

**If you feel that you might be
eligible to file a claim,
what should you do?**

Go the Fund's website at

www.hawaiilawyersfund.com

for more information as well as to
download a claim form. Instructions on
how to file a claim can also be
found on the website.

Call The Lawyers' Fund at

(808) 599-2483

to discuss what happened to you.

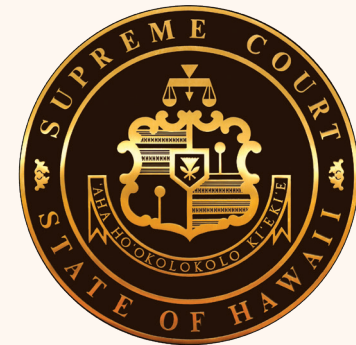
The Lawyers' Fund office is located in the
Office of the Disciplinary Counsel at:

**City Financial Tower
201 Merchant Street, Suite 1600
Honolulu, Hawaii 96813**

THE LAWYERS' FUND

For Client Protection

Established 1981 by the
Supreme Court of Hawai'i



The Lawyers' Fund for Client Protection
201 Merchant Street, Suite 1600
Honolulu, Hawai'i 96813

Phone: (808) 599-2483

www.hawaiilawyersfund.com

Did your attorney take advantage of you?

Most of the members of Hawaii's legal profession are honest, hard-working professionals who do their best for their clients. Despite their best efforts to establish and maintain high ethical standards, there are a few dishonest lawyers who take advantage of their clients, and unfortunately, these lawyers usually do not have the financial wherewithal to make restitution to their victims. This is the gap that the Hawaii Lawyers' Fund attempts to address.

What is the Lawyers' Fund for Client Protection?

The Lawyers' Fund was established by the Supreme Court of Hawaii in 1981 to provide a remedy for clients of attorneys who have suffered financial losses as a result of the dishonest conduct of their attorney. Hawaii's Lawyers' Fund is financed entirely by lawyer contributions. Not a single dollar comes from taxpayers nor government subsidies. These funds exist because Hawaii's lawyers believe that it is their collective responsibility to undo the financial damage caused by a handful of dishonest attorneys.

Are there eligibility requirements?

The Lawyers' Fund will consider claims resulting from the dishonest conduct of a member of the Hawaii State Bar, provided that:

- The dishonest conduct occurred while the attorney was a licensed member of the Hawaii Bar, and
- The claim originates from the attorney's providing legal services in the State of Hawaii, and
- The Claimant engaged the attorney in the State of Hawaii, and
- The claim stems from an attorney-client relationship or a fiduciary relationship such as when an attorney acts as an administrator, executor, or trustee of a trust or estate; and the attorney has either:
 - ✓ Died
 - ✓ Become bankrupt
 - ✓ Been declared incompetent or incapacitated
 - ✓ Has been disbarred or suspended from the practice of law
 - ✓ Voluntarily resigned from the practice of law
 - ✓ Has become a judgment debtor of the claimant because of his or her dishonest conduct
 - ✓ Has been judged guilty of a crime based on his or her dishonest conduct
 - ✓ Left the state of Hawaii and cannot be found.
- The claim is filed within two years of when the attorney committed the dishonest act or within five years of when the claimant should have known of the dishonest conduct of the attorney.

There are several conditions under which the Fund will not reimburse. They are:

- We will not reimburse claims that occur outside of a client-lawyer relationship nor outside of a lawyer's fiduciary role.
- The loss must be the result of a lawyer's dishonest conduct.
- The Fund will not reimburse for losses due to negligence nor malpractice.
- Losses in which the Claimant and attorney disagree on the quality of the legal services provided or the fee charged. A Fee Dispute does not necessarily constitute dishonest conduct.

Limits to reimbursement

Hawaii's Lawyers' Fund will reimburse up to \$100,000 per claimant and up an aggregate \$300,000 per attorney.

