

# Not a single appellate judge has climate experience — group



**BY PAMELA KING**

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**CLIMATEWIRE** | President Biden’s push for a more diverse federal judiciary is missing one key element — a focus on jurists with climate experience, a progressive group said yesterday.

Judges with environmental backgrounds will be crucial as the federal courts prepare to take on more legal battles over federal regulations and corporate responsibility for planet-warming emissions, the Center for American Progress wrote in a new [analysis](#).

None of the nation’s current federal appellate judges has spent time working for a nonprofit with an explicit environmental focus, the group found. Because the Supreme Court takes so few cases, these judges have the last say on the vast majority of litigation in the United States.

“This lack of experience is even more troubling considering that nearly 90 percent of current active appellate judges worked in private practice at some point in their careers; and much of this experience was spent representing the interests of those within industries that significantly contribute to environmental harms and climate disinformation,” wrote Maggie Jo Buchanan, director of legal progress for the group.

Buchanan said the analysis is not meant to “demonize lawyers” for such work.

The numbers, she wrote, “simply demonstrate a clear opportunity to improve judicial decision-making by ensuring that a wider range of environmental expertise exists within the judiciary.”

Biden has made racial and professional diversity a centerpiece of his push to fill federal court vacancies as quickly as he can. He has tapped potential judges of color, as well as nominees with experience as public defenders.

Right-leaning groups have zeroed in on lifetime judicial appointments as a way to preserve conservative policies for decades to come.

During his four years in office, former President Trump filled more than 200 judicial vacancies — including three Supreme Court positions — with the assistance of the Republican-led Senate. Many of those open spots were the result of then-Senate Majority Leader Mitch McConnell (R-Ky.) stonewalling Obama appointees to the Supreme Court and other benches.

Some of Trump's nominees, including Supreme Court Justice Amy Coney Barrett, have publicly questioned climate science ([Climatewire](#), Oct. 15, 2020).

The Supreme Court and other federal benches could be faced with blockbuster climate battles in the coming years, including disputes over EPA's authority to issue climate regulations and fights by cities and states to get the oil and gas industry to pay for climate impacts.