

## Judge Bonnie Sudderth

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**From:** Peter T. Cahill <[REDACTED]>  
**Sent:** Thursday, July 28, 2022 2:21 PM  
**To:** Keith Fisher; Manuel Arrieta; Judge Michael DiReda; Durkin, Thomas; Hon. Elizabeth Emerson; Serge Georges; Harmon, Thomas; [REDACTED]; [REDACTED]; Laster, Travis (Courts); Mann, David; Montalbano, Joseph; Thomas Stockard [REDACTED]; Judge Bonnie Sudderth; Lissette Toro Vélez; [REDACTED]; Scott Jackson; Boulware Eurie, Stacy; Scheele, Stephen; Cunningham, Charles; Rebecca A. Duncan; Montgomery, William; [REDACTED]  
**Subject:** Re: News and Reminder

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**Aloha all,**

**Finally, I can say Hawai'i is ahead of the curve and a legal leader in this area. Our constitution provides for:**

**"the right to a clean and healthful environment, as defined by laws relating to environmental quality." Haw. Const. art. XI, §9.**

**The Hawai'i Supreme Court has ruled that there is a property right to a clean and healthful environment thereby implicating our due process clause.**

**Peter**

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**From:** Keith Fisher [REDACTED] >  
**Sent:** Thursday, July 28, 2022 7:20 AM  
**To:** Manuel Arrieta [REDACTED] >; Peter T. Cahill <[REDACTED]>; Judge Michael DiReda <[REDACTED]>; Durkin, Thomas <[REDACTED]>; Hon. Elizabeth Emerson <[REDACTED]>; Serge Georges [REDACTED] >; Harmon, Thomas [REDACTED] >; [REDACTED] >; [REDACTED] >; [REDACTED] <[REDACTED]>; Laster, Travis (Courts) <[REDACTED]>; Mann, David [REDACTED] >; Montalbano, Joseph <[REDACTED]>; Thomas Stockard [REDACTED] <[REDACTED]>; Judge Bonnie Sudderth <[REDACTED]>; Lissette Toro Vélez <[REDACTED]>; [REDACTED] >; [REDACTED] >; Scott Jackson <[REDACTED]>; Boulware Eurie, Stacy [REDACTED] >; Scheele, Stephen <[REDACTED]>; Cunningham, Charles [REDACTED] >; Rebecca A. Duncan <[REDACTED]>; Montgomery, William [REDACTED] >; [REDACTED] <[REDACTED]>  
**Cc:** Keith Fisher [REDACTED] >  
**Subject:** News and Reminder

Hello Climate Leaders. Two items to mention to you today.

First, a reminder to get me your travel information if you have not already done so, in order that I can confirm you in the room block and plan the logistics for those who need transportation to and from the airports. I will need all these confirmations no later than a week from tomorrow, August 5. Another reminder: If you are thinking of returning on Wednesday night September 14, that you will need an air reservation probably no earlier than 8:00 p.m., in order for there to be adequate time to get you back to the airport. If those are not available, you may want to plan on staying over Wednesday night and flying out on Thursday.

Second, a news flash: This morning, the U.N. General Assembly voted 161 For/0 Against/with 8 Abstentions to recognize a human right to a clean, healthy, and sustainable environment. The United States, FYI, voted in favor.

General Assembly resolutions are not legally binding, of course, but this one is at least indicative of a broad international consensus that environmental conditions can profoundly affect the ability of people everywhere to enjoy their pre-existing fundamental human rights and live with dignity.

Best regards,  
Keith



Keith R. Fisher  
*Distinguished Fellow*

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## Judge Bonnie Sudderth

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**From:** Sandra Nichols Thiam <[REDACTED]>  
**Sent:** Friday, August 26, 2022 5:17 PM  
**To:** Judge Bonnie Sudderth  
**Cc:** [REDACTED]  
**Subject:** looking ahead to Woods Hole  
**Attachments:** Woods Hole Agenda 8.22 DRAFT.docx

**CAUTION: This email originated from outside of the Texas Judicial Branch email system. DO NOT click links or open attachments unless you expect them from the sender and know the content is safe.**

Dear Justice Sudderth,

I hope this message finds you well as summer as winding down and our JLCS group is planning to meet in a few weeks in Wood Hole, MA.

I'm writing to ask whether you would agree to be a facilitator for a small group discussion on the first day of the course. You'll see on the attached draft agenda, on Monday, after the introduction to climate impacts at 12:50, at 2 we will be having small group discussions.

These are designed to be around groups of climate impacts that may relate to litigation in certain geographic areas. Two or even three of the topics may be relevant for some folks, but we'll be asking people to choose one. The topics are:

- Extreme events including storms, flooding, wildfires
- Heat impacts on agriculture, water, drought and human health
- Sea-level rise and ocean impacts now and in future

While participants will choose which group to participate in that day, we are asking a handful of folks to pick one now and do a little bit of background prep. For each group we will try to identify two judges who will agree to gather some information about related litigation trends or issues in their states. We envision just a small amount of background research by the facilitators to seed the conversation.

