



## ABA Model Rules of Professional Conduct Applicable to Civility

- Rule of Professional Conduct 1.2(d) “(d) A lawyer shall not counsel a client to engage, or assist a client, in conduct that the lawyer knows is criminal or fraudulent, but a lawyer may discuss the legal consequences of any proposed course of conduct with a client and may counsel or assist a client to make a good faith effort to determine the validity, scope, meaning or application of the law.”
- Rule of Professional Conduct 1.3, Comment 1 A lawyer must also act with commitment and dedication to the interests of the client and with zeal in advocacy upon the client's behalf. A lawyer is not bound, however, to press for every advantage that might be realized for a client...The lawyer's duty to act with reasonable diligence does not require the use of offensive tactics or preclude the treating of all persons involved in the legal process with courtesy and respect.
- Rule of Professional Conduct 1.4(a)(5) “A lawyer shall ... consult with the client about any relevant limitation on the lawyer’s conduct when the lawyer knows that the client expects assistance not permitted by the Rules of Professional Conduct or other law.”
- Rule of Professional Conduct 3.1 “A lawyer shall not bring or defend a proceeding, or assert or controvert an issue therein, unless there is a basis in law and fact for doing so that is not frivolous, which includes a good-faith argument for an extension, modification or reversal of existing law.”
- Rule of Professional Conduct 3.4(a)-(e) “A lawyer shall not: (a) unlawfully obstruct another party’s access to evidence ... (b) falsify evidence ... (c) knowingly disobey an obligation under the rules of a tribunal ... (d) ... make a frivolous discovery request or fail to make reasonably diligent effort to comply with a legally proper discovery request... (e) in trial, allude to any matter that the lawyer does not reasonably believe is relevant.”
- Rule of Professional Conduct 3.5 “A lawyer shall not: (a) seek to influence a judge, juror, prospective juror or other official by means prohibited by law; (b) communicate *ex parte* with such a person during the proceeding unless authorized to do so by law or court order; (c) communicate with a juror or prospective juror after discharge of the jury if: (1) the communication is prohibited by law or court order; (2) the juror has made known to the lawyer a desire not to communicate; or (3) the communication involves misrepresentation, coercion, duress or harassment; or (d) engage in conduct intended to disrupt a tribunal.
- Rule of Professional Conduct 4.1 “In the course of representing a client a lawyer shall not knowingly: (a) make a false statement of material fact or law to a third person; or (b) fail to disclose a material fact when disclosure is necessary to avoid assisting a criminal or fraudulent act by a client, unless disclosure is prohibited by Rule 1.6.”
- Rule of Professional Conduct 4.4(a) “In representing a client, a lawyer shall not use means that have no substantial purpose other than to embarrass, delay, or burden a third person, or use methods of obtaining evidence that violate the legal rights of such a person.”
- Rule of Professional Conduct 8.4(c) “It is professional misconduct for a lawyer to ... engage in conduct involving dishonesty, fraud, deceit or misrepresentation.”