

Publications

# The Supreme Court Rules that Fiduciaries Have an Ongoing Duty to Monitor Plan Investments

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In a unanimous decision, on May 18, 2015, the Supreme Court found in *Tibble v. Edison International* that plan fiduciaries have an ongoing fiduciary duty under ERISA to monitor plan investments, a duty separate and apart from the fiduciary's duty to be prudent when first selecting plan investments. In doing so, the Court opened the door in *Tibble* and in other cases for plaintiffs to allege a continuing fiduciary violation based on a failure to monitor plan investments and remove imprudent ones.

Please see the attached memo for further information.

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