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Supreme Court  
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SCAD-11-0000483

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

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OFFICE OF DISCIPLINARY COUNSEL, Petitioner,

vs.

RICHARD K. GRIFFITH, Respondent.

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ORIGINAL PROCEEDING  
(ODC 06-089-8429, 07-170-8630)

ORDER OF SUSPENSION

(By: Recktenwald, C.J., Nakayama, Acoba, Duffy, and McKenna, JJ.)

We have considered the Disciplinary Board's Report and Recommendation that Respondent Richard K. Griffith be suspended from the practice of law in this jurisdiction for a period of one month.

Upon review of the record, including the stipulations between the Petitioner Office of Disciplinary Counsel and Respondent Griffith, it appears Respondent Griffith failed to promptly refund unearned client funds, commingled his general funds with client funds, misrepresented his handling of client funds, and failed to maintain financial records of client trust funds as required by the Hawai'i Rules of Professional Conduct (HRPC) Rule 1.15(f) and(g). It also appears that Respondent Griffith did not respond in a timely manner to Petitioner's inquiries into the matter, in violation of his duties set forth

in HRPC Rule 8.4(d). Respondent's actions violated HRPC Rules 1.15(a)(1), (c), (d), (f)(3), (f)(4), (g)(1), (2), (8), and (9), 1.16(d), and 8.4(a), (c) and (d). It further appears Respondent Griffith's health, his expressions of sincere remorse, and the steps he has taken to change the circumstances that contributed to the violations mitigate against harsher discipline. Therefore,

IT IS HEREBY ORDERED that Respondent Griffith is suspended from the practice of law in this jurisdiction for one month, effective 30 days after the entry of this order, as provided by the Rules of the Supreme Court of the State of Hawai'i (RSCH) Rule 2.16(c). Respondent is admonished to take note that he may not resume the practice of law except by order of the supreme court, as provided by RSCH Rule 2.17(b).

IT IS FURTHER ORDERED that Respondent Griffith, in addition to the requirements of RSCH Rules 2.16 and 2.17, as a condition of reinstatement, is required to successfully complete a Practicing Attorneys Liability Management Society (PALMS) program or its equivalent and to reimburse Petitioner for all costs ordered upon a timely submitted bill of costs and any objections thereto.

DATED: Honolulu, Hawai'i, August 1, 2011.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Simeon R. Acoba, Jr.

/s/ James E. Duffy, Jr.

/s/ Sabrina S. McKenna

