

No. 25-849

IN THE
Supreme Court of the United States

UNITED STATES CONFERENCE OF CATHOLIC BISHOPS,
Petitioner,

v.

DAVID O'CONNELL,
Respondent.

**On Petition for Writ of Certiorari to the
United States Court of Appeals
for the District of Columbia Circuit**

**BRIEF OF FOUR RELIGIOUS
ORGANIZATIONS AS *AMICI CURIAE*
IN SUPPORT OF PETITIONER**

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QUESTIONS PRESENTED

1. Whether church autonomy provides a structural limit on state power that protects churches from the burdens of litigating unconstitutional claims.
2. Whether a church may immediately appeal a dispositive church autonomy defense that was denied on legal grounds.
3. Whether the “neutral principles” approach applies outside the church property context to a dispute over a church’s description and use of an offering that was used solely for religious purposes.

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INTEREST OF *AMICI CURIAE*¹

The Jewish Coalition for Religious Liberty (“JCRL”) is a nonprofit, non-denominational organization of Jewish communal and lay leaders, seeking to protect the ability of Americans to freely practice their faith. JCRL also aims to foster cooperation between Jewish and other faith communities in an American public square in which all supporters of freedom can flourish. Its founders have litigated religious liberty issues, published op-eds in prominent news outlets, and established an extensive volunteer network encouraging Jewish communal leadership to make public statements and act on religious liberty issues.

The General Conference of Seventh-day Adventists is a worldwide Christian denomination with over 22 million members. Recognizing that constitutional religious liberty protections for all rise and fall based on how they are applied to any religious organization or individual, the General Conference files *amicus* briefs on religious freedom issues in federal and state courts around the country.

The Assembly of Canonical Orthodox Bishops of the United States of America consists of all active, canonical Orthodox Christian bishops in every jurisdiction in the United States. The Assembly preserves and contributes to the unity of the Orthodox Church in the

¹ No counsel for a party authored this brief in whole or in part, and no person or entity other than *Amici Curiae* or their counsel made a monetary contribution intended to fund the preparation or submission of this brief. Pursuant to Rule 37.2, counsel for *Amici Curiae* timely notified counsel of record for both parties of *Amici Curiae*’s intent to file this brief.

United States by furthering her spiritual, theological, ecclesiological, canonical, educational, missionary, and philanthropic aims. In this way, it demonstrates its particular interest in safeguarding the liberty of all Americans to practice their faith.

The Muslim Public Affairs Council (“MPAC”) is a 501(c)(3) nonprofit that has worked since its founding in 1988 to enhance American pluralism, improve understanding of American Muslims, and speak out on policies that affect American Muslims and other historically marginalized communities. MPAC routinely works with members of other faith groups and other diverse communities to encourage civic responsibility in order to help preserve our nation’s democratic ideals as enshrined in the U.S. Constitution.

Amici Curiae steadfastly believe that the First Amendment guarantees a faith community the autonomy to exercise religion according to that community’s doctrine, policies, and standards. Allowing claims like O’Connell’s to proceed against religious organizations like the United States Conference of Catholic Bishops (“USCCB”) threatens that autonomy and the religious freedom it safeguards for all faith communities. Thus, *Amici Curiae* have a strong interest in ensuring that the religious-autonomy doctrine is correctly treated as a structural limitation on civil-court authority constituting an immunity from suit that is reviewable by interlocutory appeal.

INTRODUCTION AND SUMMARY OF ARGUMENT

Since the Pilgrims landed at Plymouth Rock, religious liberty has been an animating force in the American experiment. Enshrining that freedom, the First Amendment preserves the ability of a diverse set of religions nationwide to practice and safeguard their own beliefs. Religious organizations across the country rely not only on the First Amendment’s guarantee of the free exercise of religion generally but also on its protection of their freedom to “organize voluntary religious associations to assist in the expression and dissemination of . . . religious doctrine.” *Kedroff v. St. Nicholas Cathedral Russian Orthodox Church in N. Am.*, 344 U.S. 94, 114 (1952). For the many believers whose “religious activity derives meaning in large measure from participation in a larger religious community,” *Corp. of Presiding Bishop of Church of Jesus Christ of Latter-day Saints v. Amos*, 483 U.S. 327, 342 (1987) (Brennan, J., concurring in the judgment), the importance of the First Amendment’s guarantee to protect a community’s collective practice of faith cannot be overstated.

