

MINUTES  
HAWAII STATE BAR ASSOCIATION  
BOARD MEETING

The Plaza Club, 900 Fort Street Mall, 20<sup>th</sup> Floor  
Honolulu, HI 96813

Thursday, December 20, 2018

A. **CALL TO ORDER**

President Howard Luke called the meeting to order at 12:08 p.m. with a quorum present.

The following persons were present for all or part of the meeting:

Officers Present

Howard Luke  
Derek Kobayashi  
P. Gregory Frey  
Russ Awakuni  
Karin Holma

Directors Present

Cecelia Chang  
Steven Chow  
Rebecca Copeland  
Rhonda Griswold  
Geraldine Hasegawa  
Kai Lawrence  
Lisa Munger  
Mark K. Murakami  
Zale Okazaki  
Alika Piper  
John Tonaki  
Jamila Jarmon

Directors Absent

Vladimir Devens  
Kristin Izumi-Nitao  
Carol Kitaoka  
Shannon Sheldon

Others Present

Annette Shimizu  
Daniel Luke

HSBA Staff

Patricia Mau-Shimizu  
Iris Ito  
Christina Bae  
Katra Cuskaden

## B. EXECUTIVE SESSION

### 1. Executive Director Employment Agreement (in executive session)

**Action taken:** A motion was made, seconded, and carried without opposition to authorize President Howard Luke to finalize and execute the employment agreement for Executive Director Patricia Mau-Shimizu.

C. **APPROVAL OF MINUTES** - A motion was made, seconded, and carried without opposition to approve the minutes of the November 15, 2018 board meeting.

D. **TREASURER'S REPORT** - Treasurer Holma reported that as of November 30<sup>th</sup> that while dues revenue was above budget, non-dues revenue was below budget; income overall expects to hit budget. She noted that expenses under payroll and benefits were below budget due to an unfilled position, and printing and business travel were also below budget. A prepayment of \$125k was made on the mortgage, compared to \$80k paid last year, leaving a balance due of \$965k.

E. **EXECUTIVE DIRECTOR'S REPORT** - Executive Director Patricia Mau-Shimizu reported on the following items:

- 2019 License Renewal - Anticipating the usual end of the year income collection; about 50% of members have renewed to date.
- Bar Directory - Notice will be sent to law firms that it is available for pick up from the publisher (Grass Shack Productions).
- Update on *Fleck* case.

F. **YLD PRESIDENT'S REPORT** - None.

## G. UNFINISHED BUSINESS

### 1. Funding of Hawaii Bar Journal - Informational only.

## H. NEW BUSINESS

### 2. Proposed Amendment to HRPC Rule 1.5 re: Written Free Agreements - President-elect Derek Kobayashi gave a brief background of the flat fee amendment and the further proposed amendment requiring free agreements to be in writing.

**Action taken:** After discussion, a motion was made, seconded, and carried without opposition to approve the Executive Committee's recommendation to request of the Hawaii Supreme Court a 90-day extension on the comment period for the proposed amendment to Rule 1.5 of the Hawaii Rules of Professional Conduct which would require all fee agreements with new clients, and amended fee agreements with current clients, to be in writing.

3. **HSBF Request for HSBA Sponsorship on MoveMeHawaii Fundraiser** - President-elect Kobayashi, a member of the planning committee for the HSBF's MoveMeHawaii event, described the fundraiser on the Japanese-American experience in internment camps. He explained that there would be no cost to the HSBA for co-sponsorship and for the insurance coverage rider. Board member Steve Chow asked if co-sponsorship would be in violation of *Keller* and whether the HSBF has its own *Keller* policy for its events or those to whom it awards grants.

**Action taken:** After discussion, a motion was made, seconded, and carried without opposition to defer action until the January board meeting on the Hawaii State Bar Foundation's request for co-sponsorship of the MoveMeHawaii fundraiser and event insurance coverage to allow for further discussion.

4. **Authorized Signatures for FHB Business Cash Manager Account (Sweep Account)**

**Action taken:** A motion was made, seconded, and carried without opposition to approve the Executive Committee's recommendation to designate the current Executive Director and Director of Operations and the 2019 Treasurer as authorized signers on the First Hawaiian Bank Business Cash Manager Account.

5. **HSBF Board Vacancies**

**Action taken:** A motion was made, seconded, and carried without opposition to approve the Nominating Committee's recommendation to appoint the following individuals to the HSBF Board for a 3-year term beginning January 1, 2019:

- Rai Saint Chu (reappointment)
- Louise Ing (reappointment)
- Diane Ono (reappointment)
- Bobby Senaha (new appointment)
- Craig Wagnild (reappointment)
- Ilana Waxman (new appointment)

6. **Passing of the Gavel** - President Luke presented a gavel to President-elect Kobayashi to guide the HSBA in the upcoming year.
7. **Thank You to the 2018 HSBA Board** - President Luke thanked the Board members and staff for their service on the HSBA Board in 2018 and presented each with a memento.
8. **Gift for HSBA President** - On behalf of the HSBA, President-elect Kobayashi presented a gift to President Luke for his leadership and hard work throughout 2018.

I. **ADJOURNMENT**

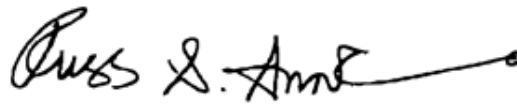
The meeting adjourned at 1:45 p.m.

Submitted by:



Patricia Mau-Shimizu  
HSBA Executive Director

Approved by:



Russ S. Awakuni  
HSBA Secretary