No. 26-

IN THE

Supreme Court of the United States

JASVINDER SINGH, et al.,

Petitioners,

v.

THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF WASHOE, et al.,

Respondents.

On Petition for a Writ of Certiorari to the Supreme Court of Nevada

PETITION FOR A WRIT OF CERTIORARI

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QUESTION PRESENTED

The church-autonomy doctrine shields religious institutions from civil-court interference in matters of internal governance, including church hierarchy and polity. This Court has recognized one caveat: Civil courts may still resolve disputes over the ownership of church property using secular, "neutral principles" of law, "developed for use in all property disputes." See *Presbyterian Church in U.S.* v. *Mary Elizabeth Blue Hull Mem'l Presbyterian Church*, 393 U.S. 440, 449 (1969); *Jones* v. *Wolf*, 443 U.S. 595, 602–04 (1979). Though this Court has never extended the neutral-principles approach beyond the property-ownership context, lower courts are split on whether to do so. Below, the Nevada Supreme Court expanded the doctrine beyond its property-law context, allowing a state court to adjudicate a dispute among members of the Northern Nevada Sikh Society over the Society's membership and management. The question presented is:

Whether the church-autonomy doctrine allows a civil court to invoke "neutral principles" beyond the property-ownership context, and thus to decide a religious institution's internal governance dispute under organizational documents that define membership and authority in religious terms.

RELATED PROCEEDINGS

This case arises from the following proceedings in the Nevada Supreme Court and the Second Judicial District Court of the State of Nevada:

Singh v. *Second Jud. Dist. Ct. in & for Cnty. of Washoe,* 586 P.3d 858 (Nev. 2026);

Arjun Singh v. *Jasvinder Singh*, No. CV24-02670 (Nev. Dist. Ct. Feb. 25, 2025) (denying motion to dismiss); and

Manjit Singh v. *N. Nev. Sikh Soc'y*, No. CV24-00404 (Nev. Dist. Ct. Sept. 4, 2024) (granting motion to dismiss predecessor litigation).

No other proceedings relate directly to this case.

PARTIES TO THE PROCEEDINGS BELOW

Petitioners are Jasvinder Singh, Kuldeep Singh Ghuman, Nachhater Singh, Divinder Chawla, Gurmail Singh, Jaswinder Singh Dhami, Parmjit Singh, and Sarvpreet Singh Bains.

Respondents are the Second Judicial District Court of the State of Nevada, in and for the County of Washoe; the Honorable Kathleen M. Drakulich; Arjun Singh, Kulwant Singh Johal, Dilbag Singh, and Tarsem Singh.

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INTRODUCTION

The First Amendment enshrines a "general principle of church autonomy," which "protects the right of religious institutions to decide for themselves, free from state interference, matters of church government as well as those of faith and doctrine." *Our Lady of Guadalupe Sch.* v. *Morrissey-Berru*, 591 U.S. 732, 737, 747 (2020) (cleaned up). Such "questions of discipline, or of faith, or ecclesiastical rule, custom, or law" are beyond the civil courts' power. *Watson* v. *Jones*, 80 U.S. (13 Wall.) 679, 727 (1872). One narrow caveat exists: Courts may resolve "a dispute over the ownership of church property . . . on the basis of 'neutral principles of law,'" *Jones* v. *Wolf*, 443 U.S. 595, 597 (1979)—the kind of principles "developed for use in all property disputes," *Presbyterian Church in U.S.* v. *Mary Elizabeth Blue Hull Mem'l Presbyterian Church*, 393 U.S. 440, 449 (1969). This Court has declined to extend this "neutral principles" approach beyond the property-ownership context.

Below, however, the Nevada Supreme Court did just that. Petitioners are the elected religious leadership of the Northern Nevada Sikh Society, a nonprofit organization "with the sole purpose of preaching and professing of the Sikh religion." App. 19a. Respondents are former Sikh Society leaders who claim that Petitioners' elections to their leadership roles and actions in those roles violate the Society's bylaws. Respondents want a civil court to remove Petitioners from those roles and "void" their official actions.

The Nevada high court allowed these claims to proceed. The court acknowledged that other courts "are split as to whether the neutral-principles exception may apply beyond the context of church property disputes," App. 10a, and that the exception "has generally been applied only to real property disputes," *id.* at 15a. Still, it concluded—"absent Supreme Court authority holding otherwise"—that the neutral-principles approach "may apply beyond real property disputes" to reach any religious governance issue that can be resolved "without consideration of ecclesiastical or doctrinal matters." *Id.* at 12a–13a. And while the Sikh Society's bylaws are suffused with religious tenets and requirements, the court concluded that the *specific* bylaws at issue are "secular," so a civil court can enforce them against the Society's leadership. *Id.* at 13a–14a.

By extending the neutral-principles approach in this way, the Nevada Supreme Court deepened an acknowledged split. On one side, Nevada joined the Second, Eighth, Ninth, and D.C. Circuits, as well as the high courts of Alaska, Kentucky, South Carolina, and Texas, in applying the neutral-principles approach to allow various claims directly targeting church hierarchy, discipline, or polity. On the other side, the Fifth, Sixth, and Eleventh Circuits and the highest courts in Arkansas, Georgia, and Oklahoma, plus other state appellate courts, limit the neutral-principles approach to property-ownership disputes.

This case is an ideal vehicle to resolve this split. The Nevada Supreme Court squarely decided the federal question in a published, precedential opinion; no alternative grounds exist; and no factual development is needed to decide whether the First Amendment allows civil courts to adjudicate a religious organization's internal governance disputes. The judgment below is also final, both because it resolved an original writ proceeding and because the federal issue is finally resolved.

This is an important, recurring issue, as the volume of recent litigation attests. And the reasoning below invites civil courts nationwide to oversee the internal affairs of religious bodies whenever a plaintiff can frame a governance dispute in facially secular terms—which is almost always possible. The Court should grant the petition and reverse the decision below to ensure that the church-autonomy doctrine is not hollowed out in this way.