As a necessary corollary of this fundamental freedom, the Court has long recognized and applied the “religious autonomy doctrine” to effectuate the First Amendment’s guarantee of religious liberty. *Roman Cath. Archdiocese of San Juan, Puerto Rico v. Acevedo Feliciano*, 589 U.S. 57, 62 (2020) (internal quotation marks omitted).² The doctrine provides religious

² The doctrine is also referred to as the “church autonomy” doctrine. *E.g.*, *Our Lady of Guadalupe Sch. v. Morrissey-Berru*, 591 U.S. 732, 747 (2020).

organizations the “power to decide for themselves, free from state interference, matters of church government as well as those of faith and doctrine.” *Hosanna-Tabor Evangelical Lutheran Church & Sch. v. EEOC*, 565 U.S. 171, 186 (2012) (internal quotation marks omitted); *Our Lady of Guadalupe*, 591 U.S. at 737. This principle represents the confluence of the Establishment Clause’s prohibition on “any attempt by government to dictate or even to influence such matters” and the Free Exercise Clause’s protection from “[s]tate interference” in the religious “sphere.” *Our Lady of Guadalupe*, 591 U.S. at 746. When the religious-autonomy doctrine applies in a dispute, courts must simply “stay out” of the matter. *Id.*

Recognizing the force of the doctrine, this Court has explained that “civil courts” may “exercise no jurisdiction” when the “subject-matter of dispute” falls within the religious rather than secular sphere. *Watson v. Jones*, 80 U.S. (13 Wall.) 679, 733 (1872); accord *Serbian E. Orthodox Diocese for U.S. of Am. & Can. v. Milivojevic*, 426 U.S. 696, 713–14 (1976). In other words, the principle of religious autonomy constitutes, at minimum, a “structural prohibition” on civil-court authority in cases within the doctrine’s ambit. *Huntsman v. Corp. of the President of the Church of Jesus Christ of Latter-Day Saints*, 127 F.4th 784, 803, 808 (9th Cir. 2025) (Bumatay, J., concurring in the judgment); accord *Hosanna-Tabor*, 565 U.S. at 196 (holding that the related ministerial exception “bars . . . a suit” when it applies). As a structural bar to judicial authority, the doctrine is thus an “immunity from suit in the civil courts.” *United Methodist Church, Balt. Ann. Conf. v. White*, 571 A.2d 790, 792–93 (D.C. 1990) (discussing, *inter alia*, *NLRB v. Cath. Bishop of Chi.*,

440 U.S. 490, 503 (1979)). And because it is an immunity from suit, an order denying the doctrine's application "is immediately appealable." *GEO Grp., Inc. v. Menocal*, 607 U.S. ----, 2026 WL 513536, at *5 (2026).

This case falls within the doctrine's scope. The alleged solicitation for Peter's Pence on which O'Connell's claims are based—involving statements made from the pulpit inside a church at Sunday Mass about a millennium-old collection taken up to support the "charitable works" of the Pope—consists of a religious message delivered in a religious setting informed by thousands of years of religious practice. *See* Pet. for Cert. at 4–7. Adjudicating O'Connell's claims would thus require delving into matters of faith and practice in the heartland of the religious-autonomy doctrine.

The district court, however, wrongly concluded otherwise and denied the USCCB's motion to dismiss based on the religious-autonomy doctrine. Compounding this error on interlocutory review, the court of appeals then held that the doctrine does not confer an immunity from suit and thus that an order rejecting the doctrine's application cannot be immediately appealed as of right.

