

Hawaii Fires

Hawaii Residents Are Urged To Be Cautious About Retaining Lawyers From Out Of State

Law firms have aimed radio and social media campaigns at fire survivors.



By Jack Truesdale  / About 8 hours ago

 Reading time: 3 minutes.



The Hawaii Supreme Court's Office of Disciplinary Counsel has received at least 12 complaints about attorneys who are not licensed in Hawaii soliciting survivors of the Maui fires as clients, according to Chief Disciplinary Counsel Bradley Tamm.

"My inbox has blown up, so I have no idea how many more complaints are in there," Tamm said, adding that he's been on the phone "all day long" with Hawaii lawyers, as well as mainland lawyers looking to affiliate with Hawaii lawyers.

Lawyers who are not licensed in the state are not subject to the same levels of accountability as local counsel, Tamm said.

“If you’re disciplined in one state, that discipline will follow you,” Tamm said. But contracts signed with lawyers not licensed in Hawaii may be void, he said.



The Hawaii Lawyers’ Fund for Client Protection can reimburse plaintiffs for a lawyer’s misconduct, but only if the lawyer is licensed in Hawaii. (Cory Lum/Civil Beat/2021)

For example, a California-licensed lawyer could win a fire survivor a \$100,000 settlement, only to pocket it and walk away, he explained. But if a Hawaii-licensed lawyer did that, the client could file a claim for reimbursement with the [Hawaii Lawyers’ Fund for Client Protection](#).

“It’s almost like the FDIC for lawyers, and the Hawaii Bar will reimburse you for what was stolen from you,” Tamm said.

“Maybe I could competently remove your appendix, but you have no idea,” said Honolulu attorney Mark Davis. “It’s kind of an anti-fraud statute to protect our folks here in Hawaii against people who are not authorized to practice law.”

Lawyers have come to Hawaii from California, Texas, Florida, Washington and Oregon to find their Maui fire plaintiffs, Tamm said.

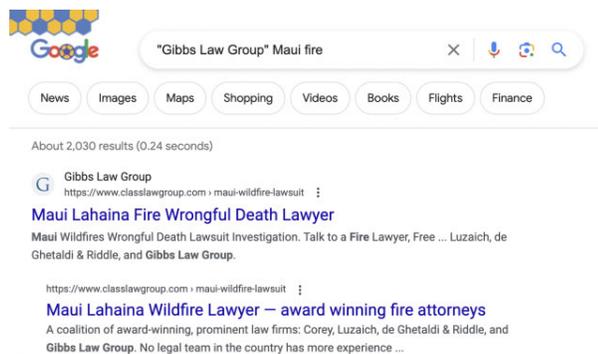
“It’s a feeding frenzy,” Tamm said. “There are sharks both in the water and on the land.”

A California class-action firm, Gibbs Law Group, advertised on Instagram earlier this week: “Hold Hawaiian Electric Accountable” in a solicitation for input from survivors of the Maui fires.

The firm has since scrubbed its website of any related content. Eric Gibbs, a founding partner of the firm, did not respond to a call for comment.

Regardless of their skill, if those attorneys are not admitted to the Hawaii State Bar Association, Tamm said, “they are likely, likely violating state law.”

The exception would be if they have “someone they’re associated with who is a Hawaii-licensed attorney,” he said, but that is not always easy to check. Some people incorporate under generic names, and they may not even be lawyers.



Gibbs Law Group ran advertisements for business related to the Lahaina fire then later removed the content from its website. (Screenshot)

“If there’s not a lawyer there, I don’t have jurisdiction, and I turn it over to the Department of Commerce and the AG’s office,” said Tamm.

High-pressure tactics, lawyers who ask for compensation such as ownership in a home, oral agreements, firms promising a certain result, and no Hawaii license can all be red flags that someone’s trying to make off with your money, said Ryan Little, a San Diego lawyer who previously worked for the Office of Disciplinary Counsel.

“Don’t trust anyone who’s giving you that gut feeling that you need to run away,” Little said. “There’s gonna be a lot of people who are vulnerable and desperate, and that makes them vulnerable to that sort of fraud.”

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— **Joseppi** 1 hour ago

Amazing to think about all the corruption we read about here in Hawaii, from prosecuting attorney Kaneshiro and his fellow conspirators to Katherine Kealoha, that local attorneys have the audacity to point their fingers at mainland lawyers being shady.

If the mainland is filled with conmen, why is it that when the local bureaucrats create a committee to study some problem, they always go to the mainland to seek the advise and expertise of mainland lawyers and experts?

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