

Department
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April 15, 1999

Coordination with Department of Justice
for all Attorneys Involved in the Special

Subject: Assistant United States Attorneys Program **Cancel Date:** October 12, 1999

By way of the attached letter dated February 1, 1999, the Executive Office for United States Attorneys requests that all attorneys who work with the United States Attorneys' offices under the Special Assistant United States Attorneys (SAUSA) program contact their respective United States Attorneys to arrange to receive guidance as it becomes available regarding changes in federal legal practice that will affect attorneys appearing for the government in federal courts as a result of 28 U.S.C. § 530B, codifying the Citizens Protection Act of 1998. The Act subjects attorneys who work for the Department of Justice and the United States Attorneys' offices, including SAUSAs, to the same local laws and rules that govern attorneys in each jurisdiction in which such attorney engages in that attorney's duties. Because the Act may subject covered attorneys to the laws and rules of multiple states, the Executive Office for United States Attorneys is preparing guidance addressing issues that will likely arise from conflicting requirements in different states.

/s/

ELIOT D. FIELDING
Associate Chief Counsel
(Enforcement Litigation)

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U.S. Department of Justice
Executive Office for United States Attorneys

Office of the Director

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FEB - 1 1999*

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Stuart Brown
General Counsel
Internal Revenue Service
1111 Constitution Avenue, NW
Room 3026
Washington, DC 20224

Dear Mr. Brown:

This letter is to notify you of upcoming changes in federal legal practice that will affect certain attorneys appearing for the government in federal district courts. You may be aware that 28 U.S.C. § 530B, codifying the Citizens Protection Act of 1998, will become effective on April 19, 1999. This provision was passed as part of the recent Omnibus Appropriations Act and provides:

"An attorney for the Government shall be subject to State laws and rules, and local Federal court rules, governing attorneys in each State where such attorney engages in that attorney's duties, to the same extent and in the same manner as other attorneys in that State."

The Act requires the Department of Justice to enact rules to comply with this provision, and the Department is in the process of developing these rules and further guidance.

Attorneys who work with the United States Attorneys' offices under the Special Assistant United States Attorneys program will be bound by the same standards and rules as Department of Justice attorneys.

Many issues will have to be resolved because different states impose different requirements, and conflicting requirements will likely be encountered in multi-state cases. Please have your attorneys contact their respective United States Attorneys to arrange to receive guidance as it becomes available.

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As these changes will have a major impact on the way federal litigation is handled, we ask that you work with us to ensure an orderly transition. We will do all that we can to avoid disrupting your work but ask for your understanding and cooperation.

If you have any questions, please contact Louis DeFalaise, Senior Counsel to the Director at (202) 514-1023.

Sincerely,

/s/

Donna A. Bucella
Director