

JUDICIARY OVERVIEW

The mission of the Judiciary, as an independent branch of government, is to administer justice in an impartial, efficient, and accessible manner in accordance with the law. As the third branch of Hawaii's State Government, it is invested by Article VI of the State Constitution with powers coequal to those of the Legislative and Executive Branches. Within the Judiciary, the major program categories are court operations and support services.

The programs in the court operations category serve to safeguard the rights and interests of persons by assuring an equitable and expeditious judicial process. These include the Courts of Appeal (JUD 101); and the First, Second, Third, and Fifth Circuits (JUD 310, 320, 330, and 350, respectively). The major activity of the Courts of Appeal is to provide timely disposition of cases, including resolution of particular disputes and explication of applicable law; and of the four Circuits is to expeditiously and fairly adjudicate or resolve all matters within their jurisdiction in accordance with the law. Within the Courts of Appeal program, there are the Supreme Court, the Intermediate Court of Appeals, and the State Law Library System. Each of the four circuits is divided into four major programs: adjudication, central administration, client services, and court services.

Programs in the support services category enhance the effectiveness and efficiency of the judicial system by providing the various courts with administrative services such as fiscal control and direction of operations and personnel, and fall under the title of Administration (JUD 601). Within Administration are the Offices of the Administrative and Deputy Administrative Director of the Courts, and four departments – Intergovernmental and Community Relations (includes such programs as Staff Attorney Office, Children's Justice Center, Office of Public Guardian), Policy and Planning (includes Budget and Legislative Coordinating Office, among others), Support Services (includes Fiscal Support, Information Technology, and Records Management), and Human Resources.

Further details on the functions and activities of the programs in each of the categories can be found in Tables 1 and 2, and in the sections on each program in this testimony.

The Judiciary is keenly aware of the current economic and fiscal conditions affecting the nation and the State, and the State's projected budget deficit for the fiscal biennium. These conditions have caused the Judiciary to initiate various cost cutting measures including restrictions on travel, hiring, and overtime, as well as to greatly expand the use of video and web conferencing among the islands. The hiring and overtime restrictions have affected morale and the delivery of services as the continually increasing workload must be done with less people in less time (i.e., no overtime). These conditions have also resulted in the Judiciary's general fund biennium budget request being only for items mandated by law or absolutely necessary to maintain operations. Specifically, it is limited to funds to pay for the judges' salary increase recommended by the Commission on Salaries and mandated by law (about \$1.28 million in FY 2010 and \$1.77 million in FY 2011), increases in costs for electricity which are a necessary operating expense (\$3.71 million in FY 2010 and \$5.6 million in FY 2011), and Kapolei (22 positions and \$2.0 million in FY 2010 and \$2.66 million in FY 2011 to open the new Detention Home and Courthouse in Spring 2010). (With regard to Kapolei, the program requested 88 positions and over \$6.4 million in FY 2011, but because of the current fiscal situation, the Judiciary reduced its request to the numbers shown). In total, the Judiciary's general fund budget request includes additional funding of approximately \$7 million in FY 2010 and \$10.1 million in FY 2011 (see Table 4). However, it should be noted

that the Judiciary is in the process of identifying possible reductions to its budget base to offset much of the cost of these items, if necessary, thereby keeping any growth in the budget base to a minimal or zero amount. Further reductions beyond any amounts identified could seriously affect the judiciary's ability to continue to provide complete, safe, and timely court services to the public, and to open the Kapolei Court Complex.

The Judiciary is also requesting a ceiling increase in the Drivers Education Special Fund to cover increased electric, lease, and special fund assessment costs; and in the Computer System Special Fund to accelerate completion of the Judiciary Information Management System (JIMS) project and pay for data center improvements.

Capital Improvement Project (CIP) requirements remain a major item of concern as the Judiciary's infrastructure continues to age and deteriorate, while the population served and services provided by the Judiciary keep expanding. With the move of the detention facility and much of the Family Court to Kapolei in FY 2010, CIP funds are needed to start the planning process for a Judiciary administration building in Kapolei and thereby avoid paying excessive costs for leased space. Concerns about safety, security, parking, space, and accessibility at Judiciary facilities in Kona necessitate a renewed request for CIP planning funds for a new Judiciary court complex in West Hawai'i. Other CIP funds are needed for critical repairs and upgrades for our elevators at Kauikeaouli Hale (District Court), for our roof and lanai deck at Ka'ahumanu Hale (Circuit Court), and for other miscellaneous repairs and improvements at Judiciary facilities statewide, but especially at historic Ali'iolani Hale (Supreme Court).

Performance measures for the Courts of Appeal and respective Circuit programs include such areas as justices/judges evaluations, customer surveys, the number of new filings (motions, appeals, civil actions, criminal cases, etc.), the number of dispositions and the disposition or clearance rate, and the median time to disposition/clearance. Nine appellate justices/judges and eight Family Court judges were evaluated either by mail or internet in 2008, and received an average mean score of good to excellent in all categories (Appellate – fairness/impartiality, written opinions, oral argument, and overall; Family Court – legal ability, judicial management skills, comportment, and settlement/plea agreement ability). Customer surveys showed that 74% of the 70 respondents rated their satisfaction with the Judiciary as either excellent or good. New case filings have increased statewide from FY 2007 to FY 2008 in all courts – Circuit: 11,308 to 11,661, Family: 34,092 to 36,932, District (excluding traffic): 76,023 to 81,604, and Traffic: 437,418 to 444,890. Dispositions have experienced a similar increase. The overall clearance rate for all three trial courts for FY 2008 was 94.7%, up from 86.3% in FY 2007, while the disposition rate for the Courts of Appeal has been between 98% and 125% the last six fiscal years. Further information and details related to specific programs are shown in the individual sections of this testimony.

In summary, the Judiciary's workload has been increasing steadily over the years and will likely experience further significant growth considering the current economic conditions within the State. Without adequate funding, the Judiciary could face difficulty in meeting its responsibility to the citizens of Hawai'i to provide timely and efficient services to all.

This concludes the overview section of our testimony, and we will now move on to the major program areas. It should be noted that the eight attachments requested by the December 12, 2008 Instructions for Briefings on the Biennium Budget (2009-2011) follow our written testimony.

SUPREME COURT

Superintends all courts of inferior jurisdiction in the State of Hawaii judicial system to prevent and correct errors and abuses where no other remedy is expressly provided by law. Has jurisdiction in all matters set out in 602, HRS. Promulgates rules which have the force and effect of law. Licenses and disciplines attorneys. Determines judicial fitness.

INTERMEDIATE COURT OF APPEALS

Has concurrent jurisdiction with the Supreme Court on all matters set out in 602, HRS.

OFFICE OF THE CHIEF CLERK

Provides court clerical and ancillary services for both the Hawaii State Supreme Court and the Intermediate Court of Appeals. Maintains custody of all records of the Courts of Appeal. Files and enters into the permanent records of the Court, all official and required documents. Maintains current calendar of all pending appeal cases. Notifies attorneys by phone and/or certified mail when cases and motions are set for oral argument. Files opinions, decisions, and orders; notifies attorneys of record by phone and mail of court's ruling. Provides information and assistance to attorney, law firm staff, bar applicants, court clerks, the general public on appeal procedures, bar application procedures and the use of appeal forms. Distributes advance sheets to publishing companies. Serves as secretary to the Board of Examiners.

LEGAL DOCUMENTS SECTION

Receives, reviews, accepts or files legal appellate documents; forwards documents for appropriate action; distributes filed documents to its respective court; distributes court orders to the parties involved in appellate proceedings; and provides information and assistance to attorneys.

RECORDS MANAGEMENT SECTION

Processes all appeals; prepares, updates and maintains all appellate case files for the Courts of Appeal.

FISCAL OFFICE

Processes all fiscal, accounting, and budgetary matters for the Courts of Appeal.

BAR EXAMINATION SECTION

Handles all aspects of the application and examination process for applicants to sit for the Hawaii State Bar Examination. Assists the Secretary to the Board of Examiners.

FIRST JUDICIAL CIRCUIT
OFFICE OF THE CHIEF COURT ADMINISTRATOR

Reports to the Chief Judge of the First Judicial Circuit.

Plans, directs, administers, coordinates and evaluates all administrative, business and support functions, operations and activities required to support judicial proceedings and judgments in a judicial circuit involving criminal, civil, family and probation matters; and oversees a multitude of circuit, family and district court programs within the judicial circuit through subordinate administrators, managers and supervisors.

Sets short- and long-term goals to accomplish the judicial circuit's objectives; formulates policies, procedures and controls relevant to the overall administration and practices of the judicial circuit's functions, operations and programs; implements policies and procedures to meet established guidelines; makes assessments on the overall effectiveness and efficiency of policies and procedures; and modifies/revises policies and procedures to attain maximum operational functioning levels, and provide optimal quality of services while meeting legal, regulatory and procedural requirements of the judicial circuit.

Participates in the development, implementation, assessment and modification of Judiciary-wide operational guidelines and procedures; develops short- and long-term goals and objectives for budget, program priority, staffing and technology forecasts, addressing major issues and exploring innovative ideas; and initiates research and studies aimed toward the continual improvement of the Judiciary's functions, operations, programs and services rendered.

Establishes and carries out extensive liaison responsibilities between organizational units, with other judicial circuits, judicial officials, administration; and with governmental, private, law enforcement and other external agencies in the interrelation and coordination of the judicial circuit's functions and programs supporting judicial proceedings.

Formulates legislative proposals; monitors legislative matters affecting the operations and services provided by the judicial circuit; and prepares and provides testimony involving such matters.

Oversees the development, implementation and evaluation of procedures and methods required to achieve the judicial circuit and program short- and long-term goals, and allocates necessary resources to organizational units.

Develops and maintains a sound management system; and oversees the First Judicial Circuit's fiscal and accounting functions, to ensure the uniform delivery of services of the highest quality while providing and promoting the effective, economical and efficient utilization of resources.

Prepares and submits the judicial circuit's annual budgeting plan, as well as the biennium and supplemental budget requests. Oversees the judicial circuit's statistical/reporting requirements.

Oversees and ensures the sound administration and execution of grants and purchase of service agreements used to provide necessary services supporting First Judicial Circuit programs.

Sets the direction and makes recommendations on actions affecting subordinate administrative, supervisory and other personnel. Participates in confidential and sensitive matters affecting employer-employee relations; and consults with administrative officials regarding such matters.

Administrative responsibility over court services, programs and ancillary functions which support judicial proceedings for the Circuit Court of the First Judicial Circuit.

FUNCTIONAL STATEMENT
ADMINISTRATIVE SERVICES DIVISION

COURT OPERATIONS SPECIALISTS:

Serves as a staff specialist to the Chief Court Administrator.

Assists the Chief Court Administrator of the First Judicial Circuit in researching and conducting studies for improving and/or implementing new programs and projects which support the courts; evaluating and developing recommendations; reviewing and revising policies, procedures, and methods in court administration; performing administrative housekeeping functions, such as preparing budget requests, reports and correspondence; and resolving problems on behalf of the Chief Court Administrator.

SOCIAL WORK PROGRAM SPECIALISTS:

Serves as a Social Work Program Specialist to the Chief Court Administrator.

Assists the Chief Court Administrator of the First Judicial Circuit by providing staff assistance in researching, developing, coordinating and evaluating social work programs that serve the public involved with or appearing before the court. Social Work Program Specialists conceptualize, analyze, and install new social work program methods and techniques; plan and conduct staff development and training programs; monitor and evaluate purchase of service contracts. Social Work Program Specialists also evaluate procedural and organizational matters relative to social issues, and make recommendations to the Chief Court Administrator regarding alternatives, solutions, or refinements to the process or to the system.

PERSONNEL:

Serves as staff specialists and personnel support clerical staff to the Chief Court Administrator.

Assists the Chief Court Administrator of the First Judicial Circuit in performing administrative housekeeping functions, such as conducting internal investigations, reorganization proposals, reports and correspondence; researching and following up on certain personnel matters such as grievances, workers' compensation and investigations; and resolving problems on behalf of the Chief Court Administrator.

Responsible for employee leave recordkeeping; and initiating and processing of personnel forms. Provides recommendations, guidance, assistance and technical support services to branch administrators, supervisors and employees on all problems of employee conduct, discipline, civil service grievances, communications, morale, and employee benefit and service programs, etc., within the First Judicial Circuit. Provides technical advisory assistance to the Chief Court Administrator and serves as liaison between the First Judicial Circuit and the centralized Personnel Division with the Office of the Administrative Director of the Courts.

Legal Research Section

Serves as legal advisor to the Court Executive Officer.

Reviews and researches local and national legislation and case law impacting on procedures, policy, and rules of the family court.

Prepares, screens, and evaluates testimony on proposed legislation affecting the family court.

Reviews and improves legal forms used in the family court.

Updates the Manual of Policies and Procedures of the Family Court and the Family Court Rules.

Staff Services Section

Assists in coordinating court operations.

Provides staff advisory duties in management, social work and related functions.

Performs and assists in the development and evaluation of the court's programs.

Evaluates organizations and procedures and makes recommendations on alternatives, solutions, and refinements to the process or system.

Conceptualizes, analyzes, and installs new program methods and techniques.

Plans and conducts staff development and training programs.

Plans, develops, coordinates, and evaluates programs to serve those segments of the public involved with or appearing before the court.

Develops, prepares, coordinates, negotiates, and evaluates agreements with private agencies under the purchase of services program.

Screens, evaluates, and tracks proposed legislation affecting the family court.

Assists in formulating and preparing budgets.

Provides staff resources and assistance to the Board of Family Court Judges on matters which impact statewide operations, procedures, programs, and projects.

Plans, designs, maintains, and provides overall direction and management of the family court's statistical system.

Collects, analyzes, and reports statistical data on all activities of the court and coordinates data collection efforts within the court and with other elements of the Judiciary. Consults with family courts statewide on statistical matters to ensure uniformity throughout the family court system.

Prepares computer programs to access, manipulate, and derive data on juveniles referred to the family court.

Develops and conducts training sessions in statistical data system reporting and the use of computers in data collection.

Processes personnel actions in accordance with rules and regulations promulgated by the Associate Personnel Director and the Administrative Director of the Courts.

Provides clerical support services to the Court Executive Officer and to the administrative support staff.

Disseminates instructions and informational material to judges, administrators, supervisors, and staff.

Attends meetings and keeps minutes thereof on behalf of the Court Executive Officer and Deputy.

FUNCTIONAL STATEMENT
FISCAL MANAGEMENT & SUPPORT SERVICES BRANCH

ACCOUNTING SECTION:

The Accounting Section is responsible for Financial Reporting, Records Management and Appropriated Funds Accounting. Financial Reporting includes the preparation of monthly and quarterly financial reports for funds held outside state treasury. Records Management includes the proper disposal of financial records. Appropriated Funds Accounting includes the reconciliation of division records to Fiscal Services records; obtaining new contracts and renew contracts with vendors; contingency memoranda; securing price quotations; preparation of 1099's; and preparation of journal vouchers.

The Accounting Section provides professional accounting services in the analyses and maintenance of the courts' trust accounts; determines status of all accounts by category; develops, prepares and maintains expenditure, object, costs and control ledgers, registers, journals and other records required in control of fiscal operations; participates in analyses of department revenue and operating costs; assists in monitoring and managing the appropriated and non-appropriated funds for various programs and activities; reviews and audits all payroll claims in conformance with collective bargaining agreements and Judiciary personnel rules and regulations; and assists the Court Administrative Services Officer and Assistant Court Fiscal Officers in the preparation of the court's budget, and development and/or modification of applicable fiscal policies and procedures.

PAYABLES/PROCUREMENT SECTION:

The Payables/Procurement Section is responsible for Inventory Management, Risk Management and Federal Grants Management. Inventory Management includes the preparation of quarterly and annual inventory reports; decaling of new equipment; preparation of transfer and disposal forms; physical inventory taking; and the reconciliation of purchases, transfers, disposals, etc., to inventory records. Risk Management includes the preparation of property loss/liability/auto risk management reports. Federal Grants Management includes the maintaining of records of grant-related revenues and expenditures; preparation of required reports; and preparation of necessary journal vouchers to reimburse general fund.

The Payables/Procurement Section provides clerical support in assisting in maintaining control ledgers, registers, journals and other records required in controlling appropriated and non-appropriated funds; prepares and reviews requisitions, contracts or purchase orders for the procurement of supplies, materials, equipment and services; processing of invoices and the preparation for payment of invoices through the State Accounting System or through appropriate petty cash funds; prepares payment of witness fees and other litigation expenses, defendant escort services, attorney fees and expenses, and other court-related expenses; and maintains and processes the replenishment of .

FUNCTIONAL STATEMENT
FISCAL MGMT & SUPP SVCS BRANCH
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monies to the imprest funds for witness fees and for authorization expenditures through petty cash funds.

RECEIVABLES/REVENUES SECTION:

The Receivables/Revenues Section is responsible for Cash Management and Receipts and Disbursements. Cash Management includes collateralization; escheating of unclaimed bails and other unclaimed monies; investment of case deposits; interest income; follow-up and write-offs of uncollectibles; and the evaluation of financial institutions to determine if deposits shall continue to be allocated to the financial institutions previously selected. Receipts and Disbursements include safeguard collections; record and account for collections; disburse collections in accordance with court orders and fiscal procedures; preparation of receipts, crediting the collection of the proper ledgers, depositing monies to a financial institution, and reconciling collections with accounting records; and processing refunds to defendants, and managing disbursements to the state treasury, crime victims, and the special fund of other state agencies.

The Receivables/Revenues Section provides clerical support in the recordkeeping and accounting activities relevant to fiduciary responsibilities for the small guardianship accounts; collects and receipts monies; disburses from trust funds for case deposits, bail and other refunds, fines, restitution, government realizations, other court ordered assessments, and other payments as required.

COMPUTER SUPPORT SECTION:

The Computer Support Section provides technical assistance in the planning, coordination, and implementation of studies and analyses of operating policies, practices, and procedures for the automation of court program operations. The Computer Support Section provides assessment of existing court program operations to develop, implement and evaluate modifications to guidelines, policies, procedures, standards and work methods necessary to improve and automate operations. Confers with First Judicial Circuit staff to resolve administrative and operational problems, and implements changes for the automation of various program operations. Serves as liaison between the First Judicial Circuit and the centralized Telecommunications and Information Services Division with the Office of the Administrative Director of the Courts.

FUNCTIONAL STATEMENT
FISCAL MGMT & SUPP SVCS BRANCH
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FACILITIES MANAGEMENT:

Provides and coordinates the cleaning, groundskeeping, and day-to-day repair and maintenance of Judiciary buildings located in the First Judicial Circuit.

Procures contractors to assist facilities management personnel when necessary.

Participates in the coordination of all minor renovation work in the First Judicial Circuit.

May participate in the inspection of capital improvement construction work in the First Judicial Circuit.

ADULT CLIENT SERVICES BRANCH

The Adult Client Services Branch is responsible for providing presentence investigation/intake, court-ordered supervision, and specialized services for adult felony and misdemeanor cases. In addition, the branch also provides specialized client services.

INTAKE SECTION

The Intake Section is organized into three investigative units and two community services/restitution units responsible for all presentence investigations, preparation of presentence diagnosis and reports of all non-sex offenders referred by the court, and the restitution services for victims. The section is also responsible for community service placement services, restitution recovery services to victims and monitoring of restitution collections, inter/intrastate investigations referred by other jurisdictions which includes management of all interstate compact referrals for adult parole and probation cases, and mental exam investigations as referred by the courts.

SUPERVISION SECTION I

Is responsible for all First Circuit court-referred supervision of non-sex offenders and non-sex offenders accepted for interstate compact supervision from other jurisdictions. The section also provides supervision for defendants under order of conditional release from the Hawaii State Hospital.

SUPERVISION SECTION II

Is responsible for TRO intake complaints and all First Circuit court-referred supervision of domestic violence offenders and interstate compact supervision from other jurisdictions. The section also provides supervision for defendants under order of conditional release from the Hawaii State Hospital.

SPECIAL SERVICES SECTION

Is responsible for investigation, supervision and treatment of all adult sex offenders and a differentiated drug offender population requiring increased supervision and treatment services.

CLERICAL SUPPORT SERVICES SECTION

Responsible for all clerical, transcribing, legal file management, message control, public relations activities and records management to their geographically assigned ACSB staff. The section further supports the branch in greeting the general public, distribution of branch documents, reports and files, MIS data entry, and record retention.

DRUG COURT

Provides case management, assessment, referral, coordination, and educational services to the targeted drug abusing offender population.

MENTAL HEALTH COURT

Specializes in treating mental health issues within the court system. Ensures that court personnel is able to recognize the signs of mental illness and provides direct services through court programs and interaction with the community.

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FUNCTIONAL STATEMENTS OF ADULT-PROBATION - FIRST CIRCUIT

The major functions of Adult Probation of the First Circuit are clarified into six primary subordinate areas: 1) Presentence Investigation/ Intake; 2) Supervision; 3) Special Services Unit; 4) Hawaii Drug Court Program; 5) Training, Research, Evaluation and Planning; and 6) Clerical.

I. PRESENTENCE INVESTIGATION/INTAKE

- A. To conduct comprehensive and concise presentence investigations and provide diagnosis reports for the Criminal Division of the Circuit Courts as authorized by Section 704-404, 706-601, 706-604, and 806-73, Hawaii Revised Statutes, inclusive of the following criteria:
 - 1. To identify and provide a complete and objective-based assessment of the offender's risk and need for services prior to sentencing.
 - 2. To identify appropriate and alternative sentences available to the courts as provided in Sections 706-620, 706-621, 706-622, 706-623 and 706-624, Hawaii Revised Statutes.
 - 3. To identify and provide referral services designed to address rehabilitative needs of a wide variety of offenders for sentencing.
 - 4. To identify aggravating and mitigating circumstances to the sentencing courts utilizing uniform standards and objective-based elements of assessments.
- B. To provide sentencing recommendations to the courts based upon investigation and assessments properly and comprehensively designed to identify crime reduction and crime prevention measures for selected offenders;
- C. To determine Interstate and Intrastate eligibility for courtesy supervision under the Interstate and Intrastate Compacts and to communicate with all parties involved.
- D. Through evaluation and research, establish intervention criteria for appropriate sanctions for offenders based upon community protection and reintegration goals of the division.
- E. To obtain all existing medical, social, police and juvenile records, including those expunged, and other pertinent records and make such records available for inspection by the three qualified examiners under

HRS 704-404, examination of defendant with respect to physical or mental disease, disorder, or defect.

II. SUPERVISION BRANCH

- A. To provide supervision services based on evaluated needs of the offender, offender's risk in reoffending and specific court instructions to offenders referred by the Criminal Division of the Circuit Courts as authorized by Sections 704-412, 706-605, 706-623, 706-624, 706-625, 706-626, 706-727, 706-640, 706-642, 706-644, and 806-73, Hawaii Revised Statutes;
- B. To conduct objective-based classification of all offenders placed under supervision by the Circuit Courts based on prescribed risk and needs assessments and utilizing interviews, scoring of factors, and force-field analysis;
- C. To develop, implement and maintain objective-based case plans for the most serious classified offenders;
- D. To implement and enforce conditions or drug testing, search and seizure, and curfew in crime reduction and detection activities with minimum risk to public and staff;
- E. To use suitable legal methods to aid and bring about improvement in the offender for restitution and fine collections and brokerage of social services;
- F. To respond to probation violations with minimum threat to public safety and initiate timely and thorough adverse court actions against violators;
- G. To conduct crime reduction investigations on supervised offenders based on reports from the community or other criminal justice agencies;
- H. To provide thorough and complete court documentation and reports, including restitution determination.

III. SPECIAL SERVICES

- A. Provide comprehensive investigative and evaluation services and intensive supervision of specifically designated adult offender population as determined by inter-departmental agreement, legislation and as authorized by HRS Chapter 706, and § 704-605, 706-623, 706-625, 706-626, 706-627, 706-640, 706-642, 706-644, and 806-73 for the Criminal

Division of the First Circuit; inclusive of the following criteria:

1. To identify and provide a complete and objective-based assessment of the offender's risk and need for services prior to sentencing.
 2. To identify appropriate and alternative sentences available to the courts as provided in Sections 706-620, 706-621, 706-622, 706-623 and 706-624, Hawaii Revised Statutes.
 3. To identify and provide referral services designed to address treatment needs of the offender population for sentencing.
 4. To identify aggravating and mitigating circumstances to the sentencing courts utilizing uniform standards and objective-base elements of assessment.
- B. To provide sentencing recommendations to the courts based upon investigation and specific assessments properly and comprehensively designed to identify crime reduction and crime prevention measures for the specified offender population.
- C. To conduct objective-based classification of the specified offender population based on prescribed risk and needs assessments and utilizing interviews, scoring of factors, and force-field analysis;
- D. To implement and enforce conditions of drug testing, search and seizure, and curfew in crime reduction and detection activities with minimum risk to public and staff;
- E. To use suitable legal methods to aid and bring about improvement in the offender for restitution and fine collections and brokerage of social services;
- F. To respond to probation violations with minimum threat to public safety and initiate timely and thorough adverse court actions against violators;
- G. To conduct crime reduction investigations on supervised offenders based on reports from the community or other criminal justice agencies;
- H. To provide thorough and complete court documentation and reports, including restitution determination.

- I. To provide a program of structured, graduated intermediate sanctions for nonviolent, nondrug-involved offenders who are diverted from a term of incarceration.

IV. HAWAII DRUG COURT

- A. To provide case management, assessment, referral, coordination, and educational services to targeted drug abusing offender populations in the criminal justice system.
- B. To facilitate collaborative networking among criminal justice agencies and treatment providers to maximize, integrate, and expand treatment and ancillary services to referred substance abusing offenders.
- C. To assist in design and conduct of drug treatment and related ancillary service evaluations.
- D. To establish and maintain a management information system dedicated to referred substance abusing offenders in conjunction with existing systems.
- E. To assist in the evaluation and development of purchase of service requirements for treatment of drug offenders in the criminal justice system.
- F. To assist in the evaluation and development of drug testing services for referred drug offenders.
- G. To provide educational and outpatient treatment services to program-referred substance abusing offenders.

V. TRAINING, RESEARCH, EVALUATION AND PLANNING

A. RESEARCH, EVALUATION AND PLANNING

1. To coordinate and oversee development, implementation, and evaluation of existing intake investigation, supervision and other division programs, including statewide Purchase-of-Service program.

2. To direct, control and maintain development, refinement and operation of the division's management information systems in a manner which will promote and enhance timely and accurate information, growth in users accessibility and utilization, including:
 - a. information system security;
 - b. procedures;
 - c. database validation.
3. To identify, evaluate and provide data and statistics for Judiciary management and administration in budgeting, planning and policy formulation and in the preparation of studies, reports and forecasts for operations and planning purposes including concerns external to the division.
4. To provide liaison and inter-agency and intra-agency support designed to encourage and fulfill division mission, goals and objectives and promote improvements in the criminal justice system.
5. To assist in formulation of legislative proposals and reports; and in the development of division policies and procedures within administrative guidelines.
6. To develop and implement grants and other potential sources of program assistance relating to division activities or court programs.
7. To provide planning and improvements in the maintenance and operation of the supervision management classification system and caseflow management systems developed and implemented by the division on a statewide basis.
8. To plan, coordinate, and develop statewide policies and procedures and development and implementation of such policies and procedures.

B. TRAINING

1. To prepare, develop, implement and evaluate a core training curriculum for division professional and clerical personnel and to provide for on-going development of training components.

2. To coordinate all research activities and special studies as it relates to division effectiveness/efficiency.
3. To develop and maintain a statewide program of training and education in specialized subject fields.
4. To develop, implement and maintain a standard system of training and evaluation which identifies performance competency measures for utilization in personnel evaluations and career advancement.
5. To coordinate remedial and refresher courses for personnel in identified areas.
6. To establish and maintain evaluation and outcome measures involving training activities.
7. To establish and maintain a comprehensive and current knowledge base of essential source materials and professional skills.

VI. CLERICAL BRANCH

A. CLERICAL/COURT RELATED SERVICES

1. To provide transcription by word processing of all reports, correspondence, and related documentation; primary management of affidavits, motion and related procedures for the division.
2. To prepare and maintain all social and legal files utilized in the investigative, supervision and management activities; to receive and index records and reports for the division and court-related activity.
3. To provide timely preparation and distribution of division documents and files to professional staff, the courts and other criminal justice agencies.

B. SUPPORT SERVICES

1. To greet and receive the public; direct incoming offender and telephone requests to division staff, and provide message control of division communications.

2. To provide timely distribution of division documentation and files to division members, the courts and activities external to the division.
3. To provide backup data entry support to management information system activity.
4. To maintain a master identification system on offenders referred to the division for services.
5. To be responsible for execution of division's document retention and disposal program.

FUNCTIONAL STATEMENTS

ADULT SERVICES BRANCH

Provides social work supportive services to judges of the family court.

Plans, organizes, and conducts services necessary to reduce or ameliorate adult and family domestic problems.

Provides the court with short-term counseling and investigative services that will assist the court in reducing marital and family problems.

Administers programs for the conduct of court ordered marital conciliation counseling, short-term marital counseling, counseling and assistance in obtaining protective restraining orders in domestic violence situations.

Criminal Misdemeanor Section I & II

Conducts pre-sentence investigation reports for all Family Court misdemeanor cases.

Makes recommendations to the court on sentencing and treatment plans.

Gathers data for mental examination/fitness to proceed cases.

Monitors all cases where individuals are ordered to participate in anger management counseling and/or drug alcohol assessment/counseling.

Supervises all individuals placed on probation.

TRO/Domestic Violence Section

Investigates, evaluates, processes, and disposes of domestic violence and spouse abuse cases referred by other agencies or self referred for a domestic violence restraining order.

Reviews annual reports made by guardians of incapacitated persons.

Domestic Violence Substance Abuse Section

Conducts pre-sentence investigation reports for a target group of Family Court misdemeanor cases involving substance abusers charged with crimes of domestic violence.

Makes recommendations to the court on sentencing and treatment plans.

Gathers data for mental examination/fitness to proceed cases.

Monitors target group cases where individuals are ordered to participate in anger management counseling and/or drug alcohol assessment/counseling.

Supervises target group of individuals placed on probation.

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DISTRICT COURT PROBATION BRANCH
DISTRICT COURT OF THE FIRST CIRCUIT

OFFICE OF THE DIRECTOR

Plans, develops, and directs counseling and probation programs and resource requirements in support of district courts of the First Judicial Circuit.

Coordinates and directs methods of service delivery.

Develops, implements, and maintains division policies and procedures with respect to presentencing and investigative services, supervision and probational services, court representation services, clerical and support services, and management of personnel, equipment, facilities, and environment.

Develops and prepares division budget requests and identifies expenditure needs.

Interacts and cooperates with the Board of Directors of the Adult Probation Divisions, other Judiciary divisions, correctional and criminal justice agencies, other governmental entities, and community organizations and resource sources.

Provides direction in matters pertaining to management of services and programs of the counseling and probation services for the District Courts of the Second, Third, and Fifth Judicial Circuits.

Develops, implements, and maintains a management information system to provide for data, statistical analysis, research and planning needs.

Implements, maintains, and refines administrative and management controls and measures for the delivery of presentencing and investigative services, supervision and probational services, and clerical support services of the Division.

Provides representatives to the various divisions of the District Court of the First Circuit to assist the court in handling hearings on counseling and probation division cases, make oral presentations and recommendations on each case, and coordinate court-ordered referrals to the division.

Provides consultative services to the court.

Provides liaison and coordination services on cases involving the prosecuting attorneys, public defenders, private attorneys, police departments, other courts and law enforcement agencies, governmental and private institutions, and the general public.

PRE-SENTENCE INVESTIGATION SECTION

Investigates offenders referred by the District Court of the First Circuit under HRS 706-601, 706-602, 706-603, 706-604, and 806-73.

Provides presentence diagnoses, reports, assessments, and analysis.

Identifies and provides referral services designed to address risks and needs of offenders for sentencing.

Provides sentencing recommendations to serve the best interests of the community while considering the rehabilitative and restraining needs of the offender.

Arranges for and assists with court ordered mental examinations.

Conducts preliminary investigations of offenders' backgrounds, family, social, medical, psychiatric, and mental health histories, circumstances of offenses, and past juvenile and criminal records.

Conducts restitution investigations and submits reports of those investigations to the court.

Determines amounts of restitution due to damage, loss, or injury sustained by a victim as a result of the offense.

Determines offenders' economic status and capacity to make restitution or to make reparation to the victim.

Recommends restitution or reparation in an amount the offender can afford.

Conducts investigations pursuant to interstate and intrastate compact agreements.

Provides testimony in court hearings, assessments, and recommendations of reports.

SUPERVISION SECTIONS

Provides supervision and probational services for offenders referred by the District Court of the First Circuit under HRS 806-73, 706-605, 706-623, 706-624, 706-625, 706-626, 706-627, 706-640, 706-642, 706-644, and 712-1255.

Assesses offenders' needs and risks of re-offending to determine level of supervision required.

Reviews terms and conditions of sentences with offenders and instructs them regarding those terms and conditions.

Keeps informed of the conduct and condition of offenders.

Helps offenders improve their conduct and condition through such means as referrals for medical, mental, health, and substance abuse treatment.

Implements and enforces conditions of probation, suspended sentences, and sentences encompassing restitution and fine collections, brokering of social services and treatment, community service work, and other supervisory activities directed by the court.

Provides courtesy supervision or probation services over offenders from other jurisdictions pursuant to interstate and intrastate compact agreements.

CLERICAL SECTION

Data Control & Input Unit

Inputs case information and data into computer databases.

Intake & Support Services Unit

Processes referrals to the division and creates case records by verification based on notices of entry of judgment and other court documents.

Secures preliminary data from offenders and arranges interviews with probation officers.

Secures and copies police reports for case records.

Accesses OBTS, TRAVIS, HAJIS, and other criminal justice information systems and obtains offenders' criminal and violation histories.

Secures family court histories and records for perusal by probation officers.

Maintains a master case identification system.

Prepares and transmits reports to the court, the office of the prosecuting attorney, the office of the public defender, private attorneys, and defendants.

Maintains client information and case record filing systems for cases on bench warrant status.

DRIVER EDUCATION BRANCH

OFFICE OF THE ADMINISTRATOR

Administers a statewide traffic safety education program concerned with the uniform interpretation and application of laws and rules pertaining to adult and juvenile traffic offenders.

Advises and counsels convicted traffic offenders referred by the courts and assists them in improving their attitudes and driving performance.

Maintains liaison with other agencies for the purpose of keeping abreast of the latest techniques and services in improving driving behavior of traffic offenders. Develops public information campaigns and community education programs aimed at encouraging the practice of safe driving and close adherence to traffic safety concepts.

Produces television public service announcements, videotapes, brochures, flyers, litterbags, stickers, and other means of disseminating information to the public.

Provides for traffic safety counseling, educational, public information, and community education services on Oahu, Maui, *Molokai*, Hawaii, and Kauai.

Provides resource speakers on traffic safety and the traffic court system.

Solicits private agency- funds and financial support from the federal government to defray portions of expenses.

Coordinates the division's headquarters and field staff in the rural courts on Oahu and district courts on Hawaii, Maui, and Kauai. With other sections and divisions of the Judiciary and with other state, federal, and military agencies.

Participates in the development and execution of educational and informational projects as a part of the overall state traffic safety program.

Confers with judges, law enforcement agencies, attorneys, physicians, hospital administrators, federal and local government authorities, and the armed forces to secure their cooperation in state driver improvement activities.

Reviews studies and interpretations of changes to the vehicle code to determine the effect on driver improvement programs.

Trains and certifies Driver Education Course instructors statewide.

Coordinates and assists in the development and preparation of proposed legislation, studies the impact of proposed legislation on division responsibilities, and prepares testimony on bills, resolutions, and changes.

Disseminates traffic safety information to groups ranging in age from elementary students to senior citizens throughout the state.

Makes graphic and oral presentations and conducts traffic safety courses such as the National Safety Council's Defensive Driving Course, the American Automobile Association's Driver Improvement Program, the DUI Counterattack Course for Convicted Drunk Drivers, and the Remedial Driver Training Course for Juveniles.

Encourages safe driving through public awareness.

Conducts campaigns to highlight traffic laws and other traffic safety issues.

Driver Improvement Counseling Section

Provides counseling, evaluation, instruction, and traffic safety education to persons referred to the program and to the general public throughout the State of Hawaii.

Counsels traffic offenders who have been convicted of an alcohol-related offense.

Counsels juvenile traffic offenders and those persons sentenced by the judge for traffic offenses.

Evaluates out-patient and in-patient' alcohol treatment programs and recommends preferred programs to driver improvement advisors for use in referring motorists convicted of driving under the influence of alcohol.

Determines the reasons for poor driving performance and monitors compliance with court ordered actions such as community service work.

Investigates drivers with questionable driving histories and recommends whether those drivers should attend traffic school, be re-examined for driver's license, or be referred to other sources for further corrective actions.

Provides technical assistance and information regarding traffic safety education, traffic point system, traffic laws, and other traffic matters to presiding judges in traffic related offenses.

Interviews and counsels juvenile traffic violators in coordination with Family Court.

Disseminates traffic safety information to groups ranging in age from elementary students to senior citizens throughout the state.

Makes graphic and oral presentations and conducts traffic safety courses such as the National Safety Council's Defensive Driving Course, the American Automobile Association's Driver Improvement Program, the DUI Counterattack Course for Convicted Drunk Drivers, and the Remedial Driver Training Course for Juveniles.

Encourages safe driving through public awareness.

Conducts campaigns to highlight traffic laws and other traffic safety issues.

COMMUNITY SERVICE SENTENCING BRANCH

Administers the Community Service Sentencing Program (CSSP) within the First Judicial Circuit.

Provides administrative staff guidance to CSSP's in the Second, Third, and Fifth Judicial Circuits.

Establishes consistent operational guidelines and procedures to recruit and orient public agencies, non-profit and charitable organizations as worksites.

Standardizes the screening, placement, and monitoring of offenders.

Serves as a central clearing-house for offender referrals within the Judiciary as well as the Federal District Court, and Department of Public Safety, Corrections Division.

Screens and places offenders in work sites based on needs of the work site and offenders' backgrounds.

Provides unsupervised offenders with counseling and referral assistance in the areas of employment, drug and alcohol abuse, mental health, and other social service needs.

Monitors offenders' work performance and prepares written reports to the referring court or probation department.

Makes court representation on behalf of the program and recommends alternative sentences for unsuitable offenders.

