



# HAWAII WOMEN LAWYERS

## NEWSLETTER

August, 1990

**1990**

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## **August Meeting: Sexual Harassment**

Date: Friday, August 31, 1990

Time: 12:30 p.m. to 1:30 p.m. NOTE: NEW TIME

Place: University of Hawaii William Richardson Law School,  
Classroom 1 NOTE: NEW LOCATION

Topic: Sexual Harassment on Campus

We invite you to join us at the University of Hawaii Law School for a program on sexual harassment on campus, in conjunction with the Hawaii Women Lawyers, Student Division. As you may be aware, this has been a hot issue at the University over the last year, as the University is currently formulating a policy to deal with this widespread problem. The program will be a panel discussion whose speakers include: Madeleine Goodman, Assistant VP for Academic Affairs, April Wilson—South, Editor of Voices and a member of the University task force, and Elizabeth Jubin Fujiwara, Esq., HWL member as well as co—editor and author of an article on sexual harassment published in Our Rights, Our Lives, published by HWL earlier this year. It should be a highly informative and educational meeting. Please join us! See you there!

## **Do You Have A Living Will?**

What would happen if you became so mentally or physically disabled that you were unable to participate in decisions about your care, and about your life and death? Thousands of families face this crisis daily, without adequate declaration from the patient on what decisions should be made. This can result in months (and sometimes years) of unwanted, unneeded and costly medical "care."

Jeff Crabtree provided a most effective and moving presentation to HWL at our July meeting, on the importance of preparing a good Living Will for you and your loved ones. In particular, the common pre—printed form of Living Wills found in Hawaii statutes (HRS 327D) and commonly distributed in Hawaii is not a good Living Will because 1) their language is expressly limited to a terminal condition, yet there are many totally debilitating conditions that are not considered terminal (coma, vegetative state, etc.) and therefore not addressed by such a Living Will; and 2) their language is vague as to whether artificial provision of nourishment and fluids is being requested or can be withdrawn. Jeff described how the current statutory language for Living Wills places serious restrictions on your right to refuse medical treatment, even though these restrictions were recently held unconstitutional and void in his mother's case, to the extent they attempt to limit a patient's right to refuse unwanted medical treatment.

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Jeff has generously prepared and provided us the attached form of a Living Will, which can be retyped as is, or freely changed to state what sort of medical procedures or treatment you want or do not want in the event of a disability that leaves you unable to express yourself. Once you sign a Living Will, provide copies of it to your doctor(s) and trusted family members, to help make sure your wishes are carried out in the event of your disability. This is such an important issue that we wanted to distribute copies to each of our members, for your thoughtful consideration.

## **Come To The Professional Women's Network "Open House"**

The Professional Women's Network is hosting an Open House for HWL and other professional women's organizations (women in communications, accounting, business, banking, etc.), on Wednesday, September 12 from 5:30 p.m. to 7:30 p.m. at the Plaza Club. Pupus and music will be provided, with No Host cocktails. This is an excellent opportunity to meet new friends and business colleagues among a group of women who often tell us they want to meet more attorneys to assist in their work! Please join us. The cost is \$12.50, payable to Professional Women's Network. Please RSVP by sending your check with the form below, by August 31. For more details, call 533—4800.

Total Enclosed \$ \_\_\_\_\_ Check No. \_\_\_\_\_

Name(s): \_\_\_\_\_

\_\_\_\_\_

Association: \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Send to: Professional Women's Network, P.O. Box 37052  
Honolulu, HI 96837

## **Circuit Court Practice Seminar**

Please come to a free brown—bag luncheon seminar on "Circuit Court Practice," featuring as speaker the Honorable Robert G. Klein, on September 5, 1990, at noon, at the Intermediate Court of Appeals, 3rd Floor, Old Federal Building, 335 Merchant Street. This is part of the "Lawyer Kokua Program" co—sponsored by HWL and HSBA/YLD.

