



Office of the Administrative Director of the Courts – THE JUDICIARY • STATE OF HAWAII
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Rodney A. Maile
ADMINISTRATIVE DIRECTOR

Daylin-Rose Heather
DEPUTY ADMINISTRATIVE DIRECTOR

December 10, 2024

Via electronic submission

The Honorable Ronald D. Kouchi
President of the Senate
State Capitol, Room 409
Honolulu, HI 96813

The Honorable Nadine K. Nakamura
Speaker of the House of Representatives
State Capitol, Room 431
Honolulu, HI 96813

Dear President Kouchi and Speaker Nakamura:

Pursuant to Section 613-4, Hawai'i Revised Statutes, the Judiciary is transmitting a copy of the *Judiciary's Center for Alternative Dispute Resolution FY 2024 Annual Report*.

In accordance with Section 93-16, Hawai'i Revised Statutes, we are also transmitting a copy of this report to the Legislative Reference Bureau Library.

The public may view an electronic copy of this report on the Judiciary's website at the following link: https://www.courts.state.hi.us/news_and_reports/reports/reports.

Should you have any questions regarding this report, please feel free to contact Karen Takahashi of the Judiciary's Legislative Affairs and Special Projects Division at 808-539-4896, or via e-mail at Karen.T.Takahashi@courts.hawaii.gov.

Sincerely,

A handwritten signature in blue ink that reads "Rodney A. Maile".

Rodney A. Maile
Administrative Director of the Courts

Attachment

c: Legislative Reference Bureau Library

Aloha,

The Center for Alternative Dispute Resolution (CADR) ensures that alternative dispute resolution is available in Hawai'i. Alternative dispute resolution offers opportunities for early, party-driven, efficient, and fair solutions.

CADR:

- Designs and helps implement alternative dispute resolution programs for state and county government;
- Mediates and facilitates public policy disputes referred by elected or appointed government officials;
- Administers the Appellate Mediation Program;
- Manages the Judiciary's purchase of services contract for mediation and related dispute resolution services; and
- Promotes alternative dispute resolution through training and education.

I wish to thank CADR volunteers for their dedication and commitment, and CADR staff for their hard work. This report summarizes CADR's work during FY 2023-2024.

Mahalo,

Mark E. Recktenwald
Chief Justice

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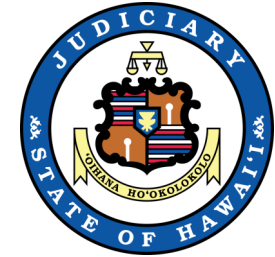
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Center for Alternative Dispute Resolution

The Judiciary
State of Hawai'i



Annual Report

July 1, 2023 - June 30, 2024

*Presented to the
Thirty-third Legislature*

*Pursuant to
Hawai'i Revised Statutes §613-4*

Programs

The Center for Alternative Dispute Resolution (CADR) helps make alternative dispute resolution broadly available throughout the state. The goal is to resolve disputes fairly, without the delay and financial and emotional costs of litigation, while preserving relationships between parties. ADR through the Judiciary also helps build public confidence in our judicial system, and expands access to justice.

Program Activity FY 2023–2024

- **Hawai‘i Appellate Mediation Program (AMP)**

From inception to the end of Fiscal Year 2023–24, 819 cases entered the program. The overall settlement rate for closed cases is 49 percent.

In FY 2023–24, AMP added 17 new cases to its 12 pending cases. Of the 29 active cases, 18 closed with the following results: 10 settled or partially settled; 7 did not settle and continued on the court track; 1 was withdrawn prior to mediation; and 11 cases carried over to the new fiscal year.

During Fiscal Year 2023 – 2024, volunteer mediators provided over 335 hours of mediation services for 18 cases that closed during that period.

The Access to Justice Commission recognized the AMP Mediators for their generous pro bono service contributions during the October Access to Justice Conference at Ali‘iolani Hale.

- **Workplace Dispute Resolution Program (WDRP)** is administered by CADR to provide mediation and facilitation options for employees to resolve workplace disputes. WDRP services are provided at an off-site location through Hawai‘i’s community mediation centers.

Since the program’s expansion in 2019, 21 cases have been reviewed and five were referred for mediation.

Training, Education, Research, and Outreach

CADR provides the following workshops to government employees, including departments/offices within the State Judiciary, Office of the Governor, Department of Health, Department of Education, and the City and County of Honolulu. CADR continues to provide training by invitation for Leadership Honolulu – the City and County of Honolulu Advanced Management Mastery Program:

- CADR 1.0 *Working it Out: Skills for Managing Conflict*
- CADR 1.3 *Collaborative Workplace I: Skills for Cultivating Collaboration*
- CADR 1.4 *Collaborative Workplace II: Giving Feedback for Productive Outcomes*
- CADR 4.1 *Facilitating Effective Meetings*
- CADR 5.0 *Handling Difficult Behaviors in the Workplace*
- CADR 6.0 *Communicating with Empathy: The Path to Seeing More Deeply*
- CADR 7.0 *Hot Buttons: Building Emotional Resilience to Manage Conflict*

Additional ADR-related Workshops and Educational Outreach:

- In June 2024, 33 advanced practitioners attended the day-long AMP Advanced Skills and Professional Development Symposium “Reaching Agreement in Mediation” (on Zoom).
- CADR delivered a special training session on managing conflict and presented the WDRP to 16 mentors and mentees with the Judiciary’s Supervisor Mentorship Program (SMP).
- CADR Virtual Brown Bag Sessions—Skills for Problem Solving:
 - *Mediating Condominium Disputes* was attended by 246 registrants
- Co-sponsored the 37th Annual Peer Mediation Conference: *Developing Sustainable Peer Mediation Programs*

Continuing Legal Education

CADR develops programs to deliver quality continuing legal education to the legal community. Of the training and outreach events offered in FY 2023-24, *Mediating Condominium Disputes* offered one credit and the AMP Symposium offered two credits.

ADR Partners

CADR is fortunate to partner with the following organizations who make lectures and community forums possible:

Accord 3.0; Conflict Resolution Alliance; Hawai‘i Friends of Restorative Justice; Hawai‘i State Bar Association – ADR Section; Kaua‘i Economic Opportunity, Inc., Mediation Program; King Kamehameha V Judiciary History Center; Ku‘ikahi Mediation Center; Matsunaga Institute for Peace and Conflict Resolution, University of Hawai‘i at Mānoa; Maui Mediation Services; Provost Office, University of Hawai‘i at Mānoa; The Mediation Center of the Pacific; and the West Hawai‘i Mediation Center

Community Mediation Centers

CADR administers a purchase of services contract for mediation and related dispute resolution services with Mediation Centers of Hawai‘i, Inc. (“MCH”). MCH serves as an umbrella organization for the five community mediation centers throughout the state.

In Fiscal Year 2024, the mediation centers exceeded contract expectations by serving 12,118 clients and opening 3,894 cases.

Pre-eviction Mediation Involving the Wildfires

Following the 2024 legislative session, the Judiciary received \$410,000 under Act 202 for pre-eviction mediation services for those impacted by the Maui wildfires. A contract was finalized with MCH with the services to be provided largely by Maui Mediation Services (“MMS.”) MMS will provide mediation services once the Governor’s eviction moratorium expires.