

Hawaii State Bar Association BAR CONVENTION

Friday, September 23, 2011 • Hilton Hawaiian Village, Coral Ballrooms



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MORNING PROGRAMS

	Coral Ballrooms 1 & 2	Coral Ballroom 3	Nautilus Suite	South Pacific 1	South Pacific 2 & 3
8:00am	Registration & Exhibits (Coral Ballroom)				
9:00am	Family Law Update <i>This program begins at 8:30 a.m.</i> 3 VCLE credits	Real Estate Law Manual, Volume 3 <i>This program begins at 8:30 a.m.</i> 3 VCLE credits	Ethics for Employment and Labor Lawyers 3 MCLE credits	Social Media 101: Online Networking and How to Avoid the Ethical Pitfalls In Your Law Practice <i>This program begins at 10:00 a.m.</i> 1 VCLE & 1 MCPE credit	Corporations Manual (updated) 3 VCLE credits
12:00pm	Luncheon & Annual Meeting (Coral Ballrooms 4 & 5): Luncheon & Annual Meeting & Presentation of Annual HSBA Awards <i>Keynote Speaker: ERIC YAMAMOTO, Professor of Law and Social Justice, University of Hawaii William S. Richardson School of Law (see page 7 for details)</i>				
*all programs: registration fees include breakfast, lunch and refreshments					

AFTERNOON PROGRAMS

	Coral Ballrooms 1 & 2	Coral Ballroom 3	Nautilus Suite	South Pacific 1	South Pacific 2 & 3
2:00pm to 5:00pm	Understanding and Persuading Hawaii Juries 3 VCLE credits	Native Hawaiian Legal Issues You Need to Know to Practice Law in Hawaii 3 VCLE credits	Update on the Proposed Amendments to the Hawaii Rules of Professional Conduct 3 MCPE credits	Get Smart: Using the iPad and iPhone for Your Law Practice <i>This program ends at 4:00 p.m.</i> 2 VCLE credits	Limited Liability Companies Manual (updated) 3 VCLE credits

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PROGRAM DESCRIPTIONS

FAMILY LAW UPDATE

Program Chair: Thomas Farrell

Location: Coral Ballrooms 1 & 2

Time: 8:30 a.m. to 12:00 p.m. (includes lunch from 12-2 p.m.)

CLE Credits: 3 VCLE Credits

Course Description

Nationally-recognized QDRO expert Gary Shulman will return to Hawaii with the latest on the promise and pitfalls of dividing retirement plans in divorce cases, followed by a panel on civil unions and their impact on family law in Hawaii. As always, Bill Darrah will present the annual updates to the Hawaii Divorce Manual.

Schedule

8:00 a.m.Registration
8:30 a.m.Program Introduction.....Thomas D. Farrell
Opening Remarks.....Hon. R. Mark Browning
8:45 a.m.2011 Hawaii Divorce Manual.....William C. Darrah
9:00 a.m.Dividing Retirement in Divorce.....Gary Shulman
10:30 a.m.....Refreshment Break
10:45 a.m.....Civil Unions and Family Law.....Leila Sullivan
Alvin T. Onaka, Ph.D
Marianita Lopez
11:45 a.m.....Questions & Answers.....Steven L. Hartley

REAL ESTATE LAW MANUAL, VOLUME 3

Location: Coral Ballroom 3

Time: 8:30 a.m. to 12:00 p.m. (includes lunch from 12-2 p.m.)

CLE Credits: 3 VCLE Credits

Course Description

This seminar presents Volume Three of the Hawaii Real Estate Law Manual. This volume is focused on lending law, practice and procedure. The first panel will address the "basics" in lending relationships, including representing borrowers, mortgagees, and construction financing relationships. The second panel will address notes, and other financing vehicles, including letters of credit, bond financing and loan participation and intercreditor agreements. The final panel will address new requirements for real estate lenders, residential financing and default scenarios. The 2,000+ pages of the first and second volumes of this definitive work on Hawaii real estate law topics will now be expanded. Do not miss out on these important discussions and the third volume of this essential work.

Limited Bound Hardcover Manuals

Only a limited number of bound, hardcover Volume Three manuals will be printed. These manuals will be available on a first-come, first-serve basis, and be available for pick up at the seminar.

