

111<sup>TH</sup> CONGRESS  
1<sup>ST</sup> 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.

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## 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

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## 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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