The plan for the sessions is to have the two facilitating judges kick off the conversation with 2-3 mins (each) on those litigation trends/issues/examples. Next the expert resource scientists will give very short intros to their work and area of expertise. And then the two facilitating judges will lead a discussion with the rest of the group, and give a very brief report out at the end. We will provide discussion questions to help guide this.

We were hoping that you might be willing to be a facilitator for the first group on extreme events. I will also be reaching out to Judge Boulware Eurie to see if she can provide a perspective from California. Please let me know if you have any questions about this or if I can provide any further information -- and whether you think you might be able to do this!

Thanks so much!

Warm regards,

Sandy

**Sandra Nichols Thiam** (she/her)

Associate Vice President, Director of Judicial Education  
1730 M St. NW #700, Washington, DC 20036



**Suggested Program on Climate Science and Law in  
Judicial Leaders in Climate Science Course  
September 12-14, 2022**

**Learning objectives:** After this seminar, participants will be able to:

- Articulate the basic facts of climate science
- Locate reliable source materials and other resources on climate science issues
- Discuss the nexus of climate litigation trends and climate science
- Confidently raise discussion of climate science and the related litigation among colleagues, regardless of their perspective on the issues

Arrive Sunday evening, no planned activities

Monday, September 12—Woods Hole Oceanographic Institution (WHOI)

- 7:30 Transport to WHOI
- 8-9 Breakfast
- 9-9:20 Welcome, overview (Paul Hanle, ELI, Carol Anne Clayson, WHOI, and Keith Fisher, NJC)
- 9:20-10 Review of main points from leadership course in March (Yvonne Stedham and Kelly Tait)
- 10-10:10 Break
- 10:10-11 Working groups of judges discuss status of action planning, report out
- 11-11:10 Break
- 11:10-12 Introduction to climate science (Sarah Das & Caroline Ummenhofer, WHOI)
- 12 – 12:50 Lunch
- 12:50-1:50 Overview of climate change impacts (Christopher Schwalm, WCRC)
- 1:50-2 Break
- 2:00-3:00 Impact area discussions in breakout groups
- Extreme events including storms, flooding, wildfires (Alexandra Naegele and Dominick Dusseau, WCRC)
  - Heat impacts on agriculture, water, drought and human health (Kristie Ebi, University of Washington and Caroline Ummenhofer, WHOI)
  - Sea-level rise and ocean impacts now and in future (Shannon Hulst, WHOI)
  - Report out
- 3:00-3:10 Break
- 3:10- 4 Human health impacts (Kristie Ebi, University of Washington)
- 4-4:10 Break
- 4:10-5:30 Tour of WHOI

6:30 Shore Dinner at the Marine Biology Lab

Tuesday, September 13—Woodwell Climate Research Center (WCRC)

7:30 Transport to WCRC  
8-8:50 Breakfast  
8:50-9 Recap/overview of the day (Paul Hanle and Sandy Thiam)  
9-10 Greeting and Keynote (Max Holmes, WCRC President & CEO)  
10-10:10 Break  
10:10-11 Climate solutions and the energy transition (Daniel Schrag, Harvard)  
11-11:10 Break  
11:10-12 Climate litigation trends in state courts (Sandy Thiam and Jarryd Page, ELI)  
12-12:50 Lunch  
12:50-1:50 Science of attribution (Kevin Reed, Stony Brook University) (t)  
1:50-2 Break  
2-3 Attribution in tort and other kinds of cases (Douglas Kysar, Yale)  
3-3:10 Break  
3:10-4:10 Preparing for collaborative conversations (Yvonne Stedham and Kelly Tait)  
4:20-5:30 Tour of Woodwell Climate Research Center  
6:30-7 Walk or ride to La Cucina  
7-9:30 Dinner for all (Cucina Sul Mare)

Wednesday, September 14—Woods Hole Oceanographic Institution

7:30 Transport to WHOI  
8-8:50 Breakfast  
8:50-9 Recap/overview of the day (Paul Hanle and Sandy Thiam, ELI)  
9-10 Greeting and Keynote (Peter de Menocal, WHOI President)  
10-10:10 Break  
10:10-11:10 Climate economics (Michael Greenstone, University of Chicago)  
11:10-11:20 Break  
11:20-12:00 International climate framework (Kilaparti Ramakrishna, WHOI)  
12:00-1 Lunch  
1-1:30 Small group discussion on legal issues (Sandy Thiam and Jarryd Page)  
1-2:30 Participants write down and report on action plans  
2:30-3:30 Next steps, evaluation, and graduation