OPINIONS BELOW

The Nevada Supreme Court's opinion is reported at 586 P.3d 858 and reproduced at App. 1a–16a.

JURISDICTION

The Nevada Supreme Court entered judgment on April 2, 2026. On May 26, Justice Kagan extended the time to file this petition to July 31. This Court has jurisdiction under 28 U.S.C. § 1257(a). See *infra* § IV.

CONSTITUTIONAL PROVISION INVOLVED

The First Amendment provides that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."

STATEMENT

1. Sikhism is a monotheistic religion founded in the Punjab region of South Asia in the late fifteenth century by Guru Nanak and developed through the teachings of the nine Gurus who succeeded him. Its central tenets include devotion to one God, the inherent equality and dignity of all persons, honest work, service to others, generosity, and resistance to injustice and oppression. Sikh religious life is guided by scripture, communal worship, and ethical discipline,

and observant Sikhs may maintain visible articles of faith—including uncut hair and a turban—as expressions of their religious commitment. Sikhism thus combines spiritual devotion with a strong emphasis on equality, public service, and moral responsibility. It is the world's fifth-largest religion, with over 25 million followers globally.

The Northern Nevada Sikh Society is a religious institution organized as a nonprofit under Nevada law. Formed in 1994, the Sikh Society owns and manages the Sikh Temple of Reno, Nevada, which is used by the congregation, or *Sangat*, as a place of worship. App. 3a.

The Sikh Society's governing documents reflect its religious character. The bylaws provide that the Society "is a charitable organization with the sole purpose of preaching and professing of the Sikh religion." App. 19a. Likewise, the bylaws describe membership in religious terms: A member must be a Sikh by birth, marriage, adoption, or conversion; must "believe[] in *Shri Guru Granth Sahib*" (the central holy scripture of Sikhism) and in the "scriptures of [the] Ten Gurus" who founded and shaped Sikhism; may "not believe or profess any other religion"; and must "understand[] the nature and importance of 'AMRIT,'" a Sikh baptism and initiation ceremony. *Id.* at 19a.

The Sikh Society is governed by an elected management committee. App. 19a. The management committee, too, has a religious character. Its members must "take [certain] blessings" and "undertake a solemn oath" to respect "the institution and [its] beliefs." *Id.* at 22a. They also "must possess high knowledge of Gurbani and Sikh history" and "strictly abstain from alcohol/tobacco and other drugs," as Sikh teachings require. *Id.* at 26a. The bylaws further prescribe the religious qualifications and duties of the *granthi* (head priest). *Id.* at 27a–28a.

2. In 2024, Respondents, who formerly held management-committee positions, filed this action against Petitioners, the Sikh Society's current religious leadership. App. 3a. The dispute arose from Petitioners' efforts to place the Society's Temple, or *gurdwara*, in a management-committee-administered trust for the congregation's continued use for specified religious purposes. Those efforts included the formation of two committees to explore taking these steps. *Id.* at 3a–4a. Petitioners are members of either these committees or the management committee.

The complaint acknowledges that the Sikh Society owns the Temple and does not assert that Respondents have any ownership interest themselves. Rather, it alleges that Petitioners breached the Society's bylaws by creating the two committees and trying to transfer the Society's Temple into a trust. App. 47a–50a. It also alleges that Petitioners have violated the bylaws by failing to keep records of the Sikh Society's membership or to provide written evidence of Society membership status, which has supposedly "prevented [the Society] from ensuring that General Members receive notice and properly vote at election, regular, and special meetings." *Id.* at 51a. And it claims Petitioners have failed to allow inspection of the Society's books and records. On these grounds, the complaint seeks a judgment—backed by injunctive relief—declaring that (i) Petitioners who serve on the management committee "have not been elected . . . by the valid General Members" of the Sikh Society, so their "actions . . . are void"; (ii) the Temple "must remain the property of" the Society; and (iii) the committees "are void" and "lack the authority to dispose of [Society] assets." *Id.* at 53a.

Petitioners moved to dismiss, arguing that the church-autonomy doctrine bars the suit because it seeks judicial review of a religious body's internal governance decisions. App. 4a–5a. The trial court denied the motion, concluding that the complaint did not implicate "religious doctrine or practice." *Id.* at 4a. The parties stipulated to stay the trial-court proceedings, and Petitioners filed an original petition for a writ of prohibition or mandamus in the Nevada Supreme Court. *Id.* at 5a.

The Nevada Supreme Court recognized that the petition presented "an important constitutional issue": "whether courts may apply the neutral-principles exception to the ecclesiastical abstention doctrine in factual scenarios beyond real property disputes, so long as the issues before [them] are resolvable without inquiry into religious doctrine, practice, or texts." App. 6a. The court acknowledged that other courts "are split" on this question, *id.* at 10a, and that the neutral-principles approach "has generally been applied only to real property disputes," *id.* at 15a. Even so, the Nevada high court concluded that—"absent Supreme Court authority holding otherwise"—"the neutral-principles exception . . . may apply beyond real property disputes among church members." *Id.* at 12a–13a. In the court's view, the key question is "whether the court is able to apply neutral principles of law to resolve the issues at hand without consideration of ecclesiastical or doctrinal matters." *Id.* at 13a.

Applying that rule, the court concluded that Respondents' claims do "not require the court to resolve, or consider, ecclesiastical controversies, doctrines, practices, or texts." App. 13a. The court acknowledged

Petitioners' position that "the decision to place the Temple in trust is a decision of internal governance premised on ecclesiastical concerns" and "relates to the heart of [the Society's] religious practices." *Id.* Still, the court said the dispute could be resolved simply by applying state law and the Society's "governing corporate documents," which it described, without explanation, as "secular." *Id.* at 14a. The court thus rejected Petitioners' argument that the First Amendment protects church *governance* independently of its prohibition on deciding explicitly religious questions. See *id.* at 5a, 9a. On that basis, the court denied the petition, allowing the case to proceed.

