

August 10, 2021

MEMO TO: Traci N.T. Fujita, Director of Council Services

F R O M: <sup>LOCM</sup> Lesley Milner, Budget Committee Analyst  
David Raatz, Deputy Director of Council Services

SUBJECT: <sup>DMR</sup> **WEBINAR ON LEGAL ETHICS BY WINSTEIN ETHICS CONVERSATION SERIES** (PAF 21-012(15))

On July 20, 2021, we attended a webinar entitled “Legal Ethics,” which was presented by the University of Hawai‘i at Mānoa Shidler College of Business as part of the Will Weinstein Ethics Conversation Series, “Integrity and Ethics in the Real World.” Please see the attached flyer for a rundown of the series. This webinar was moderated by Will Weinstein, and the panelists were:

- Judge Richard Clifton, Senior Judge of the United States Court of Appeals for the Ninth Circuit.
- Ken Lawson, Professor, William S. Richardson School of Law, University of Hawai‘i at Mānoa.
- Camille Nelson, Dean, William S. Richardson School of Law, University of Hawai‘i at Mānoa.
- Tony Piazza, Attorney at Law, Principal, Mediated Negotiations.

The video of the session can be found at <https://vimeo.com/shidlercollege>. The presenters addressed some of the changes that have occurred in the legal profession due to the COVID-19 pandemic, along with the following:

- **The need to discuss legal ethics early and often.** Legal ethics should be raised in the same way professional licensure is discussed to allow for greater socialization of ethical norms.
- **The high costs of legal services, both litigation and mediation.** Often, by the time parties arrive at mediation, they have already spent more than the cost of the ultimate settlement. There is a need to publicize pro bono mediation services, the Ninth Circuit’s mediation program, and other services to help litigants cut costs.

- **Mental health as an important part of the legal profession.** A study from Johns Hopkins University indicated that, of 104 professions, attorneys had the highest rates of substance abuse, addiction, and divorce. Legal students and attorneys should be taught to accept who they are, with their strengths and weaknesses, rather than looking for outside validation. One way in which the legal profession is evolving is to provide more mental-health support to help lawyers navigate the profession's stresses and to lessen the stigma of mental vulnerabilities.
- **Legal ethics rules through the lens of the lawsuits following the 2020 election.** Panelists highlighted Rule 4.1 "Truthfulness in Statements to Others," of the American Bar Association's Model Rules of Conduct. Even when speaking to an audience or reporters, an attorney is bound by ethics rules, opening them up to censure or suspension by jurisdictions in which they are licensed to practice law.

The panelists closed the session by role playing various scenarios posing ethical dilemmas, both from real cases and hypotheticals. Panelists noted legal ethics can sometimes conflict with personal ethics, in which case an attorney should seek to withdraw from representation.

We found the presentation informative and would encourage anyone who is interested to watch the video.

Thank you for the opportunity to participate in this webinar. Please let us know if you have any questions or comments.

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Attachment

*Will Weinstein*  
**ETHICS CONVERSATION SERIES**

What causes and enables high profile members of the financial, business, and legal communities to lie, cheat and steal? Join us as a number of knowledgeable professionals from the business, legal, education, medical, political, environmental and athletic communities participate to examine business and legal ethics from the beginning of the decade to today's ongoing and headline-making ethical conundrums.

**For more information, visit [shidler.hawaii.edu/weinstein](http://shidler.hawaii.edu/weinstein)**

Licensed attorneys are eligible for continuing legal education (CLE) credits.  
 Attorneys may earn 1.5 Ethics CLE credits for attending the Legal Ethics panel only. Attendance at all other panels is eligible for 1.5 regular (non-ethics) CLE credits

All lectures will be held **via Zoom » 6:00 - 7:30 p.m. »** Link will be sent in e-mail confirmation once registered

<b>THURSDAY JULY 8</b>	<p><b>ETHICAL IMPLICATIONS OF ECONOMIC INEQUALITY » 1.5 CLE</b>          Bob Harrison - CEO, First Hawaiian Bank          Peter Shaindlin - COO, Halekulani Corp          John Pritzker - Founding Partner and Director, Geolo Capital          Rick Fried, JD - Founding Member, Cronin, Fried, Sekiya, Kekina &amp; Fairbanks</p>
<b>THURSDAY JULY 15</b>	<p><b>ETHICS OF CAPITALISM » 1.5 CLE</b>          Roger Berkowitz - Professor of Politics, Philosophy, and Human Rights and Academic Director, Hannah Arendt Center for Politics and Humanities at Bard College          Peter Ho - Chairman, President and CEO, Bank of Hawaii          Jay Shidler - Founder and Managing Partner, The Shidler Group          Scott Peppet - President, Chai Trust Company</p>
<b>TUESDAY JULY 20</b>	<p><b>LEGAL ETHICS » 1.5 CLE</b>          Judge Richard Clifton - Senior Judge, The United States Court of Appeals for the Ninth Circuit          Ken Lawson - Professor, University of Hawai'i at Mānoa, William S. Richardson School of Law          Camille Nelson - Dean, William S. Richardson School of Law</p>
<b>TUESDAY JULY 27</b>	<p><b>MEDICAL ETHICS » 1.5 CLE</b>          Jerris Hedges, MD - Dean of the John A. Burns School of Medicine, University of Hawai'i          Tony Russo - Health Sciences Clinical Professor, General Internal Medicine, UCSF Health          Naresh Mandava, MD - Chair, Department of Ophthalmology, University of Colorado, Anschutz Medical</p>
<b>THURSDAY JULY 29</b>	<p><b>ETHICS OF TECHNOLOGY » 1.5 CLE</b>          Ken Tuchman - Chairman and Chief Executive Officer, TTEC          Matt Howard - Head of Product Management, Hitachi Ventara, Digital Solutions Business          Patrick Sullivan - Founder and CEO, Oceanit</p>
<b>THURSDAY AUGUST 5</b>	<p><b>ETHICS IN THE BOARDROOM » 1.5 CLE</b>          Mary Bitterman - President, Bernard Osher Foundation; Former Lead Independent Director, Bank of Hawaii</p>
<b>THURSDAY AUGUST 12</b> <small>Special Lecture</small>	<p><b>ETHICS IN POLITICS » 1.5 CLE » 6:00 - 8:00 p.m.</b>          Eric Swalwell - Member, U.S. House of Representatives for California's Fifteenth District          Josh Green, MD - Lieutenant Governor, Hawai'i</p>



Will K. Weinstein is a money manager who has held principal positions at a wide array of firms in the financial industry. This is Weinstein's eighteenth summer teaching the course "Integrity and Ethics in the Real World," at the UH Mānoa William S. Richardson School of Law and the Shidler College of Business, introducing special guest speakers to the university and making this learning opportunity available to the public.

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