

**Rule 3.3. Candor Toward the Tribunal.**

1        A licensed paralegal practitioner shall not knowingly make a false statement of fact or law to  
2 a tribunal or fail to correct a false statement of material fact or law previously made to the  
3 tribunal by the licensed paralegal practitioner.

4  
5        Comment

6        Representations by a Licensed Paralegal Practitioner

7        [1] A licensed paralegal practitioner is responsible for pleadings and other documents  
8 prepared for litigation, but is usually not required to have personal knowledge of matters asserted  
9 therein, for litigation documents ordinarily present assertions by the client, or by someone on the  
10 client's behalf, and not assertions by the paralegal practitioner. Compare Rule 3.1. However, an  
11 assertion purporting to be on the licensed paralegal practitioner's own knowledge, as in an  
12 affidavit by the licensed paralegal practitioner, may properly be made only when the licensed  
13 paralegal practitioner knows the assertion is true or believes it to be true on the basis of a  
14 reasonably diligent inquiry. There are circumstances where failure to make a disclosure is the  
15 equivalent of an affirmative misrepresentation. The obligation prescribed in Rule 1.2(d) not to  
16 counsel a client to commit or assist the client in committing a fraud applies. Regarding  
17 compliance with Rule 1.2(d), see the Comment to that Rule. See also the Comment to Rule 8.4.

18        [2]-[14] Reserved.

Effective November 1, 2018