

Rule 3.1 [3-200] Meritorious Claims and Contentions
(Commission's Proposed Rule Adopted on October 21–22, 2016 – Clean Version)

- (a) A lawyer shall not:
 - (1) bring or continue an action, conduct a defense, assert a position in litigation, or take an appeal, without probable cause and for the purpose of harassing or maliciously injuring any person; or
 - (2) present a claim or defense in litigation that is not warranted under existing law, unless it can be supported by a good faith argument for an extension, modification, or reversal of the existing law.
- (b) A lawyer for the defendant in a criminal proceeding, or the respondent in a proceeding that could result in incarceration, or involuntary commitment or confinement, may nevertheless defend the proceeding by requiring that every element of the case be established.

**Proposed Rule 3.1 [3-200] Meritorious Claims and Contentions
Synopsis of Public Comments**

TOTAL = 1 **A = 1**
D = 0
M = 0
NI = 0

No.	Commenter/Signatory	Comment on Behalf of Group?	A/D/M/NI ¹	Rule Section or Cmt.	Comment	RRC Response
Y-2016-21u	Office of Chief Trial Counsel (OCTC) (01-09-17)	Y	A	3.1	OCTC supports this rule.	No response required.

¹ A = AGREE with proposed Rule

D = DISAGREE with proposed Rule

M = AGREE ONLY IF MODIFIED

NI = NOT INDICATED