The Court should grant the USCCB's Petition for a Writ of Certiorari and take this case to reverse the decision of the court of appeals. As courts and judges around the country have recognized in accordance with this Court's precedent, the religious-autonomy doctrine is a structural constraint on civil-court authority, it provides an immunity from suit, and an order denying the application of the doctrine is subject to immediate appeal. And these points are exceptionally important to vindicate. In religious communities

across the nation, faith groups’ exhortations to give and their handling of charitable giving are steeped in religious meaning and cannot be subject to secular interpretation that disregards religious context. Scrutinizing such practices in this way undercuts religious organizations’ ability to decide for themselves matters that the First Amendment commits to their authority. If civil courts are permitted to subject the USCCB to the burdens of litigation in this case to adjudicate the inherently religious message on which it is based, the religious liberty shared by all faith groups is threatened. If the Catholic Mass is not safe from government intrusion, courts next may make themselves superintendents of the Jewish Tefillah, the Adventist Sabbath, the Orthodox Divine Liturgy, the Muslim Jum’ah, and all other faiths’ worship services.

ARGUMENT

I. The Religious-Autonomy Doctrine Is a Structural Limit on Civil-Court Authority That Provides Immunity from Suit.

By its nature and as history and precedent confirm, the religious-autonomy doctrine is a structural constraint on judicial authority that provides religious organizations with immunity from suit when it applies.

“The independence of religious institutions to govern their own affairs free from government intrusion has ‘ancient roots’ in Anglo-American legal history” long pre-dating the Founding. *McRaney v. N. Am. Mission Bd. of S. Baptist Convention*, 157 F.4th 627, 634 (5th Cir. 2025), *certiorari denied*, No. 25-807 (Feb. 23, 2026). “[A]gainst this background,” *Hosanna-*

Tabor, 565 U.S. at 183, the Framers recognized the “unique character” of religious institutions in American life. Carl H. Esbeck, *The Establishment Clause as a Structural Restraint on Governmental Power*, 84 Iowa L. Rev. 1, 55 (1998); *see also Watson*, 80 U.S. at 728 (recognizing that religious liberty “lies at the foundation of our political principles”). So “our Framers adopted the First Amendment” to “guarantee[] to religious institutions ‘independence in matters of faith and doctrine and in closely linked matters of internal government.’” *McRaney*, 157 F.4th at 635 (quoting *Our Lady of Guadalupe*, 591 U.S. at 747); *see also Trump v. Hawaii*, 585 U.S. 667, 728 (2018) (Sotomayor, J., dissenting) (“The United States of America is a Nation built upon the promise of religious liberty.”).

The Court first discussed these principles more than 150 years ago in *Watson*, 80 U.S. at 679. There, the Court explained emphatically that the religious-autonomy doctrine follows necessarily from “the relations of church and state under our system of laws,” prohibiting judicial intrusion into religious matters. *Id.* at 727, 733; *see also Kedroff*, 344 U.S. at 116 (describing *Watson* as “radiat[ing] . . . a spirit of freedom” giving religious organizations “power to decide for themselves, free from state interference, matters of church government as well as those of faith and doctrine”).

Thus, under the First Amendment, religious organizations must be left free to manage and resolve religious matters—they “cannot belong to the civil magistrate.” John Locke, *A Letter Concerning Toleration* 7 (1689); *accord Watson*, 80 U.S. at 733

