

CONFLICT OF INTEREST DISCLOSURE FORM

INTRODUCTION

Conflict of interest is a relatively common issue in Hawaii, particularly given the small size of the Hawaii bar. A number of rules or guidelines have been promulgated to assist attorneys in dealing with this issue when it arises. For example:

Hawaii Rules of Professional Conduct
RULE 1.7 CONFLICT OF INTEREST:
GENERAL RULE

(a) A lawyer shall not represent a client if the representation of that client will be directly adverse to another client, unless:

(1) the lawyer reasonably believes the representation will not adversely affect the relationship with the other client; and

(2) each client consents after consultation.

(b) A lawyer shall not represent a client if the representation of that client may be materially limited by the lawyer's responsibilities to another client or to a third person, or by the lawyer's own interests, unless:

(1) the lawyer reasonably believes the representation will not be adversely affected; and

(2) the client consents after consultation. When representation of multiple clients in a single matter is undertaken, the consultation shall include explanation of the implications of the common representation and the advantages and risks involved.

[Adopted effective January 1, 1994.]

CODE OF CONDUCT FOR LAW CLERKS

(published by the *Hawaii Judiciary* and adopted from a similar federal code)

Canon 2 A law clerk shall not engage in any activities that would put into question the propriety of the law clerk's conduct in carrying out the duties of the office. A law clerk shall not allow family, social or other relationships to influence official conduct or judgment.

Canon 3 F. A law clerk shall inform the appointing justice or judge of any circumstance or activity of the law clerk that might serve as a basis for disqualification of the justice or judge, e.g., a future employment relation with a law firm, association of the law clerk's spouse with a law firm or litigant, etc.

[Adopted March 13, 1981; consolidated and remained January 1, 1996]

In order to avoid even the appearance of impropriety, you must complete the form on the next page and return it to your extern mentor at the beginning of the semester. This form is confidential and is only to be presented to your mentor.

CONFIDENTIAL

NAME _____

DATE _____

1. Present and previous legal work experience (include approximate dates, judge's or supervising attorney's names).

Judicial

Agency

Law Firm

2. Present and previous externship placements (indicate semester/year)

3. Present and previous live-client clinics (indicate semester/year)

Defense

Legal Aid

Mediation

Family

Prosecution

Native Hawaiian Rights

4. Are you or any member of your family currently or potentially a party to any civil or criminal litigation that might be perceived as a potential conflict of interest in the context of this externship placement?

If yes, please describe briefly, including names of attorneys/law firms involved.

5. Is there any other disclosure you think might be relevant?