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## Montana Youth Plaintiffs Await Ruling on Request for Trial in Constitutional Climate Change Case

HELENA, Mont. -- Sixteen youth plaintiffs who are suing the state of Montana for violating their constitutional rights to a clean and healthful environment are now waiting for a court decision on the state's attempts to prevent their case from proceeding.

Roger Sullivan of McGarvey Law in Kalispell today presented oral arguments on behalf of the plaintiffs in [Held v. State of Montana](#), while Jeremiah Langston presented oral arguments on behalf of the state.

During the hearing, Sullivan noted that "Montana is the carbon capital of the country" and described the state's "statutory double-headed hydra, which on the one hand explicitly promotes increasing development and utilization of our massive coal resources, oil, and gas, and on the other hand, facilitates defendants' willful blindness to Montana's contribution to the climate crisis in violation of Montana's constitution."

Sullivan added that the youth plaintiffs, "through their prosecution of this case, are faithfully upholding their fundamental constitutional right and responsibility to maintain and improve a clean and healthful environment for this and future generations."

After listening to the presentations, Judge Kathy Seeley took the case under consideration but did not indicate when a ruling would be made.

The suit, filed in March 2020, asserts that by supporting a fossil fuel-driven energy system that contributes to the climate crisis, Montana is violating the constitutional rights of the youth plaintiffs. Those rights include a clean and healthful environment; the ability to seek safety, health, and happiness; and individual dignity and equal protection of the law.

In addition, the suit alleges that Montana's fossil fuel energy system degrades and depletes constitutionally protected public trust resources, including the atmosphere, rivers and lakes, and fish and wildlife.

"I am proud to be part of such a strong team of plaintiffs and lawyers who continue to defend our constitutional rights," said youth plaintiff Grace after the hearing. "I am hopeful that the court will uphold our rights and allow the case to proceed, and that the State of Montana will soon begin to recover from the fossil fuel-caused climate crisis and move toward a cleaner, healthier, sustainable energy system. I am hopeful that soon I can be confident and secure knowing that the environment and natural spaces I love will be protected from climate change."

Counsel for the plaintiffs include Nate Bellinger with nonprofit public interest law firm Our Children's Trust, Shiloh Hernandez with Western Environmental Law Center, and Roger Sullivan and Dustin Leftridge with McGarvey Law.