Rule 3.10

(a) When a lawyer knows of credible and material evidence that creates a reasonable likelihood that a convicted defendant did not commit an offense of which the defendant was convicted, the lawyer shall promptly disclose that evidence to the court in which the defendant was convicted and to the corresponding prosecutorial authority, and to defendant's counsel or, if defendant is not represented, the defendant and the indigent defense appointing authority in the jurisdiction.

(b) This Rule does not require disclosure of information otherwise protected by Rule 1.6 or other law.

(c) A lawyer who in good faith concludes that information is not subject to this Rule does not violate this Rule even if that conclusion is later determined to have been erroneous.

(d) This Rule does not require disclosure if the lawyer knows that appropriate governmental authorities or the convicted defendant already possess the information.

Copyright © 2017 American Bar Association. All rights reserved. Nothing contained in this chart is to be considered the rendering of legal advice. The chart is intended for educational and informational purposes only. Information regarding variations from the ABA Model Rules should not be construed as representing policy of the American Bar Association. The chart is current as of the date shown. A jurisdiction may have amended its rules or proposals since the time its chart was created. If you are aware of any inaccuracies in the chart, please send your corrections or additions and the source of that information to John Holtaway, (312) 988-5298, john.holtaway@americanbar.org.