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Department of Justice latest stonewalling in *Juliana* climate case denied; youth plaintiffs plan response to continued delays

EUGENE, Ore.—The U.S. Court of Appeals for the 9th Circuit on Thursday [denied the federal government's request to stay](#) in the constitutional climate case *Juliana v. United States*. It's a welcome, but temporary, victory for the 21 youth plaintiffs, who have asserted that U.S. actions that cause climate change violate their constitutional rights to life, liberty, and property.

The *Juliana* 21 now have three weeks to file a response to the Department of Justice's (DOJ) [other recent gambit](#), a request for a writ of mandamus—a rare and extreme tactic to prevent evidence from even being heard in the case. The DOJ itself [describes the maneuver](#) as an “extraordinary remedy, which should only be used in exceptional circumstances.”

The DOJ has made 22 attempts over the course of nearly nine years and three presidents to have the *Juliana* case thrown out. In December 2023, Judge Ann Aiken of the U.S. District Court [ruled that the case should go to trial](#). The day before the *Juliana* 21 were set to receive court dates, the DOJ filed an unprecedented *seventh* petition for writ of mandamus.

This has prompted numerous supporters, including legal scholars, to demand President Biden call off the department and let the youth have their day in court. In the last week, more than 30,000 emails have been sent to the president and members of the administration calling for an end to the DOJ's egregious attempts to silence young people.

In response to the latest filings, the following statements were released by Our Children's Trust, which originally filed [Juliana v. United States](#) in 2015 on behalf of the youth.

“The Biden administration has two options. One: let America's youth have access to their courts and exercise their constitutional rights. Or two: continue to undemocratically wield the power of the federal government to silence them, deny their rights and deny their access to justice. This administration and this DOJ are not using these extreme tactics in any other case in the nation. They owe America's youth justice. They can and must stop this abuse of process being wielded by the DOJ.”

**Julia Olson, chief legal counsel for Our Children's Trust and lead attorney in
*Juliana v. United States***

"When I was 10 years old and filing this lawsuit, I never expected the continual abuse of power made by my own country's Department of Justice—through multiple presidential administrations. I am sick and tired of their 22 attempts to kill our case and am ready to go to trial in the District Court. Today's ruling in our favor is a beacon of hope but the DOJ must now decide if they will continue their undemocratic campaign to silence the youth in America's Climate Case."

Avery M., *Juliana* plaintiff

"If we were able to get a trial, I would know that finally us plaintiffs are being listened to. For so long our voices have been silenced by our government, and so it would be a great relief to see that our lives and experiences do matter to those in power."

Sahara V., *Juliana* plaintiff

"We've been holding onto hope for almost nine years. The DOJ throughout that entire time has gone through every extreme and rare legal maneuver in the books to stop us from getting to trial where we can show all the evidence we've been wanting to bring to court for years, and that we continue to collect as the climate crisis worsens. I'm still ready for trial and hope Honorable Judge Ann Aiken sets a date soon."

Tia H., *Juliana* plaintiff

For background 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