

GENERAL INFORMATION FORM

Submitting Entity: Section of Litigation

Submitted By: Dennis J. Drasco, Chair, Section of Litigation

1. Summary of Recommendation(s).

That the ABA supports the principles inherent in the current legislative initiative for a Federal Shield Law for journalists entitled the "Free Flow of Information Act" in order to protect the public's need for information and the fair administration of justice.

2. Approval by Submitting Entity.

The Recommendation was preliminarily approved by vote at the Council meeting at the Annual Meeting of the Litigation Section in New York City on April 20, 2005, pending submission of final wording. The Recommendation was formally approved by a vote of the Litigation Section Council on May 9, 2005, via email.

3. Has this or a similar recommendation been submitted to the House or Board previously?

None known.

4. What existing Association policies are relevant to this recommendation and how would they be affected by its adoption?

None known.

5. What urgency exists which requires action at this meeting of the House?

The issue is ripe as bills addressing a Federal Shield Law have been introduced in the House and the Senate this term.

6. Status of Legislation. (If applicable.)

This Recommendation does not seek ABA support of particular legislation, but rather the principles inherent in legislation addressing a Federal Shield Law. Because of the reference to pending legislation, the following status report is provided.

H.R. 581: The bill, entitled "Free Flow of Information Act of 2005," was introduced by Rep. Mike Pence (R-IN) and Rick Boucher (D-VA) in the House of Representatives on February 2, 2005. There are 23 co-sponsors of the bill. The bill

has been referred to House Committee on the Judiciary.

S-340: The bill, which is identical to H.R. 581, was introduced by Sen. Richard Luger (R-IN) in the Senate on February 9, 2005. There are 4 co-sponsors of the bill. The bill has been read twice and referred to the Committee on the Judiciary.

7. Cost to the Association. (Both direct and indirect costs.)

None, except the indirect costs of any lobbying efforts by the Association's Government Affairs Office.

8. Disclosure of Interest. (If applicable.)

None.

9. Referrals.

We will seek co-sponsorship from all sections and divisions.

The National Conference of Lawyers and Representatives of the Media will also be contacted.

10. Contact Person. (Prior to the meeting.)

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11. Contact Person. (Who will present the report to the House.)

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