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Tracking Climate Change Litigation – A Tough Job that the Sabin Center at Columbia Law School Does Best

Multiple websites periodically attempt to keep their audience abreast of the multitude of federal, state, and local lawsuits and court opinions dealing with climate change. It's a difficult job that few wish to take on consistently. I will still post information on particular cases as court decisions are finalized, but I won't try to reinvent the "tracking" wheel.

That job – tracking cases consistently and comprehensively related to climate change – took a positive turn when the Sabin Center for Climate Change Law at Columbia Law School / Columbia Climate School embraced the task. The Sabin Center has become my "one-stop-shop" to get up to speed on the topic, and recent changes to the website have made it even easier.

Michael Gerrard, the Andrew Sabin Professor of Professional Practice and the Director of the Sabin Center at Columbia Law, started the database in 2007 and the monthly updates in 2008. Starting in March 2025, the Sabin Center now collects and summarizes developments in climate-related litigation twice each month.

The site adds the litigation developments to their <u>U.S.</u> and <u>global</u> climate litigation charts. In the <u>Sabin Center's litigation charts</u>, cases in the U.S. database are organized by type of claim and may be <u>filtered</u> by the principal laws they address, their filing years, and their jurisdictions. The database is also searchable by keyword.

In many cases, the database includes links to decisions, complaints, motions, and other administrative and litigation documents. To browse by claim type, one can click on a "category" of interest that will bring up a massive array of data.

Categories include: federal statutory claims; constitutional claims; state law claims; common law claims; public trust claims; securities and financial regulation; carbon offsets and credits; trade agreements; adaptation; climate change protesters and scientists; and archived categories.

Recent Examples Provided on the Website

Federal magistrate said Puerto Rico municipalities' RICO and antitrust climate claims should proceed against fossil fuel companies. A federal magistrate judge in the District of Puerto Rico recommended that the district court deny fossil fuel companies' motions to dismiss Racketeer Influenced and Corrupt Organizations (RICO) Act, and antitrust claims brought by Puerto Rico municipalities, but recommended dismissal of claims brought under Puerto Rico law.

U.S. Supreme Court rejected 19 states' attempt to invoke court's original jurisdiction to block other states' climate suits. The U.S. Supreme Court denied Alabama and 18 other states' motion for leave to file a bill of complaint to block California and four other states from pursuing their climate change-based cases against fossil fuel companies.

Minnesota court allowed state to proceed with climate deception claims against fossil fuel companies. A Minnesota District Court denied fossil fuel industry defendants' motions to dismiss all but one of the claims brought by the State of Minnesota alleging that the defendants misled consumers and the public regarding fossil fuels' contributions to climate change.

The list goes on for pages.

I had nearly given up on trying to track all the litigation data myself, until I found this website. Yes, this is my straightforward endorsement of one particular website. It's timely, comprehensive, and user friendly. You won't be disappointed.

P.S. No, I didn't attend law school at Columbia, but several of my partners did.

This blog was drafted by <u>John L. Watson</u>, an attorney in the Spencer Fane Denver, Colorado, office. For more information, visit <u>www.spencerfane.com</u>.

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