The trial court proceedings remain stayed pending this Court's action on this petition.

REASONS FOR GRANTING THE PETITION

I. Lower courts are openly split on whether the neutral-principles approach applies outside the property-ownership context.

The decision below deepens a mature, acknowledged split over whether the neutral-principles approach extends beyond its property-law origins to reach various other disputes over church governance, hierarchy, and polity—including in cases involving membership, bylaws, and elections. See App. 10a; Lael Weinberger, *The Limits of Church Autonomy*, 98 Notre Dame L. Rev. 1253, 1257–58 (2023) (noting "circuit splits and doctrinal tensions among the lower courts" as they have "struggl[ed] to find the limiting principle"). The Second, Eighth, Ninth, and D.C. Circuits, and the high courts of Alaska, Kentucky, South Carolina, and Texas agree with the decision below—though not without strong objections from distinguished judges. Holding the opposite view are the Fifth, Sixth, and Eleventh

Circuits, the high courts of Arkansas, Georgia, and Oklahoma, and appellate courts in other states. This split warrants resolution.

A. Nevada joined four circuits and four states in expanding the neutral-principles approach beyond property disputes.

Below, Nevada joined a number of courts that have expanded the neutral-principles approach to reach disputes well beyond church property ownership. These courts treat the church-autonomy doctrine merely as barring courts from deciding ecclesiastical questions, not as protecting church governance or autonomy per se. Each such jurisdiction has thus allowed a facially secular claim against a religious institution to proceed, even though it targeted internal governance matters.

The Ninth Circuit. Much like this case, *Puri* v. *Khalsa* addressed "a dispute over the control of two nonprofit entities associated with" a Sikh religious community. 844 F.3d 1152, 1154 (9th Cir. 2017). The plaintiffs alleged schemes to "exclude them from certain management positions and to convert millions of dollars in assets," in violation of the organizations' articles of incorporation and bylaws as well as state law. *Id.* at 1154–56. The bylaws set religious qualifications to serve as directors of the corporation at issue. *Id.* at 1155. The plaintiffs sought damages and declarations that they properly held management roles. *Id.* at 1156–57.

The district court dismissed these claims, but the Ninth Circuit reversed. The Ninth Circuit was "unaware of any authority or reason precluding courts from deciding other types of church disputes by application of purely secular legal rules, so long as the dispute does not fall within the ministerial exception and can be decided without resolving underlying controversies over religious doctrine." *Id*. at 1165 (cleaned up). The court thus let the governance dispute proceed. *Id*. at 1165–68. Although *Puri* has been abrogated on other grounds, "its analysis and conclusion as to the ecclesiastical abstention doctrine and the neutral-principles exception remain unaffected." App. 11a.

The Ninth Circuit is not, however, unanimous on this score. In another case where the court refused to apply the church-autonomy doctrine (but ruled for the church on other grounds), Judge Bress wrote separately to warn that what matters is not whether a dispute can be "characterized in secular terms" under "neutral law," or whether the disputed terms "have secular meanings," but whether the claims target "matters of church government [or] those of faith and doctrine." See *Huntsman* v. *Corp. of the President of The Church of Jesus Christ of Latter-day Saints*, 127 F.4th 784, 795, 797, 798 (9th Cir. 2025) (en banc) (Bress, J., joined by M. Smith, Nguyen, & VanDyke, JJ., concurring) (citation omitted). Judge Bumatay likewise emphasized that, under "the Establishment Clause's text and historical understanding," the church-autonomy doctrine "operates as a strict bar to federal courts deciding matters of faith, doctrine, and church governance." *Id.* at 801–11 (Bumatay, J., concurring in the judgment); cf. *Markel* v. *Union of Orthodox Jewish Congregations of Am.*, 124 F.4th 796, 808 (9th Cir. 2024) (rejecting the argument that the ministerial exception applies only to employment decisions with a "religious purpose"), *cert. denied*, 145 S. Ct. 2822 (2025).

Below, the Nevada Supreme Court aligned itself with the Ninth Circuit, relying heavily on *Puri*. App. 2a, 11a–13a. In Nevada, too, the neutral-principles approach "may apply beyond real property disputes among church members," so long as the dispute is "resolvable without inquiry into religious doctrine, practice, or texts." *Id.* at 6a, 12a.

The Second Circuit. In *Belya* v. *Kapral*, the Second Circuit considered whether the church-autonomy doctrine would bar a bishop's defamation suit against church officials who publicly accused him of forging his appointment letters. 45 F.4th 621, 625–27 (2d Cir. 2022), *cert. denied*, 143 S. Ct. 2609 (2023). The court allowed the claim to proceed, reasoning that the neutral-principles approach "goes beyond solely church property disputes" so long as the court "relies exclusively on objective, well-established legal concepts." *Id.* at 630 & n.8 (cleaned up).

Judge Cabranes dissented from the denial of rehearing en banc, urging that "the matter can and should be reviewed by the Supreme Court." *Belya* v. *Kapral*, 59 F.4th 570, 573 (2d Cir. 2023). Likewise, Judge Park, joined by four others, argued in dissent that "the panel's extension of the 'neutral principles' approach from a different context involving church property disputes is unfounded." *Id.* at 580 (Park, J., joined by Livingston, C.J., Sullivan, Nardini, & Menashi, JJ., dissenting from denial of rehearing en banc). "Simply accepting [the plaintiff's] styling of the case as [secular], and reasoning that such a claim can be decided with neutral principles of law, elevates form over substance . . . . Taken to its logical endpoint, this approach would eviscerate the church autonomy doctrine." *Id.* at 581–82. Judge Park also noted "the growing number of courts struggling to define the contours of the church autonomy doctrine." *Id.* at 582.

The Eighth Circuit. In *Drevlow* v. *Lutheran Church, Missouri Synod*, a minister sued his church for libel, negligence, and tortious interference, alleging that the church placed false information in his personnel file. 991 F.2d 468, 469 (8th Cir. 1993). The Eighth Circuit allowed his claims to proceed because the "First Amendment does not shield employment decisions made by religious organizations" that "do not implicate religious beliefs, procedures, or law." *Id*. at 470–72.