## **Annual Conference of Women Professionals**

Please save Saturday, November 10, 1990, for the Annual Conference of Women Professionals. This Conference is co—sponsored by numerous professional women's organizations (bankers, accountants, doctors, etc.), including HWL. The title of the Conference is "Magic at Work: Maximizing Effectiveness in the 90's." The keynote speaker and workshop leader will be Dr. Carol Pearson, author of The Hero Within: Six Archetypes We Live By; Educating the Majority: Women Challenge Tradition in Higher Education; and Magic at Work. We will provide registration information and materials as the date nears.

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## The Hawaii Women Lawyers Foundation Names New Officers

by Susan Ekimoto Jaworowski

The lure of the Mainland has cost The Hawaii Women Lawyers Foundation (THWLF) two valued officers, Angie King and Lelanda Lee. Vice president Angie King, a public defender who is a past recipient of the HWL Outstanding Woman Attorney award, has moved to San Luis Obispo. Treasurer Lelanda Lee, a bank officer and one of the non-attorney members of THWLF, will be moving to Denver. THWLF wishes them the best of luck!

The new vice president of THWLF is Rai Saint Chu. Rai, an attorney with the Law Offices of Richard Turbin, has a special tie to this group, as she is also the founder of HWL. Stephanie Gonsalves, the new treasurer of THWLF, is also a long-time friend of HWL, as she was HWL's treasurer for several years. Stephanie is now with Hawaiian Electric, one of the corporate sponsors of our July 5 fundraiser honoring the editors and writers of Our Rights, Our Lives: A Guide of Women's Legal Rights in Hawaii.

### **JOB POSITIONS**

#### U.H. School of Law Faculty Wanted

U.H. School of Law seeks to fill one or two tenure-track faculty positions (to begin August 1991) to teach clinical courses, commercial law and international business, and/or trade and development. Candidates must have a J.D. degree, a distinguished academic record and the demonstration or promise of excellence in both teaching and scholarship. Applications from minority group members, women, and others whose background or interests will contribute to diversity in the faculty, are particularly encouraged. Please send a resume, a letter of application and the names of three references to Lawrence Foster, Associate Dean, University of Hawaii, William S. Richardson School of Law, 2515 Dole Street, Honolulu, Hawaii 96822, by January 6, 1991.

#### Business Associate Wanted

Paul, Johnson, Alston and Hunt seeks an associate with 2-4 years business experience for its business and real estate section (including corporate formations, partnerships, non-profit organizations, real estate and PUC work). Any interested person should send a resume, writing sample, and cover letter to Hiring Partner, Paul Johnson Alston and Hunt, P.O. Box 4438, Honolulu, 96812-4438.

## **Personal Announcements**

We are pleased to announce that Liz McMillan will begin her practice of law in Hawaii with the Protection and Advocacy Agency, helping protect the rights of mentally and physically disabled persons in Hawaii. Liz is a recent graduate of Northeastern University School of Law, and has been an HWL volunteer with the Domestic Violence Legal Hotline during her prior internships in Honolulu.

Mei Nakamoto, attorney with Paul, Johnson, Alston & Hunt, and her husband, Larry Reifurth, attorney with the Attorney General's Office, announce the birth of their baby girl, Kathryn Rose Nakamoto Reifurth, born August 1, 1990, weighing in at 7 lbs., 6 oz. Mei has also been an active volunteer with HWL's Domestic Violence Legal Hotline, and promises to return to service soon!

LIVING WILL DECLARATION

1. I, \_\_\_\_\_, make this Declaration on \_\_\_\_\_, 1990. I am of sound mind. I willfully and voluntarily make this Declaration as the instructions to be followed if I become unable to participate in decisions about my care. I fully understand and intend that the instructions in this Declaration will result in my death under certain circumstances.

2. These instructions express my deeply held belief that I have a right to refuse treatment. I expect my family, doctors, and everyone concerned with my care to regard themselves as legally and morally bound to act in accord with this Declaration, and in so doing to be free of any civil or criminal liability.

3. If any part of this Declaration is declared legally void, then I ask that the rest of this Declaration be honored.

4. The quality of my life is important to me. I do not want to be kept alive if I have an incurable or irreversible mental or physical condition which seriously or totally disables me with no reasonable expectation of recovery. This includes brain disease or brain damage such that I am unable to recognize people and to speak understandably or to communicate feelings other than pain or suffering or delusions. My condition does not have to be terminal in order for these instructions to apply. These instructions apply even if I could be kept alive indefinitely by medical treatment.