JUVENILE CLIENT SERVICES BRANCH

The Juvenile Client Services Branch is responsible for providing intake, social studies, court-ordered supervision, and specialized services for juvenile felony, misdemeanor, status offense, child abuse/neglect, and family cases. In addition, the branch also provides specialized client services.

SPECIALIZED SERVICES SECTION

Volunteer Guardian Ad Litem Unit
Persons in Need of Supervision Unit
Special Services Unit
Custody Investigation Unit
Clerical Support Unit
Kids First Program

INTAKE & PROBATION SECTION

Unit 1
Unit 2
Unit 3
Unit 4
Unit 5
Juvenile Sex Offender Unit
Clerical Support Unit

DETENTION SERVICES SECTION

Admissions/Operational Support Services Unit
Hale Ho'omalua (Detention Facility)
Home Maluhia

JUVENILE DRUG COURT

FAMILY DRUG COURT

GIRLS COURT

SPECIALIZED SERVICES SECTION

VOLUNTEER GUARDIAN AD LITEM (VGAL) UNIT

Administers a volunteer guardian ad litem program within the First Circuit. Provides staff advice and assistance to VGAL programs. Recruits, screens, trains, and supervises VGALs appointed by the court to represent a child's best interest in child abuse and neglect court proceedings. Provides consultation and review of investigative reports prepared by VGALs and reviews case recommendations prior to submittal to the court. Assists VGALs with the monitoring of cases and adherence to court orders, and prepares pleadings for court hearings.

The VGAL Program also provides legal representation via a full-time program attorney. The program attorney serves as legal counsel to the program staff and the VGAL providing the full spectrum of legal services for the purpose of advocating for and protecting the best interest of the child and statutory considerations in all litigated and complex proceedings.

The clerical staff is responsible for all clerical, legal file management, message control, public relations activities and records management to VGAL staff. The clerical staff further supports the unit in greeting the general public, distribution of unit documents, report and files, and record retention.

PERSONS IN NEED OF SUPERVISION UNIT

Conducts intake and assessment of status offenders and misdemeanor law violators referred to the courts. Participates in court hearings. Refers children and families for inpatient and outpatient services. Provides informal disposition services. Provides crisis service at the detention home. Provides information and referral services. Evaluates requests for consent to marry. Replies to inquiries on close cases. Witnesses voluntary commitments to psychiatric facilities.

SPECIAL SERVICES UNIT

Provides intake and assessment services of status offenders and law violators referred to the court under HRS 587, as amended. Participates in LV and PINS court hearings. Monitors protective supervision services to DOE cases adjudicated under HRS 572(2)(a), as amended. Provides informal disposition services. Evaluates appropriateness of requests for consent to marry. Witnesses voluntary commitment to psychiatric facilities. Refers children and families for outpatient and inpatient services. Coordinates and manages HRS 587 cases involving DHS and DAGS.

CUSTODY INVESTIGATION UNIT

Conducts intake, evaluation, and assessment, and provides case management for eligible clients involved in child custody matters.

KIDS FIRST PROGRAM

Provides divorce education to separating couples with minor children by promoting peaceful co-parenting relationships and effective communication. Conducts legal research and analysis on legal issues pertaining to divorce, child custody and support; and interprets laws and prepares/monitors legislation on same.

JUVENILE CLIENT SERVICES BRANCH

JUVENILE DRUG COURT

Provides case management, assessment, referral, coordination, and education services to targeted drug abusing juvenile offender populations in the criminal justice system. Facilitates collaborative networking among criminal justice agencies and treatment providers to maximize, integrate, and expand treatment and ancillary services to referred juvenile substance abusing offenders. Assists in the design and conduct of drug treatment and related ancillary service evaluations. Establishes and maintains a management information system dedicated to referred juvenile substance abusing offenders in conjunction with existing systems. Assists in the evaluation and development of drug testing services for referred juvenile drug offenders. Provides educational and outpatient treatment services to program referred substance abusing juveniles.

FAMILY DRUG COURT

Operates a comprehensive program designed to help parents break the cycle of addiction and child abuse and neglect through monitored service delivery, shorten out-of-home placement through ongoing case monitoring, and expedite informed permanency planning by making it a more informed process. Operating out of a single courtroom with a Family Court Judge and staff from CPS, as well as a team of court-based case managers, the Family Drug Court provides a coherent, integrated response to the needs to substance addicted parents and their children.

GIRLS COURT PROGRAM

Provides a comprehensive continuum of gender specific intervention and dispositional services to be more effective and efficient in meeting the special needs of at-risk adolescent girls and female juveniles offenders, while stressing accountability and reducing recidivism. Since girls respond differently to programmatic approaches used for boys and because many existing programs tend to be structured around the needs of boys, the Girls Court will help expand the limited number of girls' programs in Hawaii.

DETENTION SERVICES SECTION

Provides a safe, temporary environment for children through the secured Hale Ho'omalulu Facility or the unsecured Home Maluhia.

Processes the admissions and releases of detainees. Detains minors pending disposition of their situations by the court. Administers policies of the courts relating to the detention of minors. Provides and maintains the basic essentials of food, clothing, shelter, and medical care, for all children remanded to the detention facility. Provides supervision over detainees to assure their control and protection on a 24-hour basis. Conducts educational programs designed to fulfill basic academic requirements and provides every detainee with the opportunity to participate in those training courses. Administers a program to develop and implement recreational activities, and special and social skills development to maximize the constructive use of the time of detainees. Develops and maintains policies pertaining to the detainment of those remanded to the detention home within the guidelines of the court system.

Administers the management and operations of the section in the most effective and efficient manner, including social work liaison, intake, case management, and treatment for juvenile referrals; clerical processing of paperwork and records maintenance; meal preparation; and infirmary services.

**FUNCTIONAL STATEMENT
COURT SERVICES
DIVISION**

Administers programs which provide courtroom clerical, court reporting, and other support and ancillary services to the courts of the First Judicial Circuit. Programs in the division are designed to aid in the timely disposition of cases of general and limited jurisdiction for civil, criminal felonies, misdemeanors and petty misdemeanors, family proceedings, and traffic (decriminalized and regular traffic criminal) in the First Judicial Circuit.

JUDICIAL SERVICES BRANCH:

Court Clerks:

Attends court proceedings to assist judges during hearings and trials. Receives, screens, files, and disposes of petitions, complaints and other legal pleadings requiring judicial hearings or court actions. Takes and keeps minutes of the substance of judicial proceedings and actions. Prepares and processes papers, notices, orders, exhibits and other documents presented to the court. Assists judges and attorneys on matters of court procedures, forms, and practices of the First Judicial Circuit.

Court Bailiffs:

Provides courtroom services to judges by maintaining order, security, and decorum in courtrooms, judicial chambers, and public waiting areas. Oversees the management and control of court calendars. Assists as liaison with law enforcement agencies pertaining to the coordination of individuals in custody appearing for court hearings. Processes and issues certificates of witness and mileage fees. Maintains list of available interpreters of different languages to call as needed to interpret in court cases, depositions, and other court matters.

JURY POOL BRANCH:

Plans, develops, and coordinates the statewide jury selection process (HRS 6'12). Coordinates the mailing of questionnaires and notices to jurors statewide. Orients prospective and qualified jurors on jurors' responsibilities, the jury selection process, jury paneling, courtroom policies and procedures, and other significant information pertaining to jury service. Selects and assigns jury pool members for trials in the civil, criminal, family court and district court trial divisions. Processes and coordinates the statewide jury payroll.

COURT ANNEXED ARBITRATION PROGRAM:

Provides a non-binding arbitration program for certain civil cases, in which the jurisdictional amount for the program is \$150,000 or less by: 1) providing litigants with a simplified procedure for obtaining prompt and equitable resolution of their cases; 2) providing an early disposition of many civil cases with resultant savings in time and

costs to the litigants and to the court, but without sacrificing the quality of justice to be rendered; and 3) expediting the disposition of smaller and more routine cases.

LAND AND TAX APPEAL COURT:

Maintains a statewide system of court records which has exclusive jurisdiction of all applications for the registration of title to land and easements or rights in land held and possessed in fee simple within the state.

ESTATE AND PROBATE BRANCH:

Responsible for the administration of the estates of decedents. Work includes the preparation and maintenance of cases and calendars for court and at other formal small estate hearings.

January 2007

**FUNCTIONAL STATEMENT
COURT OPERATIONS DIVISION**

LEGAL DOCUMENTS BRANCH 1:

Administers a program designed to receive, file, examine, process, and maintain legal documents in support of all cases of general jurisdiction, including family jurisdictional matters of the First Circuit. Provides information and services related to court files. Processes and submits appeals to the Supreme Court. Develops and maintains services to the courts, attorneys, and the general public.

LEGAL DOCUMENTS BRANCH 2:

Administers a program designed to receive, file, process, and maintain legal documents in support of cases of limited jurisdiction. Processes citations relating to harbor-boating, airports, public utilities, dog leash, weights and measures, agriculture, parks and recreations, and land and natural resources. Provides information and services related to court files. May process and submit appeals to the Supreme Court. Develops and maintains services to the courts, attorneys, and the general public.

The Ho'okele Court Navigation Section provides direct services, assistance and information to the public. The Court Concierge is responsible for greeting and receiving court users as they enter the courthouse and directing them to the proper program or location. The Service Center provides assistance to court users by explaining court procedures, disseminating court forms and self-help packets, and assisting in filling out court forms.

TRAFFIC VIOLATIONS BUREAU:

Administers a traffic violations program which encompasses the processing of traffic citations.

03/01/06

FUNCTIONAL STATEMENT
COURT REPORTERS BRANCH

Attends court proceedings to take and transcribe verbatim and real-time records of court proceedings in the First Judicial Circuit. Prepares transcripts from stenographic notes upon request, and prepares and files transcripts ordered on appeal for docketing with the Supreme Court. Completes all necessary documentation in compliance with Appellate Procedures.

FUNCTIONAL STATEMENT

January 2001

FIRST CIRCUIT

RURAL COURTS:

The rural courts are comprised of four rural judicial districts - Ewa, Waianae, Wahiawa (Wahiawa/Waiialua), and Kaneohe (Koolauloa/Koolaupoko). Each rural court is responsible for the planning, organizing, managing, directing and coordinating of the judicial support services and the traffic violations operations. Plans, develops, and implements administrative procedures and policies for effective and efficient court operations. Assures that the security and maintenance of the rural court buildings are performed.

FUNCTIONAL STATEMENT

January 2001

SECOND JUDICIAL CIRCUIT
OFFICE OF THE CHIEF COURT ADMINISTRATOR

Reports to the Chief Judge of the Second Judicial Circuit.

Plans, directs, administers, coordinates and evaluates all administrative, business and support functions, operations and activities required to support judicial proceedings and judgments in a judicial circuit involving criminal, civil, family and probation matters; and oversees a multitude of circuit, family and district court programs within the judicial circuit through subordinate administrators, managers and supervisors.

Sets short- and long-term goals to accomplish the judicial circuit's objectives; formulates policies, procedures and controls relevant to the overall administration and practices of the judicial circuit's functions, operations and programs; implements policies and procedures to meet established guidelines; makes assessments on the overall effectiveness and efficiency of policies and procedures; and modifies/revises policies and procedures to attain maximum operational functioning levels, and provide optimal quality of services while meeting legal, regulatory and procedural requirements of the judicial circuit.

Participates in the development, implementation, assessment and modification of Judiciary-wide operational guidelines and procedures; develops short- and long-term goals and objectives for budget, program priority, staffing and technology forecasts, addressing major issues and exploring innovative ideas; and initiates research and studies aimed toward the continual improvement of the Judiciary's functions, operations, programs and services rendered.

Establishes and carries out extensive liaison responsibilities between organizational units, with other judicial circuits, judicial officials, administration; and with governmental, private, law enforcement and other external agencies in the interrelation and coordination of the judicial circuit's functions and programs supporting judicial proceedings.

Formulates legislative proposals; monitors legislative matters affecting the operations and services provided by the judicial circuit; and prepares and provides testimony involving such matters.

Oversees the development, implementation and evaluation of procedures and methods required to achieve the judicial circuit and program short- and long-term goals, and allocates necessary resources to organizational units.

Develops and maintains a sound management system; and oversees the Second Judicial Circuit's fiscal and accounting functions, to ensure the uniform delivery of services of the highest quality while providing and promoting the effective, economical and efficient utilization of resources.

Prepares and submits the judicial circuit's annual budgeting plan, as well as the biennium and supplemental budget requests. Oversees the judicial circuit's statistical/reporting requirements.

FUNCTIONAL STATEMENT

January 2001

SECOND JUDICIAL CIRCUIT
OFFICE OF THE CHIEF COURT ADMINISTRATOR

Oversees and ensures the sound administration and execution of grants and purchase of service agreements used to provide necessary services supporting Second Judicial Circuit programs.

Sets the direction and makes recommendations on actions affecting subordinate administrative, supervisory and other personnel. Participates in confidential and sensitive matters affecting employer-employee relations; and consults with administrative officials regarding such matters.

Administrative responsibility over court services, programs and ancillary functions which support judicial proceedings for the Circuit Court of the Second Judicial Circuit.

FUNCTIONAL STATEMENT

ADMINISTRATIVE SERVICES BRANCH Second Judicial Circuit

FISCAL DIVISION

Directs and supervises fiscal programs in support of court operations in the Second Judicial Circuit.

Manages and controls appropriated and non-appropriated funds.

Develops expenditure plans and work programs and formulates estimates of resource requirements.

Assists in preparing program and financial plans, budgets, and variance reports.

Prepares and justifies allotment requests and specific money request.

Advises administrators on the status of appropriation, allotments, and expenditures.

Develops and directs the maintenance of an accounting and auditing program.

Develops and maintains authorization and recording procedures to control assets, liabilities, revenues, and expenditures.

Maintains control ledgers, registers, journals, and other fiscal records.

Receives cash and disburses funds.

Manages small estates and guardianship fiduciary activities.

Prepares financial statements and reports.

Operates purchasing and disbursing activities.

Reviews and audits invoices and payroll claims for conformance with collective bargaining agreements and Judiciary personnel rules and regulations.

Negotiates for the procurement of services, materials, and other resources to increase the effectiveness and efficiency of the court.

Prepares insurance and loss, OSHA, worker's compensation, personnel and payroll reports.

FACILITIES MANAGEMENT

Provides and coordinates building maintenance services to buildings, structures, mechanical and electronic systems in the Second Judicial Circuit.

Provides janitorial and grounds keeping services to buildings and grounds of the Second Judicial Circuit.

PERSONNEL

Assists program administrators in preparing all requests for personnel action involving appointment, separation, changes in status, training/travel, leave without pay, etc.

Maintains tracking system of all requests for personnel action submitted. Monitors status of actions as necessary.

Serves as liaison with between the Second Judicial Circuit and the Judiciary Personnel Office.

Maintains program personnel records and files, including time and leave records, worker's compensation records, personnel action files, and other records as required.

Provides technical expertise or provides research in personnel matters, when necessary.

Prepares requests for filing of vacancies. Ensures lists of eligibles are processed in accordance with specified rules and regulations and within time constraints. Coordinates hiring process through the Judiciary Personnel Office.

Provides information to employees concerning personnel forms, rules and regulations, and procedure.

TECHNICAL SUPPORT

Operates, monitors, and controls computer system(s) to ensure correct and efficient operations.

Acts as liaison with TISD to review electronic data processing utilization, workload and scheduling report to determine efficiency of computers.

Monitors and controls the operation of the data communications network.

Sets up, moves, installs, and configures computer equipment.

Provides para-professional technical support by assisting TISD in the implementation and intergration of computer systems.

FUNCTIONAL STATEMENT
ADULT CLIENT SERVICES BRANCH

Adult Client Services Branch

The Adult Client Services branch serves adult offenders in the tri-isle circuit of Maui, Molokai, and Lanai. The branch is responsible for insuring community protection, offender accountability to the community and rehabilitative support to the offender. All units conduct assessments utilizing evidenced based risk assessment tools, focus on identifying criminogenic risk, and utilize Cognitive Behavioral Therapy and Motivational Interviewing techniques to address risk and needs.

The branch is composed of five (5) units designated to provide direct offender services. One (1) dedicated to investigate the background of defendants before sentencing, two (2) specialized units servicing specific offender populations and two (2) to supervising general offenders populations permitted to remain in the community. One (1) unit is responsible for providing clerical support services to the branch.

Pre-Sentence Investigation Unit

This unit is responsible for the intake investigation function. Conducts pre-sentence and other dispositional investigations, prepares and submits reports and recommendations to the Courts for sentencing. Also conducts intake investigations of offenders referred from other circuits and states. The unit uses validated risk assessment instruments, and fashions sentencing recommendations that accurately addresses an offender's criminogenic needs.

Conduct investigations under the authority of HRS 707-404, 706-601, 706-604, and 806-73.

Conduct investigations on court referred or criminal justice system referred cases.

Identifies and assess an offender's criminogenic risk and needs prior to sentencing and provides referral to services when necessary.

Identifies alternative sentences available to the court as provided by the Hawaii Revised Statutes.

Identifies aggravating and mitigating circumstances to the courts.

Identifies inter and intrastate candidates for courtesy supervision under the Interstate and Intrastate Compacts.

General Supervision Units

These two (2) units provide supervision of offenders sentenced to court ordered

Functional Statement
Adult Client Services

Page 2

supervision in the community. They also provide services to offenders accepted from other circuits or states. Each unit provides basic supervisory services as noted under Units I and II.

Units I and II:

Provides case management classification for offenders.

Develops, implements, and maintains case plans for classified offenders.

Establishes and maintains minimum standards of performance and structures programming for offenders.

Engages in crime reduction and detection activities related to drug testing, warrantless search and seizure, surveillance, investigative checks, interviews, and collateral contacts.

Implements and enforces conditions of probation.

Identifies and initiates adverse court actions against offenders who violate mandatory or discretionary conditions of probation or supervision or those under conditions of release.

Investigates reports from the community or other criminal justice agencies of potential risks.

Provides the court documentation and reports on client progress, status and compliance.

Specialty Units

Domestic Violence Unit

This unit specializes in services to domestic violence offenders and their victims. Therefore, in addition to the duties and responsibilities described for Units I and II, the scope and responsibility of the unit is expanded to include the following duties as required by HB 498/HRS 806-73(a).

Notify offenders' victim of probation status and when requested by the victim, contact and provide any information obtained which relates to the health and safety of the victim.

Due to the need for the specialized knowledge and skills, this unit in addition to

the duties described for Units I and II will perform the duties of the Pre-sentence Investigation Unit for this population.

Special Services

This unit will provide services to offenders sentenced under HRS 706-622.5, Act 44, HRS 704-411(1)(b) to Conditional Release status, and offenders who are sentenced as Sex Offenders. These cases require an Intensive Case Management approach developed on the basis of evidence based researched assessment tools and techniques. This unit may also coordinate activities and management of supervision programs such as Search and Seizure Operations and Home Detention/Electronic Monitoring efforts. Therefore, unit members have an expanded scope of responsibility and require specialized knowledge and skills to effectively work with these specialized populations.

Due to the need for the specialized knowledge and skills, this unit in addition to the duties described for Units I and II will perform the duties of the Pre-sentence Investigation Unit for this population.

Clerical Support Services

This section provides clerical support services to the probation staff within the Adult Client Services Branch. The clerical staff members support the branch in the following ways:

Documents receiving, receptionist, file management, record keeping services and mail pick up and distribution.

Information and assistance to the public, legal community and other community agencies as to services provided, Court procedure, forms and policies of the Court.

Type, copy and distribute all formal Court reports, letters, memorandums and other correspondence generated by the probation staff.

Maintains an updated manual/automated record of all referrals, and their offenses.

Assists the probation staff with the completion of monthly caseload reports, complete statistical inputs as necessary and generate in type written form this information to the appropriate unit supervisor.

FUNCTIONAL STATEMENT

CLIENT SERVICES DIVISION

JUVENILE CLIENT & FAMILY SERVICES BRANCH:

This division consists of four (4) units physically on Maui, with service responsibility for Molokai and Lanai. The division focuses on services to reduce or relieve adult family problems caused by divorce, parental separations and domestic violence; to juvenile law and status offenders; abused and neglected children; to those clients and children with substance abuse issues; and other minors under the jurisdiction Family Court and/or those who may be on legal status with other Executive departments.

The units within the division are identified by the population and the primary service they render.

Civil Investigation & TRO

The unit's primary responsibility is to relieve family distress caused by parental separation and domestic abuse within the home.

Conducts Court ordered child custody and visitation investigations in disputed cases involving divorce, paternity, guardianship and other proceedings which involve contested child custody/access issues.

Investigates, studies, evaluates and makes recommendations in disputed post divorce and other proceedings which involve contested child custody/access issues.

Provides counseling and assistance in obtaining protective orders in domestic violence situations; participates in Court proceedings and monitors compliance with Court orders.

Monitors cases of dependent adult abuse referred by the Court under HRS Chapter 346 Part X.

Assist individuals obtain and file Temporary Restraining Orders for harrassment and/or in family violence cases.

Process and respond to adoptees request to open their adoption records, other government and private entities confirming ethnic and other information on behalf adoptees.

Family Court Drug Court

Provides case management, assessment, referral, coordination, and educational services to drug abusing clients in the targeted population.

Facilitates collaborative networking among criminal justice and social service agencies and treatment providers to maximize, integrate, and expand treatment and ancillary services to referred substance abusing offenders.

Assists in the design and conduct of drug treatment and related ancillary service evaluations.

Assists in the evaluation and development of purchase of service requirements for treatment of targeted drug offender population.

Assists in the evaluation and development of drug testing services for referred substance abusing clients.

Establishes and maintains a management information system dedicated to referred substance abusing clients in conjunction with existing systems.

Probation & Other Agency Support

The unit is responsible for providing supervision and monitoring of adjudicated juvenile law and status offenders on probation or protective supervision, includes those adjudicated in another circuit or state; those on legal status with an Executive Branch Department; adolescent placed within the jurisdiction of the Court for care and services to be provided by the Departments of Education, Human Services and/or Health and evaluate the requests of under age minors seeking the Court's consent to marry.

Probation/Protective Supervision Status With the Court (Inter & Intra State)

Supervise and monitor the behavior and activities of juveniles placed on probation or protective supervision with the Family Court.

Completes all Interstate Compact and out-of-circuit investigation requests to determine the suitability of foster and relative home placements.

Investigate, evaluate and recommends the appropriate dispositional alternative for reoffending minors.

Provides intensive crisis counseling to families and minors; if minor is in custody, determines appropriate custody status and/or release from detention/shelter care; coordinates and participates in detention/shelter hearings and/or provides supervised release services as ordered by the court.

Continually reassess risks and needs of the juvenile as may be reported by the family, school and other community resources and provides referral to services when necessary.

Develop, coordinate and implement treatment plans for adjudicated minors; participates in Individual Educational Plan (IEP), Coordinated Service Plan (CSP) and treatment team meetings as appropriate.

Conducts Waiver of Jurisdiction studies.

Replies to inquiries on closed cases.

Refers, facilitates and arranges for out-of-home placements of probation/unit supervised protective supervision clients when necessary.

Refers adolescents on probation/unit supervised protective supervision and families to long term treatment and other specialized services.

In cases that legal status is awarded to an Executive Branch Department or court jurisdiction established to ensure case management, service and treatment by an Executive Branch Department, monitor minors' progress and departments' compliance with the court's order to provide treatment. Includes minors on protective supervision with the Department of Education adjudicated pursuant to HRS Chapter 571-11(2) (A) and (C); legal status awarded to the Department of Human Services for cases pursuant to HRS Chapter 587 and case responsibility ordered with Department of Health for minors adjudicated pursuant to HRS 571-11 (7).

Intake and Crisis Services

Unit responsibility is focused to provide services to adolescents who are not on legal status or under the jurisdiction of the court.

Unit members rotate 24/7 on call duties to determine the appropriateness of detaining minors in police custody following arrest.

Conduct assessments, investigations and completes pre-dispositional reports on juvenile law violators and status offenders.

Develop, coordinate and implement treatment plans for adjudicated minors; participates in Individual Educational Plan (IEP), Coordinated Service Plan (CSP) and treatment team meetings as appropriate.

Investigate, evaluate and recommends the appropriate dispositional alternative for re-offending minors.

Provides intensive crisis counseling to families and minors; if minor is in custody, determines appropriate custody status and/or release from detention/shelter care; coordinates and participates in detention/shelter hearings and/or provides supervised release services as ordered by the court.

Arranges the return of out of circuit/state runaways to their legal jurisdictions.

Monitors cases which have been continued until specific orders of the Court have been complied with.

Witnesses adolescent voluntary commitments to psychiatric facilities.

Provides information and referral services.

the jurisdiction of the court.

Unit members rotate 24/7 on call duties to determine the appropriateness of detaining minors in police custody following arrest.

Conduct assessments, investigations and completes pre-dispositional reports on juvenile law violators and status offenders.

Develop, coordinate and implement treatment plans for adjudicated minors; participates in Individual Educational Plan (IEP), Coordinated Service Plan (CSP) and treatment team meetings as appropriate.

Investigate, evaluate and recommends the appropriate dispositional alternative for reoffending minors.

Provides intensive crisis counseling to families and minors; if minor is in custody, determines appropriate custody status and/or release from detention/shelter care; coordinates and participates in detention/shelter hearings and/or provides supervised release services as ordered by the court.

Arranges the return of out of circuit/state runaways to their legal jurisdictions.

Monitors cases which have been continued until specific orders of the Court have been complied with.

Witnesses adolescent voluntary commitments to psychiatric facilities.

Provides information and referral services.

SPECIAL SERVICES DIVISION

This section will provide critical services which support the Adult Probation (AP) and Family & Children Services (FCS) Section. This section will consolidate and standardize functions common to both AP and FCS such as:

Assist in the planning, development, coordination, and evaluation programs involving probation, counseling, purchase of service, grants, support and ancillary services;

Assist in developing and executing reporting formats, evaluation methods and techniques.

Prepares reports, concept papers, specifications, and other documentation to justify the awarding of grants and purchase of service contracts; monitors and evaluates the performance of contracted services.

Provide mediation and facilitation services to assist victims of criminal acts and individuals involved in disputed child custody/assess issues.

Recruit, train and monitor citizen volunteer activity in the Court.

Program Services

Facilitates and promotes opportunities for citizen involvement and participation in the juvenile justice system in the Second Circuit through the administration of the following programs.

Volunteers in Public Service to the Courts (VIPS)

Develops volunteer opportunities into specific job activities for citizen participants.

Recruits, screens, trains, assigns and supervises volunteers.

Volunteer Guardian-Ad-Litem Program (VGAL)

Recruits, screens, trains and supervises volunteer VGALs appointed by the Court to represent a child's best interests in child abuse and neglect Court proceedings.

Provides consultation and review of investigative reports prepared by VGALs and reviews case recommendations prior to submittal to the Court.

Assists VGALs with monitoring of cases and adherence to Court orders.

Obtains legal consultation and representation of VGALs in difficult Court proceedings.

Conducts ongoing orientation and training programs for VGALs and GALs.

Assigns all Court ordered appointments of guardian-ad-litem (GALS) and VGALs.

Community Service Sentencing Program (CSSP)

In conjunction with Probation Officers, develops and executes a plan for the treatment and

rehabilitation of adults and minors with the use of an effective community service program.

Screens and places offenders in work sites based on needs of the work site and offenders' background.

Monitors adolescent offenders' work performance and prepares written reports as required to the referring Court or Probation Officer.

Develops and maintains positive relationships with adolescents and families with regular contact through office and field visits; provides intervention in cases of noncompliance to program requirements by face-to-face contact with minors through office or field visits.

Monetary Restitution Program (MRP)

Develops and administers methods of holding offenders accountable for restitution payments through job development, pre-employment training, work placement and monitoring for compliance with Court restitution orders.

Recruits private businesses and community agencies to serve as work sites where offenders can be placed and monitored; where monies for restitution may be earned for payment to their victims.

Conducts victim claim investigations and determines the amount of restitution to be recommended to the Court according to established program guidelines.

Mediation Services

Assesses, screens and determines appropriateness of mediation as a dispute resolution alternative for parties involved in contested child custody and access proceedings.

Provides mediation services and/or refers appropriate parties to Court certified mediators to resolve child custody, access and other child centered issues.

Assesses, screens and determines whether mediation or victim-offender reconciliation services would be appropriate and beneficial for both the victim and offender.

Teamed with the assigned probation/court officer provide mediation and reconciliation sessions.

Prepares formal Court reports on mediation outcome; provides the Court with recommendations when mediation is not appropriate; monitors timely completion and forwards completed mediation reports to the Court from private and community mediators.

Clerical Support Services

The section provides clerical support to the probation, social work, and drug court staff. The clerical staff members support the branch social workers with:

Documents receiving, receptionist, file management and record keeping services.

Information and assistance to the public, legal community and other community agencies as to services provided, Court procedure, forms and policies of the Family Court.

Type, copy and distribute all formal Court reports, letters, memorandums and other correspondence generated by the social work staff.

Maintains an updated manual/automated record of all referrals, their offenses and cross referenced family information.

Process requests for military and firearms clearance and records check from other governmental agencies.

Assist the social workers with the completion of monthly caseload reports, complete statistical inputs as necessary and generate in type written form this information to the appropriate unit supervisor as requested.

FUNCTIONAL STATEMENT

CLIENT SERVICES DIVISION, MAUI DRUG COURT Second Judicial Circuit

To provide case management, assessment, referral, coordination, and educational services to targeted drug abusing offender populations in the criminal justice system.

To facilitate collaborative networking among criminal justice agencies and treatment providers to maximize, integrate, and expand treatment and ancillary services to referred substance abusing offenders.

To assist in design and conduct of drug treatment and related ancillary service evaluations.

To assist in the evaluation and development of purchase of service requirements for treatment of drug offenders in the criminal justice system.

To assist in the evaluation and development of drug testing services for referred substance abusing offenders.

To establish and maintain a management information system dedicated to referred substance abusing offenders in conjunction with existing systems.

APRIL 2006

**FUNCTIONAL STATEMENT
COURT & OPERATIONAL SUPPORT
SERVICES DIVISION**

Second Circuit

COURT REPORTERS BRANCH

Plans, directs, organizes, and coordinates court reporting services within the Second Judicial Circuit.

Records verbatim testimony of witnesses and other involved in court proceedings.

Prepares transcripts of court proceedings when required by the court, attorneys, or the public.

Supplies certified statements of testimony when directed by judges.

Furnishes certified transcripts of notes, takes depositions, and administers oaths relative to such depositions.

Coordinates the development of standard procedural manuals to insure uniformity of court reporting operations.

ESTATE AND GUARDIANSHIP BRANCH

Administers small estates and small guardianship programs valued at less than \$60,000 and \$8,000, respectively.

Interviews family members, interested persons, attorneys, and other persons to obtain information to institute estate or guardianship proceedings.

Prepares petitions, orders, notices, motions, affidavits, assignments, claims, receipts, and other legal documents in the initiation, administration, and distribution of estates.

Assembles and examines evidence, data, and memoranda for compliance with legal requirements.

Prepares legal notices to be posted and published in newspapers.

Examines claims filed against estates to verify authenticity and accuracy and assures that the payment or disposition of claims is processed according to law.

Arranges for personal services of process and effects service of notice.

Files application with the Social Security Administration, the Veteran's Administration, and the Department of Human Services.

COURT ANNEXED ARBITRATION PROGRAM

Complies with the legal and procedural requirements as it pertains to CAAP in accordance with the Hawaii Arbitration Rules.

Determines applicability of certain civil matters filed to be placed into CAAP.

Maintains master list of attorneys qualified as arbitrators in CAAP.

Determines the assignment of arbitrators in each CAAP case.

Prepares all necessary forms and documents in accordance with Hawaii Arbitration Rules.

Receives and files all documents pertaining to the arbitration case.

Monitors time frames and deadlines set in each case in compliance with arbitration rules.

Corresponds with attorneys, arbitrators, litigants to insure the timely progression of cases through the program.

COURT & OPERATIONAL SUPPORT SERVICES BRANCH

This branch is responsible for all in-court clerical duties required for the timely disposition of cases through hearings or trials; receives, reviews, and files documents and papers for entry into court records; prepares and processes court documents, forms, and calendars; and provides information and responds to inquiries regarding court matters and procedures.

Courtroom Support Section, FC Clerks Unit

Assists judges in scheduling cases for hearings and trials and in disposing of matters pending before the courts.

Verifies the completeness of case records prior to legal proceedings and verifies that actions sought comply with statutory and procedural requirements.

Prepares verdicts, judgments, and related documents to execute the orders of judges.

Issues legal notices to attorneys, litigants, and witnesses, and surmon interpreters.

Maintains calendars of pending cases and advises judges of the status of these cases.

Attends and assists in Court hearings and trials. Keeps court minutes of substance of judicial action taken, swears witnesses, processes exhibits, notices, orders and other documents presented in court.

Prepares and sets Court Calendars and sets motions for calendars.

Coordinates the activities of other attaches of the court, such as law clerks, bailiffs, and court reporters.

Disposes of court calendars for sessions of criminal misdemeanors and traffic cases.

Reviews case records and identifies potential legal and procedural problems.

Provides pre-trial conference support services.

Checks the accuracy of written decisions and judgments before presentation to judges for signature.

Bailiffs Unit

Maintains order, security and decorum in courtrooms, judicial chambers, and in public waiting areas.

Assists in the receiving and marking of exhibits, papers, and properties introduced into evidence or as identification.

Assists in maintaining liaison with law enforcement agencies pertaining to the coordination of individuals in custody appearing in Court hearings.

Acts as a messenger of the court in the production of records, books, and other documents.

Processes and issues certificates of witness and mileage fees.

LEGAL DOCUMENTS SECTION

Administers a legal documents program in support of the courts of the Second Circuit.

Receives and examines papers and documents for compliance with laws, rules, and regulations pertaining to documentation.

Assigns case numbers, file stamps, and records cases.

Collects, compiles, and inputs data into various information systems; prepares statistical reports.

Examines, analyzes, and indexes documents and pleadings.

Reviews and evaluates documents in completed case files prior to releasing those documents for hearings and trials.

Inputs information from court records and makes copies of records as requested.

Conducts inventories and maintains lists of exhibits, depositions, and transcripts. Prepares exhibits for disposition or return to litigants.

Operates a records management program for controlling, microfilming, storing, retrieving, and destroying court records.

Prepares appeal records to the Supreme Court.

Provides information and assistance to attorneys, the general public and Court staff in matters pertaining to document filing procedures.

TRAFFIC OPERATIONS SECTION, Traffic Violations Unit

Prepares and processes traffic citations and other violations such as violations of law, ordinances, and rules relating to airport ramps, dog leash, fish and game, harbor boating, and industrial safety.

Reviews and verifies information on traffic offenders and offenses pertaining to delinquent traffic citation, and sends notices to violators who fail to respond to citations.

Researches files, TRAVIS, and other records for information on claims of probable payment, lost and outstanding citations, and mistaken identities.

Reviews and interprets data from traffic records, determines if any action is required, and follows-up to see that action is taken.

Assists the public with bail forfeitures, court reassignment dates, and penal summons service.

Processes decriminalized traffic infractions and related documents.

Administers a support program to aid in the disposition of criminal misdemeanors, traffic citations, and initial criminal procedures in felony cases.

Prepares calendars for sessions of criminal and traffic cases.

DC Clerks Unit

Assists judges in scheduling cases for hearings and trials and in disposing of matters pending before the courts.

Verifies the completeness of case records prior to legal proceedings and verifies that actions sought comply with statutory and procedural requirements.

Prepares verdicts, judgments, and related documents to execute the orders of judges.

Issues legal notices to attorneys, litigants, and witnesses, and surmon interpreters.

Maintains calendars of pending cases and advises judges of the status of these cases.

Attends and assists in Court hearings and trials. Keeps court minutes of substance of judicial action taken, swears witnesses, processes exhibits, notices, orders and other documents presented in court.

Prepares and sets Court Calendars and sets motions for calendars.

Coordinates the activities of other attaches of the court, such as law clerks, bailiffs, and court reporters.

Disposes of court calendars for sessions of criminal misdemeanors and traffic cases.

Reviews case records and identifies potential legal and procedural problems.

Provides pre-trial conference support services.

Checks the accuracy of written decisions and judgments before presentation to judges for signature.

LAW LIBRARY/SERVICE CENTER/JURY POOL SECTION

Law Library

Operates a legal reference library available to judges, lawyers, governmental agencies, and the general public.

Provides judges and the staffs of the Courts with information and materials related to legal research and judicial administration.

Collects, organizes, and disseminates information and materials related to legal research and judicial administration.

Aids in the use of library resources by locating materials and factual information through the use of library tools such as indexes, digests, and directories. Selects appropriate materials to answer reference questions.

Receives, examines for completeness of order, records, shelves and files all law books, law reviews, and loose-leaf services.

Processes all invoices and forwards to the Supreme Court Library for payment.

Issues and discharges books and calls in over dues.

Service Center

Assisting court users, attorneys, attorneys' staff, litigants by identifying their needs; directing them to the proper program or location; or referring them to an appropriate agency.

Assisting court users, attorneys, attorneys' staff, litigants, and the general public by explaining court rules and regulations, court procedures, statutes applicable to the proper presentation of documents for filing; providing comprehensive information regarding complex and technical questions on procedures; reviewing, examining, and filing court/legal documents to ensure conformance with procedural and statutory requirements; disseminating court forms and self-help packets, explaining the process for completing and filing court documents, and assisting in filling out court forms, which do not require legal advice and interpretation.

Consults with administrators in developing, revising and implementing procedures and standards related to the Service Center. Researches, develops and produces brochures and materials for the Service Center; identifies informational needs of court users; and develops materials to meet these needs.

Jury Pool

Assists trial divisions in preparing and sending out notice of summons for jury duty. Maintains lists of jury panels summoned.

Maintains files of Juror Qualification questionnaires.

Assists trial divisions with all jury services related inquiries and correspondence. Coordinates juror requests for excuses and deferments. Reschedules new court dates for those jurors who have been excused or deferred.

Prepares juror summons.

Composes and records instructions for jurors on the Jury code-a-phone.

RURAL COURTS BRANCH

This branch will be responsible for overseeing the operations of the rural district court divisions of Hana, Lahaina, Lanai, and Molokai.

Plan, direct, and organize the operations of the rural courts divisions

Maintain control ledgers, registers, journals, and other fiscal records for the rural court divisions.

Prepares financial statements and reports for the rural court divisions.

Monitor the receiving of cash, disbursing of funds and purchasing activities of the rural court divisions.

Coordinate and provide for all in-court clerical duties for the rural court divisions.

