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STATEMENT OF AMERICAN BAR ASSOCIATION PRESIDENT KAREN J. MATHIS

FRIDAY, JULY 13, 2007

**Re: INTRODUCTION IN U.S. HOUSE OF REPRESENTATIVES
OF ATTORNEY-CLIENT PRIVILEGE PROTECTION ACT OF 2007**

"The American Bar Association applauds last night's introduction in the U.S. House of Representatives of legislation designed to roll back Justice Department and other federal agency policies that erode fundamental attorney-client privilege, work product, and employee legal protections.

"This bipartisan bill, introduced by Representatives Bobby Scott (D-VA) and Randy Forbes (R-VA) with co-sponsorship by numerous House Judiciary Committee leaders from both parties, underscores the importance of the attorney-client privilege to our legal system, our nation's economic health, and ultimately to our democracy. Protecting confidential attorney-client communications from government-compelled disclosure fosters voluntary compliance with the law, and that benefits everyone. Government tactics that coerce disclosure, on the other hand, undermine these benefits and our adversarial system of justice, and can threaten the very survival of organizations, including even the largest, most robust corporations. In addition, government policies that pressure companies to refuse to provide employees with legal assistance while investigations are pending or to fire them for asserting their Fifth Amendment rights weaken the constitutional presumption of innocence and undermine principles of sound corporate governance. The ripple effect harms employees, investors and all of society.

"The Attorney-Client Privilege Protection Act of 2007—like Senate companion bill S. 186 introduced by Senator Arlen Specter in January—would stop these government abuses. In so doing, it strikes the proper balance between the legitimate needs of prosecutors and regulators and the constitutional and fundamental legal rights of individuals and organizations. The American Bar Association strongly urges Congress to approve this critical legislation as soon as possible."