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SCRU-11-0001047

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

In the Matter of the
HAWAI‘I RULES OF PROFESSIONAL CONDUCT

ORDER AMENDING THE HAWAI‘I RULES OF PROFESSIONAL CONDUCT

(By: Reckentwald, C.J., McKenna, and Eddins, JJ., and
Intermediate Court of Appeals Chief Judge Ginoza, and
Intermediate Court of Appeals Associate Judge Leonard,
assigned by reason of vacancies)

IT IS HEREBY ORDERED that the Comments to Rule 3.5 of
the Hawai‘i Rules of Professional Conduct are amended, by adding
new Comment [4], effective January 1, 2024, as follows
(new material is underscored):

Rule 3.5. IMPARTIALITY AND DECORUM OF THE TRIBUNAL.

(a) Influencing Decision Maker. A lawyer shall not seek to influence a
judge, juror, prospective juror, discharged juror, or other decision maker by
means prohibited by law.

COMMENTS:

*[1] Many forms of improper influence upon a tribunal are
proscribed by criminal law. A lawyer is required to avoid
contributing to a violation of such provisions.*

[4] The dignity of the court is to be respected and maintained at all times. Court proceedings shall be conducted in a manner that protects the dignity and seriousness of the proceedings. Lawyers appearing before a court, including remote hearings, shall dress in appropriate courtroom attire, unless exceptional circumstances dictate otherwise, and shall engage in conduct that is respectful to the court, the litigants, and other counsel. For remote hearings, a lawyer shall appear with the video camera on and shall be clearly visible, unless otherwise excused by the court.

DATED: Honolulu, Hawai‘i, August 22, 2023.

/s/ Mark E. Recktenwald

/s/ Sabrina S. McKenna

/s/ Todd W. Eddins

/s/ Lisa M. Ginoza

/s/ Katherine G. Leonard