Monitor and control the preparation and processing of traffic citations and other violations such as violations of law, ordinances, and rules relating to airport ramps, dog leash, fish and game, harbor boating, and industrial safety in the rural divisions.

THIRD JUDICIAL CIRCUIT

OFFICE OF THE CHIEF COURT ADMINISTRATOR:

Reports to the Chief Judge of the Third Judicial Circuit.

Plans, directs, administers, coordinates and evaluates all administrative, business and support functions, operations and activities required to support judicial proceedings and judgments in a judicial circuit involving criminal, civil, family and probation matters; and oversees a multitude of circuit, family and district court programs within the judicial circuit through subordinate administrators, managers and supervisors.

Sets short- and long-term goals to accomplish the judicial circuit's objectives; formulates policies, procedures and controls relevant to the overall administration and practices of the judicial circuit's functions, operations and programs; implements policies and procedures to meet established guidelines; makes assessments on the overall effectiveness and efficiency of policies and procedures; and modifies/revises policies and procedures to attain maximum operational functioning levels, and provide optimal quality of services while meeting legal, regulatory and procedural requirements of the judicial circuit.

Participates in the development, implementation, assessment and modification of Judiciary-wide operational guidelines and procedures; develops short- and long-term goals and objectives for budget, program priority, staffing and technology forecasts, addressing major issues and exploring innovative ideas; and initiates research and studies aimed toward the continual improvement of the Judiciary's functions, operations, programs and services rendered.

Establishes and carries out extensive liaison responsibilities between organizational units, with other judicial circuits, judicial officials, administration; and with governmental, private, law enforcement and other external agencies in the interrelation and coordination of the judicial circuit's functions and programs supporting judicial proceedings.

Formulates legislative proposals; monitors legislative matters affecting the operations and services provided by the judicial circuit; and prepares and provides testimony involving such matters.

Oversees the development, implementation and evaluation of procedures and methods required to achieve the judicial circuit and program short- and long-term goals, and allocates necessary resources to organizational units.

Develops and maintains a sound management system; and oversees the Third Judicial Circuit's fiscal and accounting functions, to ensure the uniform delivery of services of the highest quality while providing and promoting the effective, economical and efficient utilization of resources.

Prepares and submits the judicial circuit's annual budgeting plan, as well as the biennium and supplemental budget requests. Oversees the judicial circuit's statistical/reporting requirements.

Oversees and ensures the sound administration and execution of grants and purchase of service agreements used to provide necessary services supporting Third Judicial Circuit programs.

Sets the direction and makes recommendations on actions affecting subordinate administrative, supervisory and other personnel. Participates in confidential and sensitive matters affecting employer-employee relations; and consults with administrative officials regarding such matters.

Administrative responsibility over court services, programs and ancillary functions which support judicial proceedings for the Circuit Court of the Third Judicial Circuit.

**FUNCTIONAL STATEMENT
ADMINISTRATIVE SERVICES DIVISION**

July 2007

Fiscal Office:

Administers a fiscal support services program to assist the courts of the Third Circuit to address fiscal responsibilities and to ensure proper fiscal management. These responsibilities include but are not limited to budget oversight, maintenance of subsidiary and control accounts, development and submission of required financial reports, maintenance of appropriated and non-appropriated accounts, vendor services, purchasing and procurement, payroll and appropriate tasks relating to accounts receivables and payables.

Law Library:

Operates a legal reference library available to judges, court staff, and members of the public. Provides information and materials related to legal research and judicial administration.

Human Resources Office:

Provides clerical and technical services in support of the processing of human resources actions. Serves as liaison with the central Human Resources Department.

Facilities Management Branch:

Provides janitorial and grounds keeping services to buildings and grounds of the Third Circuit. Provides and coordinates building maintenance services to buildings, structures, mechanical and electronic systems in the Third Circuit.

**FUNCTIONAL STATEMENTS
CLIENT SERVICES DIVISION**

Adult Client & Probation Services Branch:

Administers programs for the delivery of adult services to assist the courts of the Third Circuit. This includes making recommendations to the courts, enforcing compliance with court orders, maintaining case classification and information systems, managing purchase of service contracts, and maintaining contacts with community resources.

Juvenile Client Services Branch:

Administers programs for the delivery of juvenile, family, and conciliation services to assist the courts of the Third Circuit. This includes making recommendations to the courts, enforcing compliance with court orders, maintaining case classification and information systems, managing purchase of service contracts, and maintaining contacts with community resources.

Drug Court:

Administers programs for the delivery of adult and juvenile substance abuse services to assist the courts of the Third Circuit. This includes making recommendations to the courts, enforcing compliance with court orders, maintaining case classification and information systems, managing purchase of service contracts, and maintaining contacts with community resources.

**FUNCTIONAL STATEMENTS
COURT SUPPORT AND OPERATIONS DIVISION**

Administers court support programs which provide courtroom clerical, court reporting, and other support services to the courts of the Third Circuit. The support services programs are designed to aid in the disposition of general and limited jurisdictional criminal felonies, misdemeanors and petty misdemeanors, family proceedings, traffic (decriminalized and regular traffic criminal), and civil cases in the Third Circuit.

Administers a support services program designed to assist in the receipt, processing, filing and retention of legal documents of all general, limited and family jurisdictional judicial matters, and estates and guardianship services of the Third Circuit.

THIRD CIRCUIT COURT

FISCAL OFFICE:

Directs and supervises fiscal programs in support of the Third Circuit Court and the Family Court of the Third Circuit.

Provides administrative support to the circuit court administrator. Manages and controls appropriated and non-appropriated funds.

Develops expenditure plans and work programs, formulates estimates of resource requirements.

Prepares program and financial plans, budgets, and variance reports.

Prepares and justifies allotment requests and specific money requests.

Advises court administrators on the status of appropriations, allotments, and expenditures.

Develops and directs the maintenance of an accounting and auditing program.

Develops and maintains authorization and recording procedures to control assets, liabilities, revenues, and expenditures.

Maintains control ledgers, registers, journals, and other fiscal records.

Receives cash and disburses funds.

Manages small estates and guardianship fiscal fiduciary activities.

Prepares financial statements and reports.

Operates purchasing and disbursing activities.

Reviews and audits invoices and payroll claims for conformance with collective bargaining agreements and Judiciary personnel rules and regulations.

Negotiates for the procurement of services, materials, and other resources to increase the effectiveness and efficiency of the court.

Prepares insurance and loss, OSHA, workers' compensation, personnel, and payroll reports.

Assists the Chief Clerk in the coordination of various court support activities and in implementing programs and operational procedures pertaining to court support activities.

Collects, analyzes, and presents statistical data on court functions. Plans, organizes, and coordinates the business affairs of the court.

Plans, coordinates, and implements special projects and studies of court operations.

LEGAL DOCUMENTS SECTION:

Administers a legal documents program in support of courts of the Third Circuit.

Receives and examines papers and documents for compliance with laws, rules, and regulations pertaining to documentation.

Assigns case numbers, file stamps, and records cases.

Dockets cases according to case categories and classifications.

Collects and compiles data and prepares statistical reports.

Examines, analyzes, and indexes documents and pleadings. Reviews and evaluates documents in completed case files prior to releasing those documents for hearings and trials.

Inputs information into computer terminals and docket sheets.

Provides information from court records and makes copies of records as requested.

Establishes hearing dates for cases.

Prepares writs, processes and attachments; processes and issues default judgements.

Prepares records on appeal.

Prepares legal notices and notices of publication.

Assesses court costs and computes interests and attorneys commissions.
Conducts inventories and maintains lists of exhibits, depositions, and transcripts.
Prepares exhibits for disposition or return to litigants.

Operates a records management program for controlling, microfilming, storing, retrieving, and destroying court records.

STAFF OF THE CIRCUIT JUDGES:

Schedules cases for hearings and trials and in disposing of matters pending before the courts.

Verifies the completeness of case files prior to legal proceedings and verifies that actions sought comply with statutory and procedural requirements.

Assures that documents and files presented to judges for signature comply with statutory and legal requirements.

Prepares verdicts, judgments, and related documents to execute the orders of judges.

Sets cases for hearing and maintains court calendars.

Issues legal notices to attorneys, litigants, and witnesses, and summons interpreters.

Maintains calendars of pending cases and advises judges of the status of those cases.

Keeps court minutes, swears witnesses, processes exhibits, and receives notices and documents presented in court.

Prepares appeal records to the Supreme Court.

Coordinates the activities of other attaches of the court such as law clerks, court reporters and bailiffs.

Provides bailiff and legal research services to circuit court judges.

Reviews case files and identifies potential legal and procedural problems.

Provides pre-trial conference support services.

Checks the accuracy of written decisions and judgments before presentation to judges for signature.

Summons jurors and attends to their needs during deliberations.

Maintains order and escorts witnesses in and out of the courtroom.

Signs in witnesses for fees and mileage.

ESTATE AND GUARDIANSHIP BRANCH:

Administers small estates and small guardianship programs valued at less than \$20,000 and \$8,000, respectively.

Interviews family members, interested persons, attorneys, and other persons to obtain information to institute estate or guardianship proceedings.

Prepares petitions, orders, notices, motions, affidavits, assignments, claims, receipts,

and other legal documents in the initiation, administration, and distribution of estates.

Assembles and examines evidence, data, and memoranda for compliance with legal requirements.

Prepares legal notices to be posted and published in newspapers.

Examines claims filed against estates to verify authenticity and accuracy and assures that the payment or disposition of claims is processed according to law.

Arranges for personal services of process and effects service of notice.

Files applications with the Social Security Administration, the Veteran's Administration, and the Department of Human Services.

COURT REPORTING SECTION:

Provides court reporting services within the Third Circuit Court, Family Court of the Third Circuit, and the District Court of the Third Circuit.

Records verbatim testimony of witnesses and others involved in court proceedings.

Prepares transcripts of court proceedings when required by the court, attorneys, or the public.

Supplies certified statements of testimony when directed by judges. Furnishes certified transcripts of notes, takes depositions, and administers oaths relative to such depositions.

LIBRARY SERVICES SECTION:

Operates a legal reference library available to whomever needs its resources.

Provides judges and the staffs of the courts with information and materials related to legal research and judicial administration.

Collects, organizes, and disseminates information and materials related to legal research and judicial administration.

Catalogs, indexes, and maintains books.

Helps patrons find and check out library materials.

KONA BRANCH:

Assists the Circuit Court Administrator in the day-to-day supervision of administrative

and support functions and activities of the Kona Branch.

Provides library technical, court reporting, court documents, and fiscal support services to the Kona Branch.

Assists the Circuit Court Administrator in identifying the need for improvements to work methods and operations to enhance the business of the courts.

Participates in special studies and projects.

Provides input in the development of the Kona Branch's budget.

Compiles information for statistical reporting.

Receives complaints from the public concerning matters under the jurisdiction of the Kona Branch and works with the Circuit Court Administrator to resolve those complaints.

LEGAL DOCUMENTS SECTION:

Receives and examines documents filed with the court for compliance with laws, rules and regulations pertaining to documentation. Assigns case numbers, file stamps, and records cases.

Examines, analyzes, and indexes documents and pleadings. Dockets cases according to case categories and classifications.

Reviews and evaluates documents in completed case files prior to releasing those documents for hearings and trials.

Inputs information into computer terminals and docket sheets.

Provides information from court records and makes copies of records as requested.

Establishes hearing dates for cases.

Prepares writs, processes and attachments; processes and issues default judgements.

Prepares records on appeal.

Prepares legal notices and notices of publication.

Assesses court costs and computes interests and attorneys commissions.

Conducts inventories and maintains lists of exhibits, depositions, and transcripts.

Prepares exhibits for disposition or return to litigants.

TECHNICAL SERVICES SECTION:

Court Reporting Services:

Takes verbatim stenographic notes of testimonies, proceedings, objections and exceptions of counsel, rulings of the court, charges to the jury, and other matters during court sessions in the courtroom, in chambers, and in proceedings before the Grand Jury.

Prepares and furnishes typewritten transcripts; checks and certifies transcripts as to accuracy.

Transcribes notes and files those notes with the court clerk. Supplies certified statements of testimony when directed by judges.

Takes depositions and administers oaths relative to such depositions.

Fiscal Services:

Assists the Court Fiscal Officer in maintaining an accounting system to control court assets, liabilities, and revenues.

Orders and replenishes supplies and services necessary for efficient court functioning.

Conducts annual physical inventory of court assets.

Audits witness fees and litigation fees incurred by the Prosecuting

Attorney and Public Defender.

Collects all fines and restitutions.

Disburses bail refunds.

Prepares cashiers' tally sheet.

Library Services:

Operates a legal reference library available to whomever needs its resources.

Provides judges and the staffs of the courts with information and materials related to legal research and judicial administration.

Collects, organizes, and disseminates information and materials related to legal research and judicial administration.

Catalogs, indexes, and maintains books.

Helps patrons find and check out library materials.

FUNCTIONAL STATEMENT

June 2006

ADULT CLIENT & PROBATION BRANCH

Adult Client & Probation Branch serves adult offenders in the Third Circuit, which encompasses the island of Hawaii by providing intake, pre-sentence investigation, court-ordered supervision, and related social services for adult felony and misdemeanor cases, including specialized client services for sex offender and domestic violence abuse cases. The branch is responsible for ensuring community protection, offender accountability to the community and rehabilitative support to the offender. Six (6) sections are designated to provide offender services; two dedicated to investigate the background of defendants before sentencing and four to supervise offenders permitted to remain in the community. One (1) unit of clerical staff is designated to support the professional staff in Hilo.

Presentence Investigation/Intake Sections

These two (2) sections are responsible for the intake investigation function.

Conducts presentence and other disposition investigation, and prepares reports and recommendations to the Courts for sentencing. Also conducts intake investigations of offenders referred from other circuits and States.

Conducts investigation under the authority of HRS 704-404, 706-604 and 806-73, as amended.

Conducts investigations of court referred or criminal justice system referred cases.

Identifies and assess offenders' risk prior to sentencing and provides referral services when necessary.

Identifies alternative sentences available to the court as provided in the Hawaii Revised Statutes.

Identifies aggravating and mitigating circumstances to the court.

Identifies inter- and intra-state candidates for courtesy supervision under the Interstate and Intrastate Compacts.

Supervision Sections

These four (4) sections supervises offenders sentenced to court ordered supervision in the community. They also provide supervision services to offenders accepted from other circuits or states.

Provides case management assessment services for offenders.

Develops, implements, and maintains case plans for classified offenders.

Engages in crime reduction and detection activities relating to drug testing, warrantless search and seizure, surveillance, investigative checks, interviews, and collateral contacts.

Implements and enforces conditions of probation.

Identifies and initiates adverse court actions against offenders who violate mandatory or discretionary conditions of probation or supervision or those under conditions of release.

Investigates reports from the community or other criminal justice agencies of potential risks and needs of offenders.

Provide court documentation and reports.

Establishes and maintains minimum standards of performance and structured programming for offenders.

FAMILY COURT OF THE THIRD CIRCUIT

COURT MANAGEMENT SERVICES BRANCH:

Court Management Services Branch has three (3) operational units; Judicial Services, Office Services, and Kona. The primary function for each operational unit is the provision of critical clerical support in the administration of timely and efficient judicial services. The primary function of each unit is as follows:

Judicial Services Section:

Provides clerical, documents receiving and examination, receptionist, filing and record keeping and legal research services.

Processes applications for civil commitments.

Receives, docket, files and indexes court documents and records.

Helps attorneys set cases for court hearing, use court forms and filing procedures.

Provides information and assistance to the public and court staff in matters pertaining to document filing procedures.

Issues and signs summonses, subpoenas, warrants of arrests, bench warrants and mittimus.

Prepares records on appeal to the Supreme Court.

Provides clerks to prepare and assist judges with court hearings and trials.

Receives, screens, and disposes of petitions, complaints, and other legal pleadings requiring judicial hearings or court actions.

Attends and assists in court hearing and keeps minutes of the substance of judicial action taken. Process exhibits, notices, orders and other documents presented in court.

Assists judges and attorneys on matters of court procedure, forms and policies of the Family Court.

Prepares and sets court calendars and sets motions for calendars. Provides court clerical and clerical support services to judge.

Maintains order, security, and decorum in courtrooms, judicial chambers and in public waiting areas.

Assists in maintaining liaison with law enforcement agencies pertaining to the

coordination of individuals in custody appearing for court hearings.

Processes and issues certificates of witness and mileage fees.

Office Services Section:

Provides clerical, documents receiving, receptionist, file management and record keeping services.

Provides information and assistance to the public, legal community and other community agencies as to services provided, court procedure, forms and policies of the Family Court.

Types, copies and distributes all formal court reports generated by the social work staff with the Juvenile, Adult, and Program Services Branches.

Types letters, memorandums and other correspondence generated by the Family Court staff.

Maintain updated manual/automated record of all juvenile and adult referrals, their offenses and crossed referenced family information.

Process requests for military and firearms clearance and record checks from other governmental agencies.

Assists the Family Court officers with completion of monthly caseload reports, complete statistical inputs as necessary and generate in type written form this information to the appropriate unit supervisor as requested.

Complete travel requests and arrangements for staff members as requested.

JUVENILE SERVICES BRANCH:

The Juvenile Services Branch provides all juvenile-related services island-wide for the Family Court of the Third Circuit.

Special Services Unit:

Investigate petitions for the guardianship of incapacitated children.

Monitor child abuse and neglect (Chapter 587) cases.

Investigate and monitor cases involving protective supervision to other agencies.

Evaluate Requests for Consent to Marry.

Witness voluntary commitments to psychiatric facilities.

Juvenile Intake/Crisis Unit:

Administers Family Court intake and short—term crisis counseling functions. Conducts crisis counseling investigations and evaluations and determines and takes actions based on those investigations and evaluations regarding the release of children in custody.

Determines and initiates informal adjustments and presentations of formal complaints for referral to the court.

Utilizes informal dispositions, screens minors referred for detention—shelter cases, and plans and conducts activities which will aid in use and establishment of community resources.

Conducts intake and assessment of juvenile law violators, status offenders, misdemeanant juveniles, and juveniles referred for detention.

Refers children and families for inpatient and outpatient services.

Conducts Waiver of Jurisdiction studies.

Provides informal disposition services.

Provides information and referral services.

Replies to inquiries on closed cases.

Provides intensive crisis intervention to minor offenders and their families.

Refers, facilitates, and arranges for out-of-home placements when necessary.

Refers children and families to long-term treatment and other specialized services.

Provides consultation in adolescent development, family dynamics, sexual abuse, and family therapy to probation officers, judges, various social agencies, and to the DOE.

Provides student placement and training to graduate students from the School of Social Work.

Provides intake and assessment services relating to juveniles referred to the detention home.

Counsels and assists minors referred to the detention home and members of their families.

Arranges return of mainland runaways to their legal jurisdictions. Assists with medical emergencies of minors and their families.

Provides detention home orientation to new family court workers and to workers from other agencies.

Monitors protective supervision services to the Department of Education cases adjudicated under HRS 571.

Provides informal disposition services.

Provides for social investigation of juveniles when judges require additional information prior to rendering a disposition.

Monitor cases for which status has been awarded to an agency or cases which have been continues until specific orders have been complied with.

Juvenile Supervision Unit:

Administers a program for the services, supervision, and monitoring of juveniles adjudicated by the Family Court for law violations and status offenses under the court's jurisdiction.

Provides for the supervision and monitoring of the behavior and activities of juveniles who are adjudicated and placed on probation or under protective supervision with the Family Court and juveniles for whom courtesy supervision has been requested from another court.

Coordinates and participates in detention hearings.

Kona/Kamuela:

Provides all services related to juvenile, including Special Services, Juvenile Intake/Crisis, and Juvenile Supervision for the geographic area.

PROGRAM SERVICES BRANCH:

Facilitates and promotes opportunities for citizen involvement and participation in the criminal and juvenile justice system in the Third Judicial Circuit through the administration of the following programs:

Volunteers in Public Service to the Courts (VIPS):

Develops volunteer opportunities into specific job activities for citizen participants.

Recruits, screens, trains, assigns and supervises volunteers. Provides court staff training on how to use and supervise volunteers.

Coordinates and conducts public orientation of the Judiciary and exposure to court proceedings.

Foster Parenting Program (FPP):

Provides on-going recruitment of foster home for youths under the jurisdiction of the Family Court.

Evaluates and licenses families meeting the requirements to become foster parents. Recommends and coordinates the placement of minors in specific foster home environment.

Provides on-going support services to foster families.

Volunteer Guardian Ad Litem Program (VGAL):

Recruits, screens, trains, and supervises VGALs appointed by the Court to represent a child's best interests in child abuse or neglect court proceedings.

Provides consultation and review of investigative reports prepared by VGALs and review of investigative reports prepared by VGAL and reviews cases recommendations prior to submittal to the court.

Assists VGALs with monitoring of cases and adherence to court orders.

Provides legal consultation and representation of VGALs in difficult court proceedings. Conducts on-going orientation and training programs for VGALs.

Community Service Sentencing Program (CSSP):

In conjunction with probation officers, develops and executes plans for the treatment and rehabilitation of minors with the use of an effective community service program.

Screens and places offenders in worksites based on needs of the worksite and offenders' backgrounds.

Monitors offenders' work performance and prepares written reports as required to the referring Court or Probation Officer.

Develops and maintains positive relationships with minors and families with regular contact through office and field visits; provides intervention in cases of non-compliance to program requirements by face-to-face contact with minors through office or field visits.

Juvenile Monetary Monetary Restitution Program (JMRP):

Develops and administers methods of holding juvenile offenders accountable for restitution payments through job development, pre-employment training, work placement, and monitoring for compliance with court restitution orders.

Recruits private businesses and community agencies to serve as worksites where juvenile offenders can be placed and monitored, and where monies for restitution may be earned for payment to their victims.

Conducts victim claim investigations and determines the amount of restitution to be recommended to the court according to established program guidelines.

DISTRICT COURT OF THE THIRD CIRCUIT

COURT SERVICES BRANCH:

The Court Services Branch is composed of three (3) geographic sections: Hilo, Kona, Hamakua/Kohala.

Bailiffs:

Announces opening and closing of court and maintains courtroom decorum.

Acts as a liaison officer for the judge and District Court Administrator.

Acts as a messenger of the court in the production of records, books, and other documents.

Provides courtroom security during court sessions.

Assists in the receiving and marking of exhibits, papers, and properties introduced into evidence or as identification.

Arranges for interpreters for court sessions.

Court Clerks:

Administers a support services program to aid in the disposition of criminal misdemeanors, traffic citations, traffic and civil cases, and initial criminal procedures in felony cases.

Receives, files, and numbers civil, criminal and traffic complaints, notices, motions, and other documents.

Issues summonses in civil matters and subpoenas in criminal, civil and traffic cases.

Prepares and disposes of calendars for sessions of criminal, civil, and traffic cases.

Arranges dates of trials between plaintiffs and defendants and notifies all parties of such dates.

Informs parties of court decisions and maintains files of criminal, civil, and traffic documents.

Receives and marks exhibits, papers, and properties introduced into evidence or as identification and enters disposition on court calendars and dockets.

Prepares bench warrants, order to show cause, subpoenas, and mittimus.

Verifies and accounts for monies received, refunds bail amounts, and collects fines, fees, and other court costs.

Enters and retrieves information into the TRAVIS, OBTS and other automated systems.

Maintains records of cases and prepares statistical reports.

Prepares requests for committal, demands for jury trial, and appeals to the Supreme Court.

Records court proceedings to include such information as whether defendant appeared, plea entered, and the judge's decision.

Civil:

Prepares and processes court documents and papers for civil cases and maintains civil records and files.

Reviews documents for compliance with rules, regulations, and statutes governing the filing of civil documents.

Assists attorneys and members of the general public by providing information and assistance on the filing of documents.

Receives, files, and issues writs, executions, and attachments and other court documents.

Reviews Certificates of Judgment to determine if costs are justifiable, certifies and forwards certificates.

Reviews and processes temporary restraining orders.

Prepares calendars, attends court sessions, and takes minutes of proceedings.

Collects, posts, and verifies sheriff's fees and mileage on pro se cases.

Administers search of records for the general public and other governmental agencies.

Administers copying of documents and court calendars for agencies and individuals.

Receives and processes small claims.

Explains small claims procedures to business representatives, proprietors, and other interested parties, and provides sample forms for use in filing small claims.

Explains small claims court practices and civil procedures to personnel involved in the

process.

Prepares Statements of Claim and other forms such as garnishee summonses, transfer judgments, and satisfaction of judgments for individuals.

Notifies plaintiffs that claims have been served and of scheduled hearing dates.
Computes interest, attorney's fees, and commissions, and posts entries to dockets.

Receives and files supplemental filings.

Enters information on dockets and processes cases for civil court.

Traffic Violations:

Prepares and processes traffic citations and other violations such as violations of law, ordinances, and rules relating to airport ramps, dog leash, fish and gam, harbor boating, and industrial safety.

Receives citations from enforcement agencies and reviews them for completeness.

Returns discrepant citations to enforcement agencies.

Prepares and processes citations for input into TRAVIS or other automated systems.

Insures that issued citations are turned-in to the bureau.

Prepares list of missing citations and notifies enforcement agencies for follow-up action.

Maintains stocks of and accounts for forms pertaining to the Traffic Violations Bureau, and issues blank citations to enforcement agencies.

Reviews and verifies information on traffic offenders and offenses pertaining to delinquent traffic citations, and sends notices to violators who fail to respond to citations.

Researches files, TRAVIS, and other records and/or automated systems for information on claims of probable payments, lost and outstanding citations, and mistaken identities.

Reviews and interprets data from traffic records, determines if any action is required, and follows-up to see that action is taken.

Assists the public with ball forfeitures, court reassignment dates, and penal summons service.

Prepares and transmits change of venue request.

Reviews, prepares, and issues abstracts of traffic records for courts, the general public, insurance companies, and other governmental agencies.

Prepares and issues clearances for license renewal and car registration.

Obtains and processes affidavits from police officers explaining why citations were lost, void, or mutilated.

Prepares lists of delinquent traffic violators for entry into the Judiciary computerized delinquent tracking system in Honolulu.

Prepares statistical reports.

FISCAL BRANCH:

Administers fiscal management, accounting, and housekeeping programs.

Maintains budgetary and non-appropriated accounts and records and prepares financial statements and reports.

Maintains control accounts, posts entries into these accounts, posts and balances journals and ledgers, and reconciles accounts.

Prepares special financial reports and statements.

Confers with operating officials in planning and developing operational needs.

Assists operating officials in preparing budget estimates.

Contacts vendors, issues purchase orders, and maintains records of purchases.

Verifies vouchers and distributes charges to the appropriate account.

Prepares and processes payrolls.

Procures goods and services and assists in formulating specifications for bids, contracts, and negotiations.

Administers collection of process server fees, court fines, and civil fees.

Administers time-payment collections.

Maintains inventory of equipment and supplies.

Deposits monies for deposit into operating and imprest fund accounts.

Disburses funds to vendors from imprest fund accounts. Administers the disbursement of funds held in Judiciary trust accounts.

FIFTH JUDICIAL CIRCUIT
OFFICE OF THE CHIEF COURT ADMINISTRATOR

Reports to the Chief Judge of the Fifth Judicial Circuit.

Plans, directs, administers, coordinates and evaluates all administrative, business and support functions, operations and activities required to support judicial proceedings and judgments in a judicial circuit involving criminal, civil, family and probation matters; and oversees a multitude of circuit, family and district court programs within the judicial circuit through subordinate administrators, managers and supervisors.

Sets short- and long-term goals to accomplish the judicial circuit's objectives; formulates policies, procedures and controls relevant to the overall administration and practices of the judicial circuit's functions, operations and programs; implements policies and procedures to meet established guidelines; makes assessments on the overall effectiveness and efficiency of policies and procedures; and modifies/revises policies and procedures to attain maximum operational functioning levels, and provide optimal quality of services while meeting legal, regulatory and procedural requirements of the judicial circuit.

Participates in the development, implementation, assessment and modification of Judiciary-wide operational guidelines and procedures; develops short- and long-term goals and objectives for budget, program priority, staffing and technology forecasts, addressing major issues and exploring innovative ideas; and initiates research and studies aimed toward the continual improvement of the Judiciary's functions, operations, programs and services rendered.

Establishes and carries out extensive liaison responsibilities between organizational units, with other judicial circuits, judicial officials, administration; and with governmental, private, law enforcement and other external agencies in the interrelation and coordination of the judicial circuit's functions and programs supporting judicial proceedings.

Formulates legislative proposals; monitors legislative matters affecting the operations and services provided by the judicial circuit; and prepares and provides testimony involving such matters.

Oversees the development, implementation and evaluation of procedures and methods required to achieve the judicial circuit and program short- and long-term goals, and allocates necessary resources to organizational units.

Develops and maintains a sound management system; and oversees the Fifth Judicial Circuit's fiscal and accounting functions, to ensure the uniform delivery of services of the highest quality while providing and promoting the effective, economical and efficient utilization of resources.

Prepares and submits the judicial circuit's annual budgeting plan, as well as the biennium and supplemental budget requests. Oversees the judicial circuit's statistical/reporting requirements.

FUNCTIONAL STATEMENT

January 2001

FIFTH JUDICIAL CIRCUIT
OFFICE OF THE CHIEF COURT ADMINISTRATOR

Oversees and ensures the sound administration and execution of grants and purchase of service agreements used to provide necessary services supporting Fifth Judicial Circuit programs.

Sets the direction and makes recommendations on actions affecting subordinate administrative, supervisory and other personnel. Participates in confidential and sensitive matters affecting employer-employee relations; and consults with administrative officials regarding such matters.

Administrative responsibility over court services, programs and ancillary functions which support judicial proceedings for the Circuit Court of the Fifth Judicial Circuit.

FUNCTIONAL STATEMENT
ADMINISTRATIVE SERVICES BRANCH

Fiscal

Administers a support services program to assist the courts of the Fifth Judicial Circuit to address fiscal responsibilities to ensure proper fiscal management. These responsibilities include but are not limited to budget oversight, maintenance of subsidiary and control accounts, development and submission of required financial reports, maintenance of appropriated and non-appropriated accounts, vendor services, purchasing and procurement, payroll and appropriate tasks relating to accounts receivables and payables.

Law Library

Operates a legal reference library available to whomever need its resources to provide judges and the staffs of the courts and members of the public with information and materials related to legal research and judicial administration.

Estate and Guardianship Branch

Administers small estates and small guardianship program for the Fifth Judicial Circuit which includes the preparation of petitions, orders, notices, motions, affidavits, assignments, claims, receipts, and other legal documents in the initiation, administration, and distribution of estates.

Facilities Management

Provides and coordinates building maintenance services to buildings, structures, mechanical and electronic systems in the Fifth Judicial Circuit.

Provides janitorial and grounds keeping services to buildings and grounds of the Fifth Judicial Circuit.

Internal Support

Administers all contract and maintenance services of the courts including but not limited to:

Security systems, equipment, personnel and related resource requirements.

FUNCTIONAL STATEMENT
COURT USER SERVICES BRANCH

Adult Services

Administers programs for the delivery of adult services to assist the courts of the Fifth Judicial Circuit. This includes making recommendations to the courts, enforcing compliance with court orders, maintaining classification and information systems, managing purchase of service contracts, and maintaining contacts with community resources.

Juvenile Services

Administers programs for the delivery of juvenile, family, and conciliation services to assist the courts of the Fifth Judicial Circuit. This includes making recommendations to the courts, enforcing compliance with court orders, maintaining classification and information systems, managing purchase of service contracts, and maintaining contacts with community resources.

Drug Court

Administers programs for the delivery of adult and juvenile substance abuse services to assist the courts of the Fifth Judicial Circuit. This includes making recommendations to the courts, enforcing compliance with court orders, maintaining classification and information systems, managing purchase of service contracts, and maintaining contacts with community resources.

FUNCTIONAL STATEMENT **April 2005**
COURT AND OPERATIONAL SUPPORT SERVICES DIVISION

Administers court support, documents processing and traffic disposition activities in support of the courts of the Fifth Judicial Circuit.

Court Support Services Section

Administers court support activities which provide courtroom clerical, court reporting, and other support services to the courts of the Fifth Judicial Circuit. These support services are designed to aid in the disposition of general and limited jurisdictional criminal felonies, misdemeanors and petty misdemeanors, family proceedings, traffic (decriminalized and regular traffic criminal), and civil cases in the Fifth Judicial Circuit.

Documents Section

Administers the activities related to the receipt, processing, filing and retention of legal documents of all general, limited and family jurisdictional judicial matters, and estates and guardianship services of the Fifth Judicial Circuit.

Traffic Section

Administers the activities related to the disposition of traffic citations (criminal and decriminalized), and financial transactions relating to the disposition of traffic citations and cases.

Estate & Guardianship Section

Administers small estates and small guardianship program for the Fifth Judicial Circuit which includes the preparation of petitions, orders, notices, motions, affidavits, assignments; claims, receipts, and other legal documents in the initiation, administration, and distribution of estates.

OFFICE OF THE ADMINISTRATIVE DIRECTOR OF THE COURTS

The Office of the Administrative Director of the Courts primarily assists the Chief Justice in directing the administration of the Judiciary and in examining the administrative methods of the courts to determine and make recommendations to the Chief Justice for their improvement.

Administers statewide programs and activities relating to personnel management; planning and budget; fiscal; compilation and analysis of statistical data and reports; information and data processing; public information and dissemination; and facilities planning and maintenance.

Provides technical direction to the Chief Court Administrators and other managers relative to these programs and activities.

1. Directs the preparation of the Judiciary unified budget, six-year program and financial plan, and variance report; guides the budget through the legislative processes; and insures the proper execution of appropriate funds.
2. Performs all duties and responsibilities that are specified in Title 7, HRS, relating to employees of the Judiciary. Administers a statewide system of personnel administration, to promote public service and establish conditions of service; to develop and maintain a position classification plan; and to prescribe rules and regulations to carry out the provisions of the law.
3. Administers the financial and accounting system of the Judiciary including fiscal, payroll, procurement, and auditing functions.
4. Plans for the physical facility requirements of the courts; develops and promulgates facility standards; and coordinates and monitors all capital improvement projects.
5. Administers a uniform system for the collection, analysis, and reporting of management information and judicial statistics. Prepares and submits to the Chief Justice reports of activities and the state of business of the courts.
6. Examines and monitors the state of the dockets of the courts and advises the Chief Justice on appropriate action for effective calendar management.
7. Directs the formulation of short- and long-range plans for the orderly and coordinated development of the statewide court system.
8. Defines management information requirements to evaluate courts operations. Develops and establishes broad policy guidelines for, and administers a statewide Judiciary information system and data automation program to ensure court efficiency.

9. Provides technical assistance and administrative support to appellate and trial court programs including, but not limited to, the administration of grants, the development of court innovation projects, and special research studies as may be required.
10. Participates in the development and implementation of administrative policies and procedures. Attends to other matters as may be assigned by the Chief Justice.
11. Serves as the clearinghouse for the release of information to the media and the general public; serves as liaison to government agencies, the Bar, and other organizations
12. Serves as the official liaison for the court system with the Legislature; establishes and defines proposed legislation; administers the Judiciary's legislative program; and monitors and guides the Judiciary through the legislative processes.
13. Serves as liaison with the Department of Public Safety. Establishes guidelines for security of the courts, buildings and employees.

OFFICE OF THE DEPUTY ADMINISTRATIVE DIRECTOR OF THE COURTS

Assists the Administrative Director of the Courts in the administration of the Judiciary through subordinate administrators/managers.

JUDICIAL SELECTION COMMISSION

In accordance with Article VI of the Hawaii State Constitution, as amended, this non-partisan commission screens and submits nominees for judicial vacancies, and conducts hearings for retention of justices or judges.

This commission is attached to the Judiciary for administration purposes.

COMMISSION ON JUDICIAL CONDUCT

In accordance with Article VI of the Hawaii State Constitution, as amended, this commission investigates and conducts hearings concerning allegations of misconduct or disability of justices or judges.

Makes recommendations to the Supreme Court concerning the reprimand, discipline, suspension, retirement or removal of any justice or judge.

Also, in accordance with Rules of the Supreme Court, as amended, may render advisory opinions concerning proper interpretations of the Revised Code of Judicial Conduct.

This commission is attached to the Office of the Administrative Director of the Courts for

administration purposes.

INTERGOVERNMENTAL & COMMUNITY RELATIONS

Plans, directs, and coordinates the operations and activities in the Intergovernmental & Community Relations Department through subordinate program managers, and supervisors. Programs in this unit include, staff attorneys, public information, law library, alternative dispute resolution, volunteers in public service, equality and access to the courts, children's justice advocacy, public guardian, Judiciary History Center.

POLICY & PLANNING

Plans, directs, and coordinates the operations and activities in the Policy & Planning Department through subordinate administrators, managers, and supervisors. Programs in this unit include: budget, statistics, CIP, planning, program evaluation, internal audit, affirmative action and equal employment opportunity, legislative coordinating and special projects, administrative drivers's license revocation.

SUPPORT SERVICES

Plans, directs, and coordinates the operations and activities in the Support Services Department through subordinate administrators, managers and supervisors. Programs in this unit include: fiscal and support services, information technology and communications services.

HUMAN RESOURCES

Plans, directs, and coordinates the operations and activities in the Human Resources Department through subordinate administrators, managers and supervisors. Programs in this unit include: administrative services, labor relations, classification and pay, recruitment and examinations, worker's compensation, employee services, judicial and employee training and development.

POLICY & PLANNING DEPARTMENT

BUDGET AND STATISTICS DIVISION

Plans, develops and administers budget, statistics, purchase of service, and CIP activities within the Judiciary, State of Hawaii.

BUDGET BRANCH

Plans, organizes, directs and coordinates a Judiciary-wide program of budget preparation, analysis, evaluation, and execution. Analyzes and evaluates budget requests and coordinates the preparation of the Judiciary's program and financial plan and budget, variance report, budget testimony, and budget bill for submittal to the Legislature. Prepares additional justification and special reports needed to support the Judiciary's budget requests. Directs the preparation of short and long-term program expenditures and revenue forecasts. Defines the manner in which budget information is to be presented for review by program managers. Provides guidance to program managers on the development of work programs and expenditure plans to implement legislative and Judiciary policy on budget implementation. Evaluates program requirements and recommends redistribution of funds when necessary for the effective accomplishment of judicial business. Reviews and evaluates equipment requests and recommends approval or disapproval. Coordinates with CIP Coordinator to insure that CIP funds are allocated in accordance with planned schedules and priorities. Monitors the movement of proposed legislation affecting the Judiciary's budget and program and financial plan. Coordinates, reviews, analyzes, evaluates, and makes recommendations on the Judiciary's multi-year program and financial plans and Judiciary budget. Reviews, analyzes, evaluates, and monitors the expenditures of programs to assure conformance with authorized fund allocations and to make recommendations relating to the allocation or reallocation of resources. Advises and monitors compliance with budget execution policies and procedures by Judiciary program managers. Reviews requests for allotment of funds and requests to transfer funds between programs. Participates with court fiscal officers and Financial Services Division in the review and development of the Judiciary's six year plans of the purchase of service program. Participates in the development of rules relating to the Judiciary's purchase of service program. Coordinates the Judiciary's monitoring efforts over purchase of service providers, including the monitoring of provider activities, progress reports and compliance with terms of their contracts with the Judiciary. Develops the timetable for the preparation, review, compilation submittal of the Judiciary's purchase of service budget to the Legislature. Monitors the movement of proposed legislation affecting the Judiciary's budget and purchase of service program. Assists in the preparation of testimony outlining the position on purchase of service legislation.

