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Introduction

This new edition of the Antitrust Division Grand Jury Practice Manual was prepared to aid all Division personnel in the performance of their grand jury-related responsibilities. It is designed to be a single updated source for general legal, policy and procedural guidance relevant to such responsibilities. Although a certain amount of detail is provided concerning the various criminal laws the Division enforces, this Manual is intended to be a guide to grand jury practice and not a comprehensive primer on criminal law enforcement. This Manual is intended to be as current as possible, however, Division professionals should be alert to changes in substantive law and Division procedures that may not be contained in this Manual.

This version of the Grand Jury Manual is a complete revision of the old Manual which should now be discarded. It should be used in conjunction with the Antitrust Division Manual which also provides valuable guidance in the criminal law enforcement area.

This manual provides only internal Department of Justice guidance. It is not intended to, does not, and may not be relied upon to create any rights, substantive or procedural, enforceable at law by any party in any matter civil or criminal. No limitations are hereby placed on otherwise lawful investigative and litigative prerogatives of the Department of Justice.

Numerous attorneys, paralegals and secretaries throughout the Antitrust Division, including all the employees in the FOIA Unit, contributed to this edition of the Manual. Without their effort, performed in addition to their already heavy work-loads, this revision could not have been produced. We all owe a debt of thanks to them.

Several individuals, in addition, deserve special recognition for their contribution to this edition -- Elaine Fidler, proofed (and reproofed) this Manual and managed various other aspects of its production; Jacqueline Jones, who typed (and retyped) the majority of the Manual; Kate Schlech, who offered her sage comments on all the chapters of the Manual; John Powers, who reviewed the legal analysis throughout the Manual and was always there to offer advice and guidance; and especially Leo Neshkes, who took responsibility for this revision when it was faltering and without whom this edition of the Manual would never have been produced.