
Video Link

Rebecca A. Duncan

Tuesday, May 14, 2024 at 12:56:30 PM Mountain Daylight Time

To: Judge Jennifer Valencia

Here is the link to the Berkely Judicial Institute presentation that I mentioned in my email:

[REDACTED]

From: Rebecca A. Duncan
Sent: Tuesday, May 14, 2024 11:56 AM
To: Judge Jennifer Valencia [REDACTED]
Subject: RE: Judicial Leaders in Climate Science Mentor/Mentee Pairing

Hi Judge Valencia,

Thank you for reaching out!

I think there are a few options for presenting information about climate-related cases to a state judiciary and ELI could help with all of them.

1. You could reach out to ELI and have them do a webinar for the 10 or so judges that you know are interested. I just did a short one with ELI and the Berkely Judicial Institute. Its available online. Three people from ELI spoke. The material covered by the second two speakers might be a good introductory session for interested judges. Then those judges could help you gauge how your full judicial conference might respond to a similar presentation.
1. You could arrange for a presentation for your full judicial conference and focus on the trends in climate-related litigation to explain that courts may be getting more climate-related cases than they might anticipate, given the increasingly varied case types. I did something like this for my state's full judicial conference. We addressed both high-profile cases that judges might generally be interested in (like Montana's *Held* case), but focused on the observed and predicted climate and weather changes in Oregon and how those changes might give rise to more climate-related cases in our state courthouses. Perhaps like yours, our judges are interested in practical information that will help them do their jobs. So, we framed our presentation as one that would alert them to the ways that climate issue could be involved in the types of cases that they might see.
1. For a very deep dive, you could focus on water issues for your new water judges. I know that two members of my cohort did something along these lines. If you'd like, I can send an email introducing you to them and they could share what they did.

Let me know what you think. I'd be happy to set up a quick video call if you'd like to meet and brainstorm a little more.

Becky Duncan

From: Judge Jennifer Valencia [REDACTED]
Sent: Monday, May 13, 2024 8:44 PM
To: Rebecca A. Duncan [REDACTED]
Subject: Re: Judicial Leaders in Climate Science Mentor/Mentee Pairing

WARNING: This email is from outside of the Oregon Judicial Department. If links or files in this email are unexpected, even if from an email address you trust, please call the sender on the phone and verify them before you click.

Hello Justice Duncan,

It's my pleasure to make your acquaintance. I am a District Court Judge in Utah and I am currently the Supervising Water Judge. I'm trying to move forward sooner than the September portion of the JLCS Conference in Massachusetts with inviting ELI to come to Utah to present at our Fall Conference. I'm in the process of just trying to gauge whether there is sufficient interest. When Judge DiReda attended in 2022, he did not feel there would be sufficient interest, so he did not previously extend the invitation. We now have 8 water judges (a specialty designation created after Judge DiReda attended as well) and a senior judge (former Appellate Judge Kate Appleby) who are especially interested. Beyond that group though, I'm debating how broadly to advertise or encourage interest. We have 71 state district court judges total in Utah, and between juvenile and appellate court judges, we're just over 100 judges total. We have not had the number of climate science cases that other states have had yet (only 2 total in the climate case database and only one is still pending as a request for retention to the Utah Supreme Court). Do you have any advice on whether 10 judges is too small of a number? Or how would you decide who else to reach out to? I can think of a few offhand, but there just won't be judges who have encountered a climate science case directly who would say, I really need that type of education.

Judge Jennifer Valencia

On Wed, Apr 3, 2024 at 1:17 PM Boulware Eurie, Stacy [REDACTED] wrote:

Good afternoon Becky and Jennifer.

It is my pleasure to introduce Justice Rebecca "Becky" Duncan of the Oregon Supreme Court to Judge Jennifer Valencia of Utah. Becky was a true leader within the first cohort of the Judicial Leaders in Climate Science (JLCS) and she has graciously agreed to serve as your mentor, Jennifer, as you move forward as a thoughtful member of the second cohort. Becky and I had the pleasure of learning alongside Judge Michael DiReda of the first cohort so we know that you have the added benefit of another leader right in your own backyard.

As mentioned to you both, the JLCS envisions this mentor/mentee component of the program to encompass (1) at least one contact between the two of you in the coming months, (2) for Becky to serve as a sounding board for Jennifer as she considers and reflects on the information being shared through the JLCS program, and (3) for Becky to assist Jennifer in the action planning of how to share the information and strategies for educating her branch on the management of cases involving climate science based on what Becky has experienced in her home state.

There is no one right way for the two of you to support one another in this unique leadership effort and as leaders outside of the JLCS, we also look forward to learning from you and fine tuning how we can best support and equip judicial officers from around the country to be informed, competent, and prepared to preside over this growing body of litigation.

I know you are in good hands with one another but if there is anything we can do to support you both, just say the word.

Be well,

Stacy

Stacy Boulware Eurie (she/her)

Associate Justice

Court of Appeal, Third Appellate District

914 Capitol Mall, Sacramento CA 95814

Attachments:

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