

COMPLAINT AGAINST A LAWYER

Return your completed form to:

Alabama State Bar
Disciplinary Commission
P. O. Box 671
Montgomery, AL 36101-0671

NAME AND ADDRESS OF COMPLAINANT

Anders, Christopher
Last Name, First Name

American Civil Liberties Union, 915 15th
Street, NW _____
Address

canders@aclu.org
E-mail Address

Washington, D.C. 20005
City, State, ZIP Code

(202) 675-2308
Telephone Number(s)

Name & Relationship of Person Who Can Always Contact
You

Telephone Number(s)

On what date did the alleged ethics violation occur? Jan. 10, 2017

What was your fee arrangement with the attorney? None

**NAME AND ADDRESS OF ATTORNEY
AGAINST WHOM YOUR COMPLAINT IS
MADE**

Sessions, Jefferson Beauregard
Last Name, First Name

U.S. Department of Justice
Name of Law Firm Where Attorney is Employed

Robert F. Kennedy Building, 10th Street and
Constitution Ave., NW
Address

Washington, D.C. 20530
City, State, ZIP Code

(202) 514-2000
Telephone Number(s)

COMPLAINT INSTRUCTIONS:

1. If you have a complaint against more than one attorney, use a SEPARATE complaint form for each attorney, with the details and relevant exhibits attached to each separate complaint. If you are filing more than one complaint, do not combine your complaint details or your exhibits into one document, or make a specific comment about a complaint filed against another attorney, or it will be returned to you. We will not accept complaints against law firms.
2. Send your complaint with an original notarized signature. We will not accept a copy of your signature.
3. State specifically, on each individual complaint, what the attorney did or failed to do which you believe constitutes unethical conduct, and when it occurred.
4. Attach **COPIES** of any receipts, contracts, or other documents which are important to the complaint, to the back of each individual complaint. Keep your own original documents.
5. Please, do not bind your complaint. Type or write your complaint legibly in ink so it can be copied.
6. You may add more pages to this form if necessary.
7. If you believe that drugs, alcohol or mental disability affected the lawyer's representation, please state what facts support your belief.
8. This matter is confidential at this stage of the proceedings, until the Disciplinary Commission or Board has acted.

9. The Alabama Bar Association does not represent you in this matter but acts to investigate complaints on behalf of the Supreme Court of Alabama.

If there is a court case related to your complaint, please provide the case name and file number, and the lawyer representing you?

N/A

DETAILS OF YOUR COMPLAINT

Explain your complaint in your own words. Include the following: all important dates, times, places, and court file numbers. Please be advised we cannot return documents submitted to this office. You should retain a copy of all materials you submit. Do not send cassette tapes unless requested by the Bar to do so. The Alabama State Bar cannot be held responsible for lost, misdirected or damaged documents.

On behalf of the American Civil Liberties Union, I am filing this amendment to the complaint I submitted on March 9, 2017 against Jefferson Beauregard Sessions, who is admitted to practice law in the State of Alabama. The earlier complaint alleges that Mr. Sessions, who now serves as the Attorney General of the United States, violated Rule 8.4 of the Alabama Rules of Professional Conduct by making false statements during sworn testimony before the United States Senate Committee on the Judiciary on January 10, 2017, and in a subsequent written response to questions by the committee on January 17, 2017.

As described in further detail in the March 9 complaint, Mr. Sessions testified under oath before the Senate Judiciary Committee that he “did not have communications with the Russians.” In response to a written follow-up question from the Senate committee, he wrote “no” in response to the question, “Have you been in contact with anyone connected to any part of the Russian government about the 2016 election, either before or after election day?” (emphasis in original). In the March 9 complaint, I provided the Disciplinary Commission with a copy of a March 1, 2017 Washington Post article, reporting that Mr. Sessions had met twice last year with Russian Ambassador to the United States Sergey Kislyak, including a private meeting in Mr. Sessions’ Washington office in September. In a statement issued later on March 1, Mr. Sessions did not dispute that the meetings took place, but instead stated that he did not discuss the campaign with the ambassador. He reiterated this characterization during a press conference on March 2, 2017, stating that, “I never had meetings with Russian operatives or Russian intermediaries about the Trump campaign.” In a March 6, 2017 letter to the Senate Judiciary Committee, Mr. Sessions acknowledged meeting twice with the Russian ambassador. The letter is attached as Exhibit E.

