



Written by [James Murphy](#) on January 18, 2020

9th Circuit Court of Appeals Dismisses “Children’s” Climate Lawsuit Against U.S. Government

On Friday, a three-judge panel of the 9th Circuit U.S. Court of Appeals dismissed the case of *Juliana v. the United States* — a climate-change lawsuit that asked the court to compel the U.S. government to adopt policies designed to reduce greenhouse gas emissions. The lawsuit was brought by 15 children in 2015, though of course they were not acting on their own. Behind the lawsuit is the Oregon-based [Our Children’s Trust](#), another left-wing group that uses children as pawns to impose their radical agenda for remaking the world.



The panel’s [decision](#) was 2 two 1, and suggested that the plaintiffs’ claims of psychological and physical harm due to climate change should be addressed politically rather than in court.

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“The panel reluctantly concluded that the plaintiffs’ case must be made to the political branches or to the electorate at large.”

Why “reluctantly?” Judge Andrew Hurwitz, one of the two judges who voted to dismiss, seemed hesitant to dismiss but ultimately decided that the case was outside the purview of the courts. Saying that the plaintiffs “made a compelling case that action is needed,” Hurwitz also concluded that the court did not have the jurisdiction to “order, design, supervise or implement the plaintiff’s remedial plan.”

Further, Hurwitz stated that a court remedy would require “a host of complex policy decisions entrusted to the wisdom and discretion of the executive and legislative branches.”

Judge Mary Murguia also voted to dismiss the suit.

The decision reverses a ruling by Oregon district court judge Ann Aiken in 2018. Both the Obama and Trump administrations looked to have the case dismissed on multiple occasions.

In her dissent, Judge Josephine Staton believed that the lower court’s ruling allowing the suit to continue was correct, and wrote that the case should move forward based on the evidence presented.

“I would hold that the plaintiffs have standing to challenge the government’s conduct, have articulated claims under the Constitution, and have presented sufficient evidence to press those claims at trial. I would therefore assert the district court.”

In her dissent, Judge Staton reached levels of hysteria that could be considered inappropriate for a judge. “It is as if an asteroid were barreling toward Earth and the government decided to shut down our only defenses,” Staton wrote. “Seeking to quash this suit, the government bluntly insists that it has the absolute and unreviewable power to destroy the nation.”

Wow. A federal judge wrote that.



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The child the suit is named after, Kelsey Juliana, is now a 23-year-old woman and a hardcore climate activist. In a [tweet](#), Juliana promised to keep up the climate fight. “THIS ISN’T OVER. Prep for a petition to review to 9th circuit as we refuse to do anything but move forward & win. Courts have an obligation to address issues of constitutional, existential crisis like climate change. STAY HOPEFUL STAY WITH US STAY IN POWER.”

Strong words made much easier to say when someone else is paying the legal bills.

Julia Olson, chief child exploiter and executive director of Our Children’s Trust, [vowed to fight on](#) despite the court’s opinion.

“The Juliana case is far from over. The Youth Plaintiffs will be asking the full court of the Ninth Circuit to review this decision and its catastrophic implications for our constitutional democracy. The Court recognized that climate change is exponentially increasing and that the federal government has long known that its actions substantially [contribute] to climate crisis.”

And that, of course, gets to the real reason for all of these climate related lawsuits. Sure, it would be great for Our Children’s Trust if they actually won one of these frivolous suits, but what they’re really seeking is judicial — therefore, in many eyes, authoritative — recognition of climate change as a problem, which needs to be addressed.

The term climate change itself is nothing but a meaningless tautology. The Earth’s climate is never static and therefore it’s always changing. This panic and hysteria being driven by socialists and globalists and their related non-governmental organizations (NGOs) over the non-issue of man-made climate change is truly a form of child abuse and the use of children to press these frivolous climate lawsuits is nothing but a continuation of that abuse.

Photo: AP Images

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