

**From:** Edward W Maibach

**Sent:** Jan 23, 2023 13:22:54.053267700 UTC

**Subject:** Re: educating judges in climate science

**To:** John Doherty <[REDACTED]>; [REDACTED] <[REDACTED]> Personal Contact Info § [REDACTED] <[REDACTED]> Personal Contact Info § [REDACTED]>

**Cc:** Sandra Nichols Thiam <[REDACTED]>; Sarah Roth <[REDACTED]> Personal [REDACTED]>

John, thanks for the location and timing information. I will join you for the entire day on Monday (although I will need to step away from 3:30 to 4:30). I'm not able to be there for the 2<sup>nd</sup> day.

Paul, I'm thinking about the challenges you laid out for me. As I see it, the two challenges are interrelated. They also relate to the challenge climate scientists face when briefing policymakers (for which guidance is well developed: make your comments policy-relevant, not policy prescriptive).

What do we know from the science?  
How do we know it?  
What are the uncertainties in what we know?

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**From:** John Doherty <Personal Contact Info >  
**Date:** Sunday, January 22, 2023 at 9:17 PM  
**To:** Personal Contact Info § 2.2-3705.1 <Personal Contact Info § 2.2-3705.1 >, Edward W Maibach <emaibach@gmu.edu>  
**Cc:** Sandra Nichols Thiam <Personal Contact >, Sarah Roth <Personal Contact >  
**Subject:** Re: educating judges in climate science

Dear Professor Maibach,

To echo Paul, thank you again for helping us with this short course. The program will be held in the Student Conference Center located in Lisner Hall of the George Washington University Law School and will begin at 9 am on both Monday the 27<sup>th</sup> and Tuesday the 28<sup>th</sup>. We tentatively have you slated to speak at 2 pm on the 27<sup>th</sup>. Please let me know if there is any additional information I may provide.

Best wishes,  
John

**John M Doherty, PhD**  
Science Fellow, Climate Judiciary Project  
Environmental Law Institute

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**From:** Personal Contact Info § <Personal Contact Info § >  
**Sent:** 17 January 2023 19:06  
**To:** 'Edward W Maibach' <emaibach@gmu.edu>  
**Cc:** John Doherty <Personal Contact >; Sandra Nichols Thiam <Personal Contact >; Sarah Roth <Personal >  
**Subject:** RE: educating judges in climate science

**CAUTION:** This email originated from outside of the organization.

That sounds fine, Ed. The two themes you mention are familiar and really why I was hoping you would talk to the scientists.

The main additional thing I wanted to ask you to address if possible is what you think might resonate with the particular audience of judges. In many ways judges are like other educated lay audiences (e.g., usually not educated in science, possibly imbued with misinformation regarding climate change, already positioned for or against climate action, unconsciously biased). But in some key ways they are very different.

One is they are professionally committed to objectivity, weighing evidence, and rational thinking. Another is they jealously protect their prerogative to judge based on the law as they see it, independent of political opinion. A third is they hold to judicial norms, including independence of all kinds of external influence. A fourth is they identify as members of a fellowship, a mandarin class. These are stated here in the ideal, of course, and for any one of these you can find (sometimes atrocious) exceptions or corruptions.

I mention these because although scientists have a unique challenge to reach judges, they may also find common ground in the ways they too are different from lay audiences. And I wonder if you might offer any thoughts on how the scientists might channel those ways to help make values-based connections to the judges.

One last thought. When I spoke on the phone with you, I mentioned we would be interested in discussion of how the scientists may be able to reach judges who might not be favorably inclined toward accepting the facts of climate change. That is, we recognize the ideal of objectivity among the judiciary is not always achieved, and the question for the scientists then becomes can you overcome or neutralize such bias. Any advice on that, building upon your two themes or otherwise, would be most welcome.

Thanks again for doing this. Happy to discuss.