The D.C. Circuit. In *O'Connell* v. *U.S. Conference of Catholic Bishops*, a parishioner sued the Conference for fraud, unjust enrichment, and breach of fiduciary duty, claiming he was misled about how his donations to the Catholic Church would be used. 134 F.4th 1243, 1249–50 (D.C. Cir. 2025), *cert. denied*, No. 25-849, 2026 WL 1463216 (May 26, 2026). The district court declined to dismiss the claims. In denying collateral-order review, the D.C. Circuit panel concluded that the church-autonomy doctrine did not bar the claims because the "plaintiff can plausibly assert a secular claim capable of resolution according to neutral principles of law." *Id*. at 1257–58.

Judge Rao dissented from the denial of rehearing en banc, warning that "if the mere invocation of neutral principles permits a court to interfere with church autonomy, then the constitutional protection is a dead letter." *O'Connell* v. *U.S. Conf. of Cath. Bishops*, No. 23-7173, 2025 WL 3082728, at *7 (D.C. Cir. Nov. 4, 2025); see also *id.* at *2 (Walker, J., concurring in the denial of rehearing en banc).

Alaska. In *Marshall* v. *Munro*, a minister sued a church executive for defamation, interference with contract, and breach of contract when he was denied a position at a different church because of derogatory information that the executive provided. 845 P.2d 424, 425 (Alaska 1993). The Alaska Supreme Court allowed most of the minister's claims to proceed, holding the "neutral terms" approach applies "in property or other civil disputes." *Id.* at 426.

Kentucky. In *Kant* v. *Lexington Theological Seminary*, the Kentucky Supreme Court allowed a seminary professor's breach-of-contract claim over his termination to proceed, reasoning that "neutral principles of law can be applied" because the professor's "claim involve[d] no consideration of or entanglement in church doctrine." 426 S.W.3d 587, 588, 596 (Ky. 2014).

South Carolina. In *Banks* v. *St. Matthew Baptist Church*, the South Carolina Supreme Court allowed church trustees' defamation claim against their pastor for statements made at a congregational meeting, holding that "[u]nder the neutral principles of law approach, courts may apply property, corporate, and other forms of law to church disputes," and that the statements at issue were "independent of religious doctrine or governance." 750 S.E.2d 605, 606–07, 608 (S.C. 2013) (cleaned up).

Texas. In *Southern Methodist University* v. *South Central Jurisdictional Conference of the United Methodist Church*, the Conference sued the University for amending its articles of incorporation without Conference approval—a move prohibited by those same articles of incorporation. 716 S.W.3d 475, 478 (Tex. 2025). The Texas Supreme Court recognized that "courts must be careful not to intrude upon internal matters of church governance," but it concluded that the neutral-principles approach applied because the court need not "opine on matters of church doctrine"; the "claims may be resolved by looking solely to Texas statutes and SMU's articles of incorporation." *Id.* at 482 (citation omitted).

Three concurring Justices opined that "litigating corporate articles and litigating property disputes are materially indistinguishable for these purposes—both are delicate, but both are doable." *Id.* at 504 (Young, J., joined by Devine & Sullivan, JJ., concurring). That said, they warned that "dismissal may be inevitable for cases in which it is impossible to impose general secular law against a religious organization without affecting its internal governance, even if the court does not formally address any question of doctrine." *Id.* at 503.

B. Three circuits and at least three states confine the neutral-principles approach to property disputes.

A second, equally developed line of authority holds that the neutral-principles approach applies only in the context of disputes about contested ownership of church property by competing church factions. In those jurisdictions, the approach may not be deployed to resolve disputes over religious governance, discipline, or polity—even if the plaintiff's claims are pleaded in secular terms and do not require the courts to resolve explicitly religious questions.

The Fifth Circuit. The Fifth Circuit's recent decision in *Lutheran Church—Missouri Synod* v. *Christian* most starkly illustrates the conflict. There, the Synod, a church organized as a nonprofit, had established Concordia University as an "agency" of the church. 178 F.4th 193, 197 (5th Cir. 2026). When "Concordia's Board of Regents voted unilaterally to change its internal governing documents to reject the [church's] authority and governance," the church sued the university and vice versa. *Id.* at 198. The key question was whether diversity of citizenship existed—a question the district court answered in the negative, "rel[ying] heavily on an interpretation of the Synod's bylaws and governing documents." *Id.*

The Fifth Circuit reversed. Writing for the panel, Judge Jones acknowledged that "[c]hurch autonomy is not violated when a court can apply neutral principles to disputes involving church property." *Id.* at 201. "But the property exception to the church autonomy doctrine is narrow," and it did not apply: Though the case "secondarily involve[d] a property dispute," it "principally require[d] a determination of church hierarchy," and "[m]atters of church governance are not for the courts." *Id.* at 202. The district court had improperly "replaced the Church's description of its polity, rooted in doctrine, with the court's secular reading of the Church's constitution, bylaws, and policies." *Id.* at 200. If courts could "wade[] into matters of ecclesiastical hierarchy and representation" through an "independent interpretation" of a religious organization's "governance documents," the "narrow" neutral-principles exception "would swallow the rule." *Id.* at 202; see also *id.* at 203 n.1 (Elrod, J., concurring) (agreeing with these points).

