

NO. 23373

IN THE SUPREME COURT OF THE STATE OF HAWAII

OFFICE OF DISCIPLINARY COUNSEL, Petitioner,

vs.

PAUL D. HICKS, Respondent.

(ODC 98-074-5565, 98-143-5634,
99-203-6033, 99-413-6243, 00-343-6689)

ORDER OF SUSPENSION

(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

Upon consideration of the Disciplinary Board's Report and Recommendation for the Suspension of Paul D. Hicks From the Practice of Law for a Period of Three Years, the exhibits thereto, and the record, it appears that Respondent Hicks has committed numerous acts of professional misconduct including (1) neglect of clients' matters, (2) failure to communicate with clients, and (3) failure to cooperate with the Office of Disciplinary Counsel's investigations in violation of Rules 1.2, 1.3, 1.4(a), 1.15(f), 1.15(f)(4), 3.2, 3.4(e), 5.3, 5.5(b), 8.1(b), 8.4(a), 8.4(c), and 8.4(d) of the Hawai'i Rules of Professional Conduct. We specifically adopt the hearing committee's conclusions that Respondent Hicks violated Rules 3.4(a) and 8.4(a) when representing himself. A lawyer's duties under the Hawai'i Rules of Professional Responsibility apply when the lawyer represents himself. See, e.g., In re Runsvold, 129 Idaho 419, 925 P.2d 1118 (1996); O'Meara's Case, 150 N.H. 157, 834 A.2d 235 (2003). It further appears that there is pattern of misconduct, multiple offenses, vulnerable victims, and prior

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discipline involving similar misconduct. Respondent Hicks also has substantial experience in the practice of law and refuses to acknowledge the wrongful nature of his conduct. Therefore,

IT IS HEREBY ORDERED that Respondent Hicks is suspended from the practice of law in this jurisdiction for a period of three (3) years, effective thirty (30) days after entry of this order, as provided by Rule 2.16(c) of the Rules of the Supreme Court of the State of Hawai'i ("RSCH"). Respondent Hicks is reminded that he may not resume the practice of law until he is reinstated by order of this court. See RSCH 2.17(a).

IT IS FURTHER ORDERED that, as a condition of his reinstatement, Respondent Hicks shall reimburse the Disciplinary Board for the costs associated with this proceeding, as determined by this court after timely submission of a bill of costs.

IT IS FINALLY ORDERED that Respondent Hicks shall, within ten (10) days after the effective date of the suspension order, file with this court an affidavit in full compliance with RSCH 2.16(d).

DATED: Honolulu, Hawai'i, January 20, 2006.



Steven A. Levinson

Amalia C. Nakamura



James E. Duggan