Best,  
Paul

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**From:** Edward W Maibach <Personal Contact Info §>  
**Sent:** Tuesday, January 17, 2023 4:11 PM  
**To:** Personal Contact Info §  
**Cc:** 'John Doherty' <Personal Contact>; 'Sandra Nichols Thiam' <Personal Contact>; 'Sarah Roth' <Personal>  
**Subject:** Re: educating judges in climate science

Hi Paul,

I am so far behind on everything at present (including getting my course launched this semester) as a result of the family medical emergency and related problems that caused me to miss your initial email and which continues to take up a lot of my time. As a result, I would prefer to take whatever suggestions you have for my talk via email and will work them into a talk as we get near the appointed day.

I give a lot of talks to climate scientists about effective climate comms. The thing I focus most on is the need for simple clear messages,

repeated often, by a variety of trusted and caring sources. (see the attached forthcoming paper for more details on that)

I also talk about the notion of effective climate communication as a team-based enterprise involving climate content experts, social scientists, and communication professionals. (that idea is also touched on in the attached paper).

I might also add in a plug for Chip and Dan Heath's excellent book Made to Stick and introduce our trainees to the SUCCES guideline: Simple, Unexpected, Concrete, Credible, Emotional, Stories.

Fair enough?

Ed

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**From:** Personal Contact Info § 2.2-3705.1 <Personal Contact Info § 2.2-3705.1>  
**Date:** Tuesday, January 17, 2023 at 3:55 PM  
**To:** Edward W Maibach <[emaibach@gmu.edu](mailto:emaibach@gmu.edu)>  
**Cc:** 'John Doherty' <Personal Contact Info>, 'Sandra Nichols Thiam' <Personal Contact>, 'Sarah Roth' <Personal Contact>  
**Subject:** RE: educating judges in climate science

Hi Ed,

Sandy and I conferred and are fine with that condition and very pleased that you will join us! John Doherty, who is organizing the event, is travelling overseas for a couple weeks, but we will be back in touch in a few days with particulars of the location and exact time. It would be great if we could have a few minutes of your time in the near future to discuss the content of your talk and answer any questions you may have. Would you like to do that sometime later this week or early next?

Best,  
Paul

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**From:** Edward W Maibach <[emaibach@gmu.edu](mailto:emaibach@gmu.edu)>  
**Sent:** Tuesday, January 17, 2023 12:23 PM  
**To:** Personal Contact Info §  
**Cc:** 'John Doherty' <Personal Contact>; 'Sandra Nichols Thiam' <Personal Contact>  
**Subject:** Re: educating judges in climate science

Hi Paul,

I have now spoken with my client.

They gave their enthusiastic approval of my participation in your training. I am not to mention their identity to you (or anyone else) but they did want me to disclose to you and others at your training that I have a client in a suit against Big Oil so that if my name becomes public at a later date, no one will feel deceived by information withheld.

Fair enough?

All the best,

Ed

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**From:** [REDACTED] <[REDACTED]>  
**Date:** Tuesday, January 10, 2023 at 10:45 AM  
**To:** Edward W Maibach <[emaibach@gmu.edu](mailto:emaibach@gmu.edu)>  
**Cc:** 'John Doherty' <[REDACTED]>, 'Sandra Nichols Thiam' <[REDACTED]>  
**Subject:** RE: educating judges in climate science

Hi Ed,

Great to talk to you yesterday and thank you so much for agreeing to present in our short course on judicial education for climate scientists on February 27. Attached is the preliminary agenda for this day-and-a-half event. As I mentioned, it will involve about 20 people, approximately twelve of whom are recruited mid-career climate scientists who will form our corps of next-generation climate-science leaders to present to judges in seminars and judicial conferences.

We would love to have you attend any part or the whole day, which will include talks by Michael Oppenheimer, Judge Fogel, Chris Field and two state judges from Delaware and Kentucky, and a cocktail hour at the end. But if that is not possible, perhaps you might plan to stay for the portion of the program that follows you in a discussion facilitated by National Judicial College judicial educator Kelly Tait.

