

EMERIMANDO, I
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STATE OF HAWAII

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FILED

In the Matter of the Amendment
of the
RULES OF THE SUPREME COURT OF THE STATE OF HAWAII

ORDER AMENDING RULE 2.11 OF THE
SUPREME COURT OF THE STATE OF HAWAII

(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

IT IS HEREBY ORDERED that Rule 2.11 of the Rules of the Supreme Court of the State of Hawai'i, is amended, effective July 1, 2008 as follows (deleted material is bracketed and stricken; new material is underscored):

2.11. Service.

(a) Service upon the respondent of the petition or order to show cause in any disciplinary, disability, or trustee proceeding shall be made by personal service by any person authorized by the Board Chairperson, except that, in the event the respondent cannot be found within the state or has departed therefrom, service shall be made by registered or certified mail at the respondent's address shown in his or her registration statement filed pursuant to Rule 17(d) or other last known address. Service by mail is complete on mailing.

(b) Service of any other papers or notices required by these rules may [shall] be personal or by mail [~~made in accordance with Rule 5 of the Hawai'i Rules of Civil Procedure~~]. Personal service includes delivery of the copy to an attorney or a responsible person at the attorney's office. Service by mail at the respondent's address shown in his or her registration statement filed pursuant to Rule 17(d) or other last known address is complete on mailing, if mailed by postage prepaid First Class mail or other class of mail that is at least as expeditious.

DATED: Honolulu, Hawai'i, February 12, 2008.

Steven J. Levinson

Akua C. Nakayama

James E. Duffy, Jr.