

114TH CONGRESS
1ST SESSION

H. R. 758

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 21, 2015

Received; read twice and referred to the Committee on the Judiciary

AN ACT

To amend Rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Lawsuit Abuse Reduc-
3 tion Act of 2015”.

4 **SEC. 2. ATTORNEY ACCOUNTABILITY.**

5 (a) SANCTIONS UNDER RULE 11.—Rule 11(c) of the
6 Federal Rules of Civil Procedure is amended—

7 (1) in paragraph (1), by striking “may” and in-
8 serting “shall”;

9 (2) in paragraph (2), by striking “Rule 5” and
10 all that follows through “motion.” and inserting
11 “Rule 5.”; and

12 (3) in paragraph (4), by striking “situated”
13 and all that follows through the end of the para-
14 graph and inserting “situated, and to compensate
15 the parties that were injured by such conduct. Sub-
16 ject to the limitations in paragraph (5), the sanction
17 shall consist of an order to pay to the party or par-
18 ties the amount of the reasonable expenses incurred
19 as a direct result of the violation, including reason-
20 able attorneys’ fees and costs. The court may also
21 impose additional appropriate sanctions, such as
22 striking the pleadings, dismissing the suit, or other
23 directives of a non-monetary nature, or, if warranted
24 for effective deterrence, an order directing payment
25 of a penalty into the court.”.

1 (b) RULE OF CONSTRUCTION.—Nothing in this Act
2 or an amendment made by this Act shall be construed to
3 bar or impede the assertion or development of new claims,
4 defenses, or remedies under Federal, State, or local laws,
5 including civil rights laws, or under the Constitution of
6 the United States.

Passed the House of Representatives September 17,
2015.

Attest:

KAREN L. HAAS,
Clerk.