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Supreme Court
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NO. 27578

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

OFFICE OF DISCIPLINARY COUNSEL, Petitioner,

vs.

CARRIE M. YONEMORI, Respondent.

(ODC 05-153-8305, 08-028-8671, 09-047-8770)

ORDER OF SUSPENSION

(By: Recktenwald, C.J., Nakayama, Acoba, and Duffy, JJ.,
and Intermediate Court of Appeals Chief Judge Nakamura,
assigned by reason of vacancy)

Upon consideration of the Disciplinary Board's Report and Recommendation for the Disbarment of Respondent Carrie M. Yonemori and the record, it appears Respondent Yonemori failed to provide competent and diligent representation to three clients, failed to communicate with the three clients, and failed to cooperate in the investigation of the clients' complaints. It further appears these failures violated Rules 1.1, 1.3, 1.4, 1.5(b), 3.4(e), 8.1(b), 8.4(a), and 8.4(d) of the Hawai'i Rules of Professional Conduct, to the detriment of the clients and the profession. It further appears that the hearing officer recommended a 3 year suspension. This court has said "we will not hesitate to impose substantial sanctions on attorneys who

neglect their clients' cases," but we "exercise caution and prudence in adopting the ultimate sanction of disbarment," *Office of Disciplinary Counsel v. Kagawa*, 63 Haw. 150, 159, 622 P.2d 115, 121 (1981). Such caution is warranted here. It finally appears from the evidence in the record that Respondent Yonemori has no current clients and delaying the effective date of this order as provided by Rule 2.16(c) of the Rules of the Supreme Court of the State of Hawai'i (RSCH) would serve no purpose.

IT IS HEREBY ORDERED that Respondent Yonemori is suspended from the practice of law in this jurisdiction for a period of three (3) years, effective upon entry of this order.

IT IS FURTHER ORDERED that in addition to any other requirements for reinstatement imposed by our Rules, Respondent Yonemori shall (1) pay costs of these proceedings, as approved upon timely submission of a bill of costs, and (2) pay restitution in the amount of \$225 to Cynthia Shiroma.

IT IS FINALLY ORDERED that Respondent Yonemori shall comply with the requirements of RSCH Rule 2.16.

DATED: Honolulu, Hawaii, December 23, 2010.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Simeon R. Acoba, Jr.

/s/ James E. Duffy, Jr.

/s/ Craig H. Nakamura