In the Fifth Circuit, then, the neutral-principles approach is "very clearly limited" to "property-dispute cases." See *McRaney* v. *N. Am. Mission Board of the S. Baptist Convention*, 157 F.4th 627, 648 (5th Cir. 2025) (barring a former ministry director's tort claim against a Baptist mission board). Put differently, the approach "is endogenous to the church autonomy doctrine—it is not some freestanding exception to the doctrine that allows courts to tread on *terra sancta* in the name of 'neutrality.'" *Id.* at 648–49. Thus, even "facially 'neutral' causes of action" beyond the property context are barred if "*application* of the neutral rules to religious institutions" would intrude on church governance. *Id.* at 651. As Judge Ho wrote in a dissent that the court later vindicated: "If religious liberty under our Constitution means anything, it surely means at least this much: that the government may not interfere in an internal dispute over who should lead a church." *McRaney* v. *N. Am. Mission Bd. of S. Baptist Convention, Inc.*, 980 F.3d 1066, 1067 (5th Cir. 2020) (Ho, J., joined by Jones, Smith, Elrod, Willett, & Duncan, JJ., dissenting from denial of rehearing en banc); see *id.* at 1069 ("decisions about whom to place in leadership" are protected from civil interference).

The Sixth Circuit. In *Hutchison* v. *Thomas*, the Sixth Circuit barred a minister's fraud, defamation, and contract claims against a church and church officials stemming from his forced retirement under church rules. 789 F.2d 392, 392–93 (6th Cir. 1986). As the court held, the neutral-principles approach "applies only to cases involving disputes over property" and "has never been extended to religious controversies in the areas of church government, order and discipline"—"nor should it be." *Id.* at 396. Matters of "internal church discipline, faith, and organization" are protected from civil intrusion. *Id.*

The Eleventh Circuit. In *Crowder* v. *Southern Baptist Convention*, congregants challenged the Convention's internal election bylaws, processes, and parliamentary rulings, seeking a declaration that members of a convention committee "were without authority to serve in that capacity." 828 F.2d 718, 720 (11th Cir. 1987). The Eleventh Circuit rejected these claims because "civil courts may not use the guise of the 'neutral principles' approach to delve into issues" of "internal church governance." *Id.* at 724–25. "Although a civil court might be able to avoid questions of religious beliefs or doctrines" in adjudicating these claims, "the composition of the church hierarchy [is] at the core of ecclesiastical concern." *Id.* at 726 (citation omitted). Moreover, the state's interest in providing a civil forum "is substantially diminished where the controversy does not concern formal title to property." *Id.* at 725–26; see also *Eglise Baptiste Bethanie de Ft. Lauderdale, Inc.* v. *Seminole Tribe of Fla.*, 824 F. App'x 680, 683 (11th Cir. 2020) (per curiam) (court could not determine whether defendant "was the rightful successor to the church's leadership" without "inquir[ing] into church rules, policies, and decision-making," and such "matters of church governance, administration, and membership" are "manifestly ecclesiastical").

Arkansas. In *El-Farra* v. *Sayyed*, an imam brought breach of contract, tortious interference, and defamation claims against his mosque after he was fired for supposedly controversial and offensive behavior during his sermons. 226 S.W.3d 792, 793 (Ark. 2006). The Arkansas Supreme Court reasoned that the court could not hear his claims because the neutral-principles approach was a "narrow exception" that applies "only with regard to real-property disputes." *Id.* at 795.

Georgia. In *Anderson* v. *Dowd*, the Georgia Supreme Court relied on the presence or absence of a state-law property right to distinguish constitutionally permissible and impermissible claims. 485 S.E.2d 764 (Ga. 1997). There, people claiming to be church members brought suit challenging "their exclusion from membership." *Id.* at 766. As the court recognized, "civil courts have no jurisdiction to inquire into and to control the acts of the governing authority of a religious organization undertaken with reference to its internal affairs." *Id.* (citing state-court precedents applying this Court's First Amendment cases). Because church membership "is not a property right," a civil court could not second-guess "the validity of the exclusion of the members of [the church] from membership." *Id.* Conversely, a court *could* adjudicate a "derivative property claim on behalf of [the church] itself" against a separate entity related to the "use and possession" of real property (though that claim failed on the merits). *Id.* at 766–67.

Oklahoma. The Oklahoma Supreme Court has similarly limited the neutral-principles approach to property issues. In *Oklahoma Annual Conference of the United Methodist Church, Inc.* v. *Timmons*, a local church sought to disaffiliate from the denomination "while retaining its real property." 2023 OK 101, ¶ 1. The denomination's rules provided for that process, in terms that appeared entirely secular. *See id.* ¶ 3 (describing a notice and voting process, with timing and procedural requirements). When the local church sued to enforce those terms, *id.* ¶ 5, the state high court held the suit improper. "Where a dispute involves only narrow property issues, without any reference to religious doctrine and practice, courts may apply neutral principles of law," but "a court may not, under the neutral principles approach, decide for itself *what any governing church provisions mean*." *Id.* ¶ 10 (emphasis added). For example, questions of "membership" or "expulsion" are off-limits to civil courts. *Id.* ¶ 11.

These principles barred the disaffiliation suit: Resolving the claims would require interpreting "church-created procedural language" in "a governing church document," which "is an ecclesiastical issue." *Id.* ¶ 12. That is, for a court to decide whether the denomination "violated its own procedures," it would have to "interpret those internal church procedures." *Id.* "Under the church autonomy doctrine, courts cannot—and should not—do that." *Id.* In so holding, the court did not note, much less require, that the procedural provisions at issue have explicitly religious content. See *id.* ¶¶ 3, 12.

Finally, intermediate appellate courts in other states have similarly cabined the neutral-principles approach—including in cases much like this one.

The Illinois appellate court rejected claims challenging how a church handled "voting membership" for "elect[ion] to the board of directors": "Because there are no clear signs" in Supreme Court precedent "that a neutral principles analysis is applicable beyond property cases, we believe it best to err on the side of expanding rather than restricting first amendment protection." *Bruss* v. *Pryzbylo*, 895 N.E.2d 1102, 1106, 1123, 1125 (Ill. App. 2008). The Illinois court thus "follow[ed] the several courts that have categorically refused to apply neutral principles where a controversy involves matters of discipline, faith, internal organization, or ecclesiastical rule, custom, or law." *Id.* at 1125 (cleaned up).

