

Rule 8.4. Misconduct

It is professional misconduct for a lawyer to:

(a) – (h) [NO CHANGE]

(i) engage in conduct the lawyer knows or reasonably should know constitutes sexual harassment where the conduct occurs in connection with the lawyer’s professional activities.

COMMENT

[1]-[5] [NO CHANGE]

[5A] Sexual harassment may include, but is not limited to, sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that a reasonable person would perceive as unwelcome. The substantive law of employment discrimination, including anti-harassment statutes, regulations, and case law, may guide, but does not limit, application of paragraph (i). “Professional activities” are not limited to those that occur in a client-lawyer relationship.

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