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(Original Signature of Member)

112TH CONGRESS  
1ST SESSION

# H. R.

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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

Mr. SMITH of Texas introduced the following bill; which was 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—

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 nonmonetary 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 shall be construed to bar or impede the assertion or devel-  
22 opment of new claims, defenses, or remedies under Fed-  
23 eral, State, or local laws, including civil rights laws.