Similarly, the North Carolina appellate court turned aside claims alleging "violations of the bylaws" related to parish-council membership. *Azige* v. *Holy Trinity Ethiopian Orthodox Tewahdo Church*, 790 S.E.2d 570, 572 (N.C. App. 2016). Though the plaintiffs claimed to assert "a simple procedural disagreement over the adoption of bylaws in accord with proper procedure," the claims were improper because they turned on membership, which "is a core ecclesiastical matter." *Id.* at 573–74.

And the Tennessee Court of Appeals rejected a claim challenging whether votes "regarding the internal affairs and management of the church" "were cast by members," explaining that (as here) "membership require[d] compliance with religious doctrine," so "questions of membership" could not be adjudicated. *Gunn* v. *First Baptist Church*, No. 2017-2382, 2018 WL 2749639, at *4 (Tenn. App. June 7, 2018). Indeed, whether "a church violated its own rules is not reviewable." *Id.*

* * *

This split is developed, entrenched, and acknowledged. Courts disagree not just about whether the neutral-principles approach applies beyond the property context generally, but about whether it allows claims specifically addressing management, bylaws, voting, and membership.

In turn, Petitioners would have prevailed in these other jurisdictions. While the Nevada high court holds that "the neutral-principles exception . . . may apply beyond real property disputes," App. 12a, these courts hold that it "applies only to cases involving disputes over church property," *Hutchison*, 789 F.2d at 396. While the Nevada court blessed a civil court's interpretation and application of the Sikh Society's "governing corporate documents," App. 14a, other courts recognize that a religious organization's "interpretation of its own governing documents" controls, *Lutheran Church*, 178 F.4th at 203; *Timmons*, 2023 OK 101, ¶¶ 11–12. And while the Nevada court allowed claims that Petitioners "were not properly elected to the Management Committee by an election pursuant to [Society] bylaws," App. 4a, other courts hold that such claims are improper—even if they do not implicate any "doctrinal conflict," *Crowder*, 828 F.2d at 726.

II. The decision below is wrong.

The decision below concludes that a civil court can adjudicate any internal religious-governance dispute that can be described in the secular language of corporate structures and bylaws. That is wrong. The church-autonomy doctrine does not merely prevent civil courts from getting entangled in questions of religious doctrine—it also protects religious institutions' freedom to order and conduct their affairs. That principle is violated if a court decides who is *really* a member or leader of the congregation, even on supposedly secular grounds. The neutral-principles approach is a narrow, necessity-driven carve-out from these broader principles; it does not license civil courts to dictate who may govern a religious body, who belongs to it, who may vote in it, or whether the results of such a vote are valid.

1. "Church autonomy protects the internal self-governance of religious organizations." Weinberger, *supra*, at 1258. This doctrine, rooted in both Religion Clauses, has a long history. Over 150 years ago, this Court—after carefully surveying English practice and America's differing "view of the relations of church and state"—decreed that "legal tribunals" may not second-guess a religious institution's answers to "questions of discipline, or of faith, or ecclesiastical rule, custom, or law." *Watson* v. *Jones*, 80 U.S. (13 Wall.) 679, 727 (1872). Indeed, it "would lead to the total subversion of such religious bodies, if any one aggrieved by one of their decisions could appeal to the secular courts and have them reversed." *Id.* at 729; see also *Huntsman*, 127 F.4th at 801–11 (Bumatay, J., concurring in the judgment) (surveying historical evidence).

To be sure, *Watson* conceded, a "right to property" that "in no sense depend[s] on ecclesiastical questions" may properly be resolved in civil court. 80 U.S. at 733. But "it is a very different thing" to wade into questions of "church discipline" or "ecclesiastical government." *Id.*; see also *Kedroff* v. *St. Nicholas Cathedral of*

Russian Orthodox Church in N. Am., 344 U.S. 94, 116 (1952); *Serbian E. Orthodox Diocese for U.S. & Can.* v. *Milivojevich*, 426 U.S. 696, 713, 721–25 (1976). *Watson* thus treated as dispositive a religious tribunal's determination of which among competing groups "shall be recognized" as the local church authorities entitled to use a church building. 80 U.S. at 717.

The doctrine therefore protects religious bodies' authority to order their own internal affairs, define their own religious communities, and determine who may exercise authority on their behalf. With good reason: "Church governance is a matter of religious importance. Churches and all other religious traditions that have institutional expressions do so because they attach religious importance to the lived-out expression of faith, in a community with some kind of structure." Weinberger, *supra*, at 1310. And while "it's not always clear that individual decisions are matters dictated by doctrine," that "doesn't mean that governance of a religious institution is not itself a matter of religious conduct." *Id.*

Modern cases reinforce this point. *Hosanna-Tabor* held that the Religion Clauses prohibit civil-court interference with a church's ministerial employment decisions. *Hosanna-Tabor Evangelical Lutheran Church & Sch.* v. *EEOC*, 565 U.S. 171, 181 (2012). Allowing such litigation "interferes with the internal governance of the church, depriving the church of control over the selection of those who will personify its beliefs." *Id.* at 188. The Court thus rejected reliance on neutral, generally applicable law where the case concerned "government interference with an internal church decision that affects the faith and mission of the church itself." *Id.* at 190. *Guadalupe* applied the same principle in another employment case. Religious organizations enjoy "independence in matters of faith and doctrine and in closely linked matters of internal government." 591 U.S. at 747. The church-autonomy doctrine thus protects not only formal statements of doctrine, but also the structures through which religious communities preserve, teach, and practice their faith.

2. The neutral-principles approach is a narrow carve-out for property-ownership issues, not a free-standing license to superintend governance disputes. As the Court explained in *Presbyterian Church*, "the State has a legitimate interest in resolving property disputes," and "a civil court is a proper forum for that resolution." 393 U.S. at 445. At the same time, "civil courts [have] *no* role in determining ecclesiastical questions in the process of resolving property disputes." *Id.* at 446–47. Balancing these weighty concerns, the Court approved the application of "neutral principles of law, developed for use in all property disputes." *Id.* at 449.

