

S 1437

Professional Standards for Government Attorneys Act of 2001

Congress: 107 (2001–2003, Ended)

Chamber: Senate

Policy Area: Law

Introduced: Sep 19, 2001

Current Status: Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S9510-

Latest Action: Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S9510-9511) (Sep 19, 2001)

Official Text: <https://www.congress.gov/bill/107th-congress/senate-bill/1437>

Sponsor

Name: Sen. Leahy, Patrick J. [D-VT]

Party: Democratic • **State:** VT • **Chamber:** Senate

Cosponsors (2 total)

| Cosponsor | Party / State | Role | Date Joined |
|-----------------------------|---------------|------|--------------|
| Sen. Hatch, Orrin G. [R-UT] | R · UT | | Sep 19, 2001 |
| Sen. Wyden, Ron [D-OR] | D · OR | | Sep 19, 2001 |

Committee Activity

| Committee | Chamber | Activity | Date |
|---------------------|---------|-------------|--------------|
| Judiciary Committee | Senate | Referred To | Sep 19, 2001 |

Subjects & Policy Tags

Policy Area:

Law

Related Bills

No related bills are listed.

Summary (as of Sep 19, 2001)

Professional Standards for Government Attorneys Act of 2001 - Amends the Federal judicial code to specify which standards of professional responsibility apply to a Government attorney in various choice of law scenarios. Provides that a Government attorney (except foreign counsel employed in special cases) shall: (1) be duly licensed and authorized to practice as an attorney under the laws of a State; and (2) not be required to be a member of the bar of any particular State. Authorizes a Government attorney, for the purpose of enforcing Federal law, to provide legal advice, authorization, concurrence, direction, or supervision on conducting covert activities and to participate in such activities, even though such activities may require the use of deceit or misrepresentation.

Provides that no violation of any disciplinary, ethical, or professional conduct rule shall be construed to permit the exclusion of otherwise admissible evidence in any Federal criminal proceeding.

Requires the Judicial Conference of the United States to report to: (1) the Chief Justice of the United States on recommendations with respect to amending the Federal Rules of Criminal Procedure (FRCrP) to provide for a uniform national rule for Government attorneys with respect to communications with represented persons and parties; and (2) the House and Senate Judiciary Committees on a review of any areas of conflict between specific Federal duties related to the investigation and prosecution of violations of Federal law and the regulation of Government attorneys by existing standards of professional responsibility and on recommendations with respect to amending the FRCrP to provide for additional rules governing attorney conduct to address such conflicts.

Actions Timeline

- **Sep 19, 2001:** Introduced in Senate
- **Sep 19, 2001:** Sponsor introductory remarks on measure. (CR S9509-9510, S9511-9512)
- **Sep 19, 2001:** Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S9510-9511)