

**RULES OF THE DISCIPLINARY BOARD  
OF THE HAWAII SUPREME COURT**

**As Amended March 31, 2011  
(Effective July 1, 2011, Amended December 1, 2011)**

**Rule 21. Assignment of Hearing Officer or Hearing Committee.**

(a) **Conflict of Interest.** The Filing Clerk shall ascertain any conflicts of interest from the prospective Hearing Officer or Hearing Committee members prior to their appointment. The Parties shall have the opportunity to raise alleged conflicts at the initial prehearing conference.

(b) [Reserved.]

(c) **Assignment.** The Board Chairperson shall assign the matter to a Hearing Officer, or if a request for three-person hearing committee has been granted, to a Hearing Committee and notify the Filing Clerk of the assignment.

(d) **Notification.** The Filing Clerk shall notify Counsel and the Respondent of the names and contact information of the Hearing Officer or Hearing Committee. The Filing Clerk shall also transmit copies of the Petition for Discipline and answer to the Hearing Officer or Hearing Committee.

(e) **Request for Three-Person Hearing Committee by Hearing Officer.** Upon review of the Petition for Discipline and answer, for good cause, the Hearing Officer may request appointment of a three-person Hearing Committee. A written request must be submitted to the Board Chairperson within 14 days following the prehearing conference. The Board Chairperson shall decide the request, and the Filing Clerk will notify the Hearing Officer of the decision.

*(Adopted November 17, 2011, effective December 1, 2011.)*

**Rule 22. Conduct of Formal Disciplinary Proceeding.**

(a) **Prehearing Conference.** The Hearing Officer or Hearing Committee chairperson shall hold a prehearing conference as authorized by RSCH 2.12 no later than 30 days after appointment, unless extended by the Board Chairperson for good cause. Where the matter has been assigned to a Hearing Committee, the chairperson or a designated member may conduct the prehearing conference without all members present.

(i) The purposes of the conference are to: address alleged conflicts; expedite matters; narrow contested issues; establish deadlines to exchange exhibit and witness lists; explore possible stipulations; discuss proposed submissions of any discovery requests to the Board Chairperson; discuss requests for permission to file motions; and to set the hearing date.

(ii) Following the conclusion of a prehearing conference, a prehearing conference order shall be issued.