

IN THE SUPREME COURT OF THE STATE OF MONTANA  
No. DA 23-0575

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RIKKI HELD, et al.,

*Plaintiffs/Appellees*

v.

STATE OF MONTANA, et al.,

*Defendants/Appellants*

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UNOPPOSED CHILDREN'S RIGHTS ADVOCATES' MOTION FOR LEAVE  
TO FILE A BRIEF AS *AMICI CURIAE* IN SUPPORT OF APPELLEES

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On appeal from the Montana First Judicial Court, Lewis and Clark County  
Cause No. CDV 2020-307, the Honorable Kathy Seely, Presiding

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Advocates*

Pursuant to Montana Rules of Appellate Procedure 12(7) and 16 Children's Rights Advocates respectfully submit this Motion for Leave to File a Brief as *Amici Curiae*, in support of the Plaintiffs-Appellees. Proposed *Amici Curiae* provide the following in support of this motion:

**I. Interest of the Applicant.**

Proposed *Amici Curiae* are children's rights legal scholars and advocates and are interested in this case to ensure that the Court is fully informed regarding the judicial role in protecting children under the Montana Constitution. The Children's Rights Advocates aim to: 1) highlight Montana's pioneering constitutional provisions recognizing children's constitutional rights and every Montanan's right to a clean and healthful environment; 2) emphasize the judiciary's role in safeguarding these fundamental rights, especially given the disparate impact of climate change on young people; and 3) discuss some analytical missteps to avoid when analyzing children's constitutional rights.

**II. Reasons why a Brief of from Children's Rights Advocates is Desirable.**

Proposed *Amici Curiae* are experts in children's constitutional rights and the unique role the judiciary plays in vindicating these rights. The proposed brief will contextualize this case with Montana's pioneering constitutional guarantees of children's fundamental rights, describe the Montana judiciary's unique authority to

safeguard those rights, and discuss how this Court should consider children's unique qualities and characteristics when ruling in this matter.

**III. Party Whose Position Proposed Amici Curiae Would Support.**

The Proposed *Amici Curiae* would file their brief in support of Appellees.

**IV. Date Upon which the Brief can be Filed.**

The Proposed *Amici Curiae* seek leave to file their brief in support of Appellees on or before March 21, 2024.

**V. Whether Other Parties Consent to the Request.**

The Proposed *Amici Curiae* contacted counsel for Appellants and Appellees, who responded that they are not opposed.

Respectfully submitted March 12, 2024,

/s/ John Morrison  
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