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United States Supreme Court Hears Zubik v. Burwell Consolidated Cases on the HHS Contraceptive Mandate

Romeoville, Ill., March 29, 2016 - On March 23, 2016, the United States Supreme Court heard arguments on *Zubik v. Burwell*, the consolidated cases which include *Little Sisters of the Poor Home for the Aged v. Burwell*, as to whether the United States Health and Human Services (HHS) contraceptive mandate and its accommodation violate the Religious Freedom Restoration Act (RFRA) by forcing religious nonprofits to act in violation of their sincerely held religious beliefs.

Christian Brothers Services (CBS) and the Christian Brothers Employee Benefit Trust (CBEET) entered into litigation on behalf of our members who opposed the Affordable Care Act (ACA) mandate on preventative benefits, which included the employer making available a wide range of contraceptives to their beneficiaries at no cost. Providing contraceptives would go against the tenets of the Catholic faith, and thus an anathema to our member organizations, as well as CBS as the third party administrator.

The initial litigation was a class action lawsuit with our member, Little Sisters of the Poor as lead plaintiff, and originally filed in the Tenth Circuit Court of Appeals in Denver, Colorado, in 2012. Over the course of the last three and a half years, our case ended up before the U.S. Supreme Court as one of six different cases consolidated to form *Zubik v. Burwell*. The other five cases are as follows:

- Priests for Life v. Burwell
- Roman Catholic Archbishop of Washington v. Burwell
- East Texas Baptist University v. Burwell
- Southern Nazarene University v. Burwell
- Geneva College v. Burwell

It was decided by all plaintiffs that the Little Sisters of the Poor (LSOP) would be the public face of our appeal at the Supreme Court. The LSOP are represented by attorneys from the Becket Fund (becketfund.org) with Paul Clement as the lead. Also representing the plaintiffs is Noel Francisco, an attorney with the Alliance Defending Freedom (adflegal.org). Handling the case for the federal government is Donald Verrilli, Solicitor General of the United States.

The oral argument before the Supreme Court was held at 10 a.m. on Wednesday, March 23, 2016. The Justices were scheduled to hold a conference on this case on Friday, March 25, 2016, and take a vote to decide the outcome. The case is over; but, the decision most likely won't be published until the latter part of June.

About Christian Brothers Services

Founded in 1960 and headquartered in Romeoville, Illinois, Christian Brothers Services is a nonprofit, Catholic organization that administers cooperative programs in the areas of health, retirement, property/casualty, information and technology services, Catholic School Management and consulting. To learn more visit cbservices.org

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