

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

RIKKI HELD, et al.,

Plaintiffs / Appellees

v.

STATE OF MONTANA, et al.,

Defendants / Appellants

**MOTION FOR LEAVE OF MONTANA INTERFAITH POWER AND
LIGHT TO FILE A BRIEF AS *AMICUS CURIAE*
IN SUPPORT OF PLAINTIFFS/APPELLEES**

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

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Montana Interfaith Power and Light hereby files this Motion Seeking Leave to File a Brief as *Amicus Curiae* in Support of Plaintiffs/Appellees. Pursuant to Rule 12, paragraph 7, of the Montana Rules of Appellate Procedure, Proposed *Amicus Curiae* provide the following information in support of their motion:

1. **The Interest of the Applicant.** Montana Interfaith Power & Light (“MT-IPL”) is a state affiliate of the national organization, Interfaith Power & Light (“IPL”), which draws from multiple faith traditions, convinced of the dignity of life and the urgency of the climate crisis. A principle of theological ethics constantly stressed in that work is that future generations have a right to a livable world. Hence, MT-IPL supports the principle of intergenerational justice, which is at the heart of this case. MT-IPL aims to motivate and mobilize individuals of faith and conscience to respond boldly and justly to climate crises, championing solutions specific to Montana that construct a sustainable future for everyone. MT-IPL bridges the gap between Montana’s faith-committed and environmentally-aware citizens and other state and national protectors of Creation, reinforcing environmentalism as an integral part of their faith identities. As one of 41 ILP chapters across the United States, MT-IPL is committed to the long term protection of Montana’s natural splendor now and for all future generations.¹
2. **Reasons why a Brief of Proposed *Amicus Curiae* is Desirable.** Through their educational and advocacy work, *Amicus Curiae* and its affiliates have raised consciousness in the faith community in Montana and other states where IPL has a

¹ MT-IPL expects that additional *amici curiae* with similar interests will join in their proposed brief.

presence about the moral and religious imperative to protect the earth's climate as an essential component of the right to a healthful environment, as recognized in the Montana Constitution. Proposed *Amicus Curiae* seeks to file a brief with this Court to explain the moral and religious underpinnings of the need to protect the environment, including the climate for current and future generations, and how the right to a healthful environment both supports and relies on the relationship between ethics and faith, on the one hand, and protection of the climate, on the other hand. That relationship strongly supports the trial court's findings of fact and conclusions of law in this case.

3. **Party Whose Position Proposed *Amicus Curiae* Would Support.** Proposed *Amicus Curiae* would file its brief in support of Plaintiffs-Appellees, Rikki Held, *et al.* Plaintiffs-Appellees' right to a healthy climate is directly related to the moral and religious basis for the right to a healthful environment as set forth in the Montana Constitution.
4. **Date Upon which the Brief can be Filed.** The Proposed *Amici Curiae* request that they be permitted to file their brief as *Amici Curiae* within fourteen days, on or before April 3, 2024.
5. **Whether Other Parties Consent to the Request.** Proposed *Amicus Curiae* affirm that they contacted counsel for Appellants by email on March 14, 2024, and they have not yet responded to the request. Plaintiffs-Appellees have provided their consent to MT-IPL's request.

WHEREFORE, Montana Interfaith Power and Light as *Amicus Curiae* seeks leave to file a brief in support of Plaintiffs-Appellees on or before April 3, 2024, in the above-captioned matter.

Respectfully submitted March 20, 2024,

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