STATISTICS BRANCH

Plans, develops and maintains a system for the Judiciary's uniform statistical information. Analyzes the effects of state and federal laws on the statistical information

system and insures that the kinds of data collected and studies being undertaken are in full compliance with legal requirements. Conducts specialized research and statistical analysis phases of court operations. Designs and revises tables and reporting forms to generate pertinent statistical information from the different reporting units. Evaluates the existing statistical information system to identify deficiencies in the system. Conducts validation and reliability studies to verify the accuracy and consistency of data reported on the statistical information system. Develops new and revised policies and procedures governing statistical activities. Prepares tables, charts, graphic displays, and other relevant information on case courtload activity for publication in the Judiciary Annual Report. Provides statistical data and descriptive information on the courts' caseload for presentation in the Judiciary's Budget and Variance Report. Prepares court caseload data reported for computer processing and disseminates caseload summary reports to program managers. Develops, revises, and updates the Judiciary management information system instruction manuals. Develops and conducts training programs for court personnel on the case management information system. Develops new statistical reporting systems for programs. Provides technical assistance and consultation service to program administrators and other court personnel engaged in statistical research and survey projects. Maintains liaison with users of the management information system within the Judiciary and with other governmental agencies and organizations.

CAPITAL IMPROVEMENTS BRANCH

Participates in the development, administration, and evaluation of capital improvement projects throughout the Judiciary. Controls and coordinates Judiciary capital improvement projects. Reviews proposed rental and lease agreements for all Judiciary facilities statewide. Monitors projects concerned with the maintenance, repair, renovation, and improvement of Judiciary buildings statewide. Initiates and monitors the procurement and execution of contracts for facility leases, renovations, and capital improvement projects. Provides technical expertise in engineering and architectural matters to Judiciary administrators and managers. Prepares and reviews designs, construction plans, timetables and cost estimates, lease agreements and material specifications and recommends approval or disapproval. Serves as liaison between the Judiciary and state and county agencies on the development of capital improvement projects. Coordinates the work of private consultants on planning projects and in the preparation of construction plans, cost estimates, and specifications for individual buildings and complexes of buildings and facilities. Monitors the status of capital improvement project appropriations.

REPAIR & MAINTENANCE OFFICE

Works with the CIP Branch to maintain, repair, renovate, and improve Judiciary buildings statewide

PLANNING & PROGRAM EVALUATION DIVISION

Plans, develops and administers planning and program evaluation activities within the Judiciary.

PLANNING BRANCH

Directs and coordinates the promotion of comprehensive planning, including the development of the conceptual framework upon which planning is to be implemented. Directs, coordinates and implements short- and long-range planning efforts for court security and employee safety programs, policies and procedures. Facilitates the development of overall strategic plans for the Judiciary in consultation with the Chief Justice, the Administrative Director of the Courts, the Deputy Director, and key court officials. Assists and advises programs in initial planning efforts designed to lead them toward the development of their own planning capabilities and the enhancement of the overall efficiency and effectiveness of their operations. Participates in and conducts planning and conferences and workshops for program managers and other court administrators to guide, assist, and facilitate the formulation of plans which are consistent with the Judiciary's general plan. Promotes effective working relationships with other states, governmental agencies, and professional organizations, and the academic community on matters relating to the Judiciary, judicial administration, and court planning. Provides research and other specialized services to the Chief Justice, the Administrative Director of the Courts, and to other key administrators. Engages in futures research and emerging issues analysis to discover and study trends and issues that may impact the future of the Judiciary. Assists and encourages new and existing research and development to improve judicial and administrative services to the courts. Assists management in the formulation of legislative and administrative proposals as necessary for the execution of plans and recommendations. Develops and coordinates grant applications for projects which conform to and further Judiciary goals and which maximize the benefits from external sources of funding. Encourages research on and development of innovative court improvement projects and programs. Serves as the clearing house for the coordination and evaluation of potential impacts of state and county project proposals on the current and future plans of the Judiciary. Maintains a library of journals and publications, special studies and reports, and other reference materials in support of research activities on court management. Maintains liaison with Judiciary agencies to facilitate planning, and employee safety programs and other governmental grants management for court security.

PROGRAM EVALUATION BRANCH

Evaluates the need for and the placement of new programs in the Judiciary. Evaluates the current placement of Judiciary programs to determine if programs should be placed with another court or division. Designs program development policy, procedures, and standards to help guide Judiciary personnel in deciding when programs should be initiated, continued, or dropped. Evaluates programs to determine whether intended beneficiaries are being reached by the program, whether the design of the program is adequate, and whether the installation of a program is adequate. Explores and screens alternatives that could potentially improve judicial services. Provides data on the need

for new programs and collects, reviews, and analyzes program data and information for proposed, planned, and recently developed court programs, projects, and services. Reviews and recommends whether new, as well as, existing programs and services are appropriate to the fundamental mission and role the Judiciary or whether these functions could be performed more efficiently, effectively, and economically by another public or private agency. Monitors, reviews, and evaluates new programs, projects, and services to determine how well new programs are functioning and assess how well program goals, objectives, and tasks are being met. Provides assurance that ongoing programs are the result of deliberative decision making processes. Facilitates the development of time standards for case processing. Conducts specialized research and analysis in selected phases of court operations to determine program viability and/or continuity.

INTERNAL AUDIT OFFICE

Conducts investigations and audits of accounting, reporting, and internal control systems established and maintained in the Judiciary. Administers a Judiciary-wide audit program to ensure coordination and consistency in the review and evaluation of financial records. Conducts internal post-audits of Judiciary programs to ensure that accounting and internal control systems adhere to prescribe policies, procedures, and generally accepted accounting principles. Ensures compliance with program requirements mandated by federal grants and other private and governmental agencies. Suggests and recommends improvements to accounting methods and procedures to achieve efficiency in fiscal operations. Investigates alleged violations of State law and Judiciary rules and regulations. Coordinates management and financial audits mandated by the Legislature and other private and governmental agencies. Provides audit and audit-related services to management and programs to aid in the attainment of efficient and effective organizational objectives.

AFFIRMATIVE ACTION/EQUAL EMPLOYMENT OPPORTUNITY OFFICE

Provides advice and technical assistance to ensure Judiciary's compliance with civil rights laws. Provides advice and technical assistance with regard to equal employment opportunity and affirmative action. Develops, implements and monitors the Judiciary affirmative action plan as required by law. Acts as the Judiciary ADA coordinator as required by law to include review and modification of policies, procedures, plans to be in compliance with the requirements of the ADA in respect of employment and access to program and services by persons with disabilities. Establishes and implements discrimination complaint procedures and where appropriate investigate, conciliate and make recommendations regarding complaints of discrimination. Provides educational materials and training to all Judiciary employees to prevent unlawful discrimination including sexual harassment. Responds to official complaints of discrimination filed with enforcement agencies such as the Hawaii Civil Rights Commission and the U.S. Equal Opportunity Commission and the Department of Justice.

LEGISLATIVE COORDINATING/SPECIAL PROJECTS OFFICE

Coordinates the legislative activities and functions of the Judiciary's legislative team. Researches, drafts, and provides commentary and/or testimony for the legislative package. Reviews testimony prior to presentation to the Legislature. Attends decision-making committee meetings concerning bills of interest to the Judiciary. Monitors bills and hearing notices to keep apprised of those which affect the Judiciary.

ADMINISTRATIVE DRIVER'S LICENSE REVOCATION OFFICE (ADLRO)

Implements the provisions of HRS Chapter 286 Part XIV. Within strict statutory time constraints, ADLRO conducts reviews and requested hearings related to the revocation of driving privileges of drivers arrested for driving under the influence of alcohol (DUI). The proceedings are specifically separate and apart from any criminal matters which may arise from the same DUI arrest. ADLRO issues review and hearing decisions and determines the period of revocation to be imposed, according to statutory minimums. For arrestees who have voluntarily submitted to a breath and/or blood alcohol test and who are first time offenders, i.e., arrestees whose driving histories are clear of any prior alcoholic enforcement contacts, ADLRO may also grant a request for a conditional driving permit. At present, this request must be related to the arrestees ability to continue with his or her employment and/or inability to access alternative transportation to drive to and from work. ADLRO makes entries into the Judiciary and City and County computer systems at various stages in the process so as to advise all related agencies regarding the status of an arrestee's matter. All hearings are tape recorded, and along with all other arrest documents, preserved for record keeping and appeals.

INTERGOVERNMENTAL/COMMUNITY RELATIONS DEPARTMENT

STAFF ATTORNEY'S OFFICE

Plans, directs, and coordinates state-wide legal and technical counsel for the Judiciary. Serves as legal advisor to the Chief Justice, the Administrative Director of the Courts, and Judicial committees, providing advice on matters impacting on court operations, the legal community, the general public, and the State of Hawaii's legal and judicial system. Plans, develops, and coordinates policies and procedures affecting the administrative functions of the Judiciary. Confers with Judiciary personnel on various legal matters such as ramifications of Judiciary rules and procedures, individual court procedures, legal effects of present and proposed activities, proposed legislation, and statutory case law. Reviews program material originating from the different Judiciary divisions for legal soundness and accuracy, insuring that policies, procedures, and regulations are consistent with the intent of the law and are administratively sound, efficient, and economical in operation. Coordinates the monitoring and review of cases in which the Judiciary is a party. Represents the Judiciary as legal counsel in all legal proceedings where the Judiciary is a party. Reviews, analyzes, and interprets documents affecting the administration of the Judiciary including contracts, leases, rules and procedures, and makes recommendations on these matters to the Administrative Director of the Courts and confers managers and executives on legal matters. Provides guidance and technical and specialized legal expertise in all procedural matters. Reviews and coordinates with program managers the implementation of changes in court operations due to legislative decisions. Researches, drafts, and provides commentary and/or testimony for the Legislative package. Reviews Judiciary publications, except the rules of court, for legal accuracy. Meets with citizen groups, bar committees, and judicial groups to assist with Judiciary concerns, making presentations to such groups concerning Judiciary functions and activities.

PUBLIC AFFAIRS OFFICE

Administers a Judiciary-wide public affairs program. Establishes goals and objectives for the public affairs program. Develops Judiciary policies and procedures for media relations. Provides support and serves as advisor to the courts and to program administrators on matters involving media relations and public affairs including the promotion and publicity of Judiciary services and programs. Acts as spokesperson for the Judiciary and contact point for the media, and advises Judiciary representatives on how to effectively respond to difficult or controversial matters posed by the media. Responds to news reporters' requests for information, interviews, access to the courts, and other assistance. Researches, writes, and disseminates news releases and media advisories that inform and educate the public and the media about the Judiciary, its programs and projects. Coordinates Judiciary news conferences, including the planning and conduct of news conferences, promulgating announcements and materials for media use, and preparing individual Judiciary representatives for participation in the news conference. Assesses complicated, complex, or sensitive issues and develops effective responses to situations. Assists and supports the work of the news media by

responding to inquiries, providing assistance in arranging interviews and tours, and making available educational and resource materials on the Judiciary to facilitate media coverage of the Judicial system. Coordinates the camera-in-the-courts program. Maintains good working relationships and credibility with representatives of the news media. Supervises the work of the informational services and complaints services staff. Publishes the Judiciary's annual report detailing the events and highlights of the completed fiscal year. Publishes "Aha'ilono," the bi-monthly newsletter which reports on current developments concerning the Judiciary. Publishes informational brochures, flyers, posters, and other materials that provide the users of the courts, schools, and the general public with information on Hawaii's judicial system and the various programs and services of the Judiciary. Prepares statements, speeches, and public addresses for the Chief Justice, Administrative Director of the Courts, and various judges and court officials for a wide range of events, including conventions, news interviews and conferences, and other public speaking engagements relating to the Judiciary. Receives complaints from individuals and determines what are the appropriate offices to advise of the complaint and what actions may be required. Responds to questions regarding the mechanics of the judicial process which may apply to an individual's problem. Communicates information and responses to complainants and refers people to other appropriate government agencies and community organizations. Provides feedback to the courts and administration regarding the public's view of the Judiciary, maintains records, identifies likely problem areas within the courts system, and recommends corrective actions.

JUDICIARY HISTORY CENTER

Serves as a permanent education and research facility administratively attached to the Judiciary since 1990. The Center serves the public through exhibitions, research, collection, and other educational activities focusing on Hawaiian concepts of law and the development of a western judicial system. The Center's mission is to inform and stimulate awareness and appreciation of Hawaii's legal history.

SUPREME COURT LAW LIBRARY

Administers the state-wide law library system of the Judiciary, State of Hawaii. Plans and coordinates the central law library collection located in the Supreme Court Law Library, circuit and district court branch libraries in the Second, Third, Third-Kona, and Fifth Judicial Circuits, and collections of the justices, judges, and support services. Serves as staff assistant on law library matters to the administration. Analyzes present and future needs of the various law libraries for staff space, equipment, and services requirements. Develops, reviews, and revises policies and procedures for reference, circulation, cataloging, records keeping, and records management, and provides guidelines for management in branch libraries. Develops short and long-range budget forecasts and prepares budget requests. Administers a law library public relations program designed to reduce customer complaints and increase patron satisfaction with law library services. Develops and administers a program for providing technical guidance to branch libraries. Provides legal reference and information services to

justices, judges, attorneys, legislators, other public officials, and the general public. Answers difficult reference questions and searches literature on specific subject. Administers a state-wide program for the selection and purchasing of legal books, law reviews, and services to support the Judiciary's legal research requirements. Arranges for and maintains exchange programs with other states and vendors. Researches and prepares replies to inquiries from in-state and out-of-state government agencies, private agencies, and individuals on Hawaii law and administrative functions of the state Judiciary. Prepares recommendations in areas of judicial administration if requested by the administration, and participates in a staff capacity in special projects. Administers the Judiciary-wide purchase of legal reference materials for the libraries of the state Law Library System, appellate conference rooms, justices' chambers, and judges' chambers. Receives and distributes orders and purchases and processes invoices for them. Manages a program for the purchase and procurement of equipment and supplies for the Supreme Court Law Library. Maintains the Supreme Court Law Library System's budgetary accounts and records. Posts and balances journals and ledgers and reconciles accounts. Communicates with vendors regarding purchase orders and follows-up on end-of-year open orders. Checks vouchers and records changes to accounts. Maintains records of monthly expenditures to determine status of funds. Maintains monthly money account records for book purchases. Supervises the physical inventory of equipment and furniture. Purchases, procures and prepares remittances for Supreme Court Law Library materials, supplies, and equipment. Reviews and processes requisitions for purchases for the Supreme Court Law Library and book purchases for branches in the appellate court, circuit courts, and district courts. Maintains files of book orders placed and reviews invoices received under separate cover. Submits contingency purchase requests or bid-waivers and prepares written specifications for bid items. Prepares financial statements and reports based on data from various daily accounts and other sources. Prepares and processes payroll information. Maintains the petty cash fund. Assists in preparing budget estimates. Provides Supreme Court Law Library and branch library staff advice and assistance on fiscal procedural matters.

PUBLIC SERVICES SECTION

Provides legal reference, reader, advisory, circulation, and inter-library loan services. Confers with the Supreme Court Law Librarian on the development and evaluation of programs and policies to meet the law library's objectives. Assists patrons with legal reference and research questions. Orients and trains patrons and Judiciary staff in the use of printed and on-line library resources. Searches WESTLAW data bases for circuit and district court judges in Second, Third, and Fifth Judicial Districts. Provides consultative services to library technicians in satellite libraries in the Second, Third, and Fifth Judicial Circuits. Provides professional guidance on legal reference and circulation services to the staffs of other libraries and to other interested persons. Formulates and implements approved policies and procedures. Recommends revisions to public service policies and standards, and participates in long-range planning for expansion of services and improvement of facilities. Maintains circulation statistics and records. Develops and implements policies and procedures for providing inter-library loans and

acquires reference materials from other sources if such materials are not found in the Supreme Court Law Library. Locates, evaluates, selects titles to meet the special needs of the state Law Library System in consultation with the Supreme Court Law Librarian. Suggests withdrawal of superceded and out-of-state materials, recommends replacement of additional copies of essential resources, confers with the Technical Services Section on shelf placement or location of special titles and series, coordinates with the Office of the Lieutenant Governor regarding the receipt and distribution of Hawaii statutory material, and informs judges, Judiciary support Staff, and attorneys of recent acquisitions. Coordinates the ordering and issuance of the Hawaii Rules of Court and amendments thereto with the Supreme Court Staff Attorney and the Reprographics Center. Supervises the distribution, sale, updating, replacement, and inventory of subscription sets and pamphlets. Reviews and analyzes computer output on subscription files and suggests revisions in computer applications. Develops procedures for the distribution, notification, and sale of miscellaneous Supreme Court publications. Organizes and supervises the distribution and sale of statistics and records. Formulates procedures for on-line indexing and retrieval of slip opinions, advance sheets, and memorandum opinions of the Hawaii appellate courts. Prepares indexing of the Hawaii Bar Journal, Hawaii Bar News, and University of Hawaii Law Review for input into HO'IKE.

TECHNICAL SERVICES SECTION

Provides Judiciary-wide technical library services and in conjunction with the Supreme Court Law Librarian reviews and evaluates technical library services programs and policies. Prepares descriptive and subject cataloging for library materials for the Judiciary-wide library system. Maintains records of library holdings and collates and submits statistics on activities of the law library. Coordinates the HO'IKE networking program and the organization and maintenance of on-line data with three other Judiciary libraries. Provides instructional and consultative services relating to technical library services to all seeking such services.

CENTER FOR ALTERNATIVE DISPUTE RESOLUTION

Implements and maintains a program of dispute resolution services for cases involving public conflict, cases designated by the civil courts as complex, matters pertaining to standards or rules and other cases referred by judges, court administrators, legislators, or other government officials. Advises the Judicial Arbitration Commission regarding the Court Annexed Arbitration Program. Manages and evaluates the Judiciary's purchase of service contract with private non-profit community-based mediation centers throughout the state. Provides technical assistance and consultation to the Judiciary and other government departments and administrative agencies that are considering ways of adding alternative dispute resolution protocols to their existing rules and procedures. Disseminates alternative dispute resolution information to judges, court administrators, state and local government agencies, and to the general public through speeches, participation in panel discussions, representation at symposiums and newsletters. Maintains a library of state of the art information regarding alternative

dispute resolution methods and applications. Provides training and educational assistance to state and county government interested in strengthening their alternative dispute resolution capabilities. Assists in evaluating government-based ADR programs.

CHILDREN'S JUSTICE CENTER

Develops, achieves, and maintains interagency and interprofessional cooperation and coordination in the case management of intrafamilial and extrafamilial child sex abuse cases throughout the Judiciary. Obtains evidence useful for criminal prosecution and protective actions in civil proceedings. Develops ways, means, and strategies to reduce to an absolute minimum the number of interviews of child sex abuse victims. Coordinates therapeutic and treatment programs for child sex abuse victims and their families. Provides multidisciplinary and case management approach focused on alleged or suspected child abuse victims's needs and conditions, supportive family members, and for law enforcement and prosecutorial needs. Administers a statewide program for the training and continuing education of skilled professional interviewers of child sex abuse victims. Serves as the focus point of information and referral for child sex abuse programs in Hawaii and as a source of information for other programs nationally. Negotiates and administers agreements with county police departments, county prosecuting attorneys, attorney generals, human services, and other public and private agencies, and military services, for the temporary assignment to the program of personnel from these agencies. Negotiates and administers statewide contracts for the provision of specialized training and education for interviewers of child sex abuse victims from public and private agencies. Arranges for interviews of child sex abuse victims at appropriate meetings. Coordinates therapeutic and treatment services by public and private agencies for child sex abuse victims. Coordinates the flow of information between agencies responsible for criminal prosecution and agencies responsible for protective action in civil proceedings. Arranges for the exchange of information on child sex abuse programs and issues in all circuits. Develops recommendations and plans of action to assist public and private agencies involved in child sex abuse cases. Prepares and maintains records and reports for the child sex abuse program. Establishes procedures to assist agencies in obtaining evidence useful for criminal prosecution and protective action in civil proceedings. Works with county and state agencies to improve handling of child sex abuse cases, including informing, educating, and lobbying for needed legislative changes.

OFFICE ON EQUALITY AND ACCESS TO THE COURTS

Administers a statewide program addressing equality and accessibility in the justice system. Develops, conducts and coordinates research and educational programs on equality and access issues including those affecting limited and non-English speaking individuals for the Judiciary and the legal community. Reviews, proposes and/or recommends policies pertaining to equality and access to the courts for the Judiciary and the legal community.

VOLUNTEERS IN PUBLIC SERVICE OFFICE

Administers the Volunteers in Public Service to the Courts (VIPS) program within the First Judicial Circuit. Provides staff advice and assistance to VIPS in the Second, Third, and Fifth Judicial Circuits. Develops volunteer opportunities into specific job activities for citizen participants. Recruits, screens, trains, assigns, and supervises volunteers. Provides court staff training on how to use and supervise volunteers. Maintains a centralized registry of volunteers in the Judiciary containing such information as job assignments and performance reports for future job reference and workers compensation and tort liability claims. Coordinates and conducts public orientation of the Judiciary and exposure to court proceedings. Arranges for and supervises such volunteers as one-to-one companions, tutors, case aides, clerical aides, bailiff aides, court orientation guides, community service sentencing aides, newsletter reporters, volunteer law clerks, social service aides, and information guides.

OFFICE OF THE PUBLIC GUARDIAN

Administers the Judiciary's public guardianship program for mentally incapacitated adults statewide. Serves as permanent, temporary, limited, or testamentary guardian of the person. Coordinates public guardianship petitions. Maintains the master calendar for public guardianship hearings and annual reports to the courts. Advises and assists persons and agencies seeking appointment as guardians. Advises and assists persons and agencies in the discharge of their duties as guardians. Assists the court as the court may request or direct in proceedings for the appointment of a guardian of the person. Initiates and participates in the formulation of guardianship policies and procedures. Researches and develops standards for the guardian's roles and responsibilities. Serves as a clearinghouse for guardianship information, referral, and technical assistance. Drafts written material on the guardianship petitioning process and alternatives to guardianship and disseminates these to social workers, family members, and interested parties. Researches the medical, family, educational, and financial background of the ward. Evaluates the appropriateness of public guardianship referrals received from nursing homes, hospitals, care homes, and individuals. Monitors the ward's care and welfare. Provides consent for education, medical treatment, and placement of the ward. Signs contracts on behalf of the ward. Completes ward's income tax returns. Disposes of the ward's personal belongings. Arranges funeral plans and oversees the ward's monies when no guardian of the property has been appointed.

SUPPORT SERVICES DEPARTMENT

Financial Services Division - Administers a Judiciary-wide financial management program over assets, liabilities, revenues, expenditures, including payroll; administers a Judiciary-wide program for the procurement of goods and services; administers a records management service which operates and coordinates the Judiciary-wide system of control, retention, storage and access to court and administrative records and microfilm services; and provides reprographics services.

Information Technology & Communications Division - Administers and delivers information technologies and communications services that supports Judiciary's line and management operations.

FINANCIAL SERVICES DIVISION

FISCAL SERVICES BRANCH

Supervises fiscal programs consisting of accounting, pre-audit, payroll, and systems accounting. Manages a system of accounting controls over Judiciary assets. Manages a system of pre-audit to validate claims against the Judiciary before payment is effected. Manages a Judiciary-wide payroll system. Manages the preparation, revision, and distribution of the Judiciary Financial Administration Manual.

ACCOUNTING SECTION

Maintains an accounting system for controlling Judiciary assets, liabilities, revenues, and expenditures. Prepares interim, annual, supplemental, and special reports of Judiciary financial operations. Assists in the formulation of financial management policies and procedures. Responds to inquiries about accounting policies and procedures. Analyzes and evaluates funds held in a trustee capacity and makes recommendations for the management and investment of those funds. Reviews claims for the payment of goods and services, and insures that payments do not violate law or administrative policies and procedures. Resolves questionable claims by investigating the circumstances surrounding those claims and presenting findings and recommendations to the approving authority. Responds to inquiries about specific claims and on interpretations of law and administrative policies. Assures that conforming and contingency purchases conform to administrative procedures. Responds to inquiries regarding purchase transactions and procedures. Maintains the Judiciary property inventory system. Manages the Judiciary risk management and insurance program and acts as a central clearinghouse for insurance claims and reports of losses or damages.

PAYROLL SECTION

Manages the Judiciary-wide payroll system. Coordinates the processing of all payroll documents within the Judiciary and assures that those documents are forwarded to the state central payroll processing agency. Responds to inquiries regarding payroll transactions and procedures. Develops training instructions for Judiciary to insure consistent application of payroll rules and regulations. Revises and distributes the Judiciary Financial Administration Manual. Answers inquiries on the interpretation of the manual. Conducts and coordinates training to implement the Judiciary Financial Administration Manual and changes thereto.

CONTRACT AND PURCHASING BRANCH

Manages the Judiciary-wide purchasing program. Develops and procures bids, specifications and drafts contracts, prepares invitations and otherwise processes all bidding and advertising matters. Assures that purchases are made through the centralized purchasing system when practical and economical.

REPROGRAPHICS CENTER

Provides design, printing, and binding services to Judiciary organizations. Operates offset and letter presses to produce leaflets, circulars, catalogs, documents, office forms, and other materials. Assures that completed work is delivered or picked-up to appropriate Judiciary organization. Provides cost estimates on the preparation and publication of Judiciary documents. Develops design and layout for publications and prepares camera ready paste-up using desktop publishing equipment.

RECORDS MANAGEMENT OFFICE

Administers a program to maintain accurate and complete court records. Plans, directs, and manages a centralized court records management system which includes reproduction, retention, control, storage, and destruction. Reviews, develops, and implements a state-wide records retention schedule. Reviews laws, rules, and regulations pertaining to records retention and custody and initiates action to comply with requirements or to effect procedural improvements. Reviews and evaluates present processing procedures and recommends enhancements. Participates in long-range planning involving such matters as storage facilities, purchase of new equipment, technological advancements, and implementation of policies and procedures. Develops and executes budgets for records management. Microfilms court records, inspects microfilmed documents, maintains a film library for reference and reproduction. Provides information and reference services from court records to court personnel, attorneys, and the general public and renders technical assistance.

ADMINISTRATION FISCAL OFFICE

Serves as division fiscal officer to the various program components within the organization of the Administrative Director of the Courts. Operates an accounting system for the divisions under the Administrative Director of the Courts and assists those divisions with budget preparation, conducts annual physical inventories, and assures compliance to purchase, payment, and payroll policies and procedures. Processes and files personnel, travel, OSHA, and leave forms. Develops and tests software applications for use in various fiscal offices in conjunction with the Information Technology and Communications Division.

JUDICIARY INFORMATION MANAGEMENT SYSTEMS (JIMS)

Reviews and researches legislation and applicable case law to determine legal basis, evaluate case processing procedures, and conduct workflow analysis. Identifies potential workflow problems and recommends changes to procedures to facilitate conversion to automation.

Conducts analysis and studies of the JIMS business processes and performance levels; addresses and resolves court integration issues, and issues reports and recommendations on findings.

Designs and prepares court forms and documents for use with automated processes and statewide court automation software.

Researches, drafts, indexes, updates, and maintains all documentation for all JIMS business processes including procedural and workflow manuals, coding and validation tables, policies and directives. Conducts research, analysis, and makes recommendations to changes in documentation whenever statutory, rules, policies or procedural changes have occurred.

Researches and develops, schedules and conducts new and remedial staff development and training in the JIMS business processes; researches, develops, revises, and maintains training materials.

Troubleshoots and resolves user problems and issues.

Works with and assists Information Technology & Communications Division (ITCD) staff as needed to provide technical systems support; conduct systems analysis, design, programming, administration, and configuration of computer hardware and/or software related to JIMS; design, write, maintain, document, and test programs, queries; monitor and maintain database components; etc.

Researches and drafts recommendations for policy, process, and legislative changes to ensure Judiciary-wide uniformity, standardization, consistency, and efficiency of business processes. Prepares requests for proposal and/or grant proposals for JIMS.

Prepares analysis and reports on performance and modifications of JIMS during a biennium; submits report to Executive Committee on Technology.

Functional Statements 01/08

INFORMATION TECHNOLOGY & COMMUNICATIONS DIVISION (ITCD)

Serves as the central information technology and telecommunications service organization of the Judiciary. Plans, organizes, directs, and coordinates the Judiciary's statewide information technology and telecommunications program, resources, and services. Provides advice, guidance, and assistance to all Judiciary courts and administrative units relating to the concepts, methods, and use of information and telecommunication technologies and equipment. Provides assistance to users as well as provides services in systems development and maintenance services for all computer based applications. Coordinates all hardware and software planning, acquisition, development, implementation, and maintenance to ensure Judiciary-wide compatibility of information technology and telecommunications resources.

OFFICE OF THE CHIEF INFORMATION OFFICER

Plans, directs and coordinates Judiciary-wide activities relating to information technology and telecommunications processing; systems development and maintenance services for all computer-based applications; and all hardware and software planning, acquisition, development, implementation, and maintenance to ensure Judiciary-wide compatibility of information technology and telecommunications resources. Provides advice, guidance and assistance to top-level administrators and judges in the efficient utilization and application of information technology; plans, coordinates and directs the development of program policies, procedures, and methods to improve operational areas; plans and coordinates activities relating to studies, research, preparation of legislative proposals and testimonies; and plans and directs the personnel and financial requirements for accomplishing program goals and objectives.

STRATEGIC PLANNING & PROJECT MANAGEMENT OFFICE

Functions under the general direction of the Chief Information Officer (CIO); coordinates the development and update of the ITCD Business Plan; prepares and assists in the development of strategic, tactical, and operational plans to achieve ITCD goals and objectives; monitors the progress and status of all information technology, telecommunications, and security system projects undertaken by ITCD; researches new technologies which may enhance, improve or affect ITCD services, operations, and/or security; conducts post-implementation and quality assurance evaluations of projects, including performance measurements and cost savings; develops policies, procedures, standards, and guidelines relating to computer and network security, project management, quality assurance, bid specifications, request for proposals and contracts, etc.; and reviews and coordinates all system implementation/development projects.

SYSTEMS SERVICES BRANCH:

Responsibilities: Provides for the smooth, efficient on-going operation, including monitoring, tuning and upgrading, of the Judiciary's centralized computer infrastructure. Includes all computing platforms including mainframe computer, AS/400, RS/6000, Wang VS and the JIMS server infrastructure. Serves as Helpdesk and provides PC/LAN Support.

- Application system security maintenance
- Computer system administration
- Computer Room operations
 - Monitor IT infrastructure
 - System backup
 - Computer room facilities management
 - Maintenance Contract Administration
- Technical support for hardware, software, and operating system tuning and upgrades.
- PC/Lan Support
- Internal and External User Help Desk Support

System and Security Administration Section

Serves as the primary systems and security administrators for the court services computer infrastructure. Maintains the technical expertise to provide higher level helpdesk support for the infrastructure.

Operational Support Section

Serves to maintain the operations of the court services computer infrastructure. This includes monitoring, trouble call initiation, backups, maintenance, supply ordering, and initial level help desk support along with the User Support Section.

User Support Section

Serves as the primary initial level help desk support group. Also provides user training, installation of hardware, software, upgrades and support services for other ITCD branches.

APPLICATIONS SERVICES BRANCH:

Responsibilities: Provides technical expertise and supports applications that service the courts, associated court programs, and administrative programs of the Judiciary. (Includes the applications, supporting utilities, hardware, and operating

systems.)

- Court applications
- Office applications like Lotus/Domino/WebSphere (Notes, Sametime, Quickplace, portal, web applications)
- Human Resource Systems
- Fiscal/Budget Systems
- Non-court-related Systems
- Database Administration

Office Applications Support

The Office Applications Support area provides technical expertise in supporting office applications such as Lotus Notes (email), Domino collaboration tools, WebSphere, and Internet/Intranet web applications; provides software and hardware infrastructure support; provides support on mobile communication devices; provides advice and technical assistance to other court programs and non-court related systems.

Application Support 1

The Application Support 1 area provides technical expertise in programming and supporting the Judiciary's Fiscal/Budget applications, Human Resource applications, and various other court and administrative applications; provides advice and technical assistance to other court programs.

Application Support 2

The Application Support 2 area provides technical expertise in programming and supporting the various Family Court applications; provides advice and technical assistance to Family Court and other state agencies.

Database Administration

The Database Administration area provides technical expertise in the administration of mainframe databases such as ADABAS needed for legacy court systems, as well as multi-platform Oracle databases needed for JIMS.

TELECOMMUNICATION SERVICES BRANCH:

Responsibilities: Provides technical expertise and supports Judiciary-wide telecommunications infrastructure and end user services.

- Judiciary-wide telecommunications infrastructure for both voice and data
 - Wide-Area Network
 - Local-Area Network
 - Voice System
 - Videoconferencing
- End User services
- Technical support for telecommunications infrastructure hardware, software, and operating system tuning and upgrades.

TELECOM SUPPORT 1 AND TELECOM SUPPORT 2 SECTIONS:

Plans, designs, engineers, and manages the telecommunication and network services to the Judiciary. Provides voice, data, and video telecommunication services to the Judiciary; provides expertise in hardware, software, and transmission facilities necessary for the establishment and proper functioning of voice, data, and video telecommunications systems and networks in the Judiciary.

Provides technical expertise in planning, developing, and implementing voice, data, and video communications systems and networks; develops and implements procedures to measure, forecast, and simulate communications capacity; analyzes network usage; assesses and analyzes the short- and long-term demands for various network services; develops project plans for implementation of networks and services for Judiciary; evaluates the Cost-effectiveness of these networks and services; provides program services for video and voice communications systems; and, provides Courts and support divisions with appropriate Network Planning and Program services.

Provides technical expertise in hardware, software, and transmission facilities necessary for the establishment and proper functioning of voice, data, radio, and video communications networks, including the Network Management System for data communications networks, Civic Center Local Area Network, closed-circuit video communications, internetwork video bridge, video conference center network, microwave systems and satellite systems. Designs and implements Judiciary telecommunication networks, including the Judiciary telephone systems, data communication networks, video conferencing throughout the State; interfaces with the State of Hawaii Department of Budget and Finance (DB&F) Information and Communication Services Division (ICSD) on the suballocation of the Hawaii Wide Area Integrated Information Access Network (HAWAIIAN) microwave frequencies into subchannels; internetworks the Judiciary communications systems with the other governmental jurisdictions; and reviews network capacity, network switching, terminal device, switching equipment, transmission design, etc.; provides Courts and support divisions with appropriate network engineering services.

HUMAN RESOURCES DEPARTMENT

OFFICE OF THE HUMAN RESOURCES DIRECTOR

Formulates and administers a system of human resources administration including recruitment and examinations, position classification and pay administration, benefits and transactions, employee services, management-labor relations, workers compensation, and interpretation of personnel-related laws, rules, and regulations for all non-judicial personnel within the Judiciary. Prepares and administers a budget for the department. Conducts studies of the non-judicial organization of the courts for the purpose of improving the administration and business of the courts.

EMPLOYEE SERVICES DIVISION

Defines the requirements for and administers Judiciary-wide programs for the processing of personnel actions, insuring that personnel actions comply with state and federal personnel laws, Judiciary personnel rules and regulations, negotiated labor-management agreements, and executive orders. Processes appointment, promotion, transfer, demotion, separation, and other personnel actions. Audits personnel actions to insure compliance with applicable laws rules and regulations. Establishes and maintains a system of management and control over the exempt services, including reviewing requests for exemption from civil service coverage and recommending approval or disapproval based on employment laws. Ensures compliance with personnel laws, rules, and regulations through an on-going program of education and periodic discussion to discuss new requirements, problem areas, and anticipated developments. Maintains a centralized, comprehensive employee information system for the civil service and exempt service which includes information on the composition of the workforce, personnel action trends, and problem areas. Coordinates the formulation of revisions to the Judiciary Personnel Rules and Regulations to insure uniform application and interpretation of personnel rules among the State Executive Branch and county jurisdictions.

COMPENSATION MANAGEMENT DIVISION

Administers a Judiciary-wide position classification system. Establishes and maintains a title and code structure for positions exempt from civil service coverage. Determines bargaining unit designations and makes recommendations for exclusion in appropriate cases. Conducts studies for the purpose of formulating new and amended class specifications. Determines the minimum qualifications required for newly developed classes. Prepares memoranda on classification appeals to the Judiciary Merit Appeals Board. Administers a Judiciary-wide compensation plan. Develops patterns for the assignment of categories of classes of positions to salary ranges or grades. Proposes assignment of new classes to salary ranges. Proposes initial pricing and repricing of classes, and comments on proposals made by the state and counties. Presents initial pricing appeals to the Judiciary Merit Appeals Board. Represents the department in collective bargaining negotiations affecting repricing of classes. Analyzes and proposes

assignment of classes to SC/ES ranges by the Chief Justice. Reviews and analyzes organizational structures and the effect of changes on position structures, and advises managers of the effects of proposed changes. Provides assistance to management in the development of work flow processes, methods, operational policies, personnel requirements, staffing requirements, and program priorities. Provides assistance to management in the development of functional statements for new organizational entities and reviews existing statements for duplication, redundancy, and overlap, and prepares functional statements that clarify these inconsistencies. Advises and assists management in attaining efficient and economical position structures designed to attract and retain the best qualified personnel. Prepares legislative proposals on matters affecting position classification and comments on proposals prepared by others.