As we get closer, John or I will send you a reminder and particulars and I look forward to seeing you again soon!

Best regards,  
Paul

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**From:** Edward W Maibach <[emaibach@gmu.edu](mailto:emaibach@gmu.edu)>  
**Sent:** Monday, January 9, 2023 6:05 PM  
**To:** [REDACTED]  
**Cc:** 'John Doherty' <[REDACTED]>, 'Sandra Nichols Thiam' <[REDACTED]>  
**Subject:** Re: a call re educating judges in climate science

Hi Paul,

Please accept my sincere apology for my failure to response previously. I have been managing several family emergencies since just prior to your first email.

I would be pleased to discuss how I can help. If you have time now, please call me:

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Non-Public Information

If that timing doesn't work, I am free all day Friday (in San Francisco again).

Onward and upward,

Ed

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**From:** Personal Contact Info § 2.2-3705.1 <Personal Contact Info § 2.2-3705.1 >  
**Date:** Monday, January 9, 2023 at 4:33 PM  
**To:** Edward W Maibach <[emaibach@gmu.edu](mailto:emaibach@gmu.edu)>  
**Cc:** 'John Doherty' <Personal Contact Info >, 'Sandra Nichols Thiam' <Personal Contact >  
**Subject:** RE: a call re educating judges in climate science

Hi Ed,  
I know GMU has been on break but I wanted to bring this to the top of your inbox to see if we might find a time soon to talk. We hope you will consider giving a talk at a gathering of leading climate scientists and judges in DC at the end of February, and so I thought I should push a bit for the requested conversation to give you some planning time if you were to agree to do it. Could we talk this week or next? Thanks!

Best wishes for a Happy New Year,  
Paul

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**From:** Personal Contact Info § <Personal Contact Info § >  
**Sent:** Thursday, December 22, 2022 7:46 PM  
**To:** 'Edward W Maibach' <[emaibach@gmu.edu](mailto:emaibach@gmu.edu)>  
**Cc:** 'John Doherty' <Personal Contact >; 'Sandra Nichols Thiam' <Personal Contact >  
**Subject:** a call re educating judges in climate science

Dear Ed,

I hope all is well with you this holiday season. I'm writing about a project that I thought you might find interesting, and if so I wanted to seek your help with it. In 2018 I founded the Climate Judiciary Project to educate US judges in science and law related to climate change. Need for such a project had become evident with the growth of climate-related

litigation, and I launched it with the help of a group of scientists and legal scholars who agreed the time was right. Michael Oppenheimer, Kris Ebi, Chris Field, Michael Gerrard and numerous others continue to be our advisors.

The Project is now a part of the Environmental Law Institute and has run seminars and courses for federal and state judges, written a 13-module course curriculum for judges on the science and law of climate change, and generally established that judges want this kind of education by their positive responses to our offerings. These reviews have been favorable in part because of the quality of the presentations and in part because of the growth of climate-related litigation in the last few years, for which they often feel unprepared.

With increasing demand in mind, my colleagues at ELI and I are developing a short course for climate scientists interested in educating judges. The main idea is to prepare early- and mid-career scientists for the unique challenges of training federal and state judges in the subject. We have developed much of the content, identified prospective nominees, and are now soliciting feedback and participation of a few leading, senior members of the scientific community. Which is why I thought of you. I want to ask if my colleagues Dr. John Doherty, Sandra Thiam and I might discuss our plans and the possibility of your delivering a presentation to the group by a short Zoom call in the next week or two. Please let me know if you would be willing to have this conversation, would you, and John will be in touch to find a time that suits you.

Thank you for considering my request. We look forward to talking with you in the near future.

Best regards and Happy Holidays,  
Paul

Paul A. Hanle, PhD  
Visiting Scholar and Founder  
Climate Judiciary Project  
Environmental Law Institute  
[www.eli.org](http://www.eli.org)



# Redaction Log

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