(explaining that “civil courts” may “exercise no jurisdiction” over such matters). The Religion Clauses, in other words, “protect a ‘sphere’ of autonomy for churches and other religious institutions and organizations,” into which “secular courts cannot intrude.” *O’Connell v. U.S. Conf. of Cath. Bishops*, No. 23-7173, 2025 WL 3082728, at *4, *13 (D.C. Cir. Nov. 4, 2025) (Rao, J., dissenting from denial of rehearing en banc) (quoting *Our Lady of Guadalupe*, 591 U.S. at 746). Within this “sphere,” religious organizations “may operate unhindered by government in accordance with their own understanding of divine origin and mission.” Esbeck, *supra*, at 56. In this way, the religious-autonomy doctrine reflects that “church and state are ‘two rightful authorities,’ each supreme in its own sphere.” *Cath. Charities Bureau, Inc. v. Wis. Lab. & Indus. Review Comm’n*, 605 U.S. 238, 257 (2025) (Thomas, J., concurring); accord *Huntsman*, 127 F.4th at 803 (Bumatay, J., concurring in the judgment) (explaining how, under the First Amendment, “church and state are separate sovereigns (or dual authorities) that each hold exclusive jurisdiction over certain subject matters”). For that reason, when the doctrine applies in a dispute, courts must “stay out” of the matter. *Our Lady of Guadalupe*, 591 U.S. at 746.

Accordingly, as this Court has “repeatedly recognized” in various ways, *O’Connell*, 2025 WL 3082728, at *13 (Rao, J., dissenting from denial of rehearing en banc), the religious-autonomy doctrine constitutes a “structural restraint on the government’s power to decide religious questions,” *Huntsman*, 127 F.4th at 800 (Bumatay, J., concurring in the judgment); see also *Hosanna-Tabor*, 565 U.S. at 196 (holding that the related ministerial exception “bars . . . a suit” when it

applies); *McRaney*, 157 F.4th at 633–34 (observing that the religious-autonomy doctrine “shields religious institutions from interference by state and federal courts” (citing *Our Lady of Guadalupe*, 591 U.S. at 746)). When it applies, courts lack “constitutional authority” to proceed any further in the dispute. *EEOC v. Cath. Univ. of Am.*, 83 F.3d 455, 457, 459–60 (D.C. Cir. 1996) (Buckley, J.) (affirming the district court’s *sua sponte* dismissal of an employment discrimination case brought by a professor of canon law at The Catholic University of America because the First Amendment “forbid[] judicial review” of the case).

Reading this Court’s cases the same way, courts around the country have rightly held that the religious-autonomy doctrine “rests on structural, constitutional limitations in the First Amendment.” *McRaney*, 157 F.4th at 644. For instance, writing for the Sixth Circuit, Judge Batchelder has explained how the ministerial exception offshoot of the religious-autonomy doctrine is a “structural limitation imposed . . . by the Religion Clauses” that “categorically prohibits federal and state governments from becoming involved in religious leadership disputes.” *Conlon v. InterVarsity Christian Fellowship*, 777 F.3d 829, 836 (6th Cir. 2015). Likewise, in the Fourth Circuit, cases involving the doctrine implicate “structural concerns regarding separation of powers.” *Billard v. Charlotte High Sch.*, 101 F.4th 316, 325 (4th Cir. 2024) (cleaned up). Similarly, the Third Circuit has recognized that the doctrine “is rooted in constitutional limits on judicial authority.” *Lee v. Sixth Mount Zion Baptist Church of Pittsburgh*, 903 F.3d 113, 118 n.4 (3d Cir. 2018). And as Judge Nelson expressed for the Ninth

Circuit, the doctrine “disallow[s] the government, including the judiciary,” from encroaching into the religious sphere. *Markel v. Union of Orthodox Jewish Congregations of Am.*, 124 F.4th 796, 809 (9th Cir. 2024); *see also id.* at 809 n.5 (recognizing that “the First Amendment generally prohibits merits discovery and trial” while the application of the related ministerial exception is in dispute and concluding that courts can raise the doctrine *sua sponte* to avoid “entangling the judiciary in religious issues in violation of the Religion Clauses” (collecting authorities)).