Thus, civil courts may resolve church-property disputes by applying "objective, well-established concepts of trust and property law," thereby avoiding "entanglement in questions of religious doctrine, polity, and practice." *Jones*, 443 U.S. at 603. And even then, the approach is narrow, as "there may be cases where the deed, the corporate charter, or the constitution of the [religious body] incorporates religious concepts." *Id.* at 604. For example, in an intra-congregational dispute, a state may permissibly presume that a majority vote represents the "true" congregation—at least if (i) there is "no dispute . . . about the identity of the duly enrolled members . . . when the dispute arose, or about the fact that a quorum was present, or about the final vote," and (ii) nothing in the church's "corporate charter" or "constitution" requires "that the identity of the local church is to be established in some other way." *Id.* at 607–08. But if the church's organizational documents base membership or polity on religious concepts, civil courts cannot second-guess those determinations. *Id.* at 608–09.

This Court has never extended neutral-principles adjudication beyond the property-ownership context. To the contrary, *Milivojevich* rejected civil-court review of internal church discipline and governance based "on purported 'neutral principles.'" 426 U.S. at 721 (citation omitted). There, the church hierarchy replaced and then defrocked a bishop and reorganized one diocese into multiple. *Id.* at 698, 703–08. The state courts held that these actions "were procedurally and substantively defective under the internal regulations" of the church. *Id.* at 698.

This Court rejected that approach, explaining that a civil court may not determine whether a religious body correctly followed its own rules merely by labeling the inquiry procedural rather than theological. *Id.* at 712–15, 721–23. That was so even though the dispute affected not only the church's "structure and administration," but also "the control of church property"; ultimately, "disputes over church polity and church administration" are beyond the civil courts' power, even if they affect property. *Id.* at 709–10. Indeed, a religious institution's structure is often inextricable from the faith it represents. Even ostensibly secular governance terms reflect religious values, priorities, and doctrines. Thus, "a matter of internal church government"—like how the church is to be organized—is protected from secular interference. *Id.* at 721.

Hosanna-Tabor similarly rejected an appeal to "neutral" principles. In opposing a ministerial exception, the respondents emphasized that the relevant employment statute was a "neutral law of general applicability." 565 U.S. at 188–90. That did not avoid the First Amendment problem, however, because the law would produce "government interference with an internal church decision that affects the faith and mission of the church itself." *Id.* The proper question is whether applying even a neutral rule would require civil interference with religious governance, membership, authority, or polity.

3. The Nevada Supreme Court erred by concluding that the neutral-principles approach is available whenever a dispute—property-related or otherwise—"does not require the court to resolve any underlying controversies involving religious doctrine, practice, or text." App. 15a. To be sure, avoiding explicitly religious questions is *necessary* for a civil court to decide any case. But it is not *sufficient*. The church-autonomy doctrine more broadly protects religious institutions' internal structure and governance. The doctrine thus covers "disputes over church polity and church administration," even if the question is simply whether the church complied with its "internal regulations." *Milivojevich*, 426 U.S. at 698, 709–10. Indeed, *Milivojevich* rejects the precise workaround adopted below. See *id.* at 712–15, 721–23.

Put differently, the forbidden intrusion is not limited to declaring what Sikhism teaches. It includes civil supervision of who belongs to a Sikh religious community and who may govern it. And the claims here aim directly at those questions. Respondents want the state courts to decide whether Petitioners were elected to Society leadership "by the valid General Members"; whether the committees they formed "are void"; whether the Temple "must remain the property of" the

Society; and whether Petitioners failed to keep membership records or to issue membership cards, affecting Society elections. App. 53a. Each of these claims targets the Society's ability to govern itself. The decision below thus violates this Court's command that the First Amendment protects "matters of church government *as well as* those of faith and doctrine." *Guadalupe*, 591 U.S. at 737 (emphasis added) (citation omitted).

The membership and election questions are especially problematic. Under the Society's bylaws, general membership depends largely on religious qualifications. See App. 19a. Likewise, management committee eligibility is religiously defined, requiring adherence to specified beliefs and core Sikh traditions. *Id.* at 22a, 26a. Adjudicating these claims—deciding who should be recorded as a member, whether votes were cast by valid members, and whether Petitioners' management-committee status is valid—thus intrudes on core questions of religious polity. "A church should be able to say who is in and who is out of membership without a court scrutinizing the matter to decide whether the church got the matter right." Weinberger, *supra*, at 1311–12; cf. *Jones*, 443 U.S. at 607–08 (suggesting no First Amendment problem where there was "no dispute . . . about the identity of the duly enrolled members . . . or about the final vote"). It is no answer that *some* of the qualifications or procedures are non-religious; who may act for the Sikh Society, and who counts as a valid member, are central governance questions.

Likewise, whether the *gurdwara* must remain the Society's property, or can be transferred to a trust for the *Sangat*'s benefit and defined religious use, is a governance question. To be sure, it *affects* property, but that was true in *Milivojevich* too. Here, as there, the specific questions in the litigation are not about title to property, but about *how the Society can decide* what to do with its property. These questions, too, are off-limits. See *Milivojevich*, 426 U.S. at 713, 721–25; *Watson*, 80 U.S. at 727–29. The trust issue cannot be separated from ecclesiastical purpose: how a Sikh religious body may structure, dedicate, and preserve Temple property for worship and religious practice. To adjudicate that issue, the court would have to decide who validly speaks for the Sikh Society and whether the challenged governance actions were valid under religiously defined membership and management rules. That is precisely the civil substitution of judgment that the church-autonomy doctrine forbids.

Respondents' requested remedies simply underscore the degree of intrusion and resulting harm. They seek declaratory and injunctive relief removing Petitioners from Society leadership and "void[ing]" their institutional actions. They thus ask a civil court to directly superintend the Society's governance and coerce the elected leadership's compliance with its judgments. Whether based on neutral principles or not, such relief violates the First Amendment.