LABOR RELATIONS DIVISION

Administers a Judiciary-wide program for the uniform interpretation and application of collective bargaining agreements, dispute settlements, related determinations on labor-management relations, and related Federal and State laws. Develops and coordinates systems for handling grievances. Advises and assists management representatives in the application of labor contract provisions. Advises the Human Resources Director and Administrative Director of the Courts on grievances. Represents the Human Resources Director and Administrative Director of the Courts in the labor-management negotiation process. Analyzes union contract proposals and develops counter proposals. Studies the feasibility of implementing labor-management practices and advises management of the results of studies. Defines the need for and provides management with current information on labor-management policies, practices, and procedures. Maintains currency in labor relations matters by analyzing trends and current practices in other jurisdictions.

STAFFING SERVICES DIVISION

Administers a Judiciary-wide recruitment and examination program designed to provide managers with the best qualified applicants. Develops, prepares, and disseminates civil service employment information and job announcements. Reviews job applications and determines if applicants meet the minimum qualification requirements. Develops, administers, and scores job-related tests, and ranks and rates applicants based on factors such as test scores, qualifications, education, suitability, and other job related factors. Establishes, maintains, and certifies lists of eligibles and refers applicants from appropriate lists to managers. Administers a program of job placement resulting from workforce reduction. Prepares memoranda on recruitment and examination appeals to the Judiciary Merit Appeals Board and presents management's case to the board.

DISABILITY CLAIMS MANAGEMENT DIVISION

Administers a judiciary-wide workers' compensation program designed to provide claims management, cost containment, and vocational rehabilitation services to all echelons of the Judiciary. Provides written and oral guidance to Judiciary operating elements on

workers' compensation claims. Conducts workshops on the application of existing and newly promulgated workers' compensation laws, rules, and regulations. Compiles and maintains cost data records and identifies cost elements and trends that deviate from the norm. Formulates cost reduction programs, and solutions to increasing workers' compensation costs. Reviews medical fees of care providers and attorneys' fees. Audits claims and payments processed by operating divisions. Controls forms used in processing workers' compensation claims and recommends new or revised forms based on an analysis of the effectiveness of existing forms and newly promulgated requirements. Screens, selects, and refers injured workers for rehabilitation training and services. Coordinates rehabilitation training and services with appropriate private, state, and federal agencies and with physicians involved in the rehabilitative process. Monitors the progress of injured workers in vocational rehabilitation training. Maintains accounts of benefits and medical expenses related to vocational rehabilitation. Maintains a management information and feedback system to apprise management of date related to accidents and lost time injuries. Recommends solutions to problem areas identified through workers' compensation claims. Identifies and recommends preventive measures to be taken to reduce work related injuries. Coordinates workshops for employees on areas and topics to reduce work related injuries.

ADMINISTRATIVE SERVICES DIVISION

Assists programs in addressing substandard performance issues; assists in the development of employee improvement plans; helps employees improve through employee development and training to meet these expectations. Provides assistance to employee to return to work from industrial injury; coordinates temporary placements; works with vocational rehabilitation counselors; serves as liaison with EE/AA Officer for reasonable accomodation placements. Conducts investigations and fact-finding to address and resolve issues related to workplace violence, harassment, personality conflicts; obtains or refers employees to community resources for assistance. Conducts management reviews and audits, investigations and fact-finding to address and resolve personnel related management problems. Reviews requests for family leave and makes recommendations to the Human Resources Director in conformance and compliance with the law. Drafts and amends policies and procedures for leave share; reviews leave share requests for conformance to administrative policies, coordinates and monitors leave share donations and the leave bank, maintains leave share records. Drafts and amends policies and procedures for management survey; revises and refines the survey instrument and methodology; computes and analyzes survey data and results; and provides follow-up on management survey including follow-up on problem areas with individual managers to help them improve and meet expectations of improvement plans. Reviews legislative matters which have impact upon employees and the Judiciary's personnel system; coordinates, drafts and prepares legislative testimony and proposals; comments on proposals prepared by others; and monitors and tracks these matters. Provides follow-up on special projects. Provides the Human Resources Director, program/divisions and employees with technical staff assistance and advisory services in the specialty area.

JUDICIAL EDUCATION OFFICE

Administers a Judiciary-wide training and employee development program. Identifies training needs through such techniques as employee evaluations on the effectiveness of such training. Establishes training programs based on identified needs and evaluates the effectiveness of such training. Develops, conducts, and coordinates orientation and supervisory training programs. Advises and assists employees and managers on employee development and training. Provides for all judicial education programs. Coordinates semi-annual judicial conferences and judicial training programs. Provides materials and resources to aid the judges. Reviews all programs and seminars provided by others and disseminates information.

THE JUDICIARY

STATE OF HAWAII

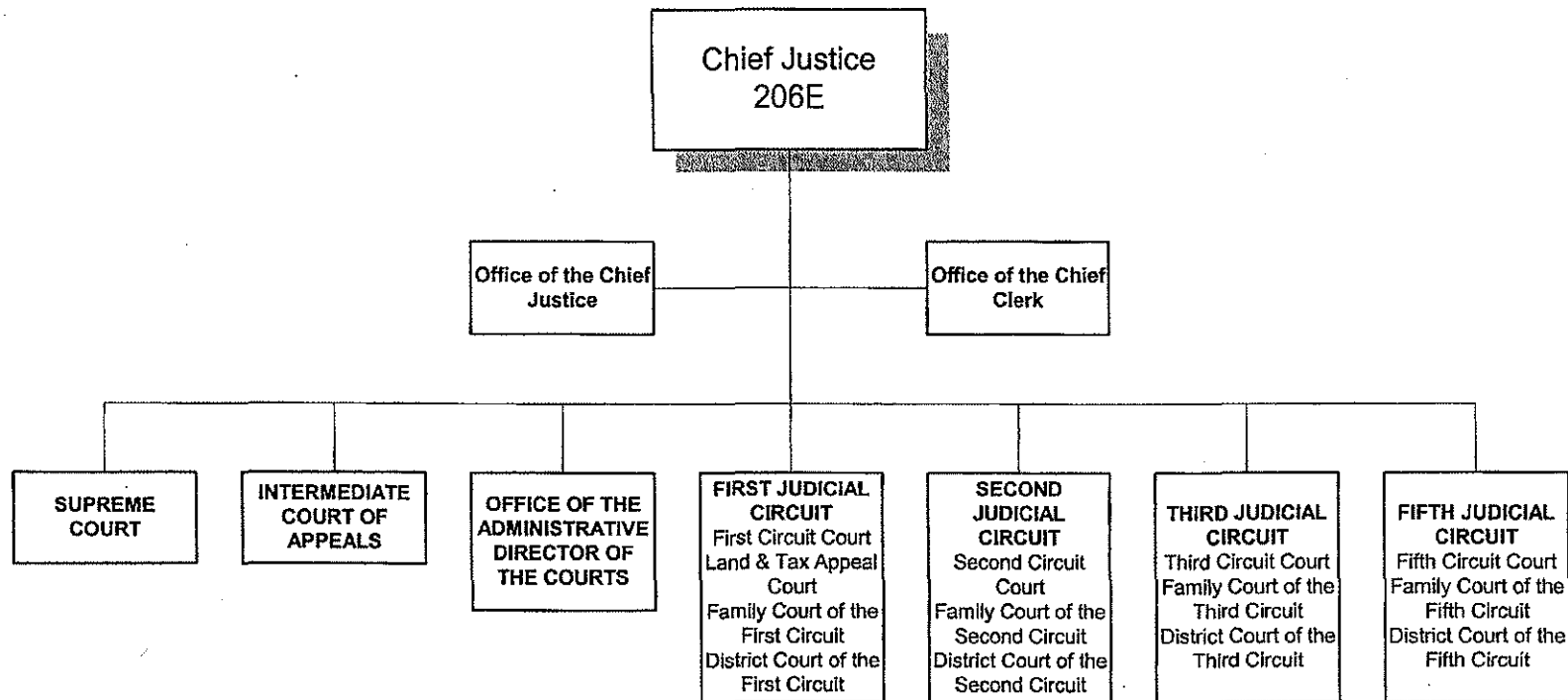
APPROVED:



Ronald T. Y. Moon
CHIEF JUSTICE

DATE:

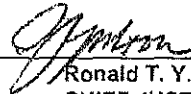
1/26/04



SUPREME COURT

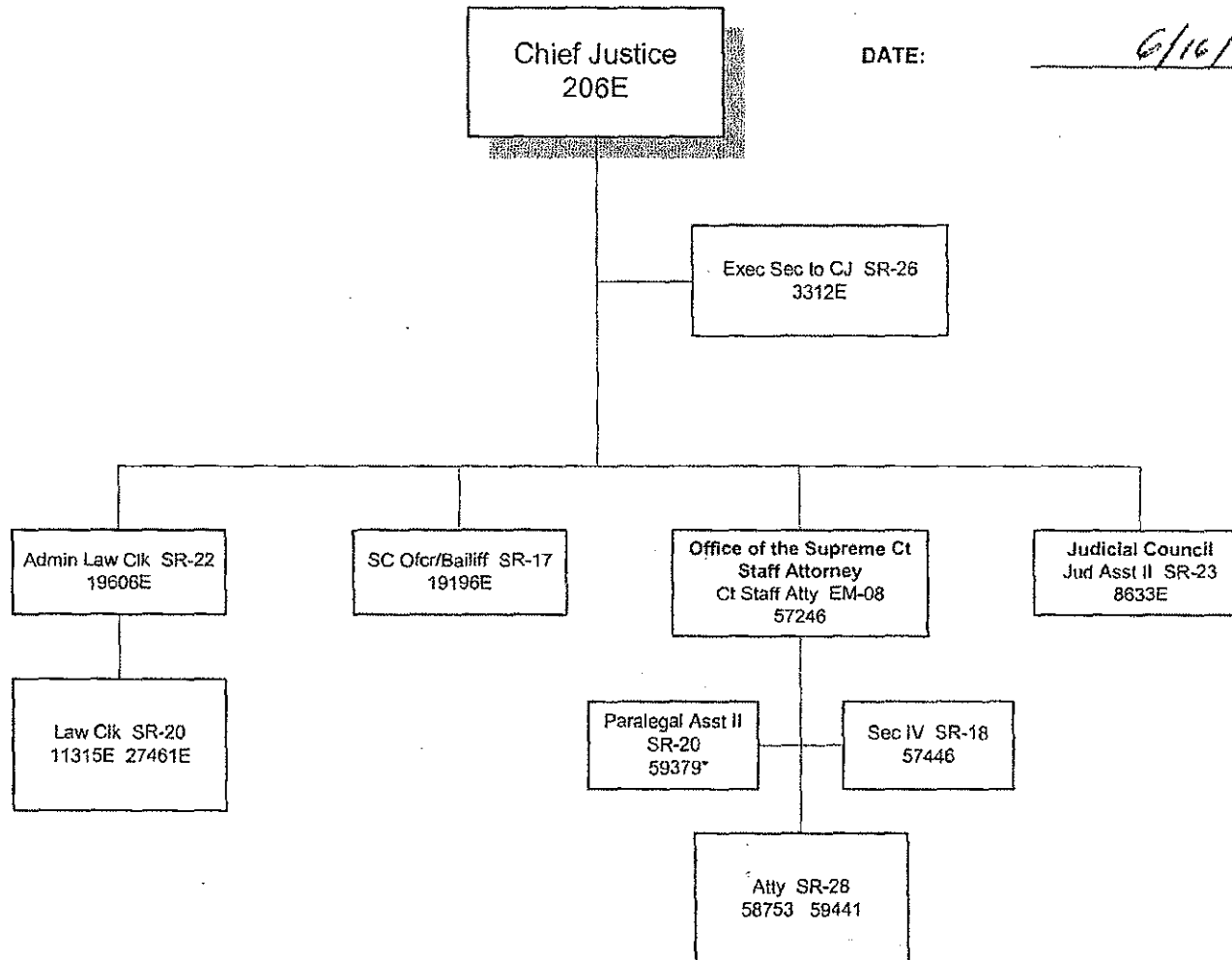
Office of the Chief Justice

APPROVED:


Ronald T. Y. Moon
CHIEF JUSTICE

DATE:

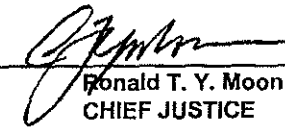
6/16/08



*(Vacant) Position redescribed from Appellate Ct Clk, SR-20.

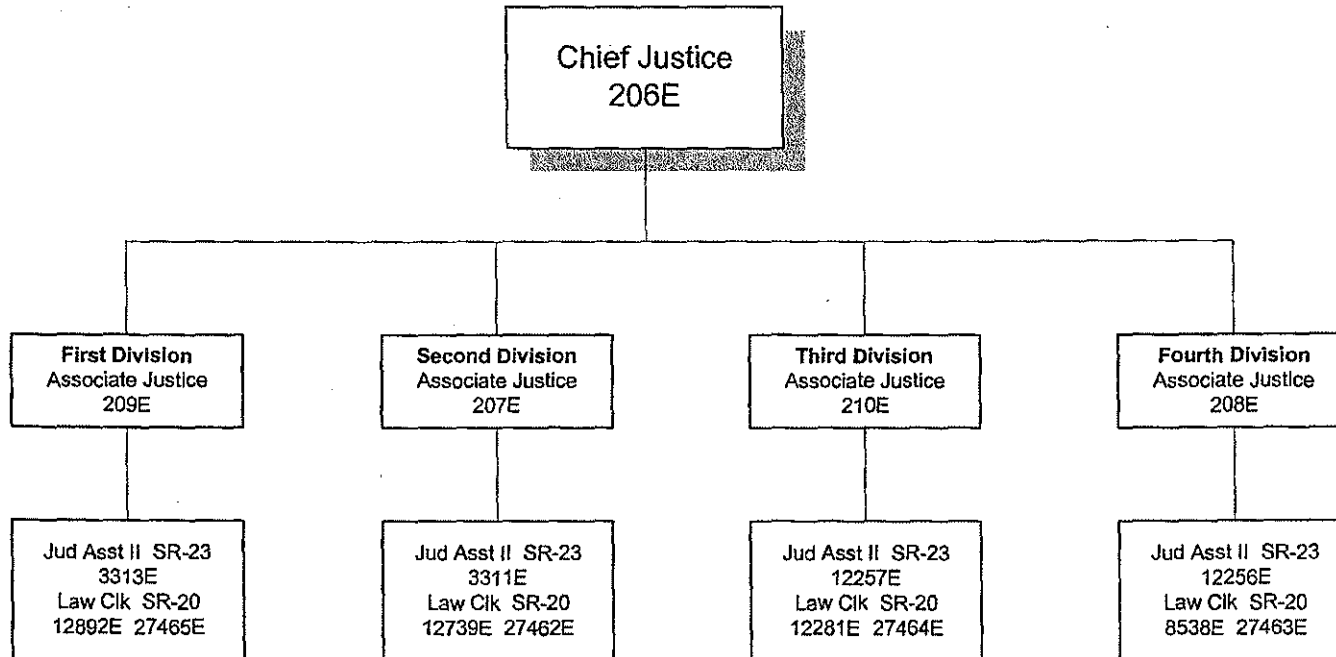
SUPREME COURT

APPROVED:


Ronald T. Y. Moon
CHIEF JUSTICE

DATE:

1/26/04



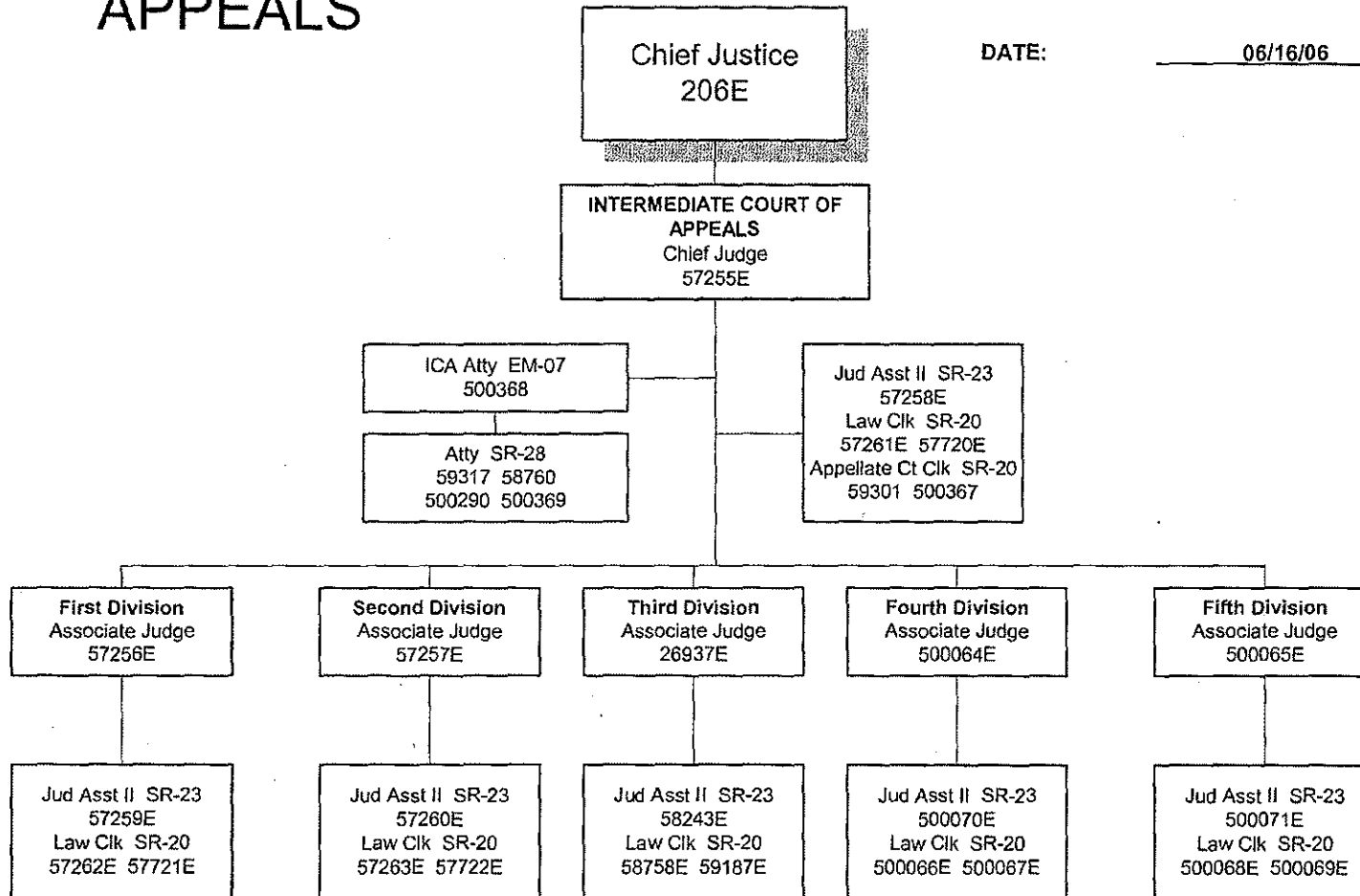
INTERMEDIATE COURT OF APPEALS

APPROVED:

Ronald T. Y. Moon
Ronald T. Y. Moon
CHIEF JUSTICE

DATE:

06/16/06 (Rev. 10/07)



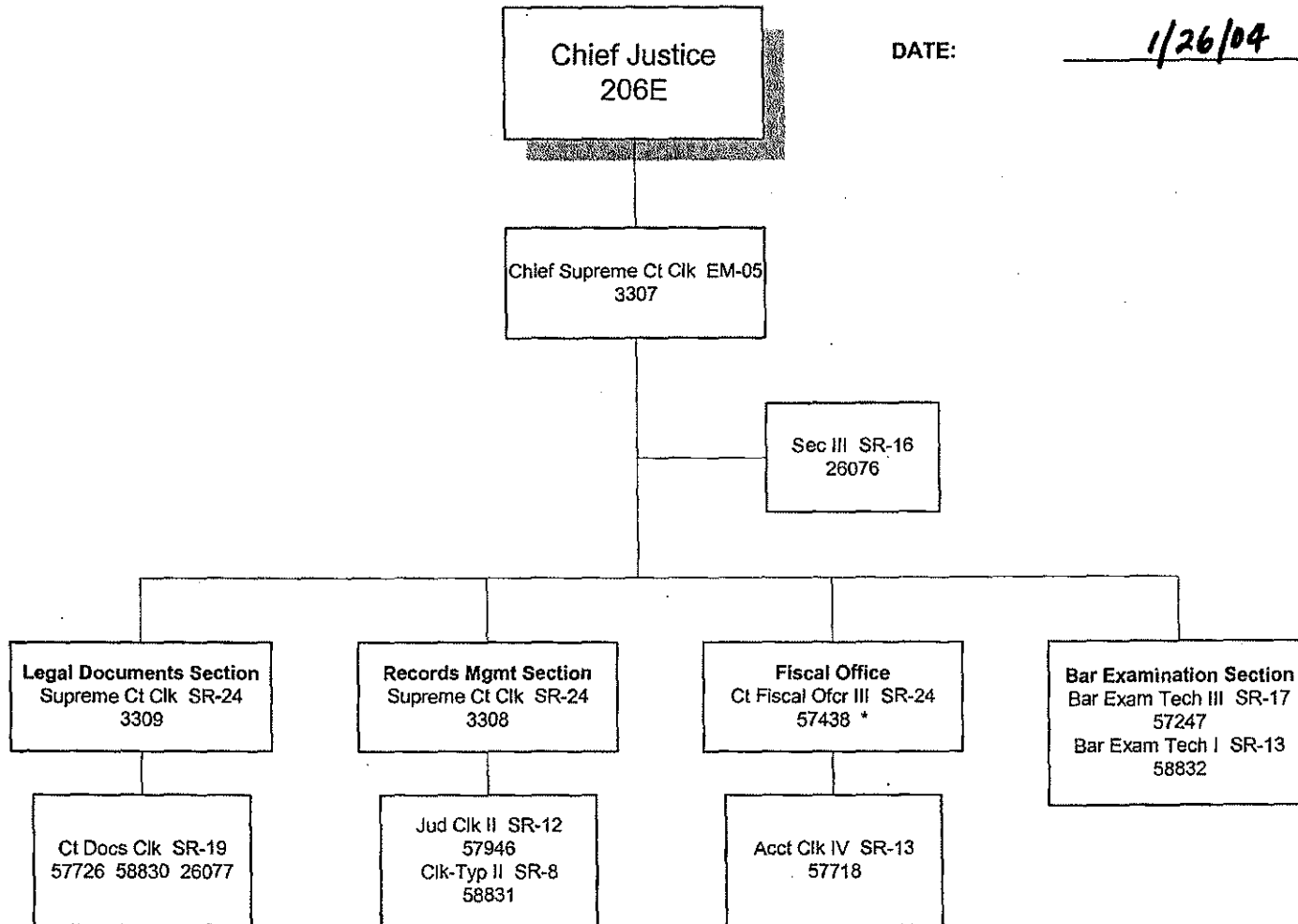
Office of the Chief Supreme Ct Clerk

APPROVED:


Ronald T. Y. Moon
CHIEF JUSTICE

DATE:

1/26/04



* To be redescribed to new Ct Fiscal Ofcr class series.

Office of the Administrative Director of the Courts

Chief Justice
206E

APPROVED: 
Ronald T. Y. Moon
CHIEF JUSTICE

Administrative Director
of the Courts
223E

DATE: 10/6/08

Note: Clk and Clk-Typist class series consolidated into Clk class series.

Prvt Sec II SR-24
59259E
Clk IV SR-10
59113 57980

Ofc of Staff Attorney
Chief Staff Atty/ICRD Dir
4712 EM-08 1)
Sr Staff Atty EM-05
58952
Atty SR-28
500408 59707T 500009T P/T

Commission on
Judicial Conduct
Admin Asst II SR-21
22539 *

Judicial Selection
Commission
Admin Asst II SR-21
58945 *

Deputy Administrative
Director of the Courts
14563E

* Reports to the Administrative Director of the Courts for administrative purposes only.

1) Pos No 4712 Serves as Chief Staff Atty and ICRD Director.

To be redescribed.

EEO/AA Ofcr SR-24
58961

Prvt Sec I SR-22
59112E

Intergovernmental/
Community Relations Dept
1)

Policy & Planning Dept
Budget & Prog Rev Director
58698 EM-08

Support Services Dept
Admin Svcs Chief II ES-02
4710 2)

Human Resources Dept
HR Director EM-08
15275

Sec IV SR-18
57127

Sec IV SR-18
58086

JIMS

Sec IV SR-18
19068

Judicial
Education Ofc

Sec IV SR-18
57243

- Public Affairs Ofc
- Law Library
- Jud History Ctr
- Ctr Alternative Dispute Res
- Children's Justice Ctr
- Ofc on Equality & Access
- Ofc of Public Guardian
- Vol in Public Svc Ofc

- Budget & Statistics Division
- Plan & Prog Evaluation Div
- Internal Audit Ofc
- Repair & Maintenance Ofc
- Leg Coord/Special Proj Ofc
- Adm Drivers' Lic Rev Ofc

- Financial Services Division
- IT & Communications Div
- Administration Fiscal Office

- Employee Svcs Div
- Compensation Mgmt Div
- Administrative Svcs Div
- Labor Relations Division
- Staffing Svcs Div
- Disability Claims Mgmt Div

2) To be redescribed.

Policy & Planning

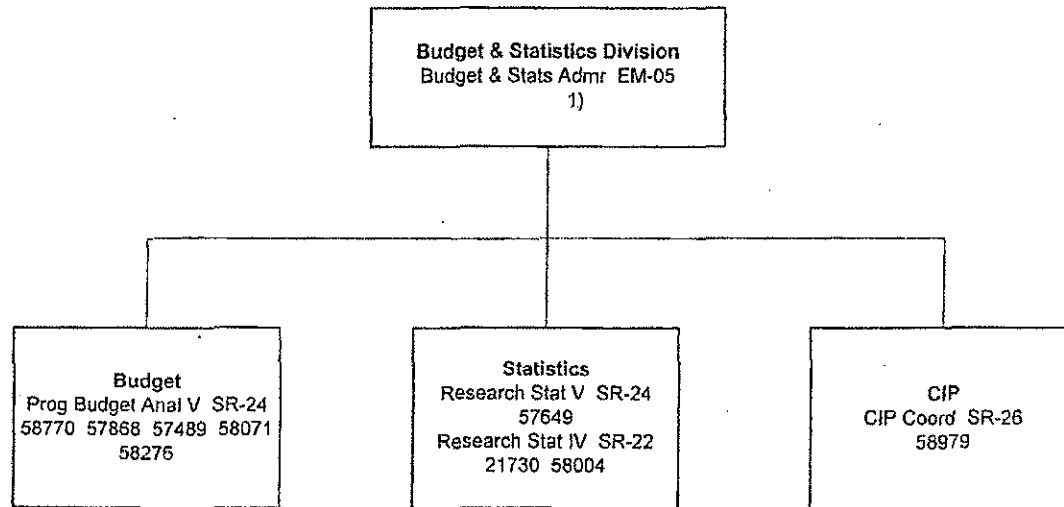
APPROVED:



Ronald T. Y. Moon
CHIEF JUSTICE

DATE:

12/13/04

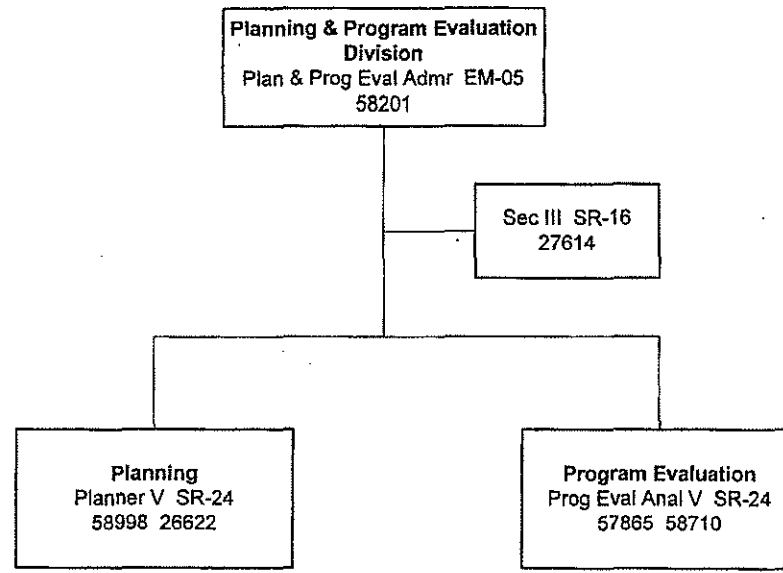


1) Division Chief position to be determined through pseudo recruitment.

Policy & Planning

APPROVED: *Ronald T. Y. Moon*
Ronald T. Y. Moon
CHIEF JUSTICE

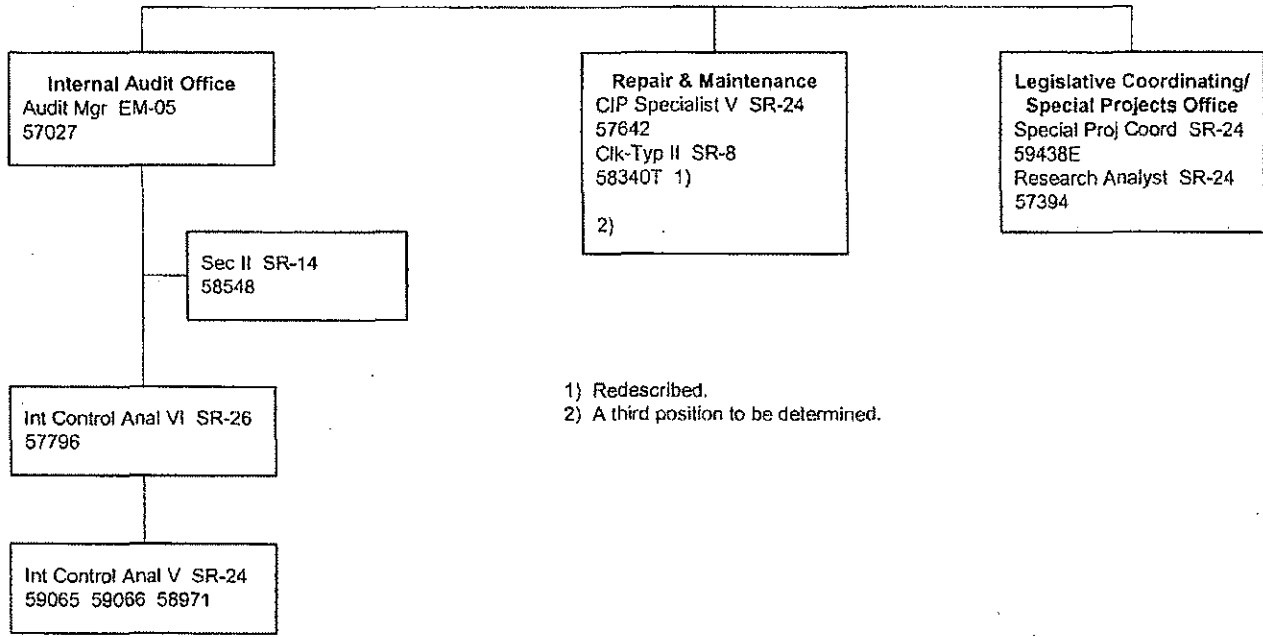
DATE: 11/06/01



Policy & Planning

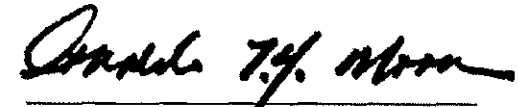
APPROVED: *Ronald T. Y. Moon*
Ronald T. Y. Moon
CHIEF JUSTICE

DATE: 8/22/07



Policy & Planning

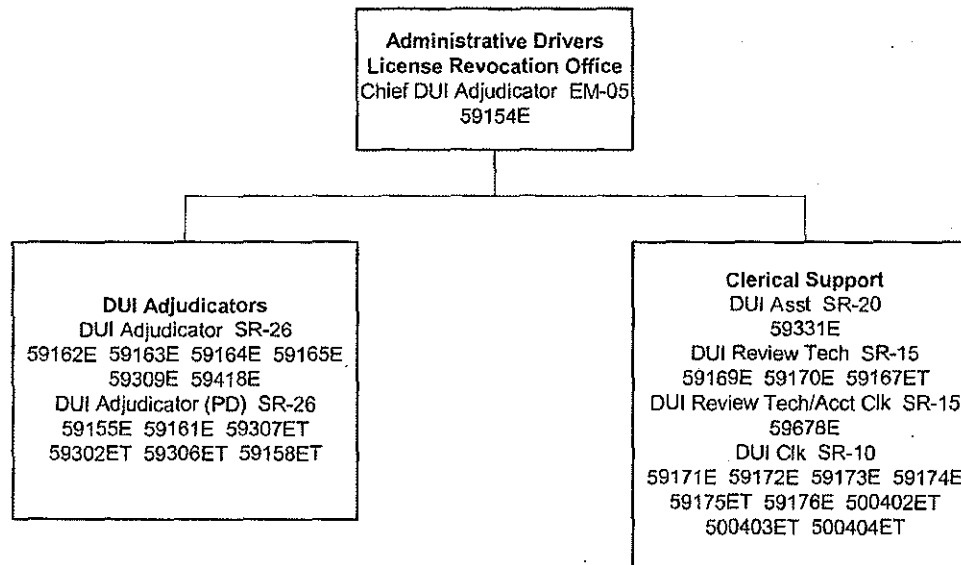
APPROVED:



Ronald T. Y. Moon
CHIEF JUSTICE

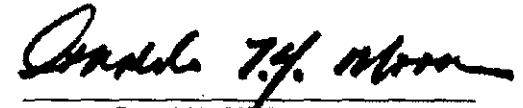
DATE:

12/13/04 (Rev. 10/07)



Intergovernmental/ Community Relations

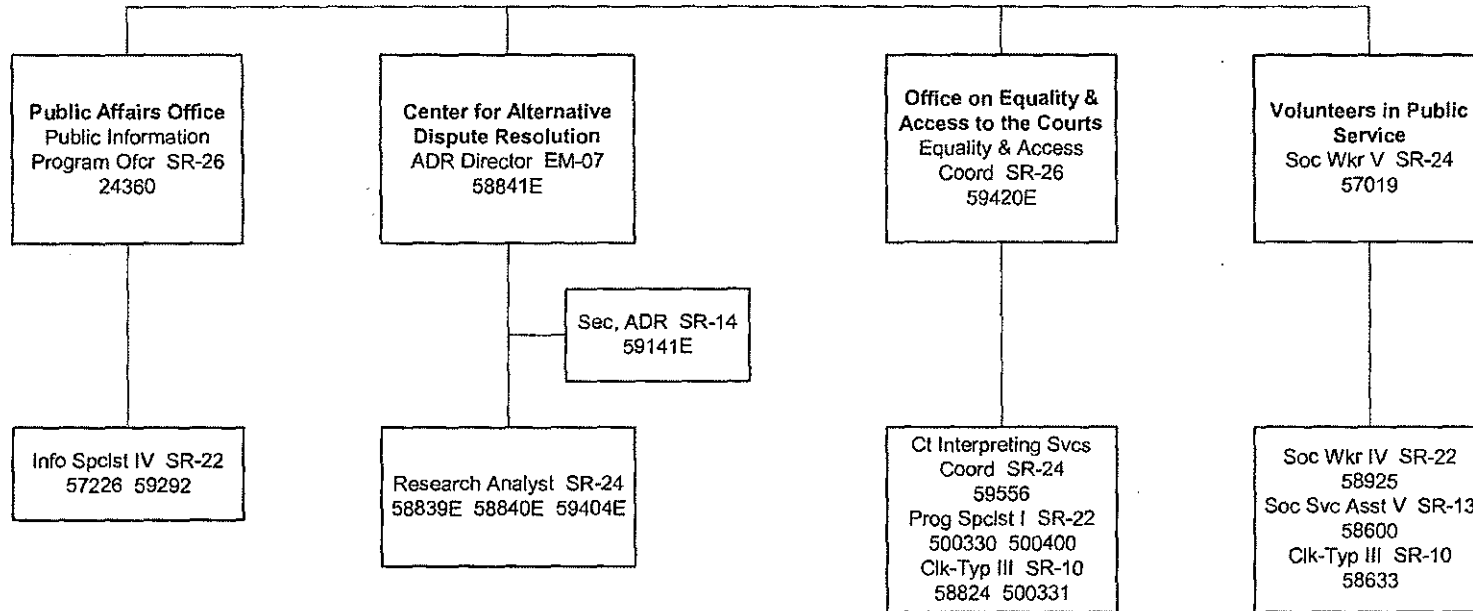
APPROVED:



Ronald T. Y. Moon
CHIEF JUSTICE

DATE:

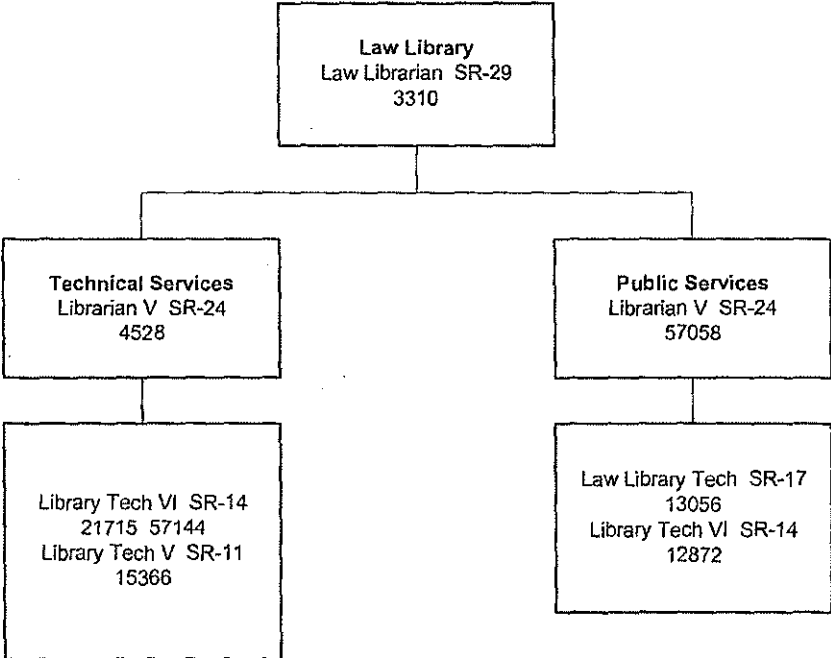
12/13/04 (Rev. 10/07)



