

**OREGON COURTS WILL NOT PROVIDE RELIEF IN EQUITY**  
**FOR SOMEONE WHO HAS ACTED IN BAD FAITH**

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There are two kinds of cases, cases in law and cases in equity. A case in law is basically one created by statute. A case in equity is one that existed prior to the statutes or has been created by the courts.

A party who comes into a court in equity must come with “clean hands” and a court can find that the “bad faith” conduct by a party disqualifies that party from seeking the aid of the court. A party may be found to have “unclean hands” for conduct that does not violate the law. However, the misconduct must be serious enough to justify a court’s denying relief on an otherwise valid claim. Even equity does not require saintliness. Equity will not aid persons who have been unreasonably careless or who could have avoided their dilemma if they had made a reasonable inquiry.

If a court finds that both parties come into court with “unclean hands” the court will refuse to help either party and will leave them as it finds them. An Oregon court deciding a case in equity will deny relief to those guilty of improper conduct no matter how improper the other party’s conduct may have been.