

## **10.6 North Carolina Rules of Professional Conduct**

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Rule 3.8(d) of the Rules of Professional Conduct requires that the prosecutor in a criminal case disclose evidence that “tends to negate the guilt of the accused or mitigates the offense” and information that might mitigate at sentencing. Although this rule does not specifically apply to juvenile cases, the reasons underlying the duty to disclose are equally applicable. The rule requires the State to make “reasonably diligent inquiry” and to disclose non-privileged evidence as required by law, rules of procedure, or court opinions unless a protective order is entered.