

Honolulu, Hawaii

April 11, 2008

RE: H.C.R. No. 69
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.C.R. No. 69 entitled:

"HOUSE CONCURRENT RESOLUTION ESTABLISHING A TASK FORCE TO REVIEW THE RETIREMENT AGE FOR STATE COURT JUSTICES AND JUDGES; THE TERMS OF AND POSSIBLE TERM LIMITS FOR STATE COURT JUSTICES AND JUDGES; THE POSSIBILITY OF ESTABLISHING A SENIOR JUDGE SYSTEM FOR STATE COURT JUSTICES AND JUDGES; JUDICIAL ACCOUNTABILITY AND FITNESS IN THE STATE OF HAWAII; AND RELATED MATTERS,"

begs leave to report as follows:

The purpose of this concurrent resolution is to facilitate an informed discussion of whether to retain, repeal, or amend Hawaii's current law regarding mandatory judicial retirement age, by establishing a task force to:

- (1) Collect relevant data, including practices in other jurisdictions; and
- (2) Identify public policies promoted or impeded by, and make recommendations on the repeal, amendment, or retention of the:
 - (A) Mandatory judicial retirement age;
 - (B) Judicial term limits;



- (C) Lack of a senior judge system;
- (D) Current system of judicial accountability; and
- (E) Current means for determining judicial fitness.

The Department of the Attorney General, City and County of Honolulu Department of the Prosecuting Attorney, and American Civil Liberties Union of Hawaii testified in support of this concurrent resolution.

Your Committee has amended this concurrent resolution by:

- (1) Adding a representative from the American Civil Liberties Union as a participant in the task force; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style, including changing its title to "ESTABLISHING A TASK FORCE TO REVIEW THE RETIREMENT AGE FOR STATE COURT JUSTICES AND JUDGES; THE TERM LIMITS OF STATE COURT JUSTICES AND JUDGES; THE POSSIBILITY OF ESTABLISHING A SENIOR JUDGE SYSTEM FOR STATE COURT JUSTICES AND JUDGES; JUDICIAL ACCOUNTABILITY AND FITNESS IN THE STATE OF HAWAII; AND RELATED MATTERS."

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 69, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 69, H.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,


TOMMY WATERS, Chair