Intergovernmental/ Community Relations

APPROVED: *Ronald T. Y. Moon*
Ronald T. Y. Moon
CHIEF JUSTICE

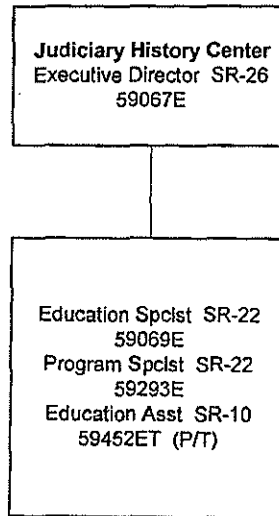
DATE: 11/06/01 (Rev. 08/06)



Intergovernmental/ Community Relations

APPROVED: *Ronald T. Y. Moon*
Ronald T. Y. Moon
CHIEF JUSTICE

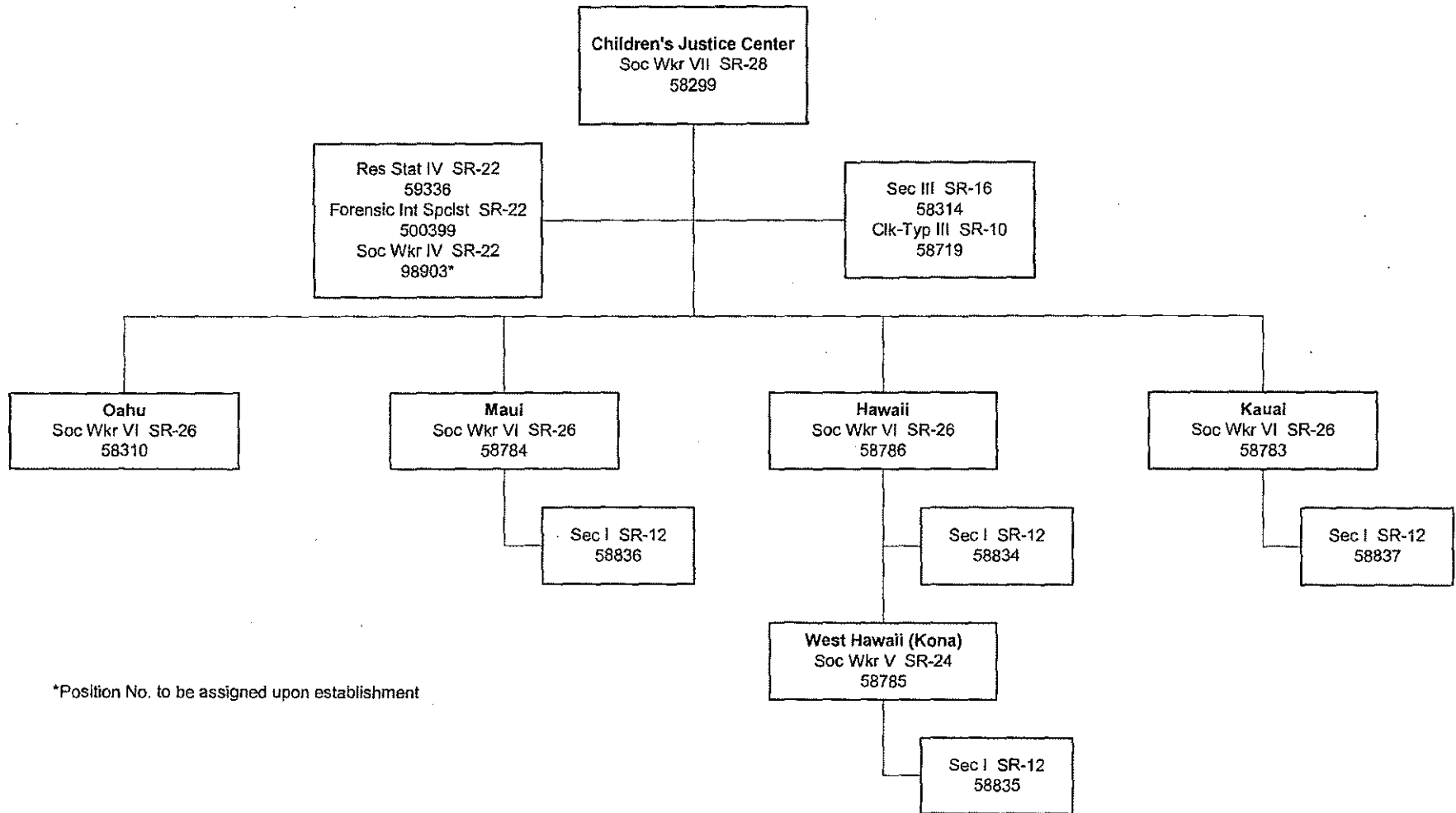
DATE: 11/06/01



Intergovernmental/ Community Relations

APPROVED: *Ronald T. Y. Moon*
Ronald T. Y. Moon
CHIEF JUSTICE

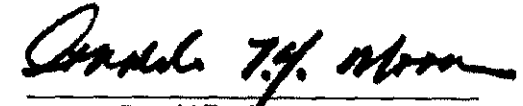
DATE: 11/06/01 (Rev. 10/07)



*Position No. to be assigned upon establishment

Intergovernmental/ Community Relations

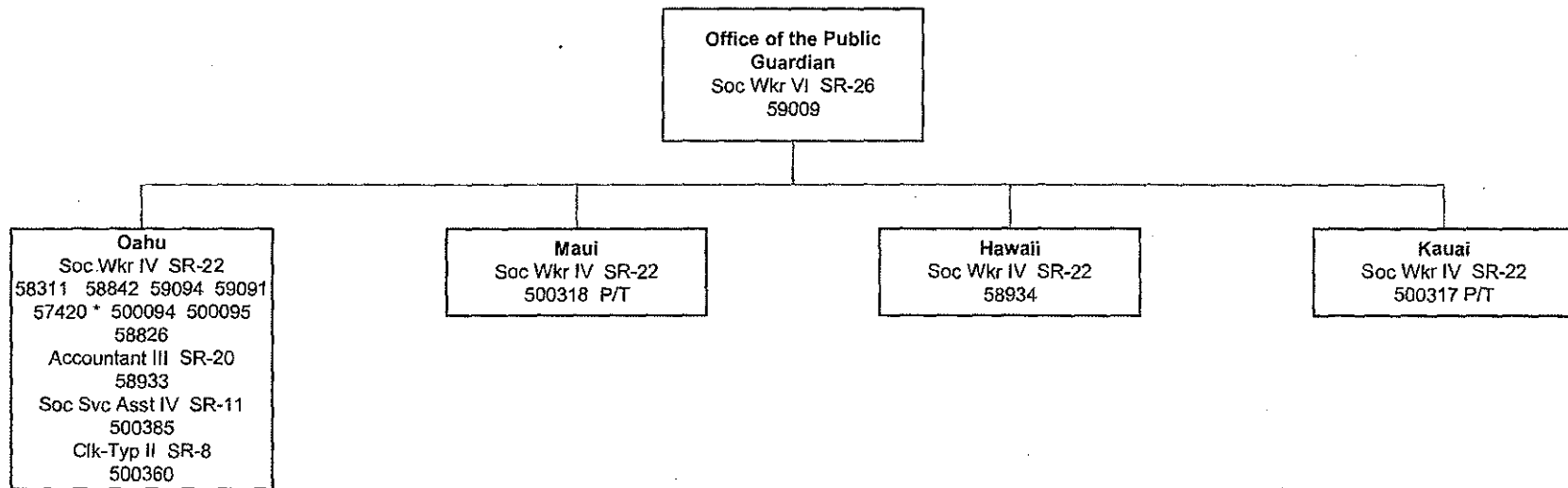
APPROVED:



Ronald T. Y. Moon
CHIEF JUSTICE

DATE:

12/13/04 (Rev. 10/07)

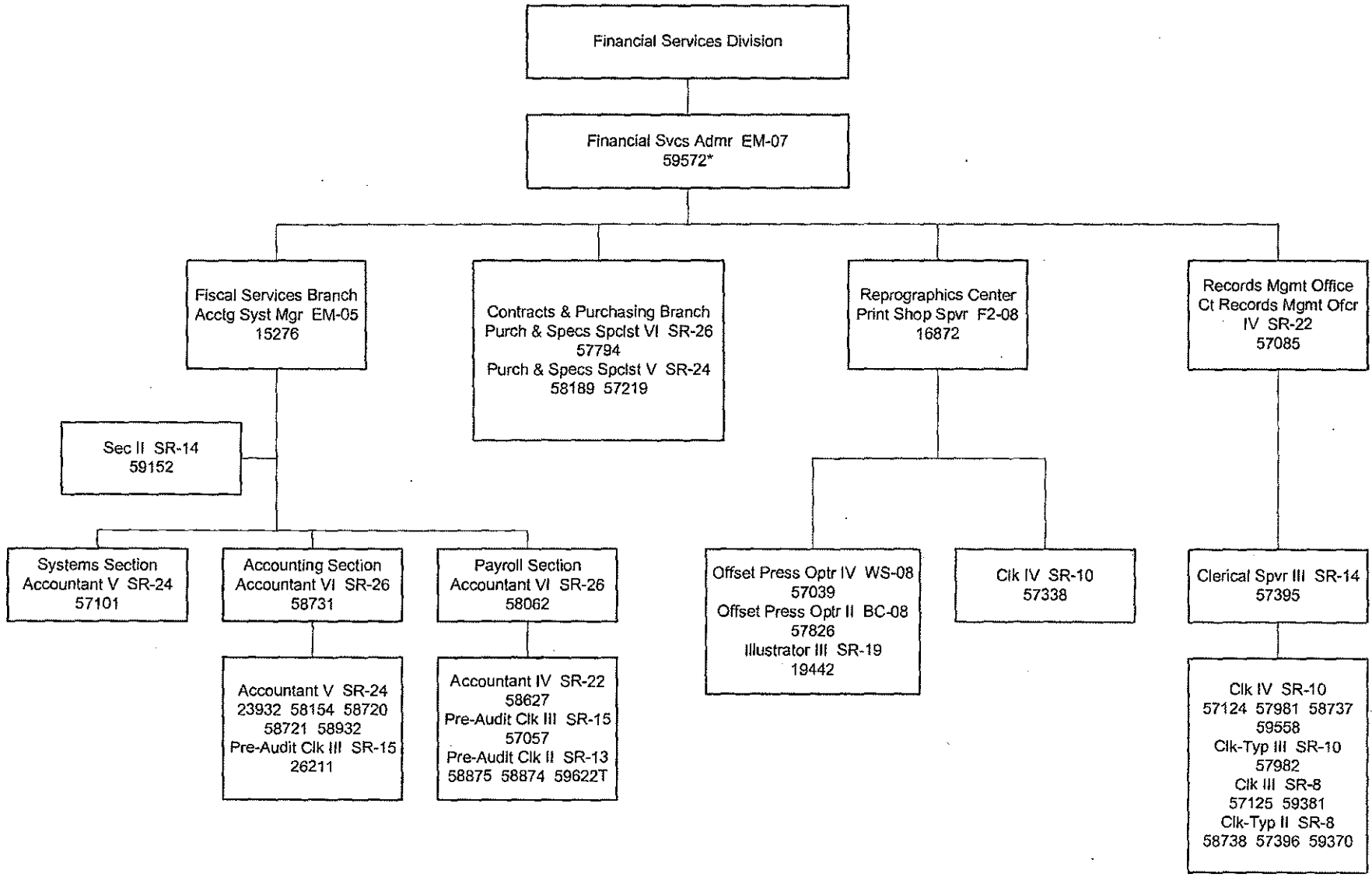


*Authorized level.

Support Services

APPROVED: *Ronald T. Y. Moon*
 Ronald T. Y. Moon
 CHIEF JUSTICE

DATE: 06/17/03 (Rev. 10/07)



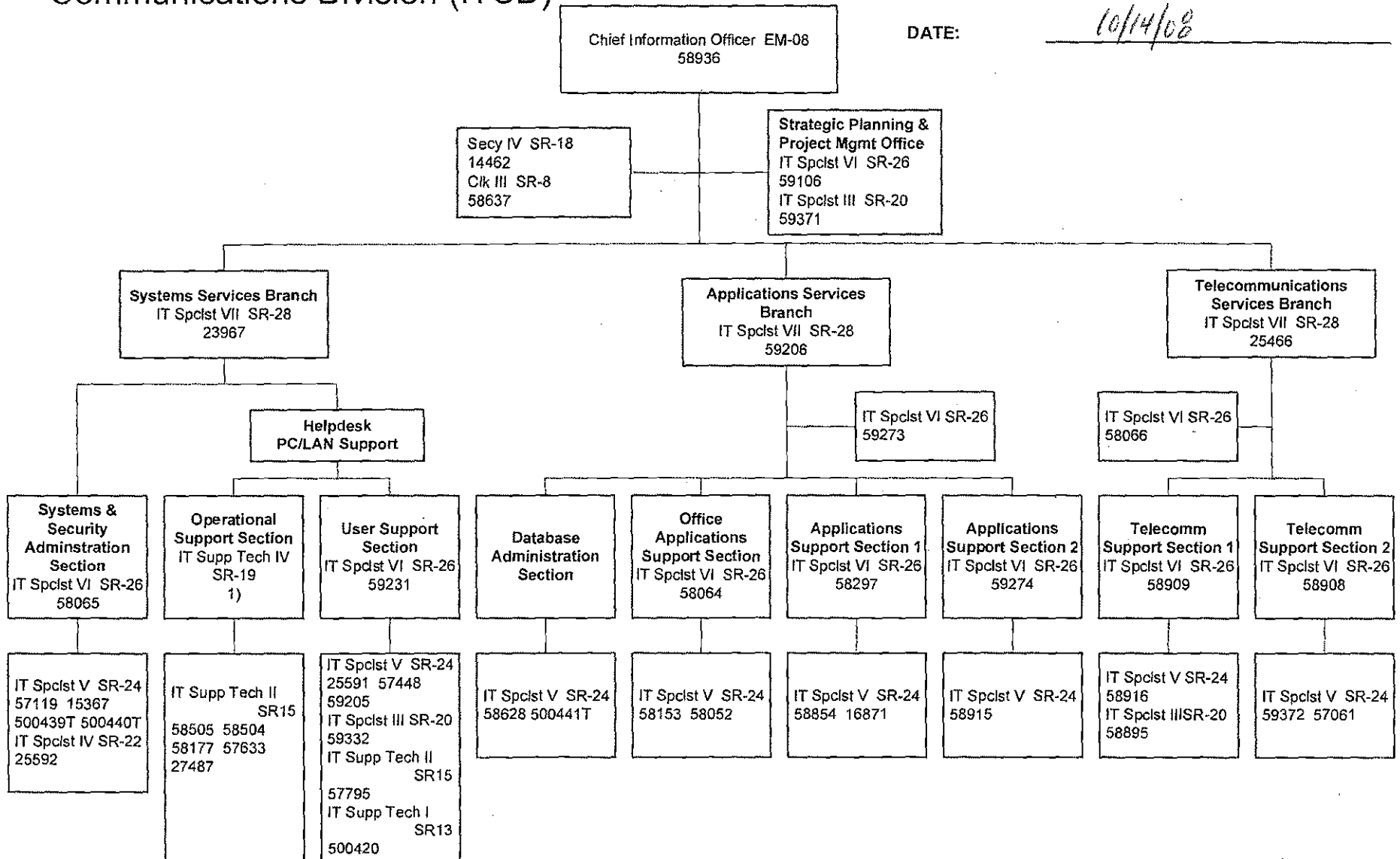
*Psn reallocated.

SUPPORT SERVICES

Information Technology & Communications Division (ITCD)

APPROVED: *Ronald T. Y. Moon*
 Ronald T. Y. Moon
 CHIEF JUSTICE

DATE: 10/14/08



1) Position to be assigned by pseudo no. recruitment

Support Services

APPROVED: *Ronald T. Y. Moon*
Ronald T. Y. Moon
CHIEF JUSTICE

DATE: 10/31/00

Administration Fiscal
Office
Ct Fiscal Ofcr II SR-28
57507

Accountant IV SR-22
57518
Acct Clk V SR-15
59222
Clk-Typ II SR-8
57236 58063

Judiciary Information Management
System (JIMS)

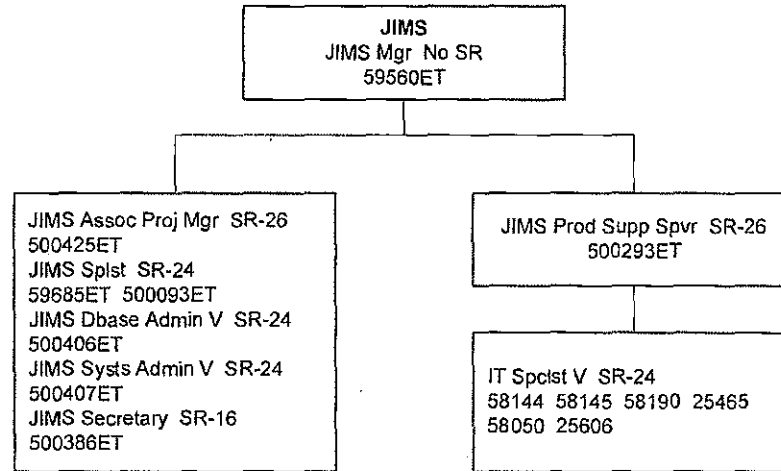
APPROVED:



Ronald T. Y. Moon
CHIEF JUSTICE

DATE:

10/14/08



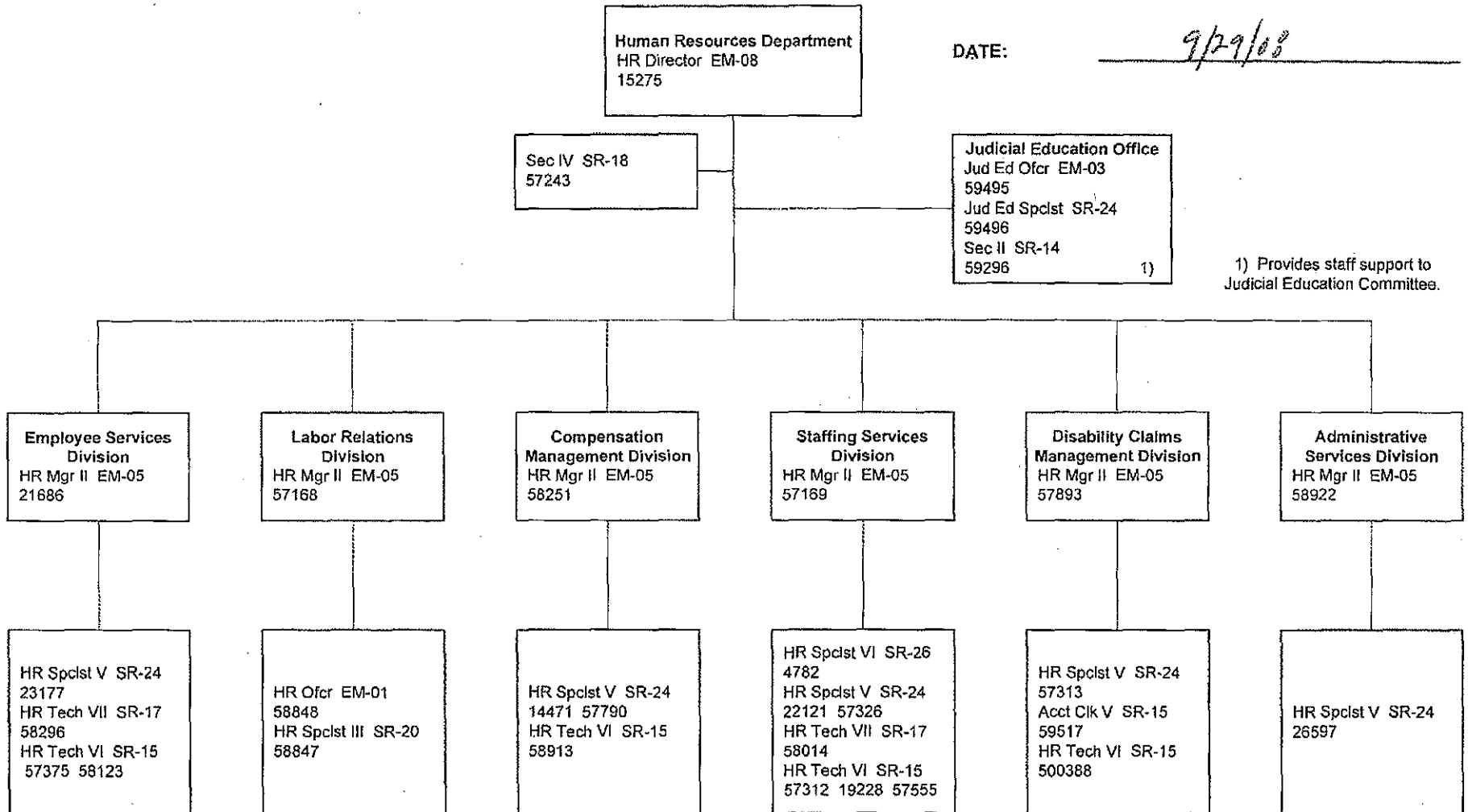
Human Resources Dept

APPROVED:

Ronald T. Y. Moon
 Ronald T. Y. Moon
 CHIEF JUSTICE

DATE:

9/29/08

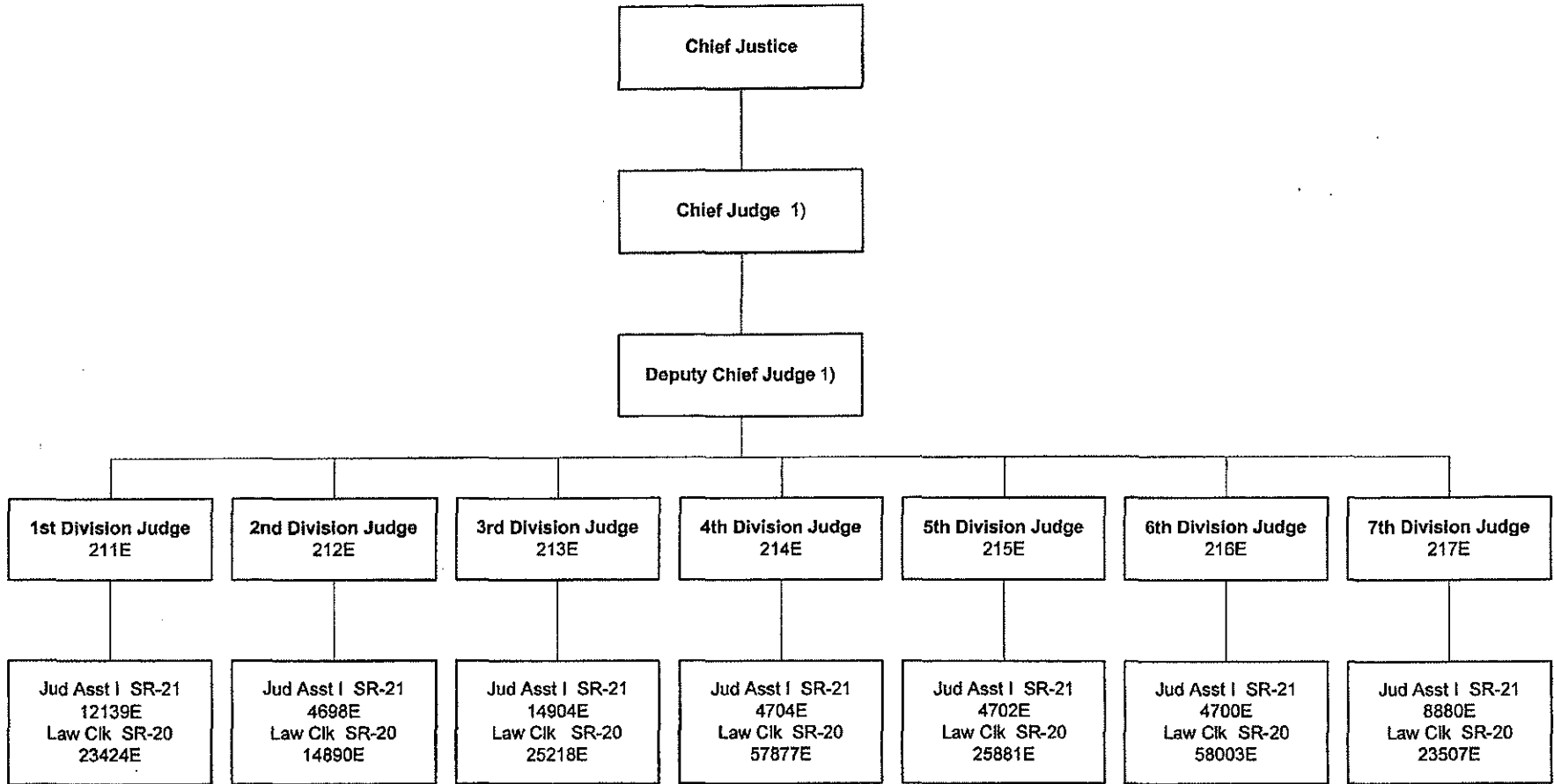


FIRST JUDICIAL CIRCUIT

CIRCUIT JUDGES

APPROVED: *Ronald T. Y. Moon*
Ronald T. Y. Moon
CHIEF JUSTICE

DATE: 08/23/02



1) Per Chief Justice's order of assignment.

FIRST JUDICIAL CIRCUIT

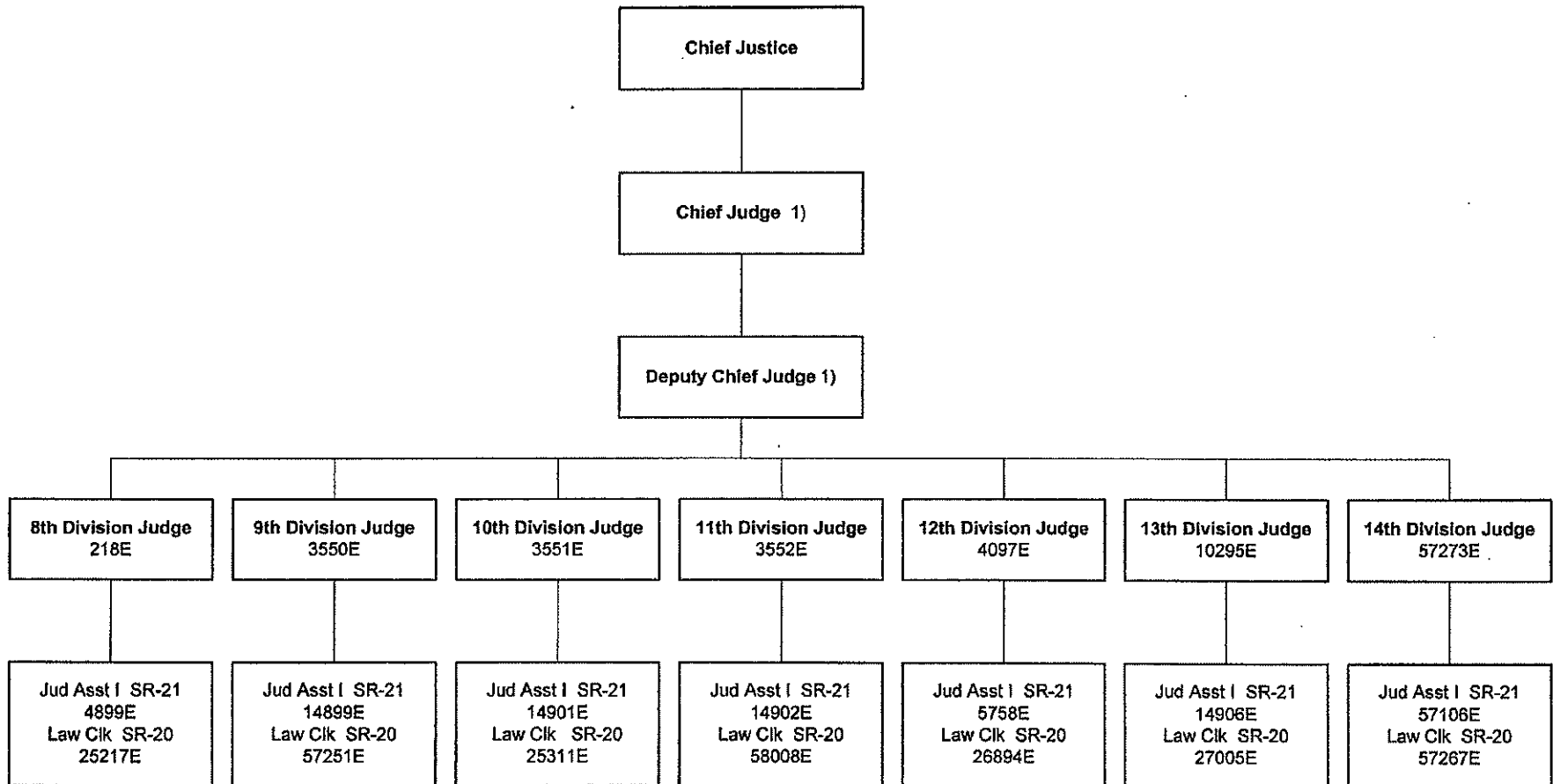
CIRCUIT JUDGES

APPROVED:

Ronald T. Y. Moon
Ronald T. Y. Moon
CHIEF JUSTICE

DATE:

08/23/02




1) Per Chief Justice's order of assignment.

FIRST JUDICIAL CIRCUIT

CIRCUIT JUDGES

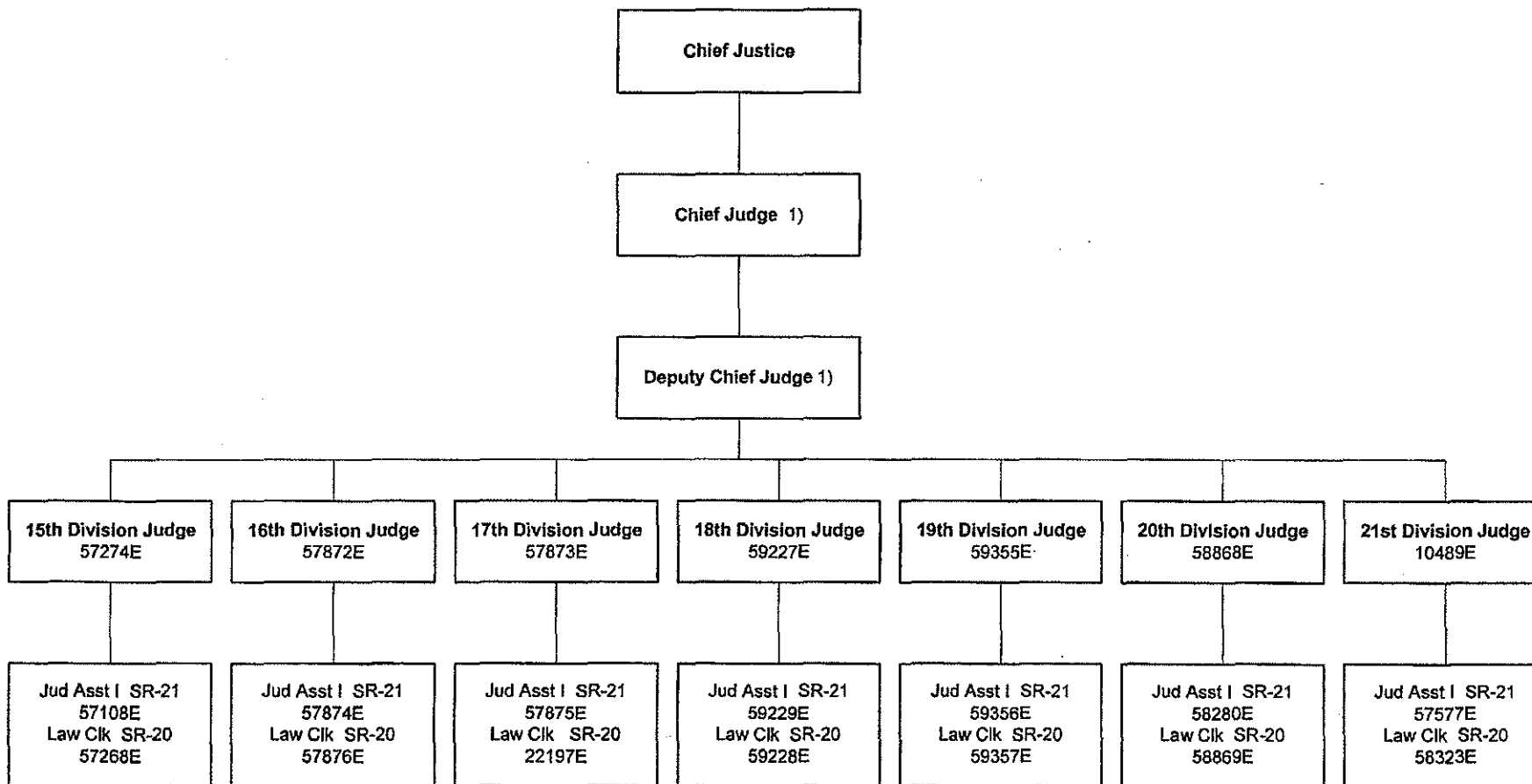
APPROVED:



Ronald T. Y. Moon
CHIEF JUSTICE

DATE:

08/23/02



1) Per Chief Justice's order of assignment.

FIRST JUDICIAL CIRCUIT

CIRCUIT JUDGES

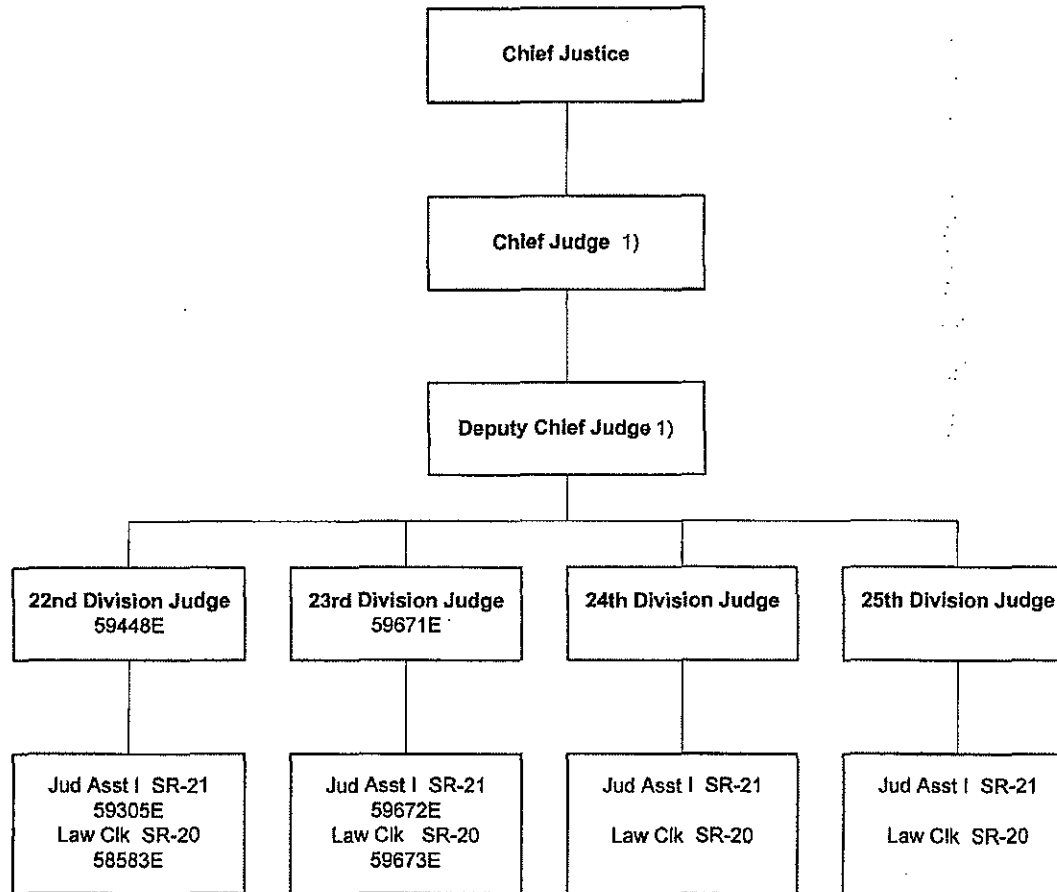
APPROVED:



Ronald T. Y. Moon
CHIEF JUSTICE

DATE:

08/23/02



1) Per Chief Justice's order of assignment.

FIRST JUDICIAL CIRCUIT

CIVIL ADMINISTRATION

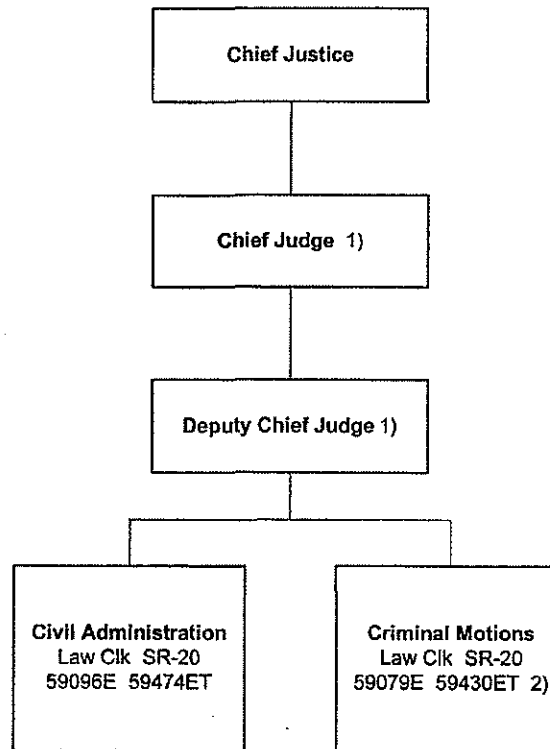
APPROVED:

Ronald T. Moon

Ronald T. Moon
CHIEF JUSTICE

DATE:

08/23/02



1) Per Chief Justice's order of assignment.

2) Reports to Civil Motions Judge.