As a structural constraint forbidding judicial intrusion into matters within its sphere, the religious-autonomy doctrine is by its nature a “constitutional immunity from suit.” *McRaney*, 157 F.4th at 641; *see also Billard*, 101 F.4th at 324–25 (noting that the ministerial exception “immunize[d]” the defendant’s decision); *accord United Methodist Church, Balt. Ann. Conf.*, 571 A.2d at 792.³ As this Court explained, “[i]t is not only the conclusions that may be reached” by a civil tribunal that “may impinge on rights guaranteed by the Religion Clauses” to religious organizations “but also the very process of inquiry leading to findings and conclusions.” *Cath. Bishop*, 440 U.S. at 502; *see also New York v. Cathedral Acad.*, 434 U.S. 125, 133 (1977) (identifying the “prospect of church and

³ This remains true even if the doctrine, like the related ministerial exception, is considered an “affirmative defense.” *See Hosanna-Tabor*, 565 U.S. at 195 n.4. After all, both state sovereign immunity and the Eleventh Amendment are considered affirmative defenses. *See, e.g., Sung Park v. Ind. Univ. Sch. of Dentistry*, 692 F.3d 828, 830 (7th Cir. 2012); *Aholelei v. Dep’t of Pub. Safety*, 488 F.3d 1144, 1147 (9th Cir. 2007). Even so, these doctrines are immunities from suit. *See, e.g., P.R. Aqueduct & Sewer Auth. v. Metcalf & Eddy, Inc.*, 506 U.S. 139, 145–46 (1993).

state litigating in court” over a religious matter as threatening the “very core” of the Religion Clauses); *accord Markel*, 124 F.4th at 810 (discussing the “risk that stems from the process of judicial inquiry itself”); *Little v. Wuerl*, 929 F.2d 944, 949 (3d Cir. 1991) (recognizing that “the process of review itself” can create “excessive entanglement”). A contrary conclusion would impermissibly threaten faith groups with “substantial transgressions into their constitutionally protected sphere of independence.” *O’Connell*, 2025 WL 3082728, at *14 (Rao, J., dissenting from denial of rehearing en banc).

II. An Order Denying the Application of the Religious-Autonomy Doctrine Is Immediately Appealable.

Because the religious-autonomy doctrine is a structural constraint on judicial authority and a constitutional immunity from suit, a religious organization such as the USCCB is entitled to interlocutory review of an order denying the application of that doctrine. *See, e.g., GEO Grp.*, 2026 WL 513536, at *4 (the right to interlocutory appeal “generally turn[s] on whether the defendant has asserted . . . an immunity from suit”). As an immunity from suit, the doctrine’s “protection is total” when it applies. *McRaney*, 157 F.4th at 641. And because the wrongful denial of an invocation of the doctrine would gut its protections, working “irreparable injury on the religious organization” by forcing it to proceed in a lawsuit it is immune from, the doctrine’s denial must be “subject to an immediate interlocutory appeal.” *Id.* That is, “religious institutions must be permitted to vindicate their First Amendment rights” by interlocutory appeal, lest the

very “constitutional harm” the doctrine protects them from occurs. *See Loma Linda-Inland Consortium for Healthcare Educ. v. NLRB*, No. 23-5096, 2023 WL 7294839, at *18 (D.C. Cir. May 25, 2023) (Rao, J., dissenting from denial of injunction pending appeal).

Several courts around the country, and numerous federal judges otherwise, agree. For instance, in its recent *McRaney* decision, the Fifth Circuit recognized that an order denying the application of the religious-autonomy doctrine “is subject to an immediate interlocutory appeal.” 157 F.4th at 641. And as the USCCB notes, this is also the law in several states and the District of Columbia. *See* Pet. for Cert. at 21–22. As then-Chief Judge Judith Rogers explained for the District of Columbia Court of Appeals, if the immunity provided by the doctrine is to be meaningful, it “can be exercised, if at all, only before trial, and must be reviewed pretrial.” *United Methodist Church, Balt. Ann. Conf.*, 571 A.2d at 793.

