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**Montana Supreme Court Denies State of Montana's Request to Stay
in *Held v. State of Montana* Ruling**

Statement from Nate Bellinger, Our Children's Trust Senior Staff Attorney

Helena, MT—Yesterday's Montana Supreme Court ruling rejected the State's attempt to maintain a dangerous status quo—one that already harms both Montana's natural environment as well as the 16 *Held* youth plaintiffs.

The Montana Supreme Court agreed with the District Court and the plaintiffs that the State had not satisfied the criteria necessary for a stay of Judge Seeley's declaratory judgment or injunction. The state did not show they would suffer irreparable harm absent a stay and or that the public interest would be served by allowing the state to continue implementing an unconstitutional law.

The Montana Supreme Court has now ensured that the *Held* defendants must immediately comply with the District Court's August 14, 2023, Order while the merits of the case are briefed, argued, and considered on appeal by the Supreme Court. The plaintiffs' attorneys are diligently preparing for appellate briefing and oral arguments.

[Read the order here.](#)

Background

On January 16, the Montana Supreme Court denied a request by the Montana Department of Environmental Quality, Montana Department of Natural Resources and Conservation, and Montana Governor's Office to stay First Judicial District Court Judge Kathy Seeley's August 14 ruling in the youth-led constitutional climate lawsuit, *Held v. State of Montana*. The State had asked the Supreme Court to put Judge Seeley's ruling on hold while the Court considers the merits of the State's appeal.

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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