

Supreme Court Confirms Ongoing Duty to Monitor Investments

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In *Tibble v. Edison International*, announced on May 18th, the U.S. Supreme Court confirmed that fiduciaries have an ongoing fiduciary duty to monitor investments in retirement plans and to remove imprudent investments. ¶ The Court held that fiduciaries will not avoid potential liability simply because the six-year ERISA limitations period has run from the time the investment alternative for the retirement plan was originally selected, even if that original selection was prudent. ¶ The Court did not provide any further guidance on what the "duty to monitor" entails and instead remanded the case to the lower court to determine whether the fiduciaries in the case satisfied their duty to monitor. ¶ The opinion can be found [here](#).