Program Chairs & Editors

Deborah Macer Chun, Chun Yoshimoto LLP

Gino L. Gabrio, Cades Schutte LLP

Mitchell A. Imanaka, Imanaka Kudo & Fujimoto, LLLC

Panelists/Authors

Deborah Macer Chun Chun Yoshimoto LLP	Mark F. Ito Schlack Ito
Wesley Y. S. Chang Offices of Wesley Y. S. Chang	Bernice Littman Cades Schutte LLP
Rene M. Chinen First Hawaiian Bank	Caryn H. Okinaga and David K. Rair Cades Schutte LLP
Nicholas C. Dreher Cades Schutte LLP	Robert F. Schneider Schneider Tanaka Radovich Andrew & Tanaka, LLLC
Christopher T. Harrison Cades Schutte LLP	Janel Y. Yoshimoto Chun Yoshimoto LLP

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ETHICS FOR EMPLOYMENT AND LABOR LAWYERS

Program Chair: Gregory Sato

Location: Nautilus Suite

Time: 9:00 a.m. to 12:00 p.m. (includes lunch from 12-2 p.m.)

CLE Credits: 3 MCPE Credits

Course Description

Changing technology and elevated client expectations have caused the courts to re-interpret old rules and to adopt new ones. Increasingly, parties are using ethical obligations as a litigation tool. This is particularly true in the field of Labor and Employment Law where the interests of government, unions, employees, neutrals and management sometimes clash. This program will provide a theoretical framework for a practical understanding of the existing and proposed rules. Lawyers, paralegals and office administrators should attend to update their understanding of ethical obligations.

Speakers

Louis Chang, Attorney at Law

James Halverson, Dept. of the Attorney General

Connye Harper, Harper Strategies LLC

Susan Ichinose, Attorney at Law

Gregory Sato, Kobayashi, Sugita & Goda

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SOCIAL MEDIA 101: ONLINE NETWORKING AND HOW TO AVOID THE ETHICAL PITFALLS IN YOUR LAW PRACTICE

Program Chairs: Melissa Chang & Evan Shirley

Location: South Pacific 1

Time: 10:00 a.m. to 12:00 p.m. (includes lunch from 12-2 p.m.)

CLE Credits: 1 MCPE & 1 VCLE Credit

Course Description

There's no denying that social media is here to stay. The question is not IF you should be using social networks, but HOW. This program will focus on getting your firm started on Facebook and Twitter, and what you need to know about the risks of social networking in the law firm.

You will learn:

- The importance and prevalence of Twitter and Facebook to business
- The difference between Facebook & Twitter
- What to say, what not to say
- Tweet to network, not tweeting legal advice
- What are the known risks to lawyers?
- How can lawyers avoid the downsides of social media?
- Do the Hawaii Rules of Professional Conduct apply to social media?
- What are the common ethical pitfalls for lawyers?
- Are there dangers of data mining and can they be avoided?
- Are there problems with pretexting and what did the Ninth Circuit say?
- Why should your law firm have a social media policy?
- What should be in the written social media policy and why?

Speakers

Melissa Chang, Adstreamz, Inc.

Evan Shirley, Shirley & Associates



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CORPORATIONS MANUAL (UPDATED)

Program Chair: Gregory Kim
Location: South Pacific 2 & 3
Time: 9:00 a.m. to 12:00 p.m. (includes lunch from 12-2 p.m.)
CLE Credits: 3 VCLE Credits

Course Description
This program will cover the newly updated Corporations Manual, which includes basic corporate forms and commentary relating to the Hawaii Business Corporation Act, as amended to date. The panel will address requirements and issues relating to the formation of Hawaii corporations, the protection of corporate names and intellectual property, registered agents, conducting board and shareholder meetings, issuing shares and distributions, compliance with securities laws, duties and powers of officers and directors, dissolution of a corporation, conversions and mergers of corporations, sale of corporate assets, foreign corporations and more. This seminar will cover the forms in the new corporate manual and various aspects of the new corporate law.

