

13-1639A. Misuse of process; procedural impropriety, defined.

Misuse of the legal process occurs when a defendant engages in some impropriety in the use of the legal process that suggests extortion, delay, harassment, or some other illegitimate end. The legal process may be misused either by the irregular use of a procedure, or by some other act by the defendant that indicates the wrongful use of judicial proceedings. In this case, _____ (*name of the plaintiff*) says _____ (*describe the irregularity or impropriety*). _____ (*Name of the defendant*) denies what _____ (*name of the plaintiff*) says, and _____ (*name of the defendant*) says _____ (*describe the defendant's position*).

USE NOTES

This instruction should be used when the misuse of process claimed is a procedural impropriety or irregularity, other than the filing of a complaint without probable cause.

[Adopted by Supreme Court Order No. 09-8300-033, effective October 19, 2009.]