

115TH CONGRESS  
1ST SESSION

# H. R. 720

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 HOUSE OF REPRESENTATIVES

JANUARY 30, 2017

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

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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 2017”.

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

7 (a) SANCTIONS UNDER RULE 11.—Rule 11(c) of the  
8 Federal Rules of Civil Procedure is amended—

1           (1) in paragraph (1), by striking “may” and in-  
2           serting “shall”;

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

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

20          (b) RULE OF CONSTRUCTION.—Nothing in this Act  
21          or an amendment made by this Act shall be construed to  
22          bar or impede the assertion or development of new claims,  
23          defenses, or remedies under Federal, State, or local laws,

1 including civil rights laws, or under the Constitution of  
2 the United States.

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