

FOR IMMEDIATE RELEASE
January 14, 2009

Holder Should Support Executive Order On Attorney-Client Privilege

WASHINGTON, DC — *The Coalition to Preserve the Attorney-Client Privilege issued the following statement on the Senate Judiciary Committee confirmation proceedings scheduled for January 15, 2009 on the nomination of Eric H. Holder Jr., to be Attorney General of the United States:*

“The Coalition to Preserve Attorney-Client Privilege urges Attorney General Nominee Eric Holder to support a Presidential Executive Order requiring all federal agencies to adopt reforms of agency policies on attorney-client privilege similar to those adopted by the Department of Justice last August. The Coalition also encourages Mr. Holder to support the enactment of comprehensive federal legislation like the Attorney-Client Privilege Protection Act (ACPPA) that would stop the ever-widening problem of government-coerced waivers of privilege and employee legal rights.

“The Justice Department’s new corporate charging guidelines, which have been incorporated into the “U.S. Attorney’s Manual” are limited to just the Department’s prosecutors and do not alter the harmful forced waiver policies currently in use at the Securities and Exchange Commission, the Environmental Protection Agency, the Department of Housing and Urban Development and many other agencies.

“A Presidential Executive Order applying reforms similar to those at the Justice Department to other agencies—or new comprehensive federal legislation like ACPPA—will protect fundamental attorney-client privilege, work product doctrine and employees’ constitutional rights during investigations.”

(* Attached please find additional background material on attorney-client privilege)**

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The Coalition to Preserve the Attorney-Client Privilege members include the American Chemistry Council, American Civil Liberties Union, Association of Corporate Counsel, Business Civil Liberties, Inc., Business Roundtable, Financial Services Roundtable, Frontiers of Freedom, Lawyers for Civil Justice, National Association of Criminal Defense Lawyers, National Association of Manufacturers, Retail Industry Leaders Association and the U.S. Chamber of Commerce.

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