Additionally, even in those circuits that have held otherwise, a chorus of jurists disagree. These judges have rightly recognized that orders denying the application of the religious-autonomy doctrine must be immediately appealable because subjecting faith groups protected by the doctrine “to further litigation would itself burden their First Amendment rights” and “after final judgment, the harm from judicial interference” in those organizations’ “governance will be complete.” *Belya v. Kapral*, 59 F.4th 570, 577–578 (2d Cir. 2023) (Park, J., joined by Livingston, C.J., and Sullivan, Nardini, and Menashi, JJ., dissenting from denial of rehearing en banc); *accord Tucker v. Faith Bible Chapel Int’l*, 53 F.4th 620, 625 (10th Cir. 2022)

(Bacharach, J., joined by Tymkovich and Eid, JJ., dissenting from denial of rehearing en banc) (explaining that the panel’s conclusion that an order denying the ministerial exception defense was not immediately appealable “reflects a fundamental misconception” of the doctrine); *Garrick v. Moody Bible Institute*, 95 F.4th 1104, 1124 (7th Cir. 2024) (Brennan, J., dissenting) (reasoning that such orders are immediately appealable because “early resolution of immunity under the church autonomy doctrine is essential to protect a religious organization’s First Amendment rights and to avoid excessive entanglement of the government in religious affairs”); *O’Connell*, 2025 WL 3082728, at *2 (Walker, J., concurring in denial of rehearing en banc) (explaining “why ecclesial defendants are entitled to appeal denials of motions to dismiss on church-autonomy grounds”); *id.* at *16 (Rao, J., dissenting from denial of rehearing en banc) (“Because the church autonomy defense is best understood as an immunity from suit, the district court’s rejection of the Bishops’ defense was an immediately appealable collateral order.”).

Under this Court’s decisions, that conclusion follows from the doctrine’s nature as an immunity from suit. Consider, by analogy, state sovereign immunity and Eleventh Amendment immunity. Like the religious-autonomy doctrine, these immunities are rooted in the constitutional recognition that states “maintain certain attributes of sovereignty” in the American political order. *E.g.*, *P.R. Aqueduct & Sewer Auth.*, 506 U.S. at 146. To vindicate that sovereignty, these protections are immunities from suit in federal court, lest their “value” be lost as “litigation proceeds” given that the legal process itself inflicts the harm

(encroachment on sovereignty) that they guard against. *Id.* at 145.⁴ So too here. *See, e.g., Belya*, 59 F.4th at 579–80, 580 n.4 (Park, J., joined by Livingston, C.J., and Sullivan, Nardini, and Menashi, JJ., dissenting from denial of rehearing en banc) (observing how sovereign immunity, “[l]ike . . . church autonomy,” is a structural feature of “the constitutional design” and “protects states from the burdens of litigation”). Given these aspects of those immunities, their denial is immediately appealable. *See, e.g., P.R. Aqueduct & Sewer Auth.*, 506 U.S. at 144 (“Once it is established that a State and its ‘arms’ are, in effect, immune from suit in federal court, it follows that the elements of the *Cohen* collateral order doctrine are satisfied.”).

Likewise, then, a denial of the application of the religious-autonomy doctrine is also reviewable by interlocutory appeal as of right. *See, e.g., GEO Grp.*, 2026 WL 513536, at *5 & n.3 (identifying a doctrine as an immunity from suit “offers a ready way of determining whether the denial of a request to dismiss a case” based on that doctrine is immediately appealable); *id.* at *10 (Alito, J., concurring in the judgment) (“[F]ederal courts have consistently held that denials of an immunity are collateral orders subject to immediate appeal.” (collecting authorities)); *see also O’Connell*, 2025 WL 3082728, at *17, *17 n.10 (Rao, J., dissenting from denial of rehearing en banc) (explaining

⁴ Absolute and qualified immunity, the denials of which are also subject to immediate appeal, vindicate comparable interests. *See O’Connell*, 2025 WL 3082728, at *15 (Rao, J., dissenting from denial of rehearing en banc); *Belya*, 59 F.4th at 578–80 (Park, J., joined by Livingston, C.J., and Sullivan, Nardini, and Menashi, JJ., dissenting from denial of rehearing en banc).

that in both *Hosanna-Tabor* and *Our Lady of Guadalupe*, this Court “reviewed the appellate courts’ denial of a church autonomy defense before the dispute went back to the district court and a full trial was held,” reinforcing “its suitability for interlocutory review”).

