



Asset Forfeiture Law in the United States

Stefan D. Cassella

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Asset Forfeiture Law in the United States collects in one place all of the law on administrative, civil and criminal forfeiture procedure, including the changes made in 2006. This handy one volume treatise serves as a resource to anyone needing a comprehensive discussion of the recurring and evolving forfeiture issues that arise daily in federal practice.

Asset forfeiture has become a routine part of federal criminal law enforcement. The federal law enforcement agencies, including the DEA, the FBI, and the agencies of the Department of Homeland Security, initiate tens of thousands of administrative forfeiture cases every year and federal prosecutors file civil and criminal forfeiture actions in federal courts in thousands of cases as well.

Overall, in each of the last few fiscal years, the Government has confiscated over threequarters of a billion dollars in criminally-derived property. This law enforcement activity has naturally generated a deluge of case law from the federal courts. New forfeiture cases are decided every week, making it difficult for the courts themselves, as well as practitioners, to keep current.

Moreover, Congress is constantly amending the forfeiture laws and enacting new ones – including a set of new forfeiture provisions included in the USA Patriot Improvement and Reauthorization Act signed by the President in March 2006.

Finally, in response to the explosion in forfeiture litigation, the Supreme Court has issued a new Supplemental Rule G of the Federal Rules of Civil Procedure dealing exclusively with civil forfeiture that took effect on December 1, 2006.

This book was written in the author's private capacity as a lawyer; therefore, the book does not in any way constitute an official statement of the law or policy or otherwise reflect the views of the United States Department of Justice and the Section of Asset Forfeiture and Money Laundering.

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