Speakers:
Sean Clark, Goodsill Anderson Quinn & Stifel, LLP
Steve Egesdal, Carlsmith Ball LLP
Gregory Kim, Virtual Law Partners
Gregg Nasky, Goodsill Anderson Quinn & Stifel, LLP
Seth Reiss, Attorney at Law
Aaron Shumway, Ashford & Wriston LLP
William Yuen, Ching Yuen & Morikawa



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PROGRAM DESCRIPTIONS

UNDERSTANDING AND PERSUADING HAWAII JURIES

Program Chair: Trevor Brown

Location: Coral Ballrooms 1 & 2

Time: 2:00 p.m. to 5:00 p.m. (lunch NOT included)

CLE Credits: 3 VCLE Credits

Course Description

This seminar brings together a nationally recognized jury consultant and a panel of six Hawaii judges for unparalleled insight into local juries.

Mary Ryan, a dynamic speaker with an active consulting practice, will share Hawaii specific and national research on juror attitudes and effective persuasion of juries. Using an interactive lecture format and extensive video clips of juror focus groups, Ms. Ryan will illustrate how lawyers can develop persuasive trial themes and communicate more effectively to jurors. Ms. Ryan's presentation will include the effects of the current recession and the rise in social media on juror thinking and decision making.

Ms. Ryan's presentation will be followed by a series of short presentations from a panel of Federal and Hawaii (Oahu, Maui, and Kauai) state judges. The panelists and their topics are:

Speakers

Judge Joseph E. Cardoza (Hawaii, Second Circuit): Jury Instructions "from the Jury."

Judge Gary W.B. Chang (Hawaii, First Circuit): Secrets to Winning a Jury Trial.
Judge Rhonda A. Nishimura (Hawaii, First Circuit): The Use of Advisory Juries in Settling Cases.

Judge J. Michael Seabright (USDC, D. Hawaii): A Judge's Perspective on How Jurors' View Attorneys.

Judge Rom A. Trader (Hawaii, First Circuit): Observations and Comments From the Bench.

Judge Randal G.B. Valenciano (Hawaii, Fifth Circuit): Kauai Jury Trials: Helpful Hints.

The seminar will conclude with an "open mic" question and answer session.

NATIVE HAWAIIAN LEGAL ISSUES YOU NEED TO KNOW TO PRACTICE LAW IN HAWAII

Program Chair: Camille Kalama

Location: Coral Ballroom 3

Time: 2:00 p.m. to 5:00 p.m. (lunch NOT included)

CLE Credits: 3 VCLE Credits

Course Description

An understanding of Hawai'i's unique legal history and context is critical to practicing law effectively in Hawai'i. A lack of familiarity with important laws that ensure the protection of Native Hawaiian customs and traditions often leads to unnecessary delay, expense, and frustration for your clients. This course is designed to give attorneys an understanding of these laws that may affect a client's private property rights, business concerns, and public development projects. A panel of experts will cover a brief history of the constitutional, statutory, and common law protections of native Hawaiian customs and traditions, followed by an overview of the current laws affecting water rights, customary rights, and historic property protection including burials. The last segment of the course will cover two real-life scenarios to show you how these laws are involved in everyday legal practice.

- I. Historical Context
 - a. Traditional & Customary rights
 - b. Constitutional History
 - c. Creation of Hawaiian programs – DHHL & OHA
- II. Current Legal Context/ Common Law and Statutes
 - a. Traditional & Customary rights case law (PASH, etc.)
 - b. Water rights
 - c. Burial Protections
- III. Practical Scenarios

Speakers

Williamson Chang, William S. Richardson School of Law

Moses Haia, Native Hawaiian Legal Corp.

Camille Kalama, Native Hawaiian Legal Corp.

Justice Robert Klein, McCriston Miller Mukai MacKinnon

Melody Mackenzie, William S. Richardson School of Law

Alan Murakami, Native Hawaiian Legal Corp.

