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*Advocate Health Care Network v. Stapleton*, No. 16-74

*St. Peter's Healthcare System v. Kaplan*, No. 16-86

*Dignity Health v. Rollins*, No. 16-258

The Employee Retirement Income Security Act of 1974 (“ERISA”) governs employers that offer

pension and other benefits to their employees. However, “church plans” are exempt from ERISA.

The United States Courts of Appeals for the Third, Seventh, and Ninth Circuits have held that

ERISA's church-plan exemption applies only if a church "established" the plan. These decisions

conflict with those of other federal courts and agencies that have held that the exemption applies to

otherwise qualifying church-affiliated organizations such as non-profit religious hospitals,

orphanages, schools, day-care centers and homes for the elderly. Today, the U.S. Supreme Court

granted certiorari in three consolidated cases to decide whether the exemption applies so long as a

pension plan is maintained by an otherwise qualifying church-affiliated organization, or whether the

exemption applies only if, in addition, a church initially established the plan.