

Jan 19 JLCS Call Notes – For Judges

1. Introducing new colleagues
 - a. Helene Krasnoff has joined the Environmental Law Institute as the Director of the Climate Judiciary Project.
 - b. Alf Brandt has joined the National Judicial College and has been appointed as the new lead staffer for JLCS.
2. 2024 Expectations
 - a. Past JLCS participant judges are invited for an all-JLCS participant call every six months (the next one in July) which will include the new cohort of judges.
 - b. Please continue to seek opportunities to host sessions in your states and reach out to the CJP team for support, as needed.
 - c. You may potentially be tapped to serve as a mentor for participants of the new cohort (more information below)
3. CJP Curriculum Discussion
 - a. Jarryd Page led a discussion on feedback for the CJP curriculum.
 - i. Judges stated an interest in a repository of agendas, presentations, and post-notes for other judges hosting events to review.
 - ii. Climate is arising as a topic in probate litigation (specifically around farming) and the CJP curriculum has been helpful as a reference.
 - iii. A judge shared that working with CJP helped to ease any anxiety with putting together a program.
 - iv. A judge shared that the curriculum was more 102 level content and that the Reno and Woods Hole course materials were most useful for putting together a 101 presentation for state programming.
4. Legal and Science Trends since Woods Hole (by Dr. John Doherty and Jarryd Page)
 - a. What happened in 2023?
 - i. Last October, California's new Supreme Court Chief Justice Patricia Guerrero said that one of her priorities for the state judiciary is to ensure judges understand the science of climate change.
 - b. More cases, of all stripes, are popping up. There are hundreds every year and there is a shift in litigation trends
 - c. Our Children's Trust cases are moving forward...
 - i. Held v. Montana (the state appealed the trial court decision to the Montana Supreme Court which just earlier this week denied a motion to stay. Opening briefs are due in February.)
 - ii. Navahine F. (trial scheduled in Hawaii state court in late June)
 - iii. Genesis B. (a federal case, perhaps testing the waters, as was done with Juliana)
 - iv. Juliana lives!
 - d. State and local governments vs. energy companies
 - i. Big cert. denials from the U.S. Supreme Court...means dozens of cases now moving forward in state courts...

- ii. As recently as last week, Delaware state court Delaware v. BP America Inc. - Climate Change Litigation (climatecasechart.com)
 - e. The big news in the U.S. climate science community is that the Fifth National Climate Assessment—a key scientific report mandated by Congress that informs climate policy at all levels of government throughout the country—was published in November of 2023.
 - f. To introduce the major findings of the Fifth National Climate Assessment, we will be hosting a webinar with NJC on February 15 at 3:00 pm eastern that will feature the Assessment's Director, Ms. Allison Crimmins, and Justice Georges. This will be a tremendously unique opportunity for judges to hear directly from a leading national figure in climate science and governance.
- 5. Listserv Engagement
 - a. The group expressed an interest in having a monthly discussion topic via the listserv.
- 6. JLCS 2024 Program
 - a. We are recruiting for the second JLCS cohort. To date, we have nominees from California, Nebraska, New Mexico, and Vermont. Consider recommending any colleagues in your state who should participate in the program to your Chief Justice.
 - b. This year's program will be similar to 2022 with courses at Reno and Woods Hole and online Zoom calls over the summer looking at the anatomy of a climate case and a call with all JLCS participants.
 - c. We are excited to share that Judge Boulware Eurie is joining as the judicial member of the JLCS faculty for the second cohort!
- 7. Mentorship
 - a. A new addition to the program this year will include the opportunity for some in the first cohort to serve as mentors of the new cohort.
 - b. Depending on the number of participants, geography, and jurisdiction, you may receive an email invitation to be a mentor.
 - c. We will match mentors with mentees. We ask that mentors have at least one call with their mentees during the 2024 program to discuss their experience and provide support and insight as the mentees are developing their action plans.
 - d. Mentors and mentees will determine the frequency of future conversations, as you see fit. You could hold regular check-ins or one more call at the end of the program.
 - e. We will make introductions between mentors and mentees to schedule the first call but the rest is up to you and your mentee. There will not be any formal reporting to NJC or CJP as a part of this, though we are here to support you if you have questions or feedback.
 - f. One judge suggested assigning mentors with mentees from a different state (because they likely already know and can support the judge from their state).
- 8. General Discussion
 - a. The strongest argument for the JLCS courses and program is that there is an increase in litigation expected and climate is impacting so many areas of the law.
 - b. The judges reported on the many events that they have had, or are planning to have, related to climate change.

- c. While one judge suggested establishing a learning management system where sessions could be recorded and materials available, another offered a word of caution about those who want to try and disqualify a judge trying to use judicial education to do so.
- d. Judge Cahill thanked those who reached out after the Maui fires and expressed gratitude for the community of peers this program brought together.