I am submitting this amendment in response to a letter to me from J. Douglas McElvy, General Counsel of the Alabama State Bar, who wrote, “If you possess additional information relevant to the allegations in your complaint, you are invited to submit it to this office for consideration.” I am providing additional information about 1) reports of one or two additional meetings between Mr. Sessions and the Russian ambassador on the same day as a presidential campaign event, and 2) reports of Mr. Sessions failing to list any Russian officials on his application for a security clearance for work at the United States Department of Justice. Both events may be relevant to the Disciplinary Commission’s investigation of whether Mr. Sessions violated Rule 8.4.

Reports on Mr. Sessions' Third and Possibly Fourth Meetings with the Russian Ambassador

Recent media reports state that Mr. Sessions met once or twice with the Russian ambassador several months prior to the two meetings that Mr. Sessions has now acknowledged and which were part of the factual basis for the March 9 bar complaint. In his March 6, 2017 letter to the Senate Judiciary Committee, Mr. Sessions describes two meetings with the Russian ambassador, stating that he “spoke briefly to the Russian Ambassador at the Republican National Convention in Cleveland, Ohio, in July 2016,” and “[i]n September 2016, [he] met with the Russian Ambassador at [Sessions’] Senate office.” There are now media reports that Mr. Sessions also met earlier during the campaign with the Russian ambassador.

CNN reported on May 31, 2017 that, prior to then-presidential candidate Donald Trump delivering a speech at the Mayflower Hotel in Washington, D.C. on April 27, 2016, Mr. Sessions and the Russian ambassador both attended a small “VIP reception,” which Bloomberg earlier described as a reception with “two dozen” attendees. CNN stated that “congressional investigators are examining whether Attorney General Jeff Sessions had an additional private meeting with Russia’s ambassador,” and that “[t]he FBI is looking into whether there was an additional private meeting at the Mayflower the same day.” In the same article, a Department of Justice spokesperson stated, “the then-Senator did not have any private or side conversations with any Russian officials at the Mayflower Hotel.” The articles from CNN and Bloomberg are attached as Exhibits F and G.

One or two additional communications between Mr. Sessions and the Russian ambassador, in addition to the two meetings he acknowledged more than a month after his sworn testimony that he had no such communications, is relevant to the question of whether Mr. Sessions violated 8.4. Not only would these additional communications add to the absolute number of events that Mr. Sessions failed to report, but also could be relevant to the weight of any false statement.

Mr. Sessions Did Not Disclose Any Meetings with Russian Officials on His Security Clearance Form

CNN reported on May 24, 2017 that the Justice Department acknowledged that Mr. Sessions did not disclose any of his meetings with Russian officials on the security clearance form he submitted in late 2016. The form, U.S. Office of Personnel Management Standard Form 86, “Questionnaire for National Security Positions,” instructs applicants to list “any contact” they had with a “foreign government” or its “representatives” over the past seven years. The Justice Department acknowledged that Mr. Sessions did not include any of his meetings with Russian officials in his response to this question. On page 121 of the form, an applicant must certify:

My statements on this form, and on any attachments to it, are true, complete, and correct to the best of my knowledge and belief and are made in good faith. I have carefully read the foregoing instructions to complete this form. I understand that a knowing and willful false statement on this form can be punished by fine or imprisonment or both (18 U.S.C. 1001). I understand that intentionally withholding, misrepresenting, or falsifying information may have a negative effect on my security clearance, employment prospects, or job status, up to and including denial or revocation of my security clearance, or my removal and debarment from Federal service.

The CNN article and subsequent articles in several newspapers have various explanations from the Justice Department for why Mr. Sessions did not list any meetings with Russian officials, as well as statements from other persons familiar with the clearance process who believe that Mr. Sessions had an obligation to disclose the meetings on the form. The CNN article and a blank version of Standard Form 86 (the form completed by Mr. Sessions is not public) are attached as Exhibits H and I.

While the Disciplinary Commission may decide to investigate the failure to disclose his meetings with Russian officials on the security clearance form as a separate, but related, violation of Rule 8.4, the Commission may also consider the question on the security clearance form as part of its investigation of the false statement made to the Senate Judiciary Committee.

I stand ready to provide the Disciplinary Commission any additional information necessary for its investigation.

The attorney you are filing the complaint against will receive a copy of your complaint, and may be asked to respond to your allegations.

I hereby certify that the information I am providing is true and accurate to the best of my knowledge and that I will voluntarily appear and testify to the facts in the complaint if called upon by the Alabama State Bar.

Christina Chen

Name (signature)

Date: June 2, 2017

Sworn to and subscribed before me this 2nd day of May JUNE, 2017.

[Signature]

NOTARY PUBLIC

MY COMMISSION EXPIRES: 02/14/2022

