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ENVIRONMENTAL LAWS are Only as Strong as the Judges Who Uphold Them

Why The Sierra Club Fights for Fair and Just Judges

- Our environmental laws are only as strong as the judges who uphold them.
- Federal Judges, who are appointed for life (sometimes serving 20, 30, even 40 years), determine if critical environmental laws and our Constitutional rights and guarantees are protected or eliminated.
- With three co-equal branches of government, ensuring a fair, just, and independent judiciary is critical to ensuring a strong and healthy democracy and a strong and healthy environment.



Sierra Club staff and others rally in front of the Supreme Court on the *W. Virginia v. EPA* Supreme Court Case in defense of clean air and climate action on February 28, 2022. Photo: Javier Sierra

Enforcing and Upholding Environmental Laws

- Our foundational environmental laws, such as the Clean Water Act, Clean Air Act, Endangered Species Act, National Environmental Policy Act (NEPA), and other environmental statutes have vastly improved the well-being of our communities and our health for over 50 years.
- The health of our communities, our climate, and our ability to achieve our environmental priorities depends on the courts continuing to respect and uphold these laws.
- Fully realizing the goal of these foundational environmental laws requires judges who recognize the federal government's ability and obligation to protect the public and our environment, who can tell the difference between science and politics, and who understand that individuals need access to the courts to hold industry and the government accountable.
- Thus it is critically important that our President nominate, and the Senate confirm, judges who will be fair and just, uphold the sanctity of our laws and the values of our Constitution, and keep faith with the letter and spirit of the nation's core public health, environmental, civil rights, and labor laws.

History of the Sierra Club Fighting for Fair and Just Courts

- The Sierra Club jumped into the fight in 2012 — when Senate Republicans were blocking President Obama’s judicial nominees.
- From 2012-2013, the Sierra Club co-led a successful national campaign to change the U.S. Senate rules to allow for a simple majority vote (51 votes) to fill judicial and administrative vacancies.
- The Sierra Club has run campaigns on five Supreme Court nominees in coordination with allies across the progressive movement, including Supreme Court Justice Ketanji Brown Jackson’s historic confirmation in 2022.
- In 2021-2022, the Sierra Club joined with allies to push the Senate to confirm 97 judges who collectively bring unprecedented diversity of professional and personal experience to the federal bench, more than either former Presidents Obama and Trump in their first two years of office.



In 2023 and 2024, the Sierra Club will:

- Encourage President Biden and the US Senate to prioritize nominating and confirming individuals who are professionally and demographically diverse.
- Call on the Senate to fill every federal judicial vacancy before the end of the 118th Congress.
- Mobilize our grassroots to advocate for swift confirmation of nominees and help to mobilize our environmental allies to join us in this call.

Take action!

Tell your senators to swiftly confirm fair and just judges:
[sc.org/confirm](https://www.sierraclub.org/confirm)



Did you know?

- The total number of judges currently serving varies at any given point due to vacancies. At full capacity, there are 870 federal judges who are appointed for life, including nine on the Supreme Court, 673 on the 94 District Courts, and 179 on the 13 Circuit Courts, among others.
- While Supreme Court cases receive the most attention, more than 99 percent of cases are decided by lower federal courts — District Courts and the Circuit Courts.

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