

This month's interview features the distinguished attorneys of the Lui-Kwan family: Ivan Lui-Kwan (Starn O'Toole Marcus & Fisher), his son Kalama Lui-Kwan (Severson & Werson), and brothers Tim Lui-Kwan (Carlsmith Ball LLP) and Gregory Lui-Kwan (Cronin Fried Sekiya Kekina & Fairbanks).



Ivan is a graduate of Rutgers University. He has been practicing law for over 40 years, focusing on Hawaii's land use, administrative, and real estate law. Since the start of his career, Ivan was always committed to improving the quality of life for all of Hawaii's residents. He shares with us today his family experiences and vision for Hawaii's future as an attorney.

You have been practicing land use, administrative and real estate law in Hawaii for over 40 years. What sparked your interest in practicing in these areas?

My particular interest in land use is based on the impacts land use regulation has on communities. It was great fun to work on the Land Use Commission reclassification of the secondary urban center at Kapolei with Oz Stender when he was the Campbell Estate CEO.

You are a natural leader. With multiple leadership roles ranging from CEO, Chairman, and even an Ambassador for multiple community, government, and law related organizations and businesses, what inspires you to be a leader and to be involved in all these activities?

My Mom was awesome and the inspirational spiritual leader of our family. She died a little over a year ago on March 20. About a month before she died, in a hospital bed and surrounded by her children a nurse asked her if she had any regrets in life. She said "I have no regrets. I think my life was well spent." At the end of my life I want to be able to say that my life was well spent.

With your dedication to the community and Hawaii, as Chairman of the Honolulu Authority for Rapid Transportation (HART), what is your vision for the future of Hawaii and transportation/land in general?

All great cities have effective and efficient transportation systems. Cities historically have developed strong economic bases along railroads, ports of call and highways. Efficient movement of people and goods is essential to the health of a city with a significant population.

When the rail system commences operation in 2017 and completed in 2019, HART will enable people to travel efficiently and comfortably between their homes and places of work and recreation.

When Senator Dan Inouye was alive, he would frequently say that every time he returned to Hawaii from Washington, he would make a point to ride by car to West Oahu to remind himself of how oppressive traffic is for the residents of those communities.

HART has been working with communities along the 20-mile rail line to ensure that the 21 stations reflect each community's spirit, wahi pana (sacred places) and unique physical and cultural characteristics of the respective ahupuaa. The transportation experience should be enjoyable as well as efficient.

Because of the limitations of available funding of \$5.2 billion, the rail line will be between the Ala Moana Center and East Kapolei. The locally preferred alternative is between the University of Hawaii, Manoa and downtown Kapolei. If funding becomes available to connect the Manoa campus to Kapolei, university students will be connected by rail to take classes at the Manoa campus, the West Oahu campus and the colleges at Leeward, at Honolulu and at HPU.

Having a son who followed in your footsteps must make you a really proud father. What words of wisdom would you give to kids who are thinking about taking law?

Kalama is a fantastic father to his daughters Rana and Nani. He and his wife Euna who is a lawyer at Reed Smith have an excellent, caring and synergistic relationship. Kalama is a great son to his parents and a nurturing brother to his siblings. My siblings love Kalama for his kindness such as allowing some of them to use his residence on the mainland. He has a special gift of empathy. My brother Tim and I share the same birthday of March 25, but six years apart. This past March 25 Tim was in Japan, and I was in New Zealand. Because New Zealand is in a time zone which is 23 hours ahead of Hawaii, Kalama sent me a birthday greeting on March 25 New Zealand time, but which was March 24 San Francisco time. Kalama has always worked hard in school and at his law firm, which has contributed to the respect he has earned from his colleagues.

I am very proud of Kalama, and my other children as well. They are all good people with good values, kind to others, honest, responsible and hard-working.

I always encourage young people who are considering law as a career to pursue that interest. The law is an excellent and versatile tool. Training in the law prepares one to practice in a private law firm, in government, and in business as house counsel. Legal education also prepares a person for professions in education, in business, in the judiciary as a judge, and in public service. Two members of our congressional delegation, the mayors of Honolulu and of Hawaii County, the chair and three members of the Honolulu City Council, the chair of the state House Finance Committee, a relatively large number of state legislators, and four former governors are lawyers.



Kalama received his law degree from the University of California, Boalt Hall School of Law. His primary areas of emphasis are complex business disputes, financial litigation, and consumer class actions. He also serves as the Technology Partner at Severson & Werson. Kalama shares with us his strong family relationships as well as the role technology plays in today's modern legal age.

Did your father and your uncles inspire you to become an attorney?

