

[Bouvier Law Dictionary Unclean Hands Doctrine \(Clean- Hands Doctrine\)](#)

[The Wolters Kluwer Bouvier Law Dictionary Desk Edition](#) > [The Entries, A-Z](#) > [E](#)

Author

Stephen Michael Sheppard

[Unclean Hands Doctrine \(Clean-Hands Doctrine\)](#)

A wrongdoer is not entitled to equitable relief. ***Unclean hands*** is a short ***hand*** for the maxim, "one who comes before equity must come with ***clean hands***," which is to say that a plaintiff cannot seek relief in equity for the defendant's misdeeds when the plaintiff has done the same or worse. The misdeeds must, however, be related to the cause of action. The ***doctrine*** is sometimes conflated with a separate maxim, "he who seeks equity must do equity," which requires the performance of an affirmative duty, while the ***clean hands*** maxim requires restraint from wrongdoing.

Derivation: The ***doctrine*** of ***unclean hands*** means no more than that one, who has defrauded his adversary in the subject matter of the action, will not be heard to assert a right in equity. The practical meaning of the maxim that "he who seeks equity must do equity" is that, whatever the nature of the remedy sought, the court will not give equitable relief to one seeking it unless he will admit and provide for all of the equitable rights, claims and demands of his adversary growing out of, or necessarily involved in, the subject matter of the controversy. [Sample v. Sample, 466 S.W.2d 935, 936 \(Ark. 1971\)](#) (Fogleman, J.).

The basic equitable maxim of ***unclean hands*** is that "[a] suitor in equity must come into court with ***clean hands*** and he must keep them clean after his entry and throughout the proceedings. In simple parlance, it merely gives expression to the equitable principle that a court should not grant relief to one who is a wrongdoer with respect to the subject matter in suit." While "[u]sually applied to a plaintiff, this maxim means that a court of equity will refuse relief to [any] party who has acted in a manner contrary to the principles of equity." [Rolnick v. Rolnick, 674 A.2d 1006, 1010 \(N.J. Super. Ct. App. Div. 1996\)](#) (Kimmelman, J.).

The ***doctrine*** of ***unclean hands*** bars a party who acted inequitably from obtaining equitable relief. However, the party with ***unclean hands*** is not barred from opposing a request for equitable relief by the other side. [Wyeth v. Natural Biologics, Inc., 395 F.3d 897, 902 \(8th Cir. 2005\)](#) (Heaney, J.).

The ***clean hands doctrine*** is a well-established principle to which this Court has long subscribed. Simply stated the maxim stands for the proposition that a litigant may be denied relief by a court of equity on the ground that his conduct has been inequitable, unfair and dishonest, or fraudulent and deceitful as to the controversy in issue. [Gilbert v. Nampa School District No. 131, 657 P.2d 1 \(Idaho 1983\)](#) (Bistline, J.).

Usage: He alleges that Jennifer had "***unclean hands***" because "she knowingly and willfully withheld her intentions and plans from the [c]ourt and Alan[.]" and that "she knew when she presented [the agreement] to the [c]ourt that it was an agreement to which she was not going to comply." [Price v. Price, 5 So. 3d 1151, 1156 \(Miss. Ct. App. 2009\)](#) (Ishee, J.).

The court found that the husband was before the court with ***unclean hands*** because the evidence clearly showed he deeded the property to his wife intending to defraud the [State of Mississippi. Ellzey v. James, 970 So. 2d 193, 196 \(Miss. Ct. App. 2007\)](#) (Chandler, J.).

We also disagree with appellee's contention that appellant is guilty of ***unclean hands*** because she did not pay what was owed under the decree. The ***clean-hands doctrine*** bars relief to those guilty of improper conduct in the matter as to which they seek relief. As is evident by our decision, the amount appellant owed was subject to legitimate dispute. We see no basis for the application of the ***clean-hands*** defense here. [Allen v. Allen, 259 S.W.3d 480, 484-85 \(Ark. Ct. App. 2007\)](#) (Heffley, J.).

See also: In, In Pari Delicto (In Par Delicto).

