

The Burger Court Opinion Writing Database

Mine Workers Health and Retirement Funds v. Robinson

455 U.S. 562 (1982)

Paul J. Wahlbeck, George Washington University
James F. Spriggs, II, Washington University in St. Louis
Forrest Maltzman, George Washington University



Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
THE CHIEF JUSTICE

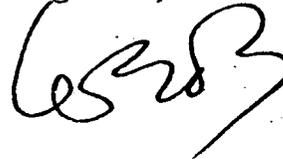
March 3, 1982

Re: No. 81-61 - United Mine Workers of America
Health & Retirement Funds v.
Robinson & Hager

Dear John:

I join.

Regards,



Justice Stevens

Copies to the Conference

Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE WM. J. BRENNAN, JR.

March 4, 1982

RE: No. 81-61 United Mine Workers, et al. v. Robinson
and Hager, etc.

Dear John:

I agree.

Sincerely,



Justice Stevens

cc: The Conference

Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE BYRON R. WHITE

March 1, 1982

Re: 81-61- United Mine Workers of
America Health and Retirement
Funds v. Robinson and Hager

Dear John,

I join your proposed opinion in this
case.

Sincerely yours,



Justice Stevens
Copies to the Conference
cpm

To: The Chief Justice
Justice Brennan
Justice White
Justice Blackmun
Justice Powell
Justice Rehnquist
Justice Stevens
Justice O'Connor

From: Justice Marshall

Circulated: _____

~~Revised:~~ MAR 1 1982

UMWA v. Robinson, No. 81-61

JUSTICE MARSHALL, concurring in the judgment.

I agree that the decision of the Court of Appeals in this case should be reversed. I do not join the Court opinion, however, because I believe that it mischaracterizes a "split" in the Courts of Appeals, and because it might be read to imply that the federal courts would not have jurisdiction under §302(e) to enforce any of the fiduciary obligations that we held were imposed on trustees by §302(c)(5) in NLRB v. Amax Coal Co., ___ (1981). See ante, at 11, and n.12.

I believe that the only question to be decided in this case is whether trustees, who do not have independent authority to set eligibility requirements or to determine benefit levels, violate

Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE THURGOOD MARSHALL

March 4, 1982

Re: No. 81-61 - United Mine Workers, et al. v.
Robinson and Hager, etc.

Dear John:

I withdraw my separate opinion and will file it
in my desk.

Please join me.

Sincerely,


T.M.

Justice Stevens

cc: The Conference

Supreme Court of the United States
Washington, D. C. 20543

March 3, 1982

CHAMBERS OF
JUSTICE HARRY A. BLACKMUN

Re: No. 81-61 - United Mine Workers of America Health
& Retirement Funds v. Robinson & Hager

Dear John:

Please join me.

Sincerely,



Justice Stevens

cc: The Conference

Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE LEWIS F. POWELL, JR.

March 1, 1982

81-61 United Mine Workers v. Robinson and Hager

Dear John:

Please join me.

Sincerely,

Lewis

Justice Stevens

lfp/ss

cc: The Conference

Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE WILLIAM H. REHNQUIST

March 2, 1982

Re: No. 81-61 United Mine Workers of America v.
Robinson

Dear John:

Please join me.

Sincerely,
WJW

Justice Stevens

Copies to the Conference

STYLISTIC CHANGES THROUGHOUT.
SEE PAGES: P. 11

To: The Chief Justice
Justice Brennan
Justice White
Justice Marshall
Justice Blackmun
Justice Powell
Justice Rehnquist
Justice O'Connor

From: Justice Stevens

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MAR 2 1982

2nd DRAFT

SUPREME COURT OF THE UNITED STATES

No. 81-61

UNITED MINE WORKERS OF AMERICA HEALTH
AND RETIREMENT FUNDS, ET AL., PETITIONERS
v. GRACIE ROBINSON AND JUANITA HAGER, ETC.

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF
APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT

[March —, 1982]

JUSTICE STEVENS delivered the opinion of the Court.

This case involves a discrimination between two classes of widows of coal miners who died prior to December 6, 1974—those whose husbands were receiving pensions when they died and those whose husbands were still working although they were eligible for pensions. The 1974 collective bargaining agreement between the United Mine Workers of America and the National Coal Operators Association increased the health benefits for widows in the former class but made no increase for those in the latter class. The United States Court of Appeals for the District of Columbia Circuit held that this discrimination was arbitrary and therefore violated § 302(c)(5) of the Labor Management Relations Act of 1947 (LMRA).¹ 640 F. 2d 416 (CADC 1981). We granted certio-

¹That section provides in relevant part:

"The provisions of this section [forbidding transfers between employer and representatives of employees] shall not be applicable . . . (5) with respect to money or other thing of value paid to a trust fund established by such representative, for the sole and exclusive benefit of the employees of such employer, and their families and dependents (or of such employees, families, and dependents jointly with the employees of other employers making similar payments, and their families and dependents): *Provided*, That (A) such payments are held in trust for the purpose of paying, either

2.11

To: The Chief Justice
Justice Brennan
Justice White
Justice Marshall
Justice Rehnquist
Justice Stevens
Justice O'Connor

From: Justice Stevens

Circulated: _____

Recirculated: _____

3rd DRAFT

SUPREME COURT OF THE UNITED STATES

No. 81-61

**UNITED MINE WORKERS OF AMERICA HEALTH AND RETIREMENT FUNDS, ET AL., PETITIONERS
v. GRACIE ROBINSON AND JUANITA HAGER, ETC.**

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT

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Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE SANDRA DAY O'CONNOR

March 1, 1982

81-61 United Mine Workers of America v.
Robinson

Dear John,

Please join me.

Sincerely,



Justice Stevens

Copies to the Conference