

HR 6610

To amend the Federal Rules of Evidence to address the waiver of the attorney-client privilege and the work product doctrine.

Congress: 110 (2007–2009, Ended)

Chamber: House

Policy Area: Law

Introduced: Jul 24, 2008

Current Status: Referred to the House Committee on the Judiciary.

Latest Action: Referred to the House Committee on the Judiciary. (Jul 24, 2008)

Official Text: <https://www.congress.gov/bill/110th-congress/house-bill/6610>

Sponsor

Name: Rep. Jackson-Lee, Sheila [D-TX-18]

Party: Democratic • **State:** TX • **Chamber:** House

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred To	Jul 24, 2008

Subjects & Policy Tags

Policy Area:

Law

Related Bills

Bill	Relationship	Last Action
110 S 2450	Identical bill	Sep 19, 2008: Became Public Law No: 110-322.

Amends the Federal Rules of Evidence with respect to the disclosure of a communication or information covered by the attorney-client privilege and work product protection.

Provides that, when such a disclosure is made in a federal proceeding or to a federal office or agency, and waives the attorney-client privilege or work-product protection, the waiver extends to an undisclosed communication or information in a federal or state proceeding only if: (1) the waiver is intentional; (2) the disclosed and undisclosed communications or information concern the same subject matter; and (3) they ought in fairness to be considered together.

States that, when the disclosure is made in a federal proceeding or to a federal office or agency, it does not operate as a waiver in a federal or state proceeding if: (1) the disclosure is inadvertent; (2) the holder of the privilege or protection took reasonable steps to prevent disclosure; and (3) the holder promptly took reasonable steps to rectify the error.

Declares that, when the disclosure is made in a state proceeding and is not the subject of a state-court order concerning waiver, it does not operate as a waiver in a federal proceeding if the disclosure: (1) would not be a waiver under this rule if it had been made in a federal proceeding; or (2) is not waived under law of the state where the disclosure occurred.

Actions Timeline

- **Jul 24, 2008:** Introduced in House
- **Jul 24, 2008:** Referred to the House Committee on the Judiciary.