

STAND. COM. REP. NO.

427

Honolulu, Hawaii

FEB 15 2007

RE: S.B. No. 1954  
S.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fourth State Legislature  
Regular Session of 2007  
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred  
S.B. No. 1954 entitled:

"A BILL FOR AN ACT RELATING TO JUSTICES AND JUDGES,"

begs leave to report as follows:

The purpose of this measure is to require public disclosure  
of disciplinary sanctions imposed on any justice or judge of the  
State of Hawaii along with the findings and recommendations by the  
Commission on Judicial Conduct.

Currently, Rule 8 of the Rules of the Supreme Court regulates  
judicial discipline. The rules indicate that the Commission shall  
submit a report containing its findings and recommendations to the  
Supreme Court. However, when an allegation of misconduct has been  
proven and sanctions have been imposed, there is no requirement  
that such result be disclosed to the public. Your Committee finds  
that it is imperative that public confidence in the Judiciary be  
maintained and that disciplinary disclosures would achieve this  
result.

Your Committee heard testimony from the Public Defender who  
commented that disclosure of judicial discipline was not a bad  
idea and that the mode of discipline should be classified  
according to the seriousness of the misconduct.

Your Committee amended the bill to correctly reference the  
Commission on Judicial Conduct and not refer to it as the Judicial  
Disciplinary Commission.

SB1954 SD1 SSCR JDL .doc



As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1954, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1954, S.D. 1, and be placed on the calendar for Third Reading.

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




CLAYTON LEE, Chair



The Senate  
Twenty-Fourth Legislature  
State of Hawaii

**Record of Votes**  
**Committee on Judiciary and Labor**  
**JDL**

Bill / Resolution No.:*	Committee Referral:	Date:
SB 1959	JDL	2/12/07
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____		
The Recommendation is:		
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313		
Members	Aye	Aye (WR)
Nay	Excused	
HEE, Clayton (C)	/	
KOKUBUN, Russell S. (VC)	/	
INOUE, Lorraine R.	/	
NISHIHARA, Clarence K.	/	
GABBARD, Mike	/	
<b>TOTAL</b>	<b>5</b>	<b>0</b>
Recommendation:		
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature:		
		
Distribution:		
Original	Yellow	Pink
File with Committee Report	Clerk's Office	Drafting Agency

\*Only one measure per Record of Votes