

Feeding Frenzy: The Perils of Congressional Investigations

New York CLE Seminar Series

Firm Event

May 6, 2009 from 3:00 pm to 5:00 pm (EDT)

The current financial crisis and enhanced Democratic majorities in Congress are resulting in more aggressive congressional oversight investigations of corporate America. Business executives have described the sudden onslaught of a congressional investigation, and the turmoil that often accompanies it, as a brutal experience. Within hours of a news story, a company may be faced with subpoenas for documents and testimony. Within days, company officials may confront the withering glare of a public hearing. Meanwhile, parallel criminal or civil investigations may be under way by Executive Branch agencies that present additional risks.

Congressional investigations are unlike other kinds of government investigation, and they require seasoned counsel to navigate. Under the Constitution, Congress has practically no constraints on the scope of its investigative powers. The rules of evidence used in judicial proceedings do not apply. And Congressional committees often consider themselves free to ignore the attorney-client privilege and other common-law privileges. Join us in a discussion about what you can do to prepare and defend yourself.

In accordance with the requirements of the New York State Continuing Legal Education Board, this non-transitional continuing legal education program is not approved for the newly admitted attorney within the first two years of admission to the Bar.