfully on the side of the youth and their right to proceed to trial.”

Phil Gregory, co-lead counsel for plaintiffs and partner with Cotchett, Pitre & McCarthy, LLP, in Burlingame, CA, said:

“The unanimous support of these various groups, from the League of Women Voters, to the Sierra Club, to the Niskanen Center, shows that the Trump Administration’s writ should be denied. These amicus briefs echo the need for the courts to give the youth plaintiffs access to a trial that will protect their rights. After the devastation of Hurricane Harvey, we must take steps now to properly protect the youth of America from horrendous damage of the growing climate crisis.”

Juliana v. United States was brought by 21 young plaintiffs, and Earth Guardians, who argue that their constitutional and public trust rights are being violated by the
government’s creation of climate danger. The case is one of many related legal actions brought by youth in several states and countries, all supported by Our Children’s Trust, seeking science-based action by governments to stabilize the climate system.

Read the press release here along with links to the amicis briefs.

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Victoria Barrett