

**Electronically Filed
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IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

In the Matter of the
GRADUATE INTERN PILOT PROJECT

ORDER ESTABLISHING A GRADUATE INTERN PILOT PROJECT
(By: Recktenwald, C.J., McKenna, Eddins, Ginoza, and Devens, JJ.)

Upon consideration of the July 18, 2024 joint letter from the City and County of Honolulu Department of the Prosecuting Attorney, the County of Maui Department of the Prosecuting Attorney, the County of Hawai‘i Office of the Prosecuting Attorney, and the County of Kaua‘i Office of the Prosecuting Attorney (Hawai‘i Prosecuting Attorneys), requesting this court authorize recent law school graduates to temporarily engage in the supervised limited practice of law under Rules of the Supreme Court of the State of Hawai‘i (RSCH) Rule 7, and pursuant to this court’s inherent and constitutional authority under article VI, section 7 of the Hawai‘i Constitution to regulate the practice of law,

It is hereby ordered that the Graduate Intern Pilot Project is established as follows:

1. Under this pilot project, the definition of “law-student intern” in RSCH Rule 7.2(a) shall also include a person who, within the last twelve (12) months, graduated in good

standing from a law school fully or provisionally accredited by the American Bar Association, and is employed by any of the Hawai'i Prosecuting Attorneys or the State of Hawai'i Office of the Public Defender (Graduate Interns).

2. Graduate Interns may engage in activities permitted under RSCH Rules 7.4 and 7.5, provided the Graduate Interns, at all times, satisfy the qualification procedures and requirements set forth in RSCH Rule 7 and this order.

3. All provisions of RSCH Rule 7 shall apply to the Graduate Intern Pilot Project, except for the following provision in RSCH Rule 7.6(a), which shall not apply: "After graduation, the law-student intern may continue to represent a client in cases initiated before graduation if such representation is deemed appropriate by the supervising lawyer, but in no case shall the continued representation under this Rule extend beyond the swearing-in date of the next bar examination."

4. The presiding judge of the court in which the Graduate Intern appears shall have the discretion to revoke the Graduate Intern's authority to appear in the case.

5. The Graduate Intern Pilot Project is established effective upon entry of this order and shall expire on November 30, 2024, unless extended by order of this court.

6. Any government entity that participates in this pilot project shall file a report, which may be a joint report with any other entity, on the pilot project's performance (e.g., the number of interns and/or matters included in the pilot project). The report may include a recommendation regarding the long-term or permanent expansion of RSCH Rule 7 to allow new law school graduates to temporarily engage in the supervised limited practice of law and any other information to determine the pilot

project's benefits or disadvantages. This report shall be filed with the clerk of the supreme court by November 1, 2024. The court further invites any participating government entity to submit interim reports on matters relevant to the pilot project, including comments or requested changes, on an ongoing basis. The court will receive and consider supplemental reports.

7. During the course of this pilot project, the court invites public comments on all aspects of the pilot project, and encourages any interested person, or entity to submit comments on an ongoing basis. The comments may be made in writing to the Judiciary Communications and Community Relations Office by mail to 417 South King Street, Honolulu, HI 96813, by facsimile to 808-539-4801, by e-mail to pao@courts.hawaii.gov, or by online form available at: <https://www.courts.state.hi.us/comment-on-proposed-rules-changes>.

8. This pilot project may be terminated, amended, or further extended by subsequent order.

DATED: Honolulu, Hawai'i, August 23, 2024.

/s/ Mark E. Recktenwald

/s/ Sabrina S. McKenna

/s/ Todd W. Eddins

/s/ Lisa M. Ginoza

/s/ Vladimir P. Devens

