



Written by [James Murphy](#) on September 12, 2024

## Climate Advocacy Group Wants Supreme Court to Revive “Children’s” Climate Case

On Thursday, the climate advocacy group Our Children’s Trust attempted to breathe life back into their failed climate-change-blame case, *Juliana v. United States*.

### Petitioning the Supreme Court

The climate zealots filed a [petition](#) asking the Supreme Court to overturn an appellate court’s decision in May to dismiss the case. They want the Court to correct what they call “an egregious error” of the Trump-appointed judges who dismissed the case.

One of the plaintiffs, Avery McRae, [said](#):



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Today, I’m asking the Supreme Court to correct the Ninth Circuit’s abuse of the rules meant to protect our ability as young citizens to bring cases against our government. The rule of law and our constitutional democracy depend on it. If you care about justice, fundamental rights, and the preservation of our democracy, you care about *Juliana*. This case is about addressing the climate crisis and protecting our fundamental rights like our right to life and freedom.

However, it is also about ensuring access to justice. I urge the Supreme Court to make a decision that will make their children, grandchildren, and all future generations proud. Let us go to trial.

### ***Juliana V. United States***

The case, ostensibly brought by children, has been going on for nearly a decade. It accuses the federal government of violating the children’s right to a clean environment by continuing to exploit fossil fuels as a means of powering the nation. Our Children’s Trust further accused the Department of Justice of using nefarious tactics to keep the case from being heard.

According to [a press release](#) from the group:



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Over the course of three presidential administrations, the Department of Justice (DOJ) has relentlessly pursued a strategy of using petitions for writs of mandamus — a rare and extraordinary legal tool — against Judge Ann Aiken, the trial judge in *Juliana*.... Such actions undermine the integrity of the judiciary and threaten the fairness of the legal process for citizen litigants....

“The Department of Justice has entirely blocked our path to trial,” 20-year-old Sahara Valentine, one of the youth plaintiffs, said in [The New York Times](#). “It’s really important to us that we get a fair say in court.”

Is it really important to the children that they get a “fair say” in court? Or is it important to the climate advocacy group that is funding the effort?

It’s especially galling to Our Children’s Trust that the court that dismissed the case in May was the 9th Circuit Court of Appeals — traditionally a very liberal court.

Said Our Children’s Trust [founder and attorney Julia Olson](#):

Our petition to the Supreme Court is essential to correct this overreach by the Ninth Circuit and uphold the rule of law. It is crucial that the Court address this indisputable wrong and reaffirm respect for the Court’s own orders in *Juliana*, for its precedent that binds the lower courts, for Congress’s limits on the circuit court’s jurisdiction....”

In *Juliana*, Our Children’s Trust seeks an outcome similar the one they obtained in [Hawaii](#). Governor Josh Green capitulated to the group in June, promising a “decarbonization” of Hawaii’s transportation system.

## Other Actions

Olson has been lobbying the Biden administration to negotiate such a settlement over the summer.

In addition to the filing with the Supreme Court, the group filed a [petition](#) with Justice Elena Kagan. That seeks an extension of 60 days to file a writ of certiorari, which would allow the high court to reopen the case dismissed by the 9th Circuit.

Our Children’s Trust also sent the Biden administration a letter advising them of a petition signed by approximately 350,000 climate zealots insisting that the Department of Justice cease their opposition to the *Juliana* case. They enlisted the services of well-known climate zealot Bill McKibben, founder of 350.org, [who said](#):

Today, I am proud to deliver these petitions to the President and Attorney General in support of the 21 young plaintiffs in *Juliana v. U.S.* Our ability to breathe clean air, drink clean water, and live free from the pollution harming our planet and our children are fundamental freedoms we risk losing.

Plaintiffs present this case as a grassroots effort of youth concerned with the environment and genuinely fearful of the future. However, it just isn’t so, and their efforts lack believability. This is a case of well-funded lobbying groups hiding behind children in an effort to get the courts to rule that climate change is a crisis.



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