FIRST JUDICIAL CIRCUIT

CRIMINAL ADMINISTRATION

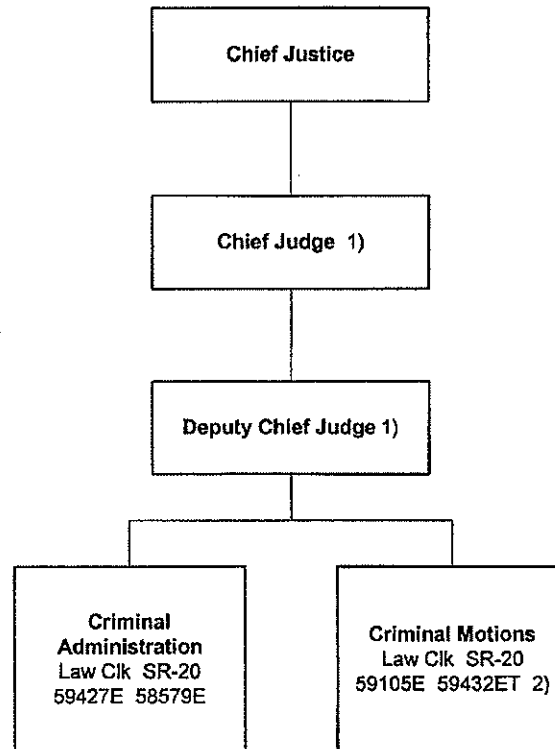
APPROVED:



Ronald T. Y. Moon
CHIEF JUSTICE

DATE:

08/23/02



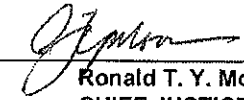
1) Per Chief Justice's order of assignment.

2) Reports to Criminal Motions Judge.

FIRST CIRCUIT

FAMILY JUDGES

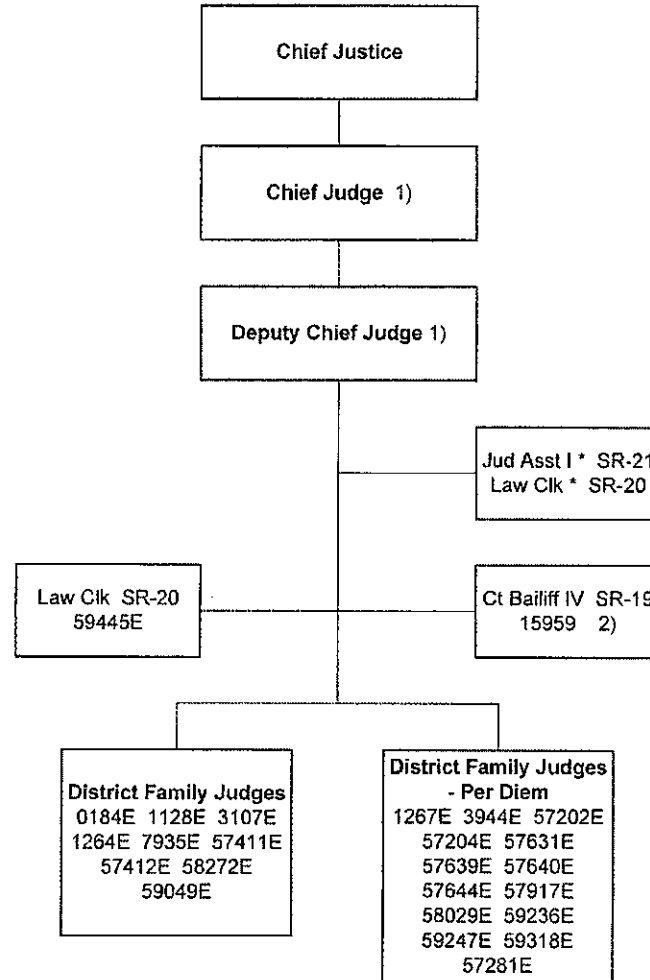
APPROVED:



Ronald T. Y. Moon
CHIEF JUSTICE

DATE:

9/29/08



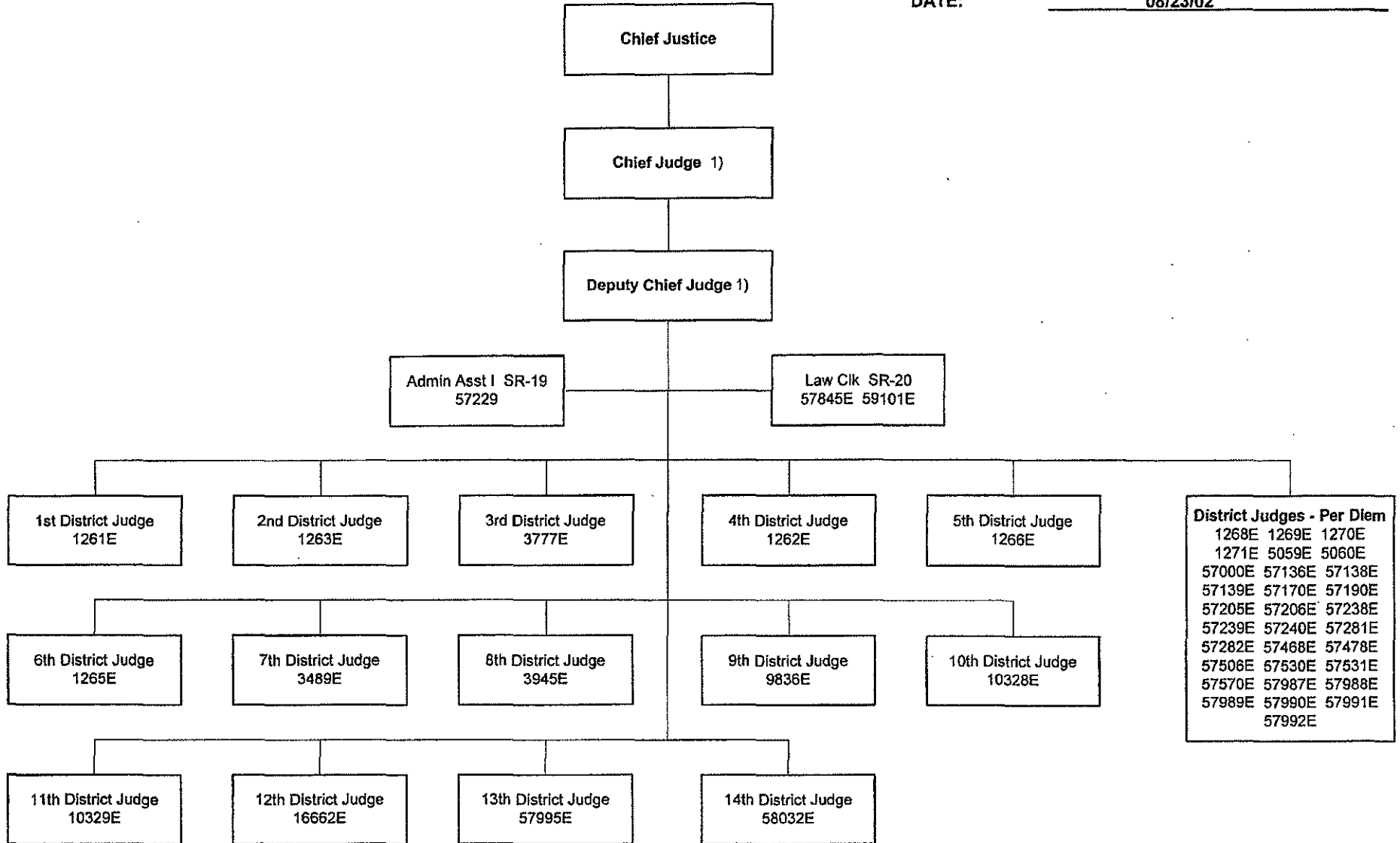
1) Per Chief Justice's order of assignment.
2) To be redescribed to Ct Support Svcs Coord, SR-20.
*Designated trial judge's staff.

FIRST JUDICIAL CIRCUIT

DISTRICT JUDGES

APPROVED: *Ronald T. Y. Moon*
 Ronald T. Y. Moon
 CHIEF JUSTICE

DATE: 08/23/02



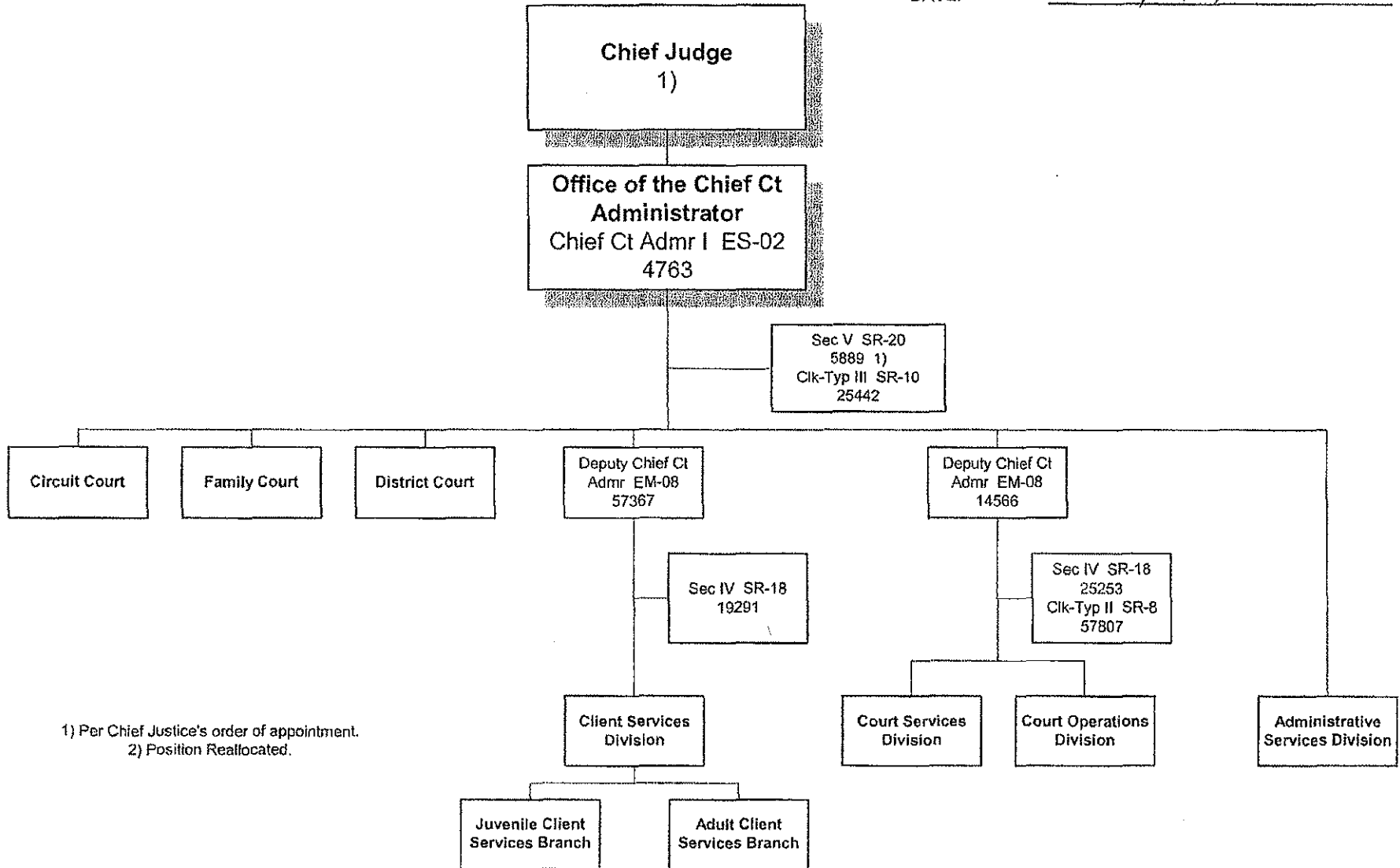
- District Judges - Per Diem**
- 1268E 1269E 1270E
 - 1271E 5059E 5060E
 - 57000E 57136E 57138E
 - 57139E 57170E 57190E
 - 57205E 57206E 57238E
 - 57239E 57240E 57281E
 - 57282E 57468E 57478E
 - 57506E 57530E 57531E
 - 57570E 57987E 57988E
 - 57989E 57990E 57991E
 - 57992E

1) Per Chief Justice's order of assignment.

First Circuit

APPROVED: *R. Y. Moon*
Ronald T. Y. Moon
CHIEF JUSTICE

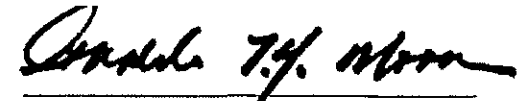
DATE: 10/31/06



1) Per Chief Justice's order of appointment.
2) Position Reallocated.

First Circuit

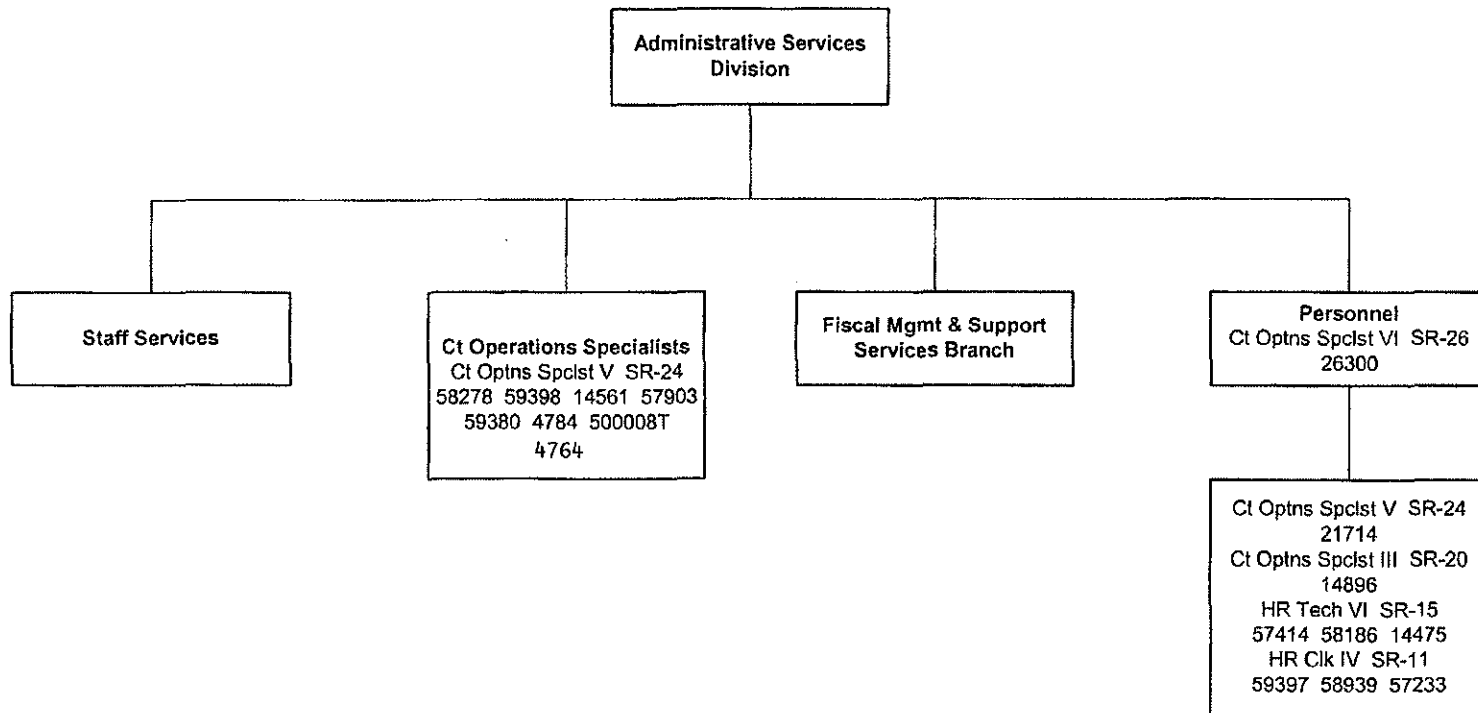
APPROVED:



Ronald T. Y. Moon
CHIEF JUSTICE

DATE:

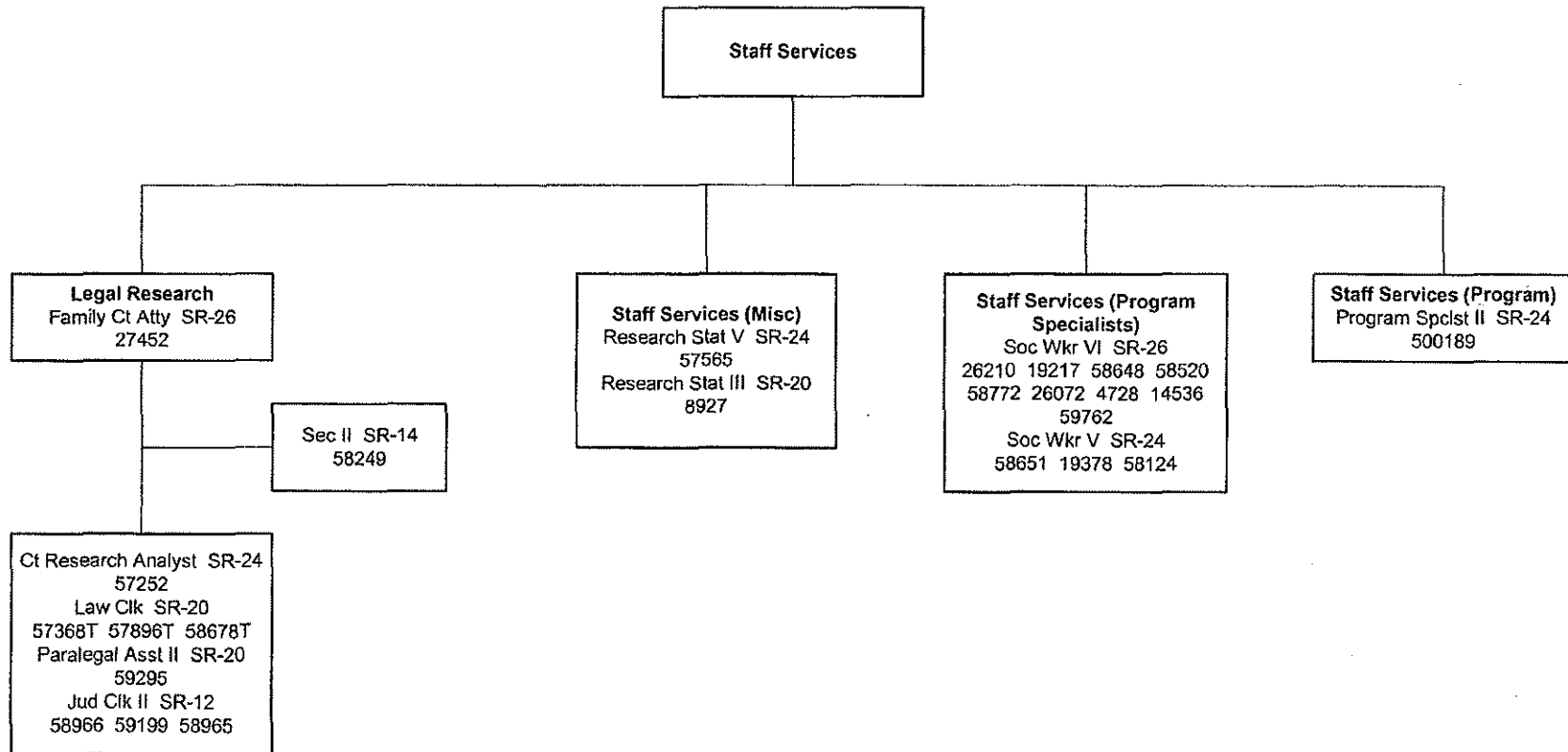
07/31/03 (Rev. 10/07)



First Circuit

APPROVED: *Ronald T. Y. Moon*
Ronald T. Y. Moon
CHIEF JUSTICE

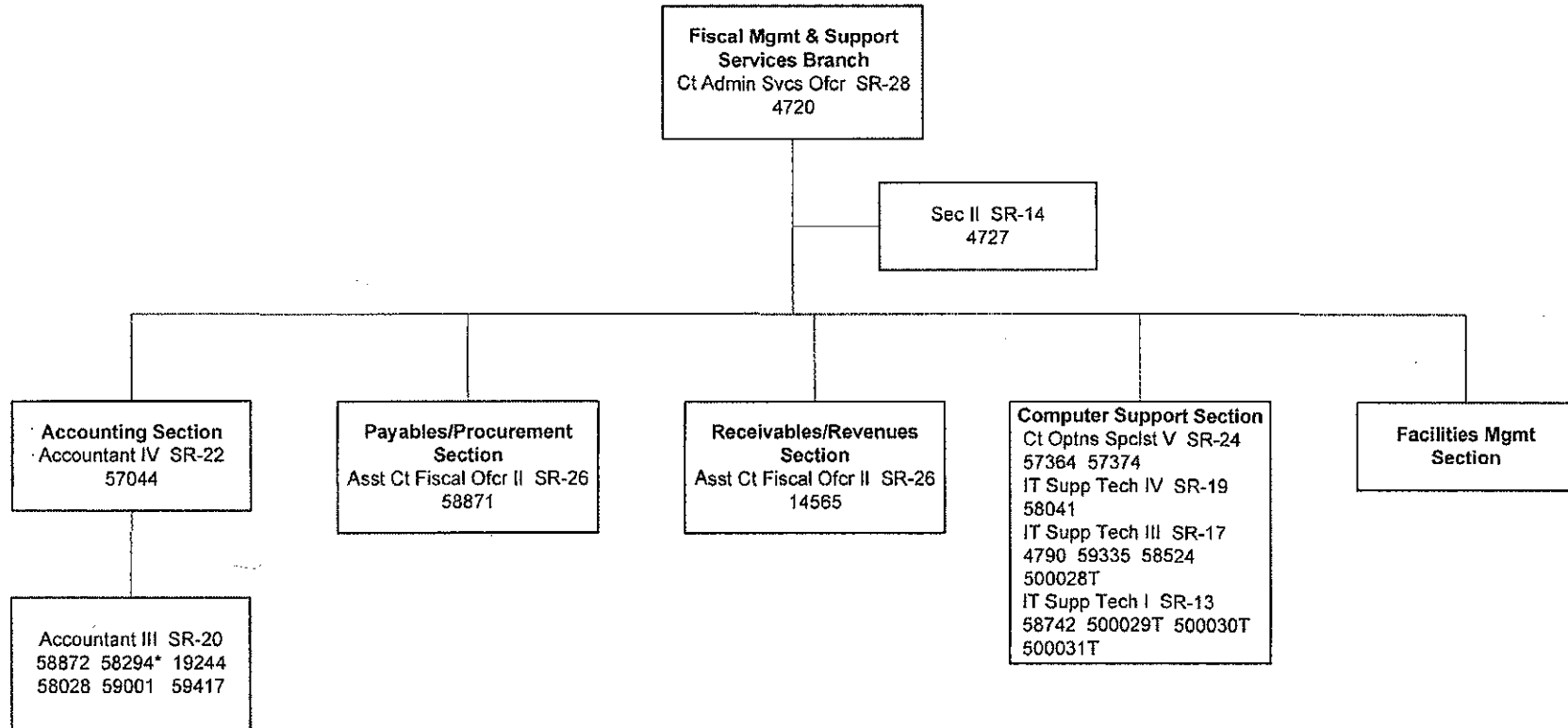
DATE: 03/06/03 (Rev. 10/07)



First Circuit

APPROVED: *R. Y. Moon*
Ronald T. Y. Moon
CHIEF JUSTICE

DATE: 2/29/08



*Provides support to the Land & Tax Appeal Court.

First Circuit

Fiscal Management & Support Services - Payables/Procurement

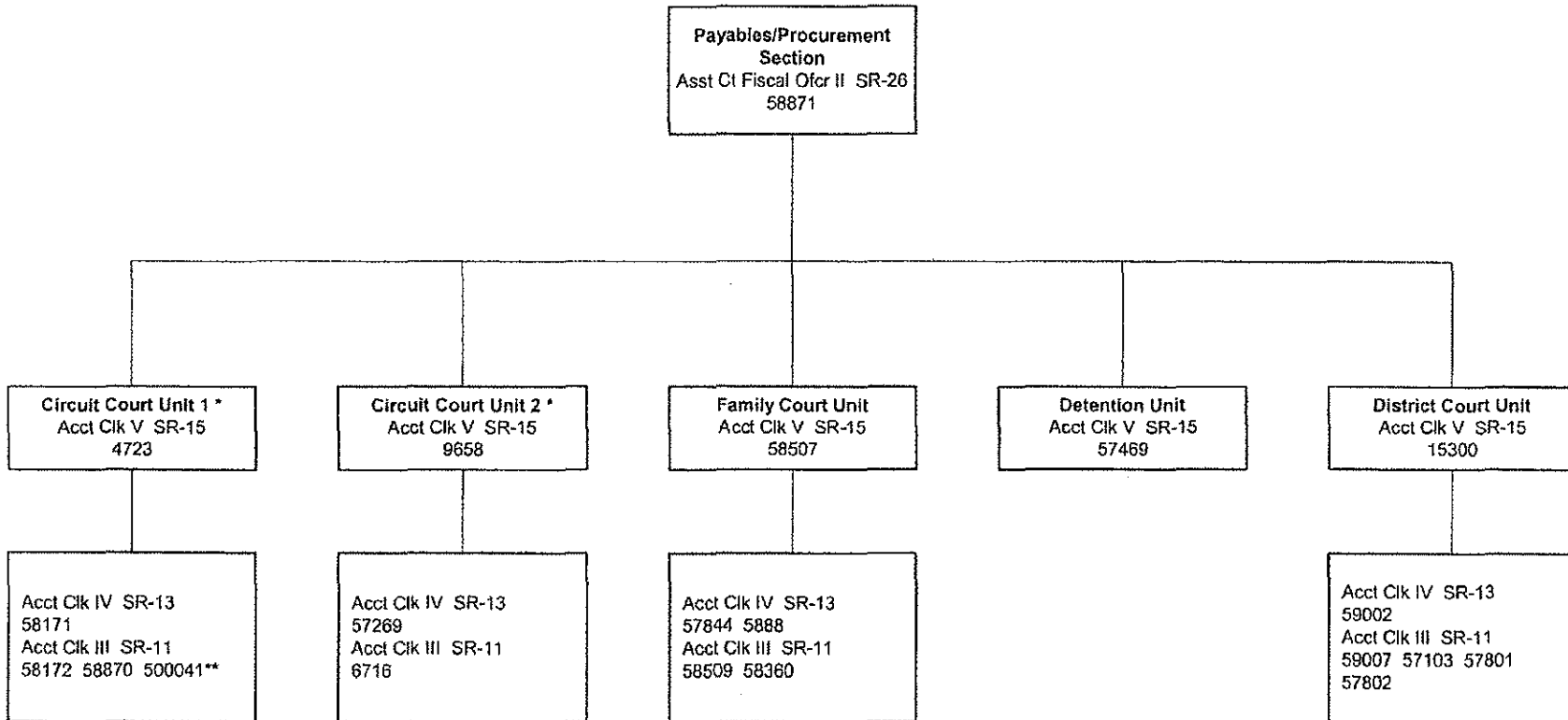
APPROVED:

Ronald T. Y. Moon

Ronald T. Y. Moon
CHIEF JUSTICE

DATE:

9/2/07




*Positions in these two units rotate as necessary to support operational needs.

**Temporary Detail to Detention Unit.

First Circuit

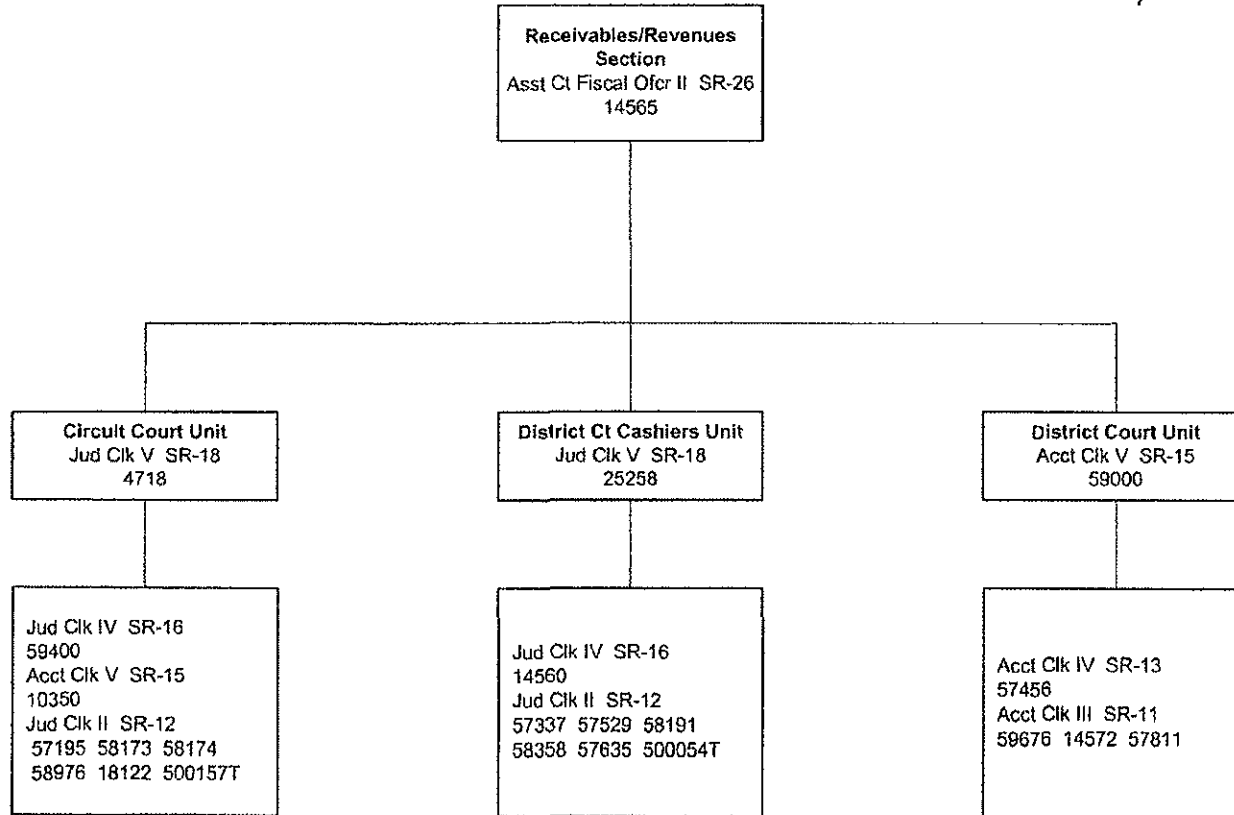
Fiscal Management & Support Services - Receivables/Revenues

APPROVED:


Ronald T. Y. Moon
CHIEF JUSTICE

DATE:

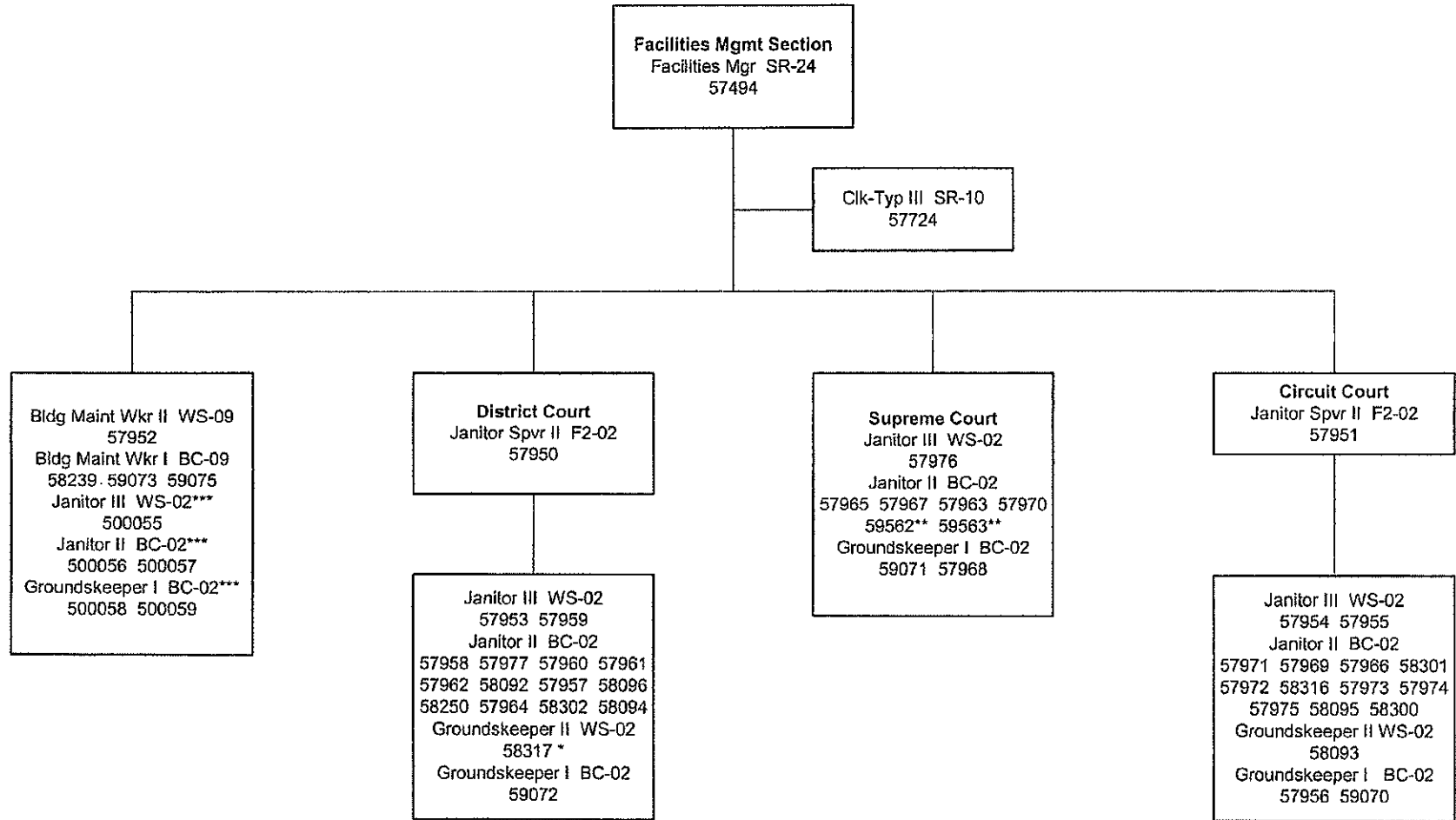
9/27/07



First Circuit

APPROVED: *Ronald T. Y. Moon*
 Ronald T. Y. Moon
 CHIEF JUSTICE

DATE: 02/21/03 (Rev. 08/06)

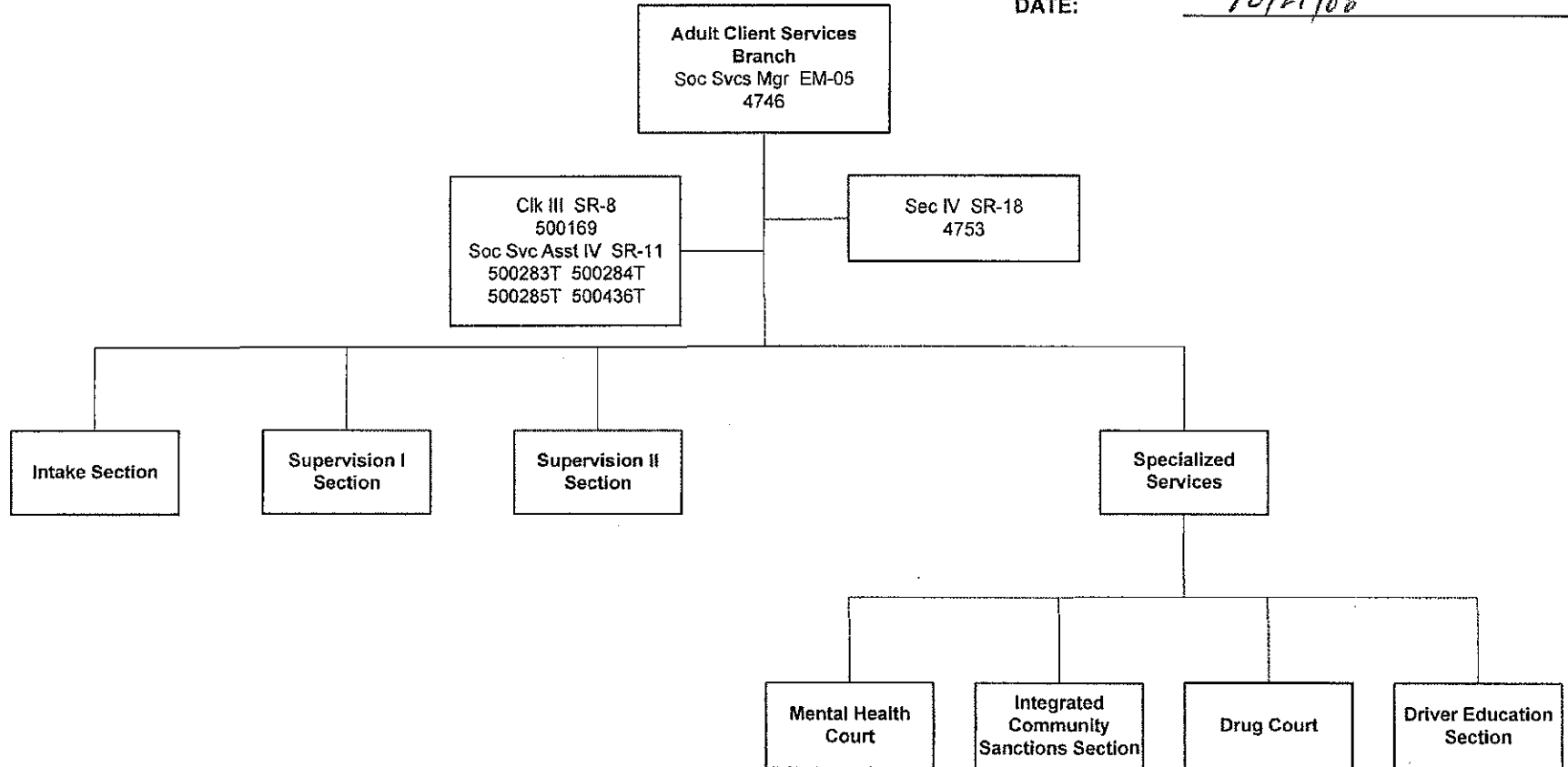


*Responsible for DC & SC.
 **Assigned to Kapuaiwa Hale (#59562 & 59563).
 ***Assigned to Abner Paki Hale-Kaneohe

