

Before the
DISCIPLINARY BOARD
of the
HAWAI'I SUPREME COURT

OFFICE OF DISCIPLINARY
COUNSEL,

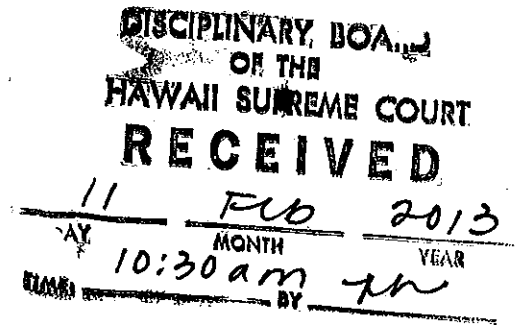
Petitioner,

v.

ROBERT D.S. KIM

Respondent.

ODC 09-027-8750



DECISION AND PUBLIC ORDER OF DISCIPLINE

and

CERTIFICATE OF SERVICE

DISCIPLINARY BOARD OF THE
HAWAI'I SUPREME COURT
1132 Bishop Street, Suite 300
Honolulu, Hawai'i 96813
Telephone: (808) 599-1909

**Before the
DISCIPLINARY BOARD
of the
HAWAI'I SUPREME COURT**

OFFICE OF DISCIPLINARY
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ROBERT D.S. KIM

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DECISION AND PUBLIC ORDER OF DISCIPLINE

The DISCIPLINARY BOARD OF THE HAWAI'I SUPREME COURT ("Board") hereby certifies that on December 13, 2012, pursuant to DBR¹ 24, it reviewed the Hearing Committee's² Findings of Fact, Conclusions of Law, and Recommendation for Discipline filed on July 11, 2012, and that after hearing and deliberation the Board's decision is as follows:

¹ Unless otherwise noted, "RSCH" indicates the Rules of the Supreme Court of Hawaii, and "DBR" indicates the Rules of the Disciplinary Board of the Hawaii Supreme Court.

² Margery S. Bronster, Esq. (Chairperson), Honorable Kirk W. Caldwell and David M.K. Lum, Esq., comprised the Hearing Committee, with formal hearings conducted on February 28 and 29, 2012.

1. The Board accepts and adopts that portion of the Hearing Committee's report that constitutes Findings of Fact and Conclusions of Law, but rejects its Recommendation for Discipline;

2. The Board finding that misconduct has been found, and that while the matter does not warrant the filing of a report with the Supreme Court, the misconduct is too serious to be addressed by a Private Informal Admonition or a Private Reprimand, and requires public notice, therefor PUBLIC REPRIMAND shall be imposed upon Respondent ROBERT D.S. KIM;

4. The Board shall further assess Respondent with all costs associated with these proceedings as approved upon timely submission of a bill of costs as prescribed by RSCH Rule 2.3.

Pursuant to the Board's Decision, it is ORDERED as follows:

A. A PUPLIC REPRIMAND is the appropriate discipline to be imposed upon Respondent pursuant to RSCH 2.3(a)(4), and DBR 27.

B. On January 31, 2013, the Board imposed a PUBLIC REPRIMAND upon Respondent, and with the consent of Petitioner Office of Disciplinary Counsel and Respondent.

C. Respondent shall reimburse the Board for all costs related to this proceeding pursuant to RSCH 2.3(c).

D. This Decision and Order, pursuant to DBR 27(d) shall constitute a permanent record of the imposition of such a Public Reprimand upon Respondent and be served upon Respondent.

E. Respondent shall also be provided with a copy of the text of the reprimand per DBR 27(b).

F. Petitioner, pursuant to DBR 27(f) shall issue the appropriate press release.

Dated: Kapa'a, Kauai, Hawai'i, February 9, 2013,

DISCIPLINARY BOARD OF THE
HAWAII SUPREME COURT

By 
HON. CLIFFORD L. NAKEA (Ret.)
CHAIRPERSON

DISCIPLINARY BOARD OF THE
HAWAII SUPREME COURT
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ODC v. ROBERT D.S. KIM; ODC No. 09-027-8750

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DISCIPLINARY BOARD
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COUNSEL,

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v.

ROBERT D.S. KIM

Respondent.

ODC 09-027-8750

CERTIFICATE OF SERVICE

1. **DECISION AND PUBLIC ORDER OF DISCIPLINE**
2. **TEXT OF PRIVATE REPRIMAND**

I hereby certify that a copy of the foregoing documents was filed with the Clerk of the Disciplinary Board this date, and service was made by regular U.S.

Mail, postage prepaid, as follows:

JAMES A. KAWACHIKA, ESQ.
O'Connor Playdon & Guben
733 Bishop St., Makai 2400
Honolulu, HI 96813

Attorneys for Respondent;


and by hand-delivery to:

THOMAS F. ROBERTSON, ESQ.
Assistant Disciplinary Counsel
1132 Bishop Street, Suite 300
Honolulu, HI 96813
Telephone: (808) 599-1909

for Petitioner.

Dated: Honolulu, Hawai'i, Feb 11, 2013,

DISCIPLINARY BOARD OF THE
HAWAII SUPREME COURT

By 
FAYE F. HEE,
Filing Clerk

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