

## **2024 New Mexico Judicial Conclave Proposal**

### **PROPOSED TOPIC:**

Climate change and its impact: A scientific discussion about climate change, its past, current and future impact on our society by a renowned Climate Scientist. This will be followed by legal discussion focusing on the national trends of judicial/legal responses to climate change, with a subsequent focus on current status and activity of climate related litigation in New Mexico.

**SUBMITTED BY:** Hon. Manuel I. Arrieta

### **SESSION TITLE:**

(Plenary session) The Impact of Climate Change: What it means to the Judiciary

### **SESSION DURATION:**

60 minutes

### **RECOMMENDED PRESENTERS:**

Climate Scientist: Once a firm date is provided to the presenters, Judge Arrieta will work with the staff of the Environmental Law Institute, Washington DC, to secure the services of a climate scientist with an interdisciplinary background in climate science, environmental science, and other climate related disciplines. Based on that particular scientist's calendar, the name and specific training, education and research credentials will be provided to the NM Court Education Institute.

Environmental Law Institute attorney/presenter: This will be an individual involved in the research and policy directives of judicial education at the Environmental Law Institute (ELI). ELI specializes in developing and implementing effective science-based legal and policy approaches to solve sustainable development challenges. Currently, ELI is the flagship judicial education program, supporting the Climate Judiciary Project, which trains judges on climate science and coordinates the Institute's climate and environmental justice strategies. The individual will likely be an attorney by training. ELI works in coordination with the National Judicial College on several projects including the Climate Judiciary Project.

Judge Manuel I. Arrieta: Judge Arrieta presides at the Third Judicial District handling a civil docket in addition to serving as the district's Water Law Judge since 2011. The water district encompasses Lower Rio Grande and is the busiest district in the State for water law litigation. Judge Arrieta completed ELI's Climate Judiciary Project in September of 2022, which featured the first ever "Judicial Leaders in Climate Science" program designed to build capacity in state judiciaries to respond to the challenge of climate change. Judge Arrieta has also published, "Solving the Puzzle: The Water Court Structure and Process of Water Administration in New Mexico" (University of Denver Water Law Review, Vol. 25, Fall 2021 issue) and "Climate Change: The Future is Now" (UNM Natural Resources Journal, Vol. 63, No. 1, Winter 2023 issue).

**PROPOSED SESSION LEARNING OBJECTIVES:**

After attending this session participants will be able to:

1. Understand the science based effects of climate change in general, but also the heat and water related changes in New Mexico and the West;
2. Understand the general trends in climate science litigation which are occurring nationally, and throughout the world; and
3. Recognize the potential case types of climate science cases that have been filed, and will be filed (negligence, tort, public trust, administrative appeal, injunction, declaratory action, etc) in New Mexico.

**SESSION CONTENT DESCRIPTION:**

Brief Overview:

Sec I: brief summary of climate change generally (climate scientist)

Sec II: discussion of current litigation trends throughout the country and the world, and specific to the Western US (ELI spokesperson)

Sec III: discussion of current climate change effects in NM and recent cases involving climate change specific to NM (M. Arrieta)

**TEACHING METHOD:**

Combination panel discussion with PowerPoint presentation

**POINT OF CONTACT:**

The point of contact will be Judge Manuel I. Arrieta (lcrdmia@nmcourts.gov).