

104TH CONGRESS
1ST SESSION

S. 1337

To amend the Legal Services Corporation Act to limit frivolous lawsuits,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 19 (legislative day, OCTOBER 18), 1995

Mr. BROWN introduced the following bill; which was read twice and referred
to the Committee on Labor and Human Resources

A BILL

To amend the Legal Services Corporation Act to limit
frivolous lawsuits, 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. LIMITATION OF FRIVOLOUS LAWSUITS.**

4 Section 1006 of the Legal Services Corporation Act
5 (42 U.S.C. 2996e) is amended by striking subsection (f)
6 and inserting the following:

7 “(f)(1) If any court of appropriate jurisdiction finds
8 that—

9 “(A) a recipient, in providing legal assistance to
10 an eligible client under this title, commenced an ac-

1 tion, or filed a pleading, written motion, or other
2 document, for any improper purpose, such as to har-
3 ass or to cause unnecessary delay or needless in-
4 crease in the cost of litigation; or

5 “(B) that the action of the eligible client was—

6 “(i) frivolous or without legal foundation;

7 and

8 “(ii) not warranted by existing law (as of

9 the date on which the action was commenced)

10 or by a nonfrivolous argument for the exten-

11 sion, modification, or reversal of existing law or

12 the establishment of new law;

13 the court may enter an order awarding reasonable costs

14 and legal fees incurred by an opposing party in defending

15 the action or responding to the pleading, motion, or docu-

16 ment, as the case may be.

17 “(2) Any such costs and fees shall be directly paid

18 by the Corporation.”.

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