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Contacts:

Julia Olson, Chief Legal Counsel, 415.786.4825, julia@ourchildrenstrust.org

Andrea Rodgers, Senior Litigation Attorney, 206.696.2851, andrea@ourchildrenstrust.org

Philip Gregory, Of Counsel, 650.278.2957, pgregory@gregorylawgroup.com

Emily Goetz, 206.999.0734, egoetz@pyramidcommunications.com

**Youth plaintiffs applaud judge's rebuke of egregious Justice Dept.
attempts to silence them in climate court case**

EUGENE, Ore.—United States District Court Judge Ann L. Aiken today [filed an answer](#) to the U.S. Department of Justice's (DOJ) extraordinary attempts to silence the 21 youth plaintiffs in the constitutional climate case, *Juliana v. United States*.

Judge Aiken told the U.S. Court of Appeals for the Ninth Circuit that the government has not met its burden to show that a writ of mandamus was warranted. The government is attempting to use this extreme tactic to shut down the case before evidence is even heard.

In addition, Judge Aiken [denied](#) DOJ's motion to stay the case while the Ninth Circuit considers the mandamus request.

The youth filed their case in 2015, claiming that U.S. actions that cause climate change violate their constitutional rights to life, liberty, and property.

"We're pleased that Judge Aiken told the Ninth Circuit that DOJ is wrong on the law and cannot abuse an emergency procedure to rip this case out of the hands of the trial court. It is long past time for this case to go to trial," said Julia Olson, chief legal counsel for Our Children's Trust, representing the youth. "These young people will not let up in the fight to see justice done for a safer, healthier world."

This was the Department's *seventh* request for a writ of mandamus. The DOJ itself [describes the maneuver](#) as an "extraordinary remedy, which should only be used in exceptional circumstances." Legal scholars called DOJ's reasoning behind the request— that *Juliana* shouldn't proceed because it would cost the government too much money to defend—absurd and incorrect. Of the 40,000 civil cases the federal government is currently defending, it has made this argument in only one: *Juliana*.

“Trial courts across the country address complex cases involving similar jurisdictional, evidentiary, and legal questions as those presented here without resorting to interlocutory appeal or petitioning for a writ of mandamus,” Judge Aiken wrote. Quoting from an earlier case, she noted, “the proper place for the trial is in the trial court.”

In denying the stay, Judge Aiken highlighted the DOJ’s repeated attempts over nearly 10 years to keep evidence from being heard.

“Staying this case will only add to this delay,” she wrote. “This Court cannot discern any public interest in such delay.”

Youth plaintiffs from *Juliana* and other constitutional climate cases, along with supporters of all ages, will rally at the White House on Sunday at 1 p.m., to demand President Biden tell the DOJ to let their case be heard.

The government’s egregious approach has attracted attention across the country and around the world.

Thirty members of Congress signed a “friend of the court” brief calling for the case to move forward.

In recent weeks, 70,000+ emails have been sent to President Biden and members of his administration. Petitions with more than 12,000 signatures are being delivered to the White House, and an international petition in support of the *Juliana* youth has garnered 230,000+ signatures and counting.

The DOJ has made 22 attempts across three presidential administrations to have *Juliana* thrown out. Meanwhile, the U.S. has become the top producer of crude oil in the world, more than any country in history.

For more background and a timeline on the case, visit <https://www.ourchildrenstrust.org/juliana-v-us>.

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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