To be clear, this case does not ask whether religious organizations are exempt from ordinary rules governing external contracts, purchases, torts, or formal title. It asks whether secular legal labels allow a court to decide who belongs to, votes in, governs, and speaks for a religious body. The answer is no, so the decision below cannot stand.

III. This question is exceptionally important.

The question presented implicates core constitutional protections. The First Amendment "gives special solicitude to the rights of religious organizations," *Hosanna-Tabor*, 565 U.S. at 189, precisely because church independence in matters of religious doctrine is "closely linked to independence in . . . matters of church government," *Guadalupe*, 591 U.S. at 746 (cleaned up). Thus, courts are "bound to stay out" of disputes that intrude on a religious body's internal governance. *Id.*

The rule adopted below, however, allows any litigant to end-run these constitutional safeguards through artful pleading. As Judge Rao warned, "if the mere invocation of neutral principles permits a court to interfere with church autonomy, then the constitutional protection is a dead letter." *O'Connell*, 2025 WL 3082728, at *7 (Rao, J., dissenting from the denial of rehearing en banc). After all, "almost any ministerial dispute could be pled to avoid questions of religious doctrine." *Belya*, 59 F.4th at 582 (Park, J., dissenting from the denial of rehearing en banc). "Taken to its logical endpoint," then, "this approach would eviscerate the church autonomy doctrine." *Id.* "Religious institutions do not exist apart from the secular world," yet "the church autonomy doctrine forbids treating religious institutions as nothing more than the corporate entities they have formed." *Cath. Charities Bureau, Inc.* v. *Wis. Lab. & Indus. Rev. Comm'n*, 605 U.S. 238, 259 (2025) (Thomas, J., concurring).

And exposing religious institutions to intrusive litigation is a harm in and of itself, regardless of the outcome. Even if churches ultimately prevail, they are still injured by the process. "It is not only the conclusions that may be reached" by a court "which may impinge on rights guaranteed by the Religion Clauses, but also the very process of inquiry." *NLRB* v. *Cath. Bishop of Chi.*, 440 U.S. 490, 502 (1979); cf. *Mirabelli* v. *Bonta*, 607 U.S. 492, 497 (2026) (holding that the "denial of plaintiffs' constitutional rights [to free exercise] during the potentially protracted appellate process constitutes irreparable harm"). If any ostensibly secular claim may proceed against a religious institution, congregations of all faiths will be far more likely to face interrogatories into internal governance, depositions of clergy, and a civil factfinder sitting "in ultimate judgment" of their practices. *Hosanna-Tabor*, 565 U.S. at 205–06 (Alito, J., concurring) (explaining that "the mere adjudication of such questions would pose grave problems for religious autonomy"). This kind of "judicial intrusion into . . . ecclesiastical affairs . . . cannot be remedied" after the fact. *McRaney*, 157 F.4th at 644–45. And the resulting incentives for disgruntled congregants will only increase the volume of such intrusive litigation.

IV. This case is an ideal vehicle.

This case presents the question cleanly. The Nevada Supreme Court squarely rejected the Sikh Society's First Amendment defense in a published, precedential opinion. The facts are few and undisputed. No threshold questions of state law complicate the analysis. No alternative grounds exist to sustain the judgment below. And the question presented is ultimately about the nature of the plaintiffs' claims, which is clear from their complaint and the Society's bylaws.

The judgment below is also final, for two reasons. First, the decision below resolved an "[o]riginal petition for a writ of prohibition or mandamus." App. 2a. "The power to issue such writs is part of" the Nevada Supreme Court's "original jurisdiction; it is not merely auxiliary to [its] appellate jurisdiction." *State of Nevada* v. *Eighth Jud. Dist. Ct.*, 994 P.2d 692, 696 (Nev. 2000); *Stephens* v. *First Nat'l Bank of Nev.*, 182 P.2d 146, 151 (Nev. 1947). Writ petitions are filed as independent actions with their own docket numbers, filing fees, captions, and service requirements, and they name the lower court judge or tribunal as respondent rather than the opposing party in the underlying case. See App. 1a; Nev. R. App. P. 21. Thus, the original action below was "a separate lawsuit," and the decision resolving it is a final judgment. See *Atl. Richfield Co.* v. *Christian*, 590 U.S. 1, 8–12 (2020) (supervisory-writ proceeding in state high court produced a final judgment even though it "allowed the case to proceed to trial").

Second, even if the decision below were deemed interlocutory, it would still be final under *Cox Broadcasting Corp.* v. *Cohn*, 420 U.S. 469 (1975). No finality bar exists "where the federal issue has been finally decided in the state courts with further proceedings pending in which the party seeking review here might prevail on the merits on nonfederal grounds"; "reversal of the state court on the federal issue would be preclusive of any further litigation on the relevant cause of action"; and "a refusal immediately to review the state-court decision might seriously erode federal policy." *Id.* at 482–83. Those criteria are met here. The state high court finally decided the question presented, leaving only nonfederal issues; reversal would end the case; and allowing the case to proceed would injure the very substantive right at issue. Further, the trial-court action is stayed pending this Court's review, so there is no risk that the case will be mooted.

Finally, the recent denial in *O'Connell*, No. 25-849, does not counsel against review here. *O'Connell* involved a federal interlocutory appeal that was dismissed for lack of appellate jurisdiction, and thus raised two threshold questions not present here. See Pet. i, No. 25-849. There was also a substantial dispute about whether the neutral-principles issue was properly before the Court; the D.C. Circuit claimed not to "reach[] the merits of [the] church autonomy defense" there. See App. 30a, No. 25-849. The *O'Connell* denial also predates the Fifth Circuit's decision in *Lutheran Church*, 178 F.4th 193. Here, the Nevada Supreme Court expressly acknowledged the conflict, adopted the broader rule, and applied it with dispositive effect—and that is the sole question presented.

CONCLUSION

The Court should grant the petition.

Respectfully submitted,

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