It's hard for me to say who or what inspired me to become an attorney. I come from a fairly large family. My mom has three siblings, and my dad has nine brothers and sisters. They're all different people, and they all have different careers. So I had many different role models growing up. But one thing that they all taught me, in different ways, was the importance of respecting relationships and people. I've always seen that as one of the hallmarks of a good lawyer, so maybe that led me down the path to becoming an attorney. But it's obviously not limited to the law. My parents and their siblings are successful in their legal and non-legal careers in large part, I think, because of the way they treat others. Their family is important. Their community is important. The kindness and respect they show to their colleagues is important. Their integrity is important. And they live their lives, I think, with all of that in mind.

You currently work at Severson & Werson in California. After graduating from law school, did you ever think about practicing law together with your dad or another family member?

I actually did think about it when I graduated from law school. I always believed, and still do, that it would be fun to practice law with my dad. I'm very proud of my mom and dad, and I know that I'll never stop learning from them. Having said that, I've also found a professional home at Severson, and I really can't imagine practicing anywhere else.

Technology is an important part of everyone's lives in this day and age. It is always changing and so are the legal issues involved. As the Technology Partner at Severson & Werson, can the law keep up with technology? How do you stay on top of these changes?

I'm constantly working at it. I think it's very important for practitioners to understand the current tools and best practices. Computer users generate new emails, spreadsheets, reports, and all sorts of other electronic documents every day. And as advocates who want to understand and present those materials in litigation, it's our job to find the most cost-effective way to manage and process that continuously growing volume of data. Nationwide consumer class actions and multi-district litigations will require a different approach and set of tools than a straightforward, individual contract dispute. Every case is different, and it's important to understand the options, because that understanding affects the way we service the client. Roughly 150 years ago, when West started publishing its bound reporters, lawyers who understood the reporters could find and cite decisions. Other lawyers wasted time flipping

through pages. In the same way, legal technology today is only as helpful as the judgment of the lawyers using it.

What advice would you give to current law students or attorneys who recently graduated from law school?

Work hard. You won't separate yourself from the rest with your pedigree or your personality. The only thing that judges and arbitrators want to know is if you're right. And no amount of grandstanding will beat a good brief. All things being equal, you'll put your client in a better position if you can out hustle the other side.



Tim graduated from the University of Hawaii, William S. Richardson School of Law. He is a member of Carlsmith Ball's Corporate Section with an emphasis on regulatory and administrative law. He has served as the Deputy Planning Director and Deputy Corporation Counsel for the County of Hawaii and was an archaeologist with the Bishop Museum prior to becoming an attorney. Tim is also a very active member of the Hawaii State Bar Association serving as the current President of its Senior Counsel Division that hosts coffee hour seminars and pro bono legal projects that engage HSBA members who are age 50 and older. Tim shares with us the bond he has with his family as well as his experience in Hawaiian environmental law and

Native Hawaiian issues.

You, your brothers, and your nephew have very successful careers. As attorneys, has your bond with your family become stronger since you share similar career paths?

I don't believe sharing the same profession has necessarily created a stronger bond among the four of us as we come from a relatively large but very close extended family consisting of 10 siblings with a difference of nearly 20 years between the eldest and youngest. However, having other family members in the same profession does provide a convenient mirror of the values we share. While our interests may vary and some of the siblings may be closer to each other given the relative age groupings, our parents were responsible for instilling the values we all share and which are now being passed on to our own children. Among these values is the importance of family and the need to contribute back to our community no matter what profession we choose to pursue. Also working in the same profession has given me a greater awareness of the extent of our parents' influence in shaping our common values. For example, I see our father's emphasis on public service clearly at work in the leadership roles that my brother Ivan has taken on in the many public boards and other organizations that he has served outside of his regular law practice. And Greg's legal practice is definitely a living extension of our mother's unwavering advocacy of the underdog and those less advantaged. Although it may be easier to see this among the lawyers in the family, it is no less true for our other siblings who have found the way to contribute back to their communities either within or outside their respective professions.

How has the practice of law changed since you first began practicing?

Of course the technology has really changed how we practice law in the last 35 years. While the technology has accelerated the speed at which we work and communicate, I'm not sure it has made us better lawyers or actually improved the quality of how we communicate with each other. In some ways, it may have created unreasonable expectations that better technology will produce better results at a reasonable price. Unfortunately, it has promoted a tendency to look for shortcuts or faster ways to doing everything from settling a case to filing an appeal. At the end of the day, it will still be hard work, clear thinking and sound judgment that produce lasting and favorable results. That said I would also note that young lawyers today are brighter and more goal oriented than when I first began practicing. However, this has produced together with advances in technology, a greater emphasis to specialize at the outset rather than developing an expertise in a certain area over time. I may be a little old school on this point but I think there is a value to start working in the general practice of law that includes non-complex litigation. Otherwise, there will be very little opportunity later to acquire the experience and understanding provided by the general practice of law and the well-rounded foundation for developing your specialty. Another change since I began practicing has been the advances made by women in the profession as reflected in the leadership roles they have assumed in the government, especially in the judiciary and the legislature, as well as in the private bar.

