CIVIL PROCEDURE I
FALL 2011
POETRY COMPETITION

“Sanctions in Color”

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rule eleven sighs
dances of conduct, sanctions.
stand still. settle. rise.

litigation guard
counsel, sign your docs. not hard.
rule eleven jarred

as air evidence
as sun rule of law backing
claim or else: lightning

wisdom from levin
for life it will be with you
law kiss and tellin'

oh rule eleven
tiara goes to d.c.
works all about thee
Beware, first year peers:
Diligence in filings or
Sanctions may seek you.

Magic words, you ask?
**Shall** I state the obvious...
No, **may**be I won’t.

Cautious judge ponders
Motions of rivals, answers;
11(b) lurks...

That Rule 11
Really pulls room together
And the judge abides

So many rules to know,
Just what are these all about?
(Check committee notes.)
I'm not sure if you're familiar with the traditional style, but I made sure to include both a seasonal reference (kigo) and a "cut" (kiru). The haiku is inspired by H.R. 966's proposed change of Rule 11(c)(1)'s "may impose an appropriate sanction..." to "shall impose an appropriate sanction...."

**Shall v. May**

Determination--
Searing sun on tulip sprouts;
Capability
Rule 11 Reminders

Rule Eleven reminds you to sign
every document on the dotted line.
Give your info and name
unrepresented parties the same
And most likely everything will be fine.

But improper claims with no facts are bad.
And frivolous claims meant to harass make us mad.
It’s really not funny,
we can take your money
and get creative with ways to make you sad.

If it’s a case of “oops, didn’t mean to”
and the mistakes are very quickly seen to,
You’ve got 21 days
and several different ways
to right the kind of wrong that we’ve all been to.

But where warranted, the court may be stern,
And hand down sanctions that burn.
It’s at the court’s discretion
If we get the impression
that there’s a lesson you or others need to learn.

That’s it for now, but keep posted
Don’t be that lawyer who boasted
that he was so cool
he didn’t keep up with the rule
And it was malpractice when he ended up roasted.
On Christian v. Mattell, Inc.:

Hick’s claim about a Barbie doll’s face;
Led him into a state of disgrace;
Why didn’t he dismiss?
Copyright pre-96!
Send the FRCP to his place.
The Sanction

Lawyer, lawyer, pleading right
In your motion to indict,
What improper purpose nigh
Could shame thy legal artistry?

Did you leave a page unsigned?
Address anywhere to find?
On the docs that you did file...
Leave a telephone to dial?

Was crude harassment at play?
Cause unnecessary delay?
Needless form of instigation...
Increasing costs of litigation?

What the defense? What the claim?
Contending defendants to blame?
Warranted by law that exists?
It better be nonfrivolous!

When the sides throw down their facts,
Will there be ‘nough to IRAC?
Pending these determinations
You might face some violations.

Lawyer, lawyer, pleading right
In your motion to indict,
What improper purpose nigh
Dare shame thy legal artistry?

Rule 11!
Rule 11 Rhyme

Rule 11 Sanctions
Doing my head in
Amending politicians
Don’t really care then

Sign your pleadings
Please don’t lie
Frivolous cases
Judges may deny

Big picture
Magic words
We are the future
We better be heard

So take it from me
Read your E&E
Things to contemplate
And don't get me started on Rule 8