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SCRU-11-0001047

IN THE SUPREME COURT OF THE STATE OF HAWAII

In the Matter of the
HAWAII RULES OF PROFESSIONAL CONDUCT

ORDER AMENDING RULE 1.3
OF THE HAWAII RULES OF PROFESSIONAL CONDUCT
(By: Recktenwald, C.J., Nakayama, McKenna, and Wilson, JJ.)¹

IT IS HEREBY ORDERED that Rule 1.3 of the Hawaii Rules of Professional Conduct is amended, effective January 1, 2021, by adding new Comment [5] to the Rule, as follows (new material is underscored):

Rule 1.3. DILIGENCE.

A lawyer shall act with reasonable diligence and promptness in representing a client.

COMMENTS:

[5] To prevent neglect of client matters in the event of a sole practitioner's death or disability, the duty of diligence may require that each sole practitioner prepare a plan, in conformity with applicable rules, that designates another competent lawyer

¹ Associate Justice Richard W. Pollack, who participated in the consideration of these amendments, retired on July 1, 2020.

to review client files, notify each client of the lawyer's death or disability, and determine whether there is a need for immediate protective action.

DATED: Honolulu, Hawai'i, August 5, 2020.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Michael D. Wilson