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PROGRAM DESCRIPTIONS

UPDATE ON THE PROPOSED AMENDMENTS TO THE HAWAII RULES OF PROFESSIONAL CONDUCT

Program Chairs: Janet Hunt, James Kawachika, Evan Shirley

Location: Nautilus Suite

Time: 2:00 p.m. to 5:00 p.m. (lunch NOT included)

CLE Credits: 3 MCPE Credits

Course Description

This seminar will discuss our present ethics rules, their purpose and rationale and how they are currently interpreted and applied in real-life situations and compare how the new proposed rules may change all of that and why. Come and educate yourself on how the new proposed rules, if adopted may dramatically and drastically affect how you practice law. Don't be caught with your pants down and complain after-the-fact about the new rules because you simply didn't know any better ahead of time. Arm yourself now with the necessary information to let your views be known before any of these rules are adopted.

- FIND OUT what the new rules will require you to affirmatively disclose to your client about your lack of certain minimum amounts of malpractice insurance.
- LEARN how you can legitimately split fees with another lawyer even if you don't do any of the work.
- CONSIDER when it is ever okay to have sexual relations with a client and how you might cure the dilemma you find yourself in.
- DISCOVER what duties you still owe to a prospective client whom you interviewed but whose case you declined to take.
- PONDER your ethical obligations to the other lawyer when you know he has mistakenly sent you a document that was not intended to be sent to you.
- IDENTIFY when it is ever okay for a lawyer not licensed in Hawaii to perform legal services here.
- REFLECT on what you need to do to properly obtain a waiver of a conflict of interest from an existing or former client.

Speakers

Janet Hunt, Office Of Disciplinary Counsel

James Kawachika, O'Connor Playdon & Guben

Evan Shirley, Shirley & Associates

GET SMART: USING THE IPAD AND IPHONE FOR YOUR LAW PRACTICE

Program Chairs: Allen Williams & Roberta Woods

Location: South Pacific 1

Time: 2:00 p.m. to 4:00 p.m. (lunch NOT included)

CLE Credits: 2 MCPE Credits

Course Description

Learn how to use today's hottest mobile devices as functional tools in your day-to-day practice, including a fast-paced tour of apps that will get real time legal research!

- Productivity apps
- Legal research apps
- Travel and lifestyle apps
- Mobile enhanced websites
- Apps for branding and marketing your firm

Speakers

Allen Williams, Trecker & Fritz

Roberta Woods, William S. Richardson School of Law Library, Reference and Instructional Services Librarian

LIMITED LIABILITY COMPANIES MANUAL (UPDATED)

Program Chair: Ronald Sakamoto

Location: South Pacific 2 & 3

Time: 2:00 p.m. to 5:00 p.m. (lunch NOT included)

CLE Credits: 3 VCLE Credits

Course Description

This seminar presents highlights of the new 2011 edition of the HSBA LLC Manual, originally published in 2003. In addition to organizational law covering the subject matter of Hawaii Uniform Limited Liability Company Act, Hawaii Revised Statutes Chapter 428, securities laws, taxation, bankruptcy and trade names (and related areas) will be covered.

Speakers

David Austin, Yamamoto & Settle

David Banks, Cades Schutte LLP

Tung-Ming Chan, Commissioner of Securities,

Dept. of Commerce & Consumer Affairs

Nicholas Dreher, Cades Schutte LLP

Nancy Grekin, McCorriston Miller Mukai MacKinnon

Ronald Heller, Torkildson Katz Moore Hetherington & Harris

Lori Hiraoka, Attorney at Law

Ray Kamikawa, Chun Kerr Dodd Beaman & Wong, LLLP

Julie Mandanas, Starn O'Toole Marcus & Fisher

Seth Reiss, Attorney at Law

Marc Rousseau, Cades Schutte LLP

Scott Settle, Yamamoto & Settle

Ronald Sakamoto, Char Sakamoto Ishii Lum & Ching

Chase Tajima, Chun Kerr Dodd Beaman & Wong, LLLP

Adrienne Yoshihara, Chun Kerr Dodd Beaman & Wong, LLLP



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REGISTRATION INFORMATION

Registration will be accepted ONLINE only at www.hsba.org. All registrants must register and pay individually

How to register (see also terms of registration on page 8)

- <http://hsba.org>
- Click on the 2011 BAR CONVENTION ad
- Select the seminar you would like to attend
- Select REGISTER NOW and follow the prompts
 - If you DO NOT have a CLE account, please set up an account (Each member must create a separate username and password. Please use the email account that you want your Certificate of Attendance to be emailed).
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Corporations Manual

