

# *News Advisory*

From the Rhode Island Judiciary



## **Supreme Court declines to review lower court pension decision**

**November 22, 2011:** In the matter of Rhode Island Council 94, AFSCME, AFL-CIO et al v. Lincoln Chafee et al, the Supreme Court today declined to intervene in the union lawsuit against the state regarding earlier changes to the state employee retirement system in 2009 and 2010.

Attorneys for the governor, general treasurer and the Employees' Retirement System of Rhode Island petitioned the state Supreme Court in October to review a Superior Court decision regarding the state's general pension statute.

In her decision on September 13, Superior Court Associate Justice Sarah Taft-Carter ruled that Rhode Island's general pension statute gives rise to an implied contract between the state and participating employees.

The state's appeal of that decision was an intermediate step involving just one question posed in the overall lawsuit. The Supreme Court's decision today means the case will return to the Superior Court for further proceedings.

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