

DISCIPLINARY BOARD
 OFFICE OF DISCIPLINARY COUNSEL

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CASE NO.: 20-8001
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DISCIPLINARY BOARD OF THE HAWAI'I SUPREME COURT

In re:

DB No. 20-8001

DISCIPLINARY BOARD RULES

ORDER AMENDING DISCIPLINARY BOARD RULES 29 AND 31

On recommendation of the standing Rules Committee, the Disciplinary Board's Rules need to provide for consistent administration of any unresolved complaints against an attorney, that are pending at the time of, or received subsequent to, that attorney's RSCH Rule 2.16 disbarment or suspension, or RSCH Rule 2.19 transfer to inactive status. Therefore,

IT IS HEREBY ORDERED that the Disciplinary Board Rules are amended to add new Rule 29(d) and 31(f), effective February 1, 2022, as follows:


[DBR] Rule 29 (Board's Role in Cases of Disbarred and Suspended Attorneys).

(d) Disbarment or suspension of an Attorney shall not preclude investigation of the Attorney's conduct in other pending or new matters, to gather and preserve evidence; however, such matters may be held in abeyance unless and until the attorney seeks reinstatement. In cases where the other pending or new matter is abated, Disciplinary Counsel shall notify the Attorney that the abatement may be lifted if reinstatement is sought and pursued either separately or in combination with the reinstatement effort.

[DBR] Rule 31 (Proceedings Where an Attorney Is Declared Incompetent or Alleged to Be Incapacitated)

(f) Consistent with RSCH Rule 2.19(h), the provisions of Rule 29(d) shall apply, should the Attorney seek reinstatement pursuant to RSCH Rule 2.19(g).

DATE: January 28, 2022



HON. CLIFFORD L. NAKEA (ret)
CHAIRPERSON, DISCIPLINARY BOARD of
the HAWAI'I SUPREME COURT