III. This Case Is Exceptionally Important for Religious Practice Across Faith Groups.

Judicial probing into religious dialogue about charity and related practices—what will inevitably occur in this case absent the Court’s intervention—threatens faith groups’ ability to determine the meaning of their religious doctrine, entrust their leaders with handling matters of faith, and refer internal controversies to their existing dispute-resolution mechanisms. Unless corrected by this Court, the erroneous decision below will thus harm not only the USCCB but also other groups whose religious communications and practices could be weaponized against them and wrongly subjected to secular scrutiny in civil court.

First, “charity” in a religious context often involves deeply complex matters of faith that may result in outcomes unexpected to a purely secular observer. In Judaism, for example, the greatest level of Maimonides’ Eight Levels of Charity is “to support a fellow Jew by endowing him with a gift or loan, or entering into a partnership with him, or finding employment for him, in order to strengthen his hand so that he will not need to be dependent upon others.” Mishneh Torah, *Laws of Charity*, 10:7–14[1]. Stripped of this religious understanding, a secular interpretation of “charity” might not contemplate a loan to the non-destitute, a job-training program for those of any socioeconomic background, or a partnership with a small business to

boost its work. But when a rabbi uses the term “charity” in the local synagogue, it may entail such meanings, which members of the community would understand but an outside observer might not.

Similarly for other faith groups, “charity” may mean more than meets the secular eye. For example, Adventists define charitable giving generally to encompass “any donations besides tithe and offerings given through an organization or directly to someone in need.” May-Ellen Coló, *Charitable Giving*, Seventh-day Adventist World Church, <https://tinyurl.com/mvv6uum6> (last visited Mar. 1, 2026). How Adventists understand what this encompasses may very well be different than what an unbeliever might understand it to mean if hearing a charitable solicitation from an Adventist pastor or elder while visiting during Sabbath service. Likewise, for Orthodox Christians or Muslims, if a court were to entertain whether funds voluntarily given to one of their organizations for their religiously defined “charitable purposes” were used for a purpose consistent with secular expectations of charity, it would deprive those religious communities of their right to live by their own understandings of these matters of faith and doctrine.

Second, generally the management of charitable funds voluntarily given to faith communities is committed to the discretion of religious leadership following religious principles that do not necessarily align with secular presuppositions. In Islam, for instance, the law for charity generally prescribes two forms of giving that are religious acts of worship—giving that serves God by serving humanity. The first form of giving, known as “Zakat,” is a mandatory annual

donation typically required of every Muslim based on a specific percentage of wealth (usually 2.5% of savings). *See generally* Islamic Relief Worldwide, *Zakat: Purifying and Blessing Your Wealth*, <https://tinyurl.com/55578yxv> (last visited Mar. 1, 2026). According to Islamic law and custom, Zakat must be distributed to specific categories of recipients defined in the Qur'an and Prophetic tradition, including the poor, those in debt, and other specified groups in need. *See id.* The second form of giving, "Sadaqah," refers to voluntary charity or almsgiving above and beyond the obligatory Zakat that a Muslim gives out of their own free will and ability. *See generally* Zakat Foundation, *What Is Sadaqah?*, <https://tinyurl.com/mubv2dbj> (last visited Mar. 1, 2026). Sadaqah can take various forms, including financial contributions, donations of physical goods, or even acts of kindness and support. *See id.* The primary goals of both Zakat and Sadaqah are to reduce economic inequality, support the welfare of the community, and purify the giver's wealth and soul. They also strengthen community bonds by redistributing wealth more equitably and are integral to promoting social justice and supporting the less fortunate. While both Zakat and Sadaqah can be given directly by a worshiper to a person in need, congregants routinely give those donations to a mosque and entrust its leadership to distribute those funds in accordance with Islamic law and generally accepted interpretations of thousand-year-old doctrines deeply rooted in faith.