5. If I have any condition described in paragraph 4 above, I direct that all procedures which might prolong my life be withheld or withdrawn, and that I be permitted to die with only the performance of any medical procedure necessary to provide me with comfort or to alleviate unnecessary pain. Specifically, but without limiting myself, I do not want surgery, medication (except pain relief), cardiopulmonary resuscitation, antibiotics, kidney transplantation, blood transfusions, radiation or chemotherapy or a

mechanical respirator. Also, I specifically do not want artificial feeding or water if such treatment will only prolong my condition.

6. If for any reason my instructions as stated in this Declaration are not specific enough, or if for any other reason my instructions do not resolve or answer the issues raised by my incapacity, then I designate the following person to act in my behalf and make whatever decision about my care that I would be able to make if I were able, including the power to make decisions that will result in my death:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

7. If the person I named above in paragraph six is unable or unwilling to make decisions on my behalf, I then authorize the following person to do so:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Signature of Person Making  
This Living Will

\_\_\_\_\_ Date

8. If any physician or health care facility refuses to comply with this Declaration, then I want my care transferred to another physician or facility who will comply with these instructions. I also authorize a court-appointed guardian, or the substitute decision-maker named in paragraph(s) six and seven, above, in his or her discretion, to file suit to force compliance with this Declaration, and for damages if warranted, and to otherwise force compliance with this Declaration.

Signature of Person Making \_\_\_\_\_ Date \_\_\_\_\_  
This Living Will

Address: \_\_\_\_\_

Witness Signature \_\_\_\_\_ Name of Witness \_\_\_\_\_ Date \_\_\_\_\_  
(Print or Type)

Witness Signature \_\_\_\_\_ Name of Witness \_\_\_\_\_ Date \_\_\_\_\_  
(Print or Type)

**Statement of Two Adult Witnesses:**

\_\_\_\_\_ (the person signing this Living Will)  
is personally known to me and is, I believe, of sound mind and is making this Declaration freely without threat or duress.

I am at least 21 years of age. I am not related to the person signing this living will by blood, marriage, or adoption. I am not



an employee of the medical care facility in which the person signing this living will is a patient.

Witness: \_\_\_\_\_

Witness: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Notary

STATE OF HAWAII )  
CITY AND COUNTY OF HONOLULU ) SS

This Living Will Declaration was subscribed, sworn to, and acknowledged before me by the Declarant, \_\_\_\_\_, and subscribed and sworn to before me by the above-listed witnesses, on \_\_\_\_\_, 1990.

\_\_\_\_\_  
Notary Public, State of Hawaii

My commission expires: \_\_\_\_\_

\* This Living Will Declaration was prepared and provided by HWL Member Jeff Crabtree. HWL extends its deep gratitude to Jeff for his generosity, talent and courage in providing a clearer, more meaningful, and effective Living Will in Hawaii.

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## HWL MEMBERSHIP

HWL invites you to become a member, or to renew your membership dues, if you have not already done so. The date on your address label shows the last date your dues are current. (Dues run from July 1 to June 30 of the following year.) Please send the following form to HWL, P.O. Box 2072, Honolulu, Hawaii 96805. Dues are as follows:

Regular members \$30    Out-of-state members \$20    Student members \$10

New admittees (within 1 year of Hawaii admission) \$20

HWL President's Circle:    \$100    \$500    \$1000 (circle one)

Name \_\_\_\_\_ Phone (day) \_\_\_\_\_ (night) \_\_\_\_\_

Mailing Address \_\_\_\_\_

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Please indicate if you are interested in information about serving on the HWL Board or Committees

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Please note any topics or projects in which you would be interested in assisting

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Moved? Name change? Receiving duplicates? Please send old mailing label with corrections to HWL, P.O. Box 2072, Honolulu, Hawaii 96805. If you have any announcements you wish to submit for the monthly newsletter, please call Ellen Godbey Carson at 524-1212 or send a copy to HWL by the end of every month.

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### HAWAII WOMEN LAWYERS

P.O. Box 2072  
Honolulu, Hawaii 96805

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Trudy M. Burns (6/91)  
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