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Supreme Court
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SCRU-11-0000068

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

In the Matter of the
RULES OF THE SUPREME COURT OF THE STATE OF HAWAI‘I

ORDER AMENDING RULES 16.2(d)(4) AND 17(d)(4)(B) OF THE
RULES OF THE SUPREME COURT OF THE STATE OF HAWAI‘I
(By: Recktenwald, C.J., Nakayama, Acoba, and McKenna, JJ., and
Intermediate Court of Appeals Chief Judge Nakamura,
assigned by reason of vacancy)

IT IS HEREBY ORDERED that Rules 16.2(d)(4) and
17(d)(4)(B) of the Rules of the Supreme Court of the State of
Hawai‘i, are amended, effective July 1, 2012, as follows (deleted
material is bracketed and stricken; new material is underscored):

16.2. Attorneys and Judges Assistance Program Board.

* * *

(d) The Board shall exercise the powers and perform the duties
conferred and imposed upon it by these rules, including the power and duty:

* * *

(4) To receive from the Bar the fees collected under Rule 17(d)(3)
[(iv)](D); to prepare and maintain appropriate accounting records showing the
receipt and disposition of those funds, which records shall be subject to audit;

and to prepare an annual budget for the expenditure of those funds; to develop appropriate financial policies for managing all of the funds received by the Board; and to propose an annual fee as follows:

* * *

Rule 17. THE HAWAI'I STATE BAR.

* * *

(d) Member registration, information, assessment, suspension and status.

* * *

(4) Administrative suspension.

...

(B) Failure to meet MCPE requirements; notice of noncompliance; subsequent acquisition of hours; contest; suspension. Within 60 days after the deadline for filing the disclosure required by Rule 17(d)(1)(D)~~(iv)~~, the Executive Director of the Bar shall send a certified notice of noncompliance to each member whose disclosure shows the MCPE requirement has not been met. A member who receives a certified notice of noncompliance may, within 15 days after the notice was mailed, submit to the Executive Director of the Bar evidence the member has acquired the mandated credit hours (which hours may not be counted for the current year); that the notice of noncompliance was issued erroneously, or that the member has resigned his or her license to practice law. A member who fails to prove the member acquired the mandated credit hours or that the notice of noncompliance was issued erroneously shall be automatically and immediately suspended by the Bar.

* * *

DATED: Honolulu, Hawai'i, June 27, 2012.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Simeon R. Acoba, Jr.

/s/ Sabrina S. McKenna

/s/ Craig H. Nakamura