Similarly, in Judaism, a gabbay appointed by a community not only manages charitable funds generally but also "is assumed to have the implicit authorization" to redirect "communal charity money"

allocated for one purpose to address “other communal needs” instead. *Charity*, text accompanying n.171, Halachipedia, <https://tinyurl.com/5n6ch4w6> (last visited Mar. 1, 2026). The permissible scope of this authority is a matter of religious debate. *See id.*; *Masechet Bava Batra 7a-13b* at 8a-b (Rabbi Adin Steinsaltz ed., 2009), tinyurl.com/49mjku83 (last visited Mar. 1, 2026).

In both circumstances, how the designated religious leaders allocate charitable funds is inherently a religious question guided by religious doctrine. But the decisions these leaders make as to the allocation of funds may not meet secular expectations about “charity.” A court wading into this sort of debate using its own secular principles would undercut the religious community’s doctrinally informed decision making.

Third, to resolve internal disputes between community members, religious groups often have their own dispute-resolution mechanisms whose functioning would be hindered by civil-court intrusion into such controversies. *See Hosanna-Tabor*, 565 U.S. at 204–05 & n.5 (Alito, J., concurring) (noting the “Lutheran doctrine that disputes among Christians should be resolved internally without resort to the civil court system and all the legal wrangling it entails”); Michael A. Helfand, *Litigating Religion*, 93 B.U. L. Rev. 493, 509–10 & nn.77–83 (2013) (describing various Christian denominations’ use of “church courts” that “adjudicat[e] disputes between individual co-religionists or competing factions in accordance with shared religious norms and values”); *see also Matthew* 18:15–17 (recounting Jesus of Nazareth’s

teaching about internal dispute resolution, which requires first attempting to resolve issues privately before involving witnesses, and then the church).

For example, the Greek Orthodox Church maintains “mechanisms for resolving grievances and mediating conflicts” that pertain to “ecclesiastical, theological, canonical, Church governance or Church property issues,” or “the life of the Parish or Church community.” *Dispute Resolution Procedures*, Greek Orthodox Archdiocese of America, <https://tinyurl.com/4zpkwpds> (last visited Mar. 3, 2026). Similarly, the Seventh-day Adventist Church warns that secular “adversarial proceedings . . . must be discouraged by a church that seeks to exhibit the spirit of Christ.” Secretariat, General Conference of Seventh-day Adventists, *Seventh-day Adventist Church Manual* 68 (21st ed. 2025), <https://tinyurl.com/bp9h4j4a>. Following guidance in 1 *Corinthians* 6:7, Adventists believe that “it is no light matter for a member, outside the orderly processes of the Church, to litigate a grievance against another member.” *Id.* at 69. Therefore, the Seventh-day Adventist Church encourages members to “prefer settlement within the authority of the Church.” *Id.*

These internal dispute-resolution processes are part of these faith groups’ religious practices. Permitting civil-court intervention in religious disputes strips these religious communities of their ability to handle their own internal disputes in accordance with these mechanisms.

The complex understanding of charity across faith traditions, religious leaders’ role in the management of charitable giving, and the existence of internal

dispute-resolution mechanisms to resolve faith-related disputes all underscore the need for the religious-autonomy doctrine. Without it, one faction in a religious community aggrieved by another faction over a religious matter could drag that other faction into court and induce the judiciary to settle intragroup differences, preventing the religious community from reaching its own resolution of that internal dispute. Such an outcome would cut to the core of the religious-autonomy doctrine: protecting religious bodies' "power to decide for themselves, free from state interference, matters of church government as well as those of faith and doctrine." *Hosanna-Tabor*, 565 U.S. at 186 (internal quotation marks omitted).

CONCLUSION

The Court should grant the USCCB's Petition for a Writ of Certiorari.

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