

RE: **Proposal to Amend Rule 17(d)(1) of the Rules of the Supreme Court of the State of Hawai'i**

*A PROPOSAL TO INCLUDE SUCCESSOR PLANNING FOR
LAW PRACTICES IN ANNUAL HSBA REGISTRATION INFORMATION*

The Supreme Court of Hawai'i seeks public comment regarding a proposal to amend Rule 17(d)(1) of the Rules of the Supreme Court of the State of Hawai'i to add a new section (E) to provide the Bar with information regarding whether an attorney has made plans for the transfer or formal closure of the attorney's practice upon the attorney's death, disability, or disappearance.

Comments about the proposed amendment should be submitted, in writing, **no later than Thursday, January 6, 2022**, to the Judiciary Communications & Community Relations Office, by mail to 417 South King Street, Honolulu, HI 96813, by facsimile to 539-4801, or via the Judiciary's [website](#).

Attachment

**PROPOSED AMENDMENT TO THE
RULES OF THE SUPREME COURT OF THE STATE OF HAWAI'I**
(New material is underlined)

RULE 17. THE HAWAI'I STATE BAR.

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

(1) MEMBER REGISTRATION. Each member of the Hawai'i State Bar shall file an attorney registration statement and provide such information as the Board of Directors may require. A member shall notify the Hawai'i State Bar, in writing, within 30 days of any change of such required information. At minimum, the registration statement shall require disclosure of:

(A) professional discipline or convictions in any jurisdiction, provided that convictions for offenses that are or would be classified under Hawai'i law as petty misdemeanors, violations, or infractions need not be disclosed;

(B) hours of pro bono service and amount of related financial contributions for the previous year if made as an alternative to pro bono service. Pro bono service hours and financial contributions reported by individual members in the attorney registration statement shall be confidential, and the Hawai'i State Bar shall disclose such information only in aggregate reports of pro bono hours and related financial contributions for the entire membership;

(C) professional liability insurance, if any; provided that each active member who certifies the member is a government lawyer or in-house counsel and does not represent clients outside that capacity is exempt from providing professional liability insurance information; and

(D) the number of approved credit hours of Continuing Legal Education (CLE) completed in the previous year including the specific number of hours of ethics or professional responsibility education.

(E) existence of a plan, if any, that designates another lawyer to either succeed to the member's law practice or to act as trustee to review client files, notify each client of the member's death or disability, and take action to protect client property.
