

Union Calendar No. 187

114TH CONGRESS
1ST SESSION

H. R. 758

[Report No. 114-246]

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

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 5, 2015

Mr. SMITH of Texas (for himself, Mr. GOODLATTE, Mr. FRANKS of Arizona, Mr. FARENTHOLD, and Mr. CHABOT) introduced the following bill; which was referred to the Committee on the Judiciary

SEPTEMBER 8, 2015

Additional sponsors: Mr. CHAFFETZ and Mr. BUCK

SEPTEMBER 8, 2015

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Lawsuit Abuse Reduc-

5 tion Act of 2015”.

6 **SEC. 2. ATTORNEY ACCOUNTABILITY.**

7 (a) SANCTIONS UNDER RULE 11.—Rule 11(c) of the

8 Federal Rules of Civil Procedure is amended—

9 (1) in paragraph (1), by striking “may” and in-

10 serting “shall”;

11 (2) in paragraph (2), by striking “Rule 5” and

12 all that follows through “motion.” and inserting

13 “Rule 5.”; and

14 (3) in paragraph (4), by striking “situated”

15 and all that follows through the end of the para-

16 graph and inserting “situated, and to compensate

17 the parties that were injured by such conduct. Sub-

18 ject to the limitations in paragraph (5), the sanction

19 shall consist of an order to pay to the party or par-

20 ties the amount of the reasonable expenses incurred

21 as a direct result of the violation, including reason-

22 able attorneys’ fees and costs. The court may also

23 impose additional appropriate sanctions, such as

24 striking the pleadings, dismissing the suit, or other

25 directives of a non-monetary nature, or, if warranted

1 for effective deterrence, an order directing payment
2 of a penalty into the court.”.

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

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