

In the Matter of the Amendment
of the
Hawaii Rules of Professional Conduct

ORDER AMENDING RULE 7.2 OF THE
HAWAII RULES OF PROFESSIONAL CONDUCT
(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

IT IS HEREBY ORDERED that Rule 7.2 of the Hawaii Rules of Professional Conduct, is amended, effective January 1, 2009, as follows (new material is underscored):

Rule 7.2. ADVERTISING.

(c) A lawyer shall not give anything of value to a person for recommending the lawyer's services except that a lawyer may:

(1) pay the reasonable costs of advertisements or communications permitted by this rule;

(2) pay the usual charges of a not-for-profit lawyer referral service or qualified legal assistance organization, which charges, in addition to any referral fee, may include a fee calculated as a percentage of legal fees earned by the lawyer to whom the service or organization has referred a matter, provided that any such percentage fee shall be used only to pay the reasonable operating expenses of the service or organization and to fund public service activities of the service or organization, including the delivery of pro bono legal services; and

(3) pay for a law practice in accordance with Rule 1.17.

DATED: Honolulu, Hawaii, August 19, 2008.