

IN THE SUPREME COURT OF THE STATE OF HAWAII

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

ORDER AMENDING RULES 10.6 AND 10.10 OF THE RULES OF THE
SUPREME COURT OF THE STATE OF HAWAII

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

IT IS HEREBY ORDERED that Rules 10.6 and 10.10 of the Rules of the Supreme Court of the State of Hawaii, are amended, effective July 1, 2008 as follows (deleted material is bracketed and stricken; new material is underscored):

10.6. Subpoenas; noncompliance.

The trustees or an individual trustee or an attorney designated to act on behalf of the trustees, upon determining that any person is a material witness to the determination of a claim made against the Fund, may issue a subpoena in the name of the clerk of ~~[this]~~ the supreme court requiring such person to appear and testify either before the trustees or an individual trustee, or before an attorney designated to act on behalf of the trustees, at the time and place specified therein. The subpoena may also command such person to produce books, papers, documents or other objects designated therein. Subpoenas shall be issued in the manner prescribed by Rule 2, Rules of the Supreme Court of Hawaii.

10.10. Automatic suspension.

(a) Upon the payment by the Fund of any claim, the Trustees shall file proof of the payment with the supreme court.

(b) When proof of the payment is filed with the supreme court, the supreme court shall, unless the interests of justice indicate otherwise, [attorney involved shall be] immediately suspend[ed] the attorney involved from the practice of law in this state until the Fund receives payment for all

reimbursements made by the Fund, together with interest and the Fund's costs and attorney's fees.

(c) The supreme court may set aside such order suspending the attorney from the practice of law in the interest of justice and for good cause shown.

DATED: Honolulu, Hawai i, January 24, 2008.