

111TH CONGRESS
1ST SESSION

S. 603

To amend rule 11 of the Federal Rules of Civil Procedure, relating to representation in court and sanctions for violating such rule, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 16, 2009

Mr. GRASSLEY introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend rule 11 of the Federal Rules of Civil Procedure, relating to representation in court and sanctions for violating such rule, 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 “Frivolous Lawsuit Pre-
5 vention Act of 2009”.

1 **SEC. 2. REPRESENTATIONS AND SANCTIONS UNDER RULE**
 2 **11 OF THE FEDERAL RULES OF CIVIL PROCE-**
 3 **DURE.**

4 (a) IN GENERAL.—Rule 11(c) of the Federal Rules
 5 of Civil Procedure is amended—

6 (1) in paragraph (1), by striking “the court
 7 may” and inserting “the court shall”;

8 (2) in paragraph (4) by striking the first and
 9 second sentences and inserting “A sanction imposed
 10 for violation of this rule may consist of reasonable
 11 attorneys’ fees and other expenses incurred as a re-
 12 sult of the violation, directives of a nonmonetary na-
 13 ture, or an order to pay penalty into court or to a
 14 party.”; and

15 (3) in paragraph (5), by inserting after sub-
 16 paragraph (B) the following:

17 “Monetary sanctions under this subsection may be
 18 awarded against a party’s attorneys.”.

19 (b) EFFECTIVE DATE.—The provisions of this sec-
 20 tion shall take effect 30 days after the date of the enact-
 21 ment of this Act.

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