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Newsroom: Yelnosky on State Pension Lawsuit

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Yelnosky on State Pension Lawsuit

Dean Yelnosky explains to WJAR the astronomical stakes and costs involved in the pension reform lawsuit, which will impact all Rhode Islanders.

From Turn to 10, WJAR: "Digging Deeper: Billions of dollars hinge on pension settlement" by Bill Rappleye, NBC 10 Political Reporter

PROVIDENCE, March 18, 2015: The pension reform lawsuit will impact not just former state workers and teachers. The outcome will affect all Rhode Islanders. [...]

The astronomical costs of the stakes in this case could very well affect any judicial action, said Michael Yelnosky, dean of the Roger Williams School of Law.

"I do think that the amount of money that's at stake does have something to do with the way the court will analyze the case and the way I would expect a jury of Rhode Island taxpayers to consider the case," Yelnosky said.

Partly, that's because the case requires the state demonstrate fiscal need to adjust any pension benefits. But there is also the small matter of handing a bill to the state that it cannot pay.

Legal precedent is also causing both sides to hope for a settlement. If either one lost, any future standing to legally object or create changes in pensions would be compromised.

The state could find out courts consider pensions part of a contract that can't be changed. Or the unions could lose, and Yelnosky said that could mean "the legislature has the green light to alter pension rights as they see fit." [...]