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FORMAL OPINION NO. 44 (*Pro Se* Communication)

This Opinion addresses the issue of whether an attorney proceeding *pro se* is precluded by HRPC 4.2 (Communication with Person Represented by Counsel) from communicating directly with a person represented by counsel. A lawyer who is a party in a matter and is proceeding *pro se* cannot communicate directly about the subject of the representation with another person who is known to be represented by counsel in the matter without first obtaining consent from the other person's lawyer or is authorized to do so by law or a court order.

DATED: Honolulu, Hawai'i, April 24, 2003.

Handwritten signature of Carroll S. Taylor in cursive.

CARROLL S. TAYLOR
CHAIRPERSON, DISCIPLINARY BOARD

Handwritten signature of Carole R. Richelieu in cursive.

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