You are very involved when it comes to environmental law and Native Hawaiian issues. You even worked as an archaeologist with the Bishop Museum. How important is environmental and Native Hawaiian law here in Hawaii and is it something future attorneys who plan to practice in Hawaii should consider going into?

A quick review of the judicial decisions and legislation for both the protection and preservation of Hawaii's natural and cultural environment over the past 35 years is a good benchmark to measure its importance to our island communities and the host culture. It's also a reminder of what a special and unique place Hawaii is to live and work. While I do believe that the practice of environmental law, especially in the area of native rights and historic preservation, does provide tremendous opportunities for future attorneys, it also comes with a responsibility to incorporate a sense of place and a respect for the views of others, especially those of the regulators and those seeking to oppose your position.

What are some of the valuable lessons you learned throughout your career?

There are 3 but my most valuable lesson since graduating from law school in 1978 is that we never stop learning. We will never know everything we need to know about the facts of a case, the applicable law, opposing counsel, the judge, the jury, the other side, your own client or yourself. If you think you "know-it-all," you probably have already lost your case or will soon. To borrow a quote from Forest Gump, "stupid is as stupid does." The second lesson is to enjoy whatever you do. Life is too short - find an area of practice that gives you satisfaction or provides a cause that you can be passionate about. And if it isn't what you initially thought, don't be afraid of trying something else as the best opportunities are often the ones you never

planned for. The final lesson is, of course, the golden rule - treat everyone with respect and integrity if this is how you expect to be treated by others. Hawaii is too small - you never know when the shoe will be on the other foot and the chance of repeat encounters with the same parties and the same attorneys are extremely high.



Greg graduated from the University of Hawaii, William S. Richardson School of Law. He is a partner at Cronin, Fried, Sekiya, Kekina & Fairbanks where he represents plaintiffs in personal injury matters and assists clients who have been victims of insurance bad faith. Greg is also very involved with his alma mater, mentoring new attorneys and being part of the alumni association. Greg shares with us his wisdom of practicing law in Hawaii.

Did you and your brothers always dream of one day becoming attorneys together?

People ask me that from time to time. As members of a sizable nuclear family consisting of 10 siblings and a large extended family, we share many common interests. Having Ivan and Tim as brothers has enriched my life immensely. However, since Ivan and Tim practice in areas of law that are quite different from mine, the thought of forming a firm together has never occurred to me. Over the last 31 years, I have always been a civil litigator - handling construction cases, attorney and director errors and omission, employment law, insurance coverage and personal injury cases. Ivan and Tim have both worked at Carlsmith in corporate, land use, estate planning and other areas. Tim is still at Carlsmith. Ivan is a partner at Starn, O'Toole. If our parents had been lawyers in a family practice, perhaps our paths might be more in line and tending to join the family business.

What are some of the rewarding things about being a practicing attorney in Hawaii?

In Hawaii, everything we do as lawyers helps to shape our island home. I really like the sense of community and especially appreciate those who have chosen public service as a career. I am particularly proud of the fact that UH law graduates have served at the highest levels of public office in the State of Hawaii as well as in the Legislature and in Congress. In my own graduating class of 1982, ten of sixty four classmates have served as judges - administrative law judges, circuit court judges and as Justices of the Hawaii Supreme Court and the Supreme Court of the Federated States of Micronesia. The William S. Richardson School of Law has really served an important role in creating this sense of community.

You have strong ties with the William S. Richardson School of Law as president of its alumni association and mentor to its law students. How important is it to you to be involved with your alma mater and to teach the attorneys of the future?

Going to law school here in Hawaii opened many doors for me. My experience would not have been nearly as rewarding had it not been for the many mentors and influences along the way.

The law school faculty and administration and its students and its graduates are like family to me. So, I take advantage of every opportunity to help young attorneys become better lawyers and citizens. If we senior lawyers succeed as mentors, we will help insure the quality of the bar for generations to come.

You often serve as a practice moot court judge for the William S. Richardson School of Law moot court teams and have even won the University of Hawaii Moot Court Competition. What are the most important skills an attorney should have?

A lawyer needs to be competent in his or her area of practice, diligent in the preparation of each and every case we handle and devoted to the fiduciary duties owed to the client. Our system of justice is best served by a lawyer who is well organized, one who has both a mastery of the pertinent law and an intricate understanding of the applicable facts, and one who seeks a just result. The most just result is usually the one that stands out above all the others after consideration of everything involved. In order to succeed, a lawyer must also be scrupulously honest and respectful of the differing views.