HSBA members	\$95 seminar & lunch	\$220 seminar, lunch & manual
Neighbor Island HSBA members.....	\$85 seminar & lunch	\$210 seminar, lunch & manual
Non-HSBA members	\$195 seminar & lunch	
Corporations Manual, 2011	\$150	

Get Smart: Using the iPad and iPhone for Your Law Practice

HSBA members	\$85 seminar (lunch not included)
Neighbor Island HSBA members.....	\$75 seminar (lunch not included)
Non-HSBA members	\$195 seminar (lunch not included)

Ethics for Employment and Labor Lawyers

HSBA members	\$95 seminar & lunch
Neighbor Island HSBA members.....	\$85 seminar & lunch
Non-HSBA members	\$195 seminar & lunch
Employment Law Manual, 2010	\$100

Family Law Update

HSBA members	\$95 seminar & lunch	\$170 seminar, lunch & materials
Neighbor Island HSBA members.....	\$85 seminar & lunch	\$160 seminar, lunch & materials
Non-HSBA members	\$195 seminar & lunch	
2011 Supplement only	\$75	

Limited Liability Companies Manual

HSBA members	\$95 seminar (lunch not included).....	\$220 seminar & manual (lunch not included)
Neighbor island HSBA members.....	\$95 seminar (lunch not included).....	\$210 seminar & manual (lunch not included)
Non-HSBA members	\$195 seminar (lunch not included)	
Limited Liabilities Manual, 2011	\$150	

Native Hawaiian Legal Issues You Need to Know to Practice Law in Hawaii

HSBA members	\$95 seminar (lunch not included)
Neighbor Island HSBA members.....	\$85 seminar (lunch not included)
Non-HSBA members	\$195 seminar (lunch not included)

Real Estate Law Manual, Volume 3

HSBA members:	\$95 seminar & lunch	\$245 seminar, lunch & Volume 3
Neighbor Island HSBA members:.....	\$85 seminar & lunch	\$235 seminar, lunch & Volume 3
Non-HSBA members:	\$195 seminar & lunch	
Volumes 1 OR 2.....	\$150 each.....	\$250 Volumes 1 AND 2
Volume 3 only.....	\$150	

Social Media 101

HSBA members	\$85 seminar & lunch
Neighbor Island HSBA members.....	\$75 seminar & lunch
Non-HSBA members	\$185 seminar & lunch

Understanding and Persuading Hawaii Juries

HSBA members	\$95 seminar (lunch not included)
Neighbor island HSBA members.....	\$85 seminar (lunch not included)
NON-HSBA members	\$195 (lunch not included)

Update on the Proposed Amendments to the Hawaii Rules of Professional Conduct

HSBA members	\$95 seminar (lunch not included)
Neighbor island HSBA members.....	\$85 seminar (lunch not included)
NON-HSBA members	\$195 (lunch not included)

HSBA Annual Meeting & Luncheon

Friday, September 23, 2011
12:00 p.m., Coral Ballrooms 4 & 5
(Lunch fees are included in morning seminars. Lunch only \$50)



Keynote Speaker:

ERIC YAMAMOTO

Professor of Law and Social Justice
University of Hawaii, William S.
Richardson School of Law

"Accountability and Redress in Post-9/11 America:
The Continuing Significance of *Korematsu v. US*"



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Accommodations: Contact Natalie Millon at (808) 537-1868 or nmillon@hsba.org. Parking: With proper validation, the valet parking is \$13 and self-park is \$8. Other Provisions: The HSBA reserves the right to cancel the seminar without liability, and in such a situation, will return the amounts paid to the registrant. The seminar may be videotaped and/or photographed, and your registration constitutes your

voluntary consent to such videotaping and/or photography and the use thereof without monetary compensation. The representations made in the seminar and content/materials are those of the presenter and do not represent the position of the HSBA. Legal options, analysis, and materials provided by the presenters are not reviewed by the HSBA and are not a substitute for independent legal research.

The prices for seminars/manuals are good only until September 23, 2011 or unless otherwise specified.



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