

New Federal Rule of Evidence 502 in Effect

On Friday evening, September 19, 2008, the President signed S. 2450, enacting new Federal Rule of Evidence 502 (Pub. L. No. 110-322, 122 Stat. 3537). The new rule limits waivers of attorney-client privilege and work-product protection to facilitate discovery and reduce its cost.

The law takes effect immediately. It provides that the new rule applies in all proceedings commenced after the date of enactment and, insofar as is just and practicable, in all proceedings pending on such date.

The text of the statute may be found at

<http://www.uscourts.gov/newsroom/2008/S2450EnrolledBill.pdf>.