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**Florida Youth Told Their Constitutional Climate Change Case Was Compelling
But Must Take Their Arguments to Court of Appeals**

TALLAHASSEE, Fla. -- Today, Circuit Judge Kevin J. Carroll denied eight young Floridians the right to proceed to trial on their claims against the state of Florida and its governor for contributing to climate change and violating their constitutional rights.

Ruling from the bench against the plaintiffs in [*Reynolds v. State of Florida*](#), the judge said that the youths' counsel "made a compelling argument to me today" tempting him "to deny the motions to dismiss and go ahead." In the end though, the court "regretfully" decided it was being asked to solve a political question, and will issue an order dismissing the case, urging plaintiffs to take an appeal to the Florida First District Court of Appeals.

"It is disappointing that the Court didn't recognize its obligation to hear and decide these important constitutional questions," said Andrea K. Rodgers, Senior Litigation Attorney at Our Children's Trust. "While we are pleased that the judge acknowledged the gravity and importance of these kids' legal claims, continued delay is not our friend given the urgency of the climate crisis. We look forward to working towards vindicating the rights of these kids before it's too late and hope this is just one small step backwards on the path towards justice."

The young plaintiffs allege that by its actions -- including creating and perpetuating an energy system based on fossil fuels -- the state, including Gov. DeSantis, is violating their constitutional rights to life, liberty, and the pursuit of happiness. In addition, the plaintiffs say, the state's action is allowing harm to constitutionally protected and essential public trust resources.

"The question of protecting the climate system is a matter of fundamental human rights and is not a political question," said co-counsel Guy M. Burns of Tampa.

Reynolds v. State of Florida was filed in Leon County Court on April 16, 2018. The plaintiffs, now ranging in age from 12 to 22 years, are from Miami-Dade, Alachua, Broward, Brevard, Escambia, Monroe, and Hendry counties. They are asking for the court to declare that the state is violating the constitution by knowingly implementing an energy system that is harmful to children and seek a court-ordered, science-based climate recovery plan, prepared by the government defendants, that will reduce greenhouse gas (GHG) emissions in Florida.

"We are hopeful that the First District Court of Appeals will understand that protecting the climate system as these youth plaintiffs advocate for is the proper role of the court," added co-counsel Mitchell Chester of Plantation.

Delaney Reynolds, the 20-year-old named plaintiff from Miami, said after the ruling, "We are disappointed with the outcome. It feels like the cards are stacked against us. We are eager to appeal and keep fighting until this problem is solved and we can live in Florida safely."

Co-plaintiffs in the case also expressed their disappointment:

- "They tell us to go vote, but we can't vote. This climate emergency is so urgent that we don't have enough time to grow older and vote. It feels really overwhelming and like youth don't have power in our society." -- **Isaac, 15**
- "We have grown up so much since we started this case, but most of us still can't vote. Even though we didn't get the outcome we hoped for today, we still have our voice and will continue to use it as we pursue our claims in the Court of Appeals." -- **Luxha, 16**
- "It's exhausting to have to fight for our rights like we are. Why should we have to fight for our basic rights of life, liberty, and property that people have had for centuries while the government is undermining them in the name of greed and corporate interest?" -- **Vaholly, 17**

- "Ultimately this case is about the government directly violating our constitutional rights and the government should be held accountable for violating basic constitutional rights. We are disappointed that the Judge downplayed the existential nature of the climate crisis. What if courts would have ruled that the kids in *Brown v. Board of Education* couldn't pursue their claims in court? We have constitutional precedent on our side and look forward to continuing our quest to vindicate our constitutional rights." -- **Oscar, 22**

Reynolds v. State of Florida is one of several youth-led climate change lawsuits brought by [Our Children's Trust](#). Other state cases include [Held v. State of Montana](#), [Sagoonick v. State of Alaska](#), [Chernaik v. Brown](#) (Oregon), and [Aji P. v. State of Washington](#). Our Children's Trust also represents the youth plaintiffs behind the landmark federal constitutional climate lawsuit, [Juliana v. United States](#), which was brought by 21 young Americans and the youth-led climate organization, Earth Guardians.

Counsel for the youth plaintiffs include Guy M. Burns and Wallace "Wally" Pope, Jr., both of Johnson Pope Bokor Ruppel & Burns LLP, Tampa, Fla.; Mitchell Chester, Law Office of Mitchell A. Chester, Plantation, Fla.; Jane West, Jane West Law, P.L., St. Augustine, Fla.; Erin Deady, Erin L. Deady, Delray Beach, Fla.; Deb Swim, Deb Swim, PLLC, Tallahassee, Fla.; Matthew Schultz, Levin Papantonio Thomas Mitchell Rafferty & Proctor PA, Pensacola, Fla.; and Andrea Rodgers, Our Children's Trust.

***Our Children's Trust** is a nonprofit public interest law firm that provides strategic, campaign-based legal services to youth from diverse backgrounds to secure their legal rights to a safe climate. We work to protect the Earth's climate system for present and future generations by representing young people in global legal efforts to secure their binding and enforceable legal rights to a healthy atmosphere and stable climate, based on the best available science. We support our youth clients and amplify their voices before the third branch of government in a highly strategic legal campaign that includes targeted media, education, and public engagement work to support the youths' legal actions. Our legal work – guided by constitutional, public trust, human rights laws and the laws of nature – aims to ensure systemic and science-based climate recovery planning and remedies at federal, state, and global levels. www.ourchildrenstrust.org/*

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