

112TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

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

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IN THE SENATE OF THE UNITED STATES

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Mr. GRASSLEY (for himself and Mr. LEE) introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**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 2011”.

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”;

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

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

18          (b) RULE OF CONSTRUCTION.—Nothing in this Act  
19          shall be construed to bar or impede the assertion or devel-  
20          opment of new claims, defenses, or remedies under Fed-  
21          eral, State, or local laws, including civil rights laws.