First Circuit

APPROVED: *R. Y. Moon*
Ronald T. Y. Moon
CHIEF JUSTICE

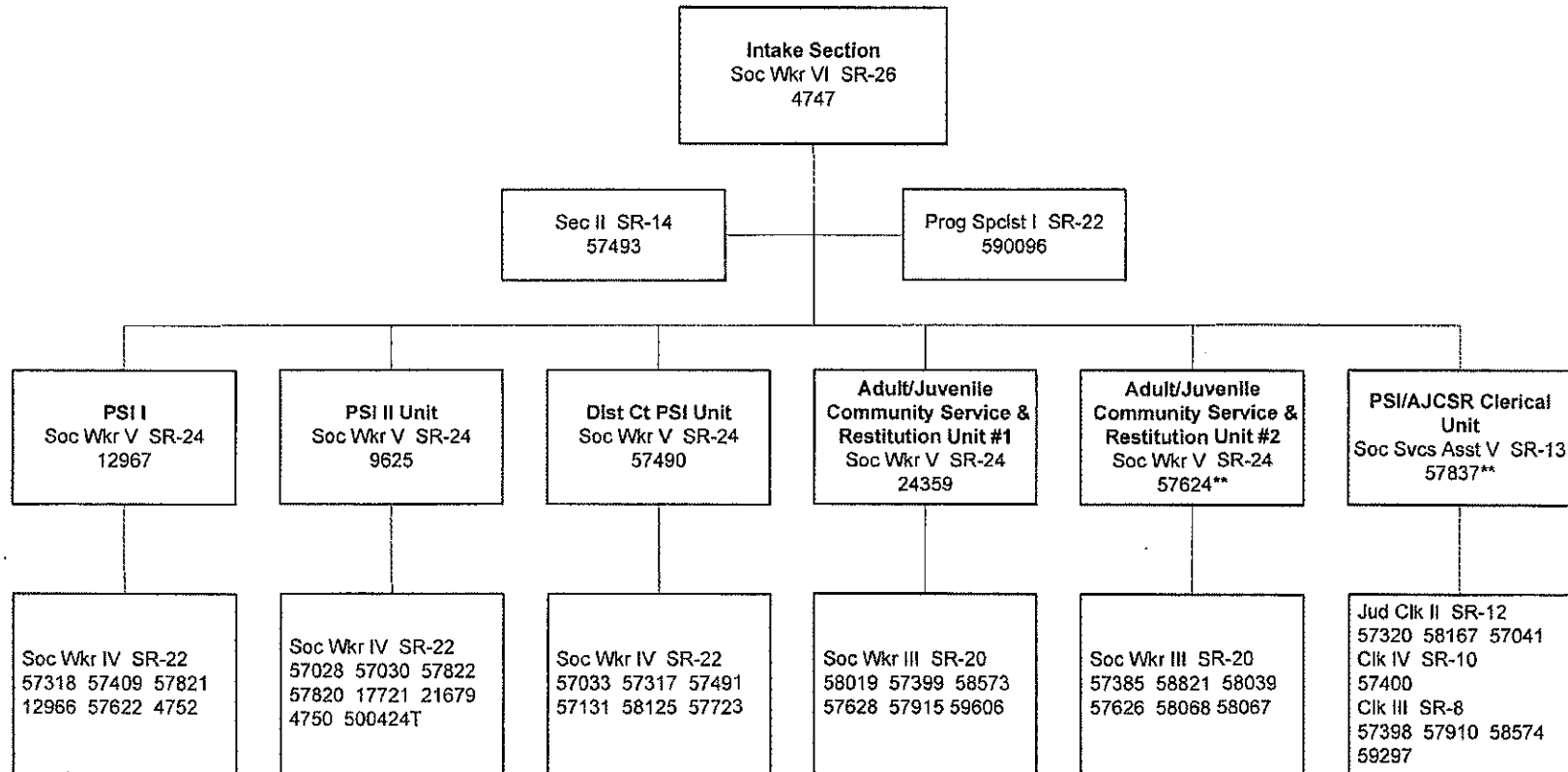
DATE: 10/21/08



First Circuit

APPROVED: *R. Moon*
 Ronald T. Y. Moon
 CHIEF JUSTICE

DATE: 10/21/08

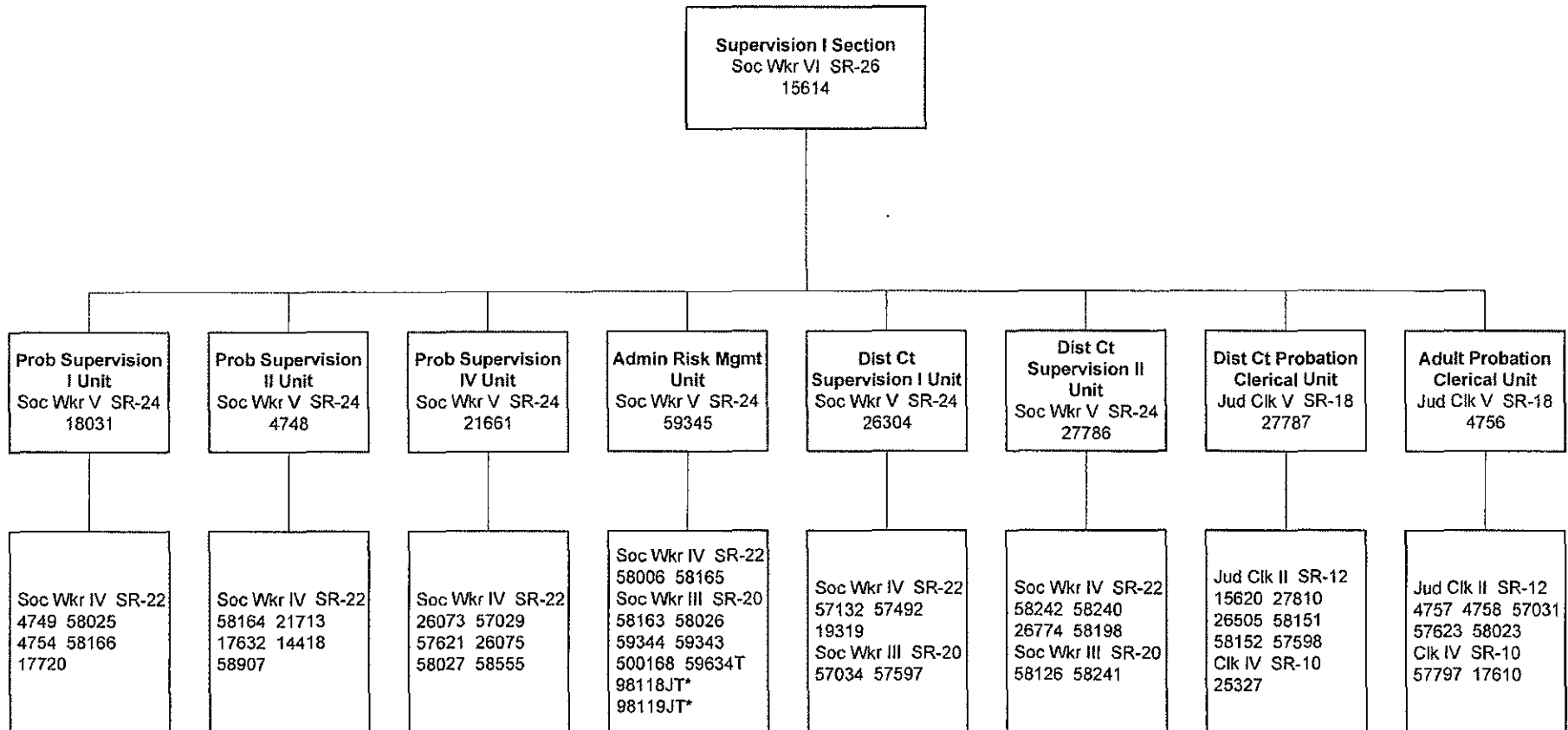


** To be redescribed.

First Circuit

APPROVED: *R. T. Y. Moon*
 Ronald T. Y. Moon
 CHIEF JUSTICE


DATE: 10/21/08



*Position No. to be assigned upon establishment of the position.

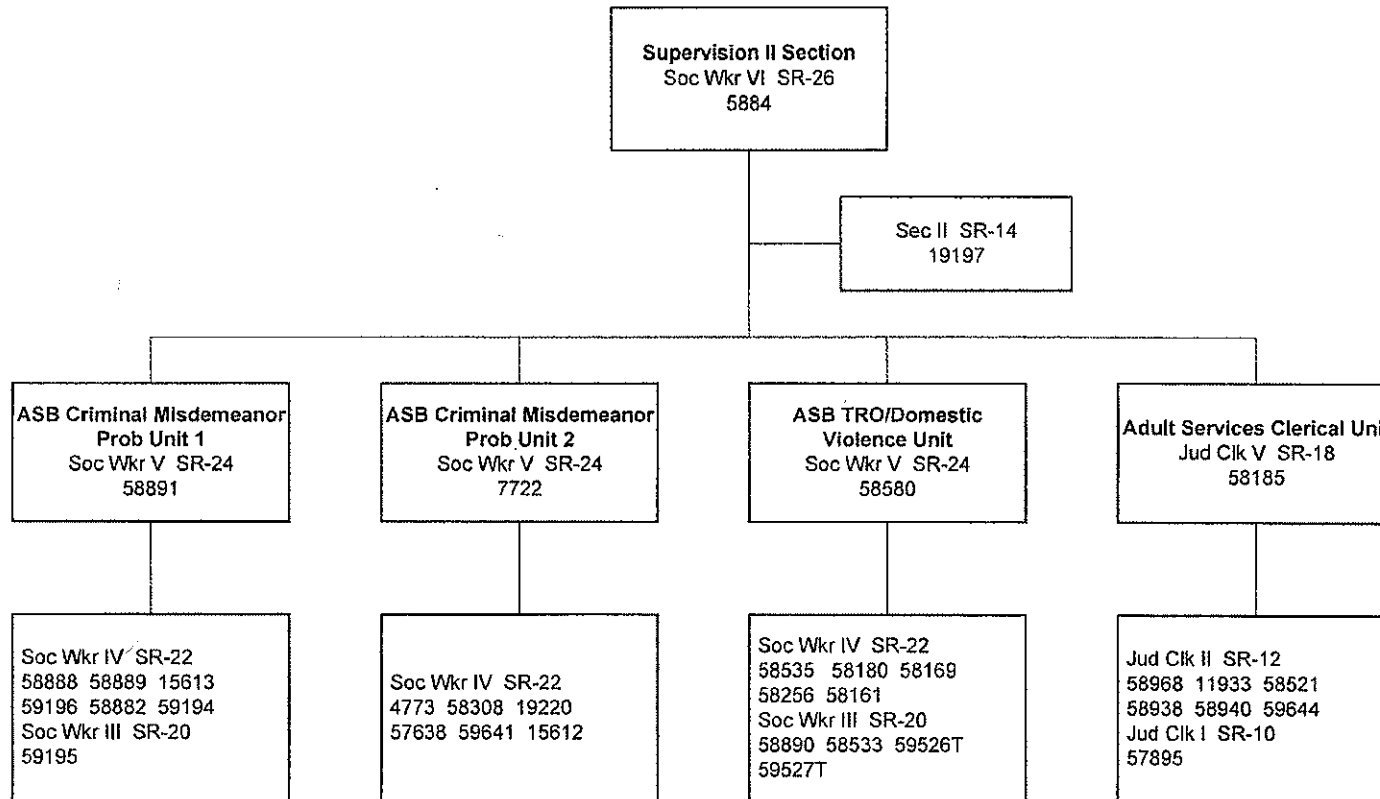
First Circuit

APPROVED:


Ronald T. Y. Moon
CHIEF JUSTICE


DATE:

10/21/08



First Judicial Circuit

APPROVED:



Ronald T. Y. Moon
CHIEF JUSTICE

DATE:

3/17/05

Adult Mental Health Court
MH Ct Coord SR-24
500173ET 1)
MH Ct Planner SR-24
500072ET 2)
Soc Wkr IV SR-22
500060T 3)

- 1) Temporary exempt federal funded position to be established
- 2) Temporary exempt federal funded position.
- 3) Temporary civil service federal funded position.

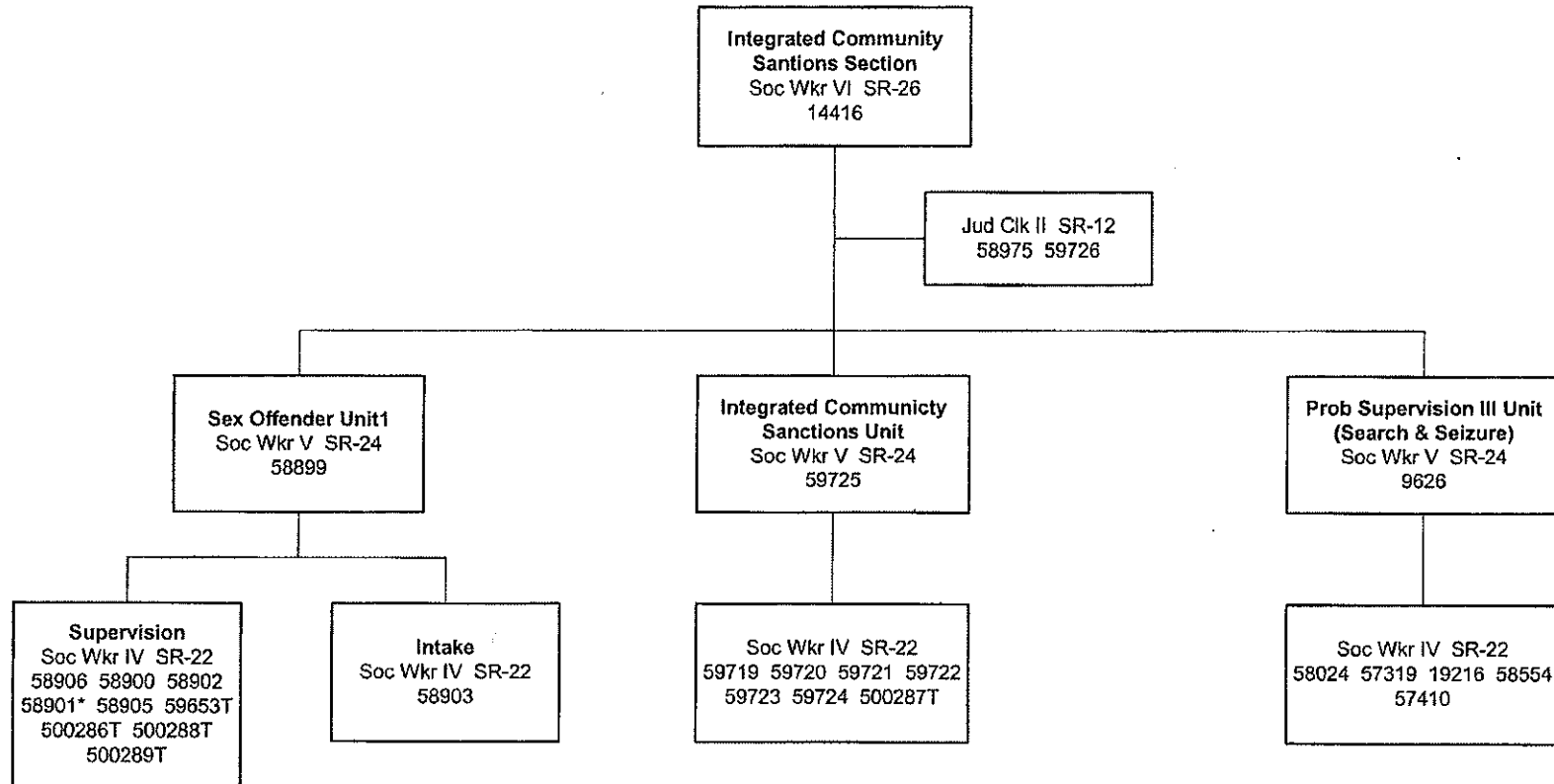
First Circuit

APPROVED:

Ronald T. Y. Moon
Ronald T. Y. Moon
CHIEF JUSTICE

DATE:

02/01/02 (Rev. 10/07)

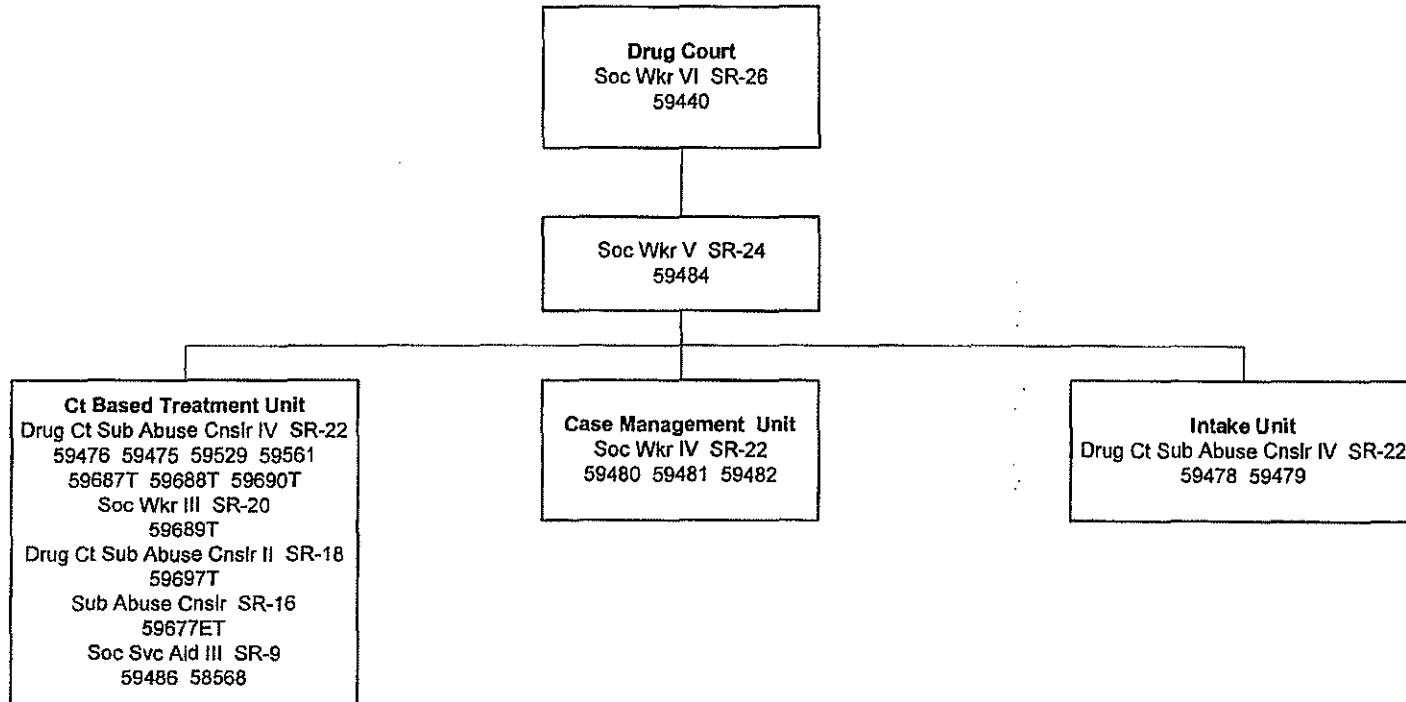


*Authorized level.

First Judicial Circuit

APPROVED: *Ronald T. Y. Moon*
Ronald T. Y. Moon
CHIEF JUSTICE

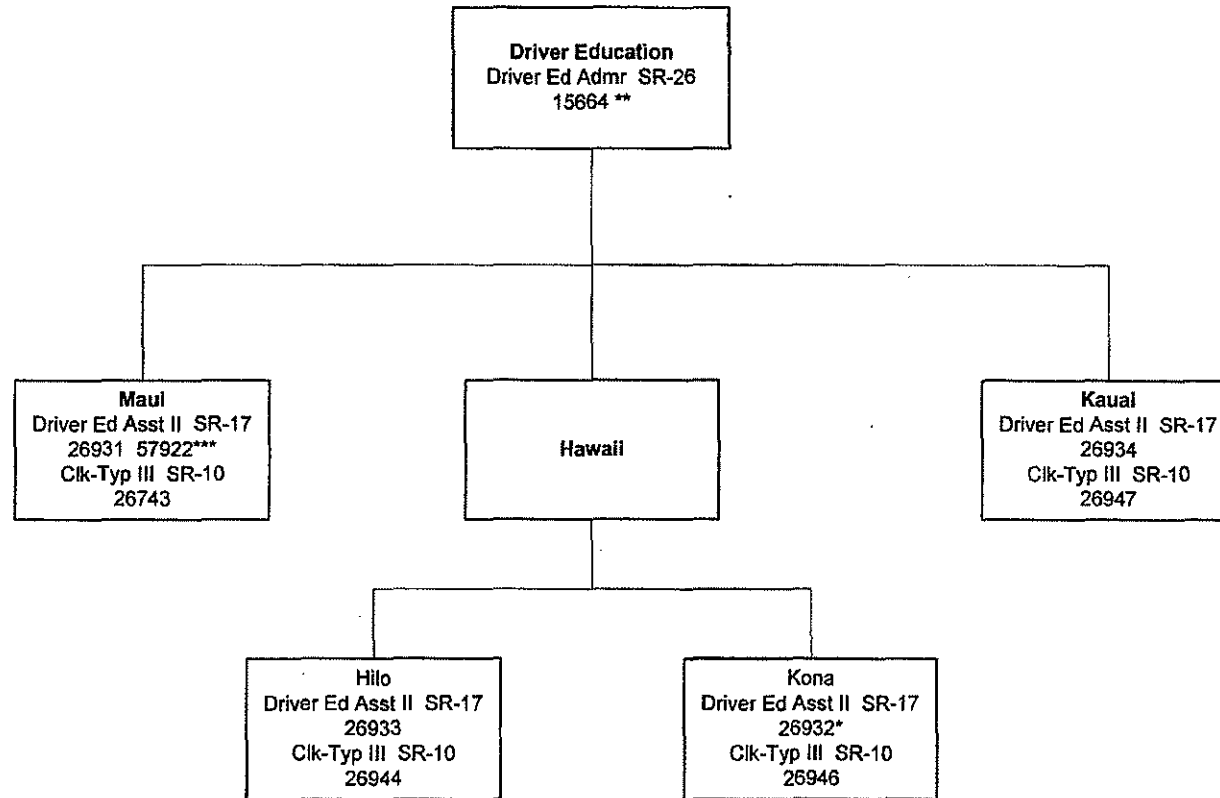
DATE: 02/01/02



First Judicial Circuit

APPROVED: *Ronald T. Y. Moon*
Ronald T. Y. Moon
CHIEF JUSTICE

DATE: 02/01/02



*Authorized level; psn had been earlier
downgraded for recruitment purposes.

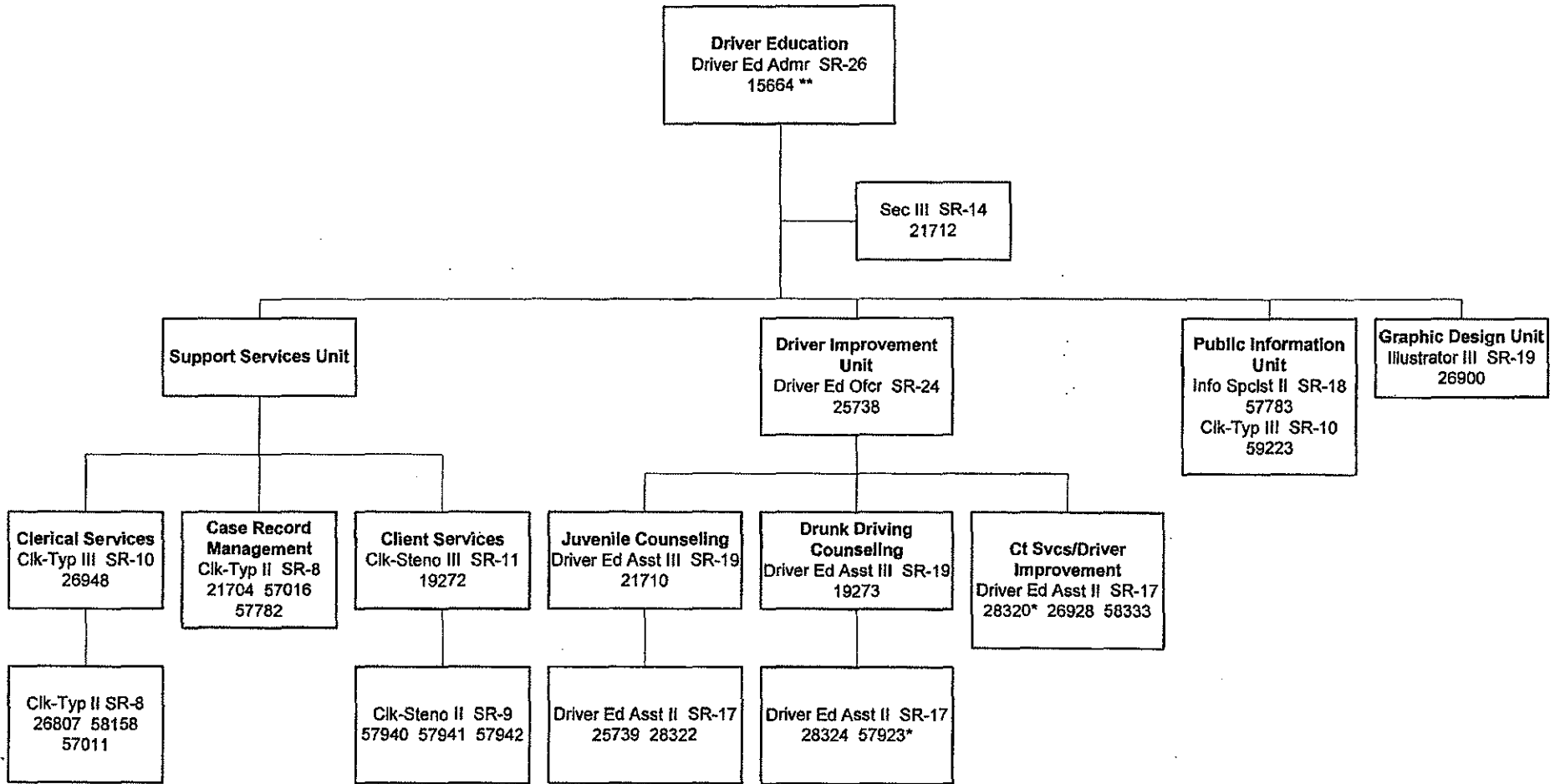
**Psn redescribed from Driver Ed Spvr, SR-26.

***Psn redescribed from Driver Ed Asst I, SR-15.

First Judicial Circuit

APPROVED: *Ronald T. Y. Moon*
 Ronald T. Y. Moon
 CHIEF JUSTICE

DATE: 02/01/02



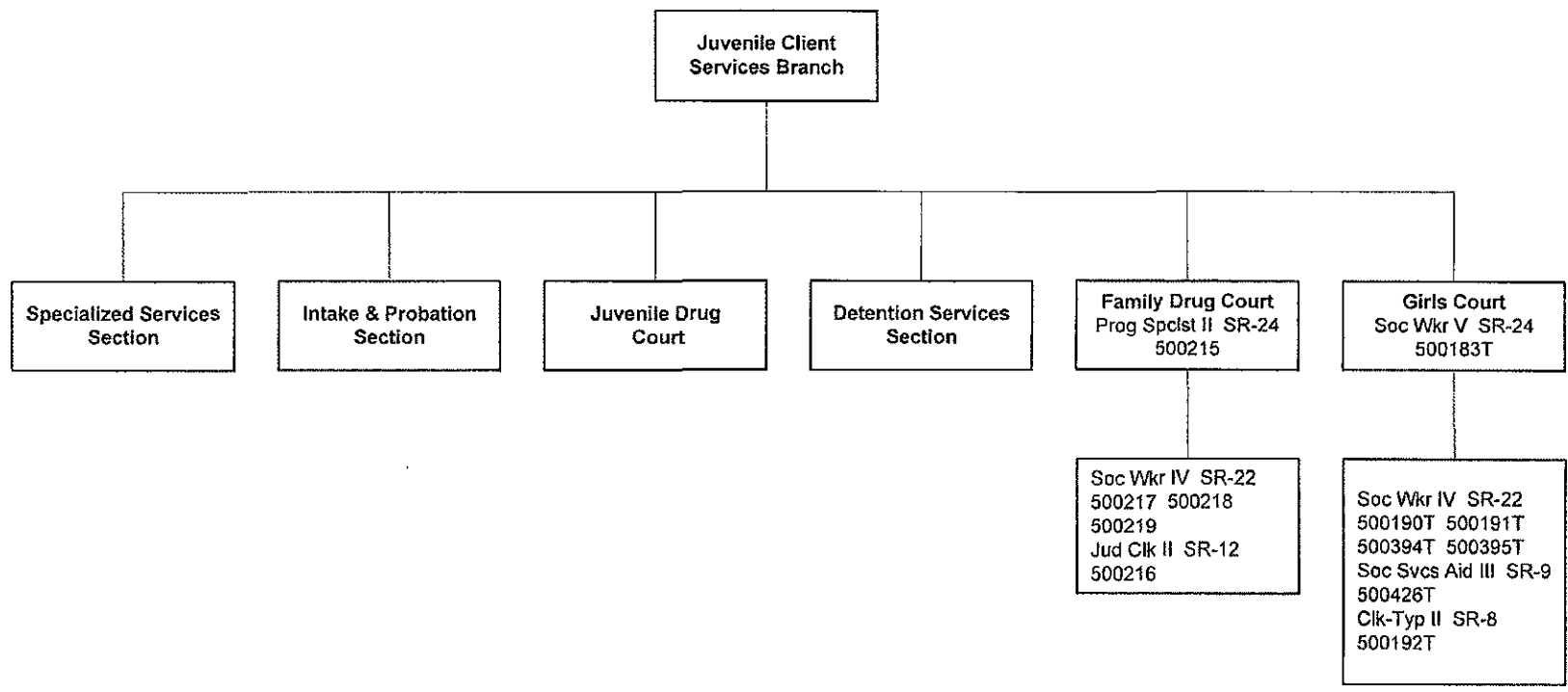
*Authorized level.

**Psn redescribed from Driver Ed Spvr, SR-26.

First Circuit

APPROVED: *Ronald T. Y. Moon*
Ronald T. Y. Moon
CHIEF JUSTICE

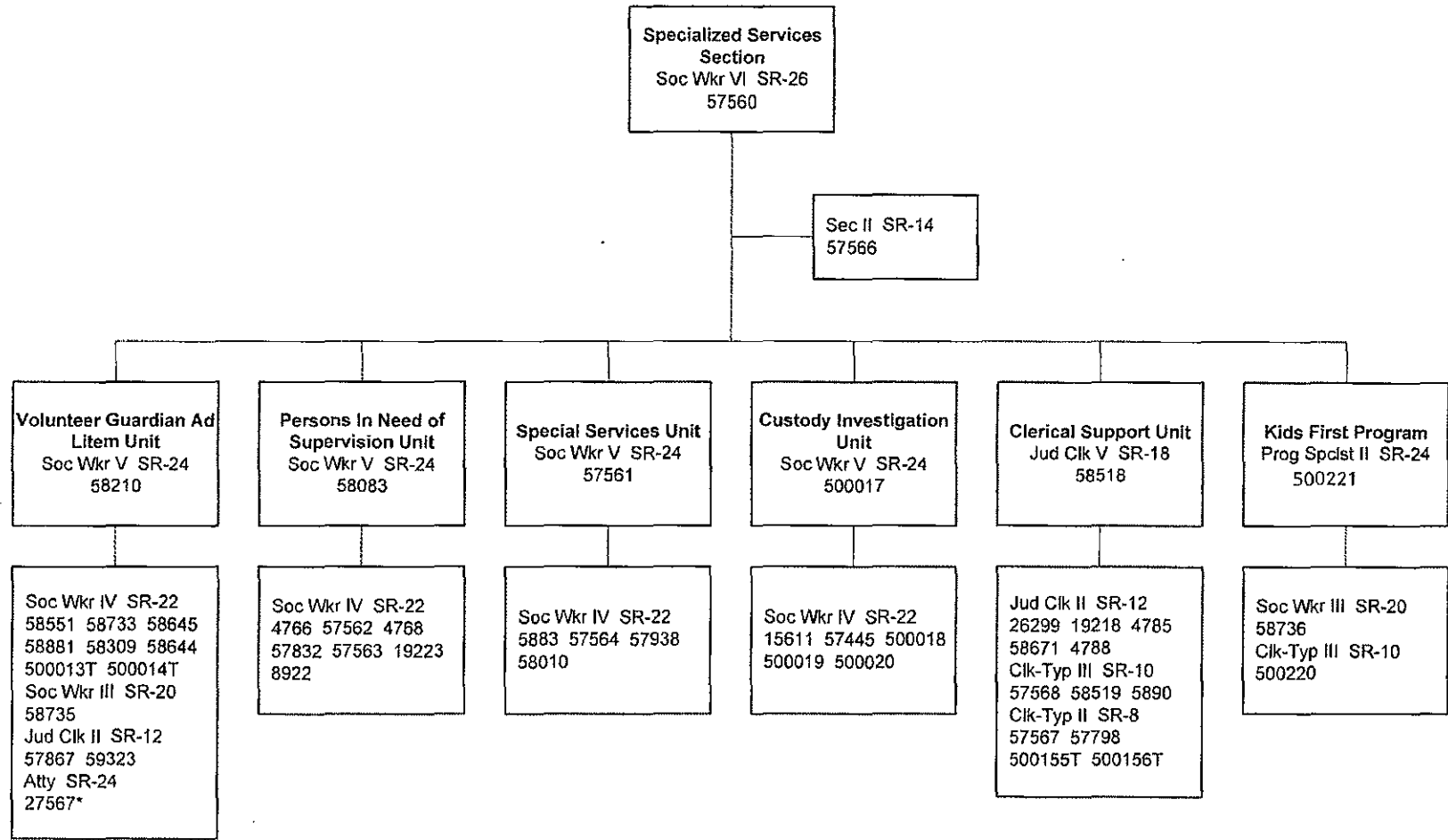
DATE: Aug. 14, 2008



First Circuit

APPROVED: *Ronald T. Y. Moon*
 Ronald T. Y. Moon
 CHIEF JUSTICE

DATE: *Aug. 14, 2008*

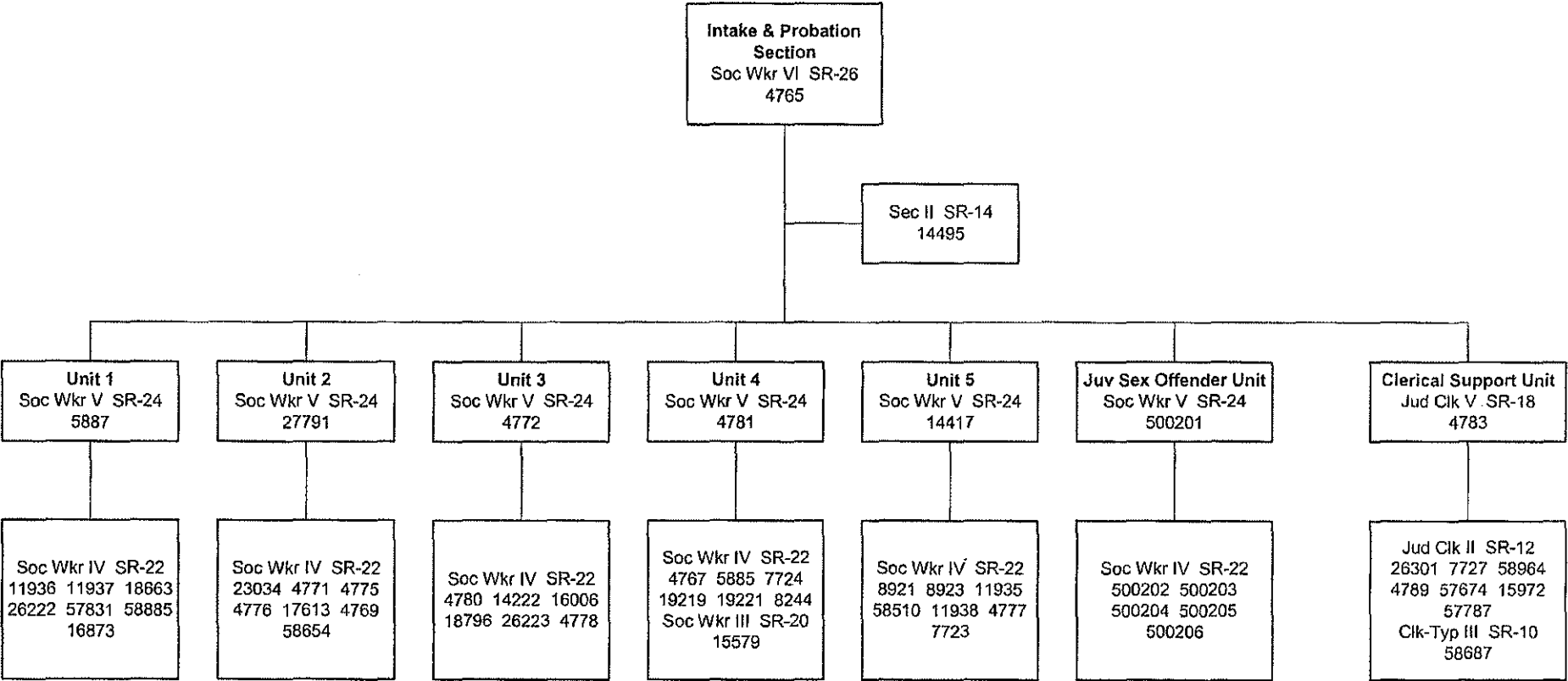


*Administrative supervision from Soc Wkr V; receives technical guidance from higher level Attorney positions in First Circuit.

First Circuit

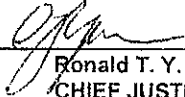
APPROVED: *Ronald T. Y. Moon*
Ronald T. Y. Moon
CHIEF JUSTICE

DATE: 08/10/06 (Rev. 08/06)



First Circuit

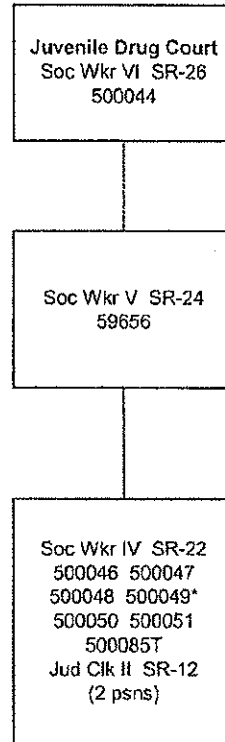
APPROVED:



Ronald T. Y. Moon
CHIEF JUSTICE

DATE:

7/27/04



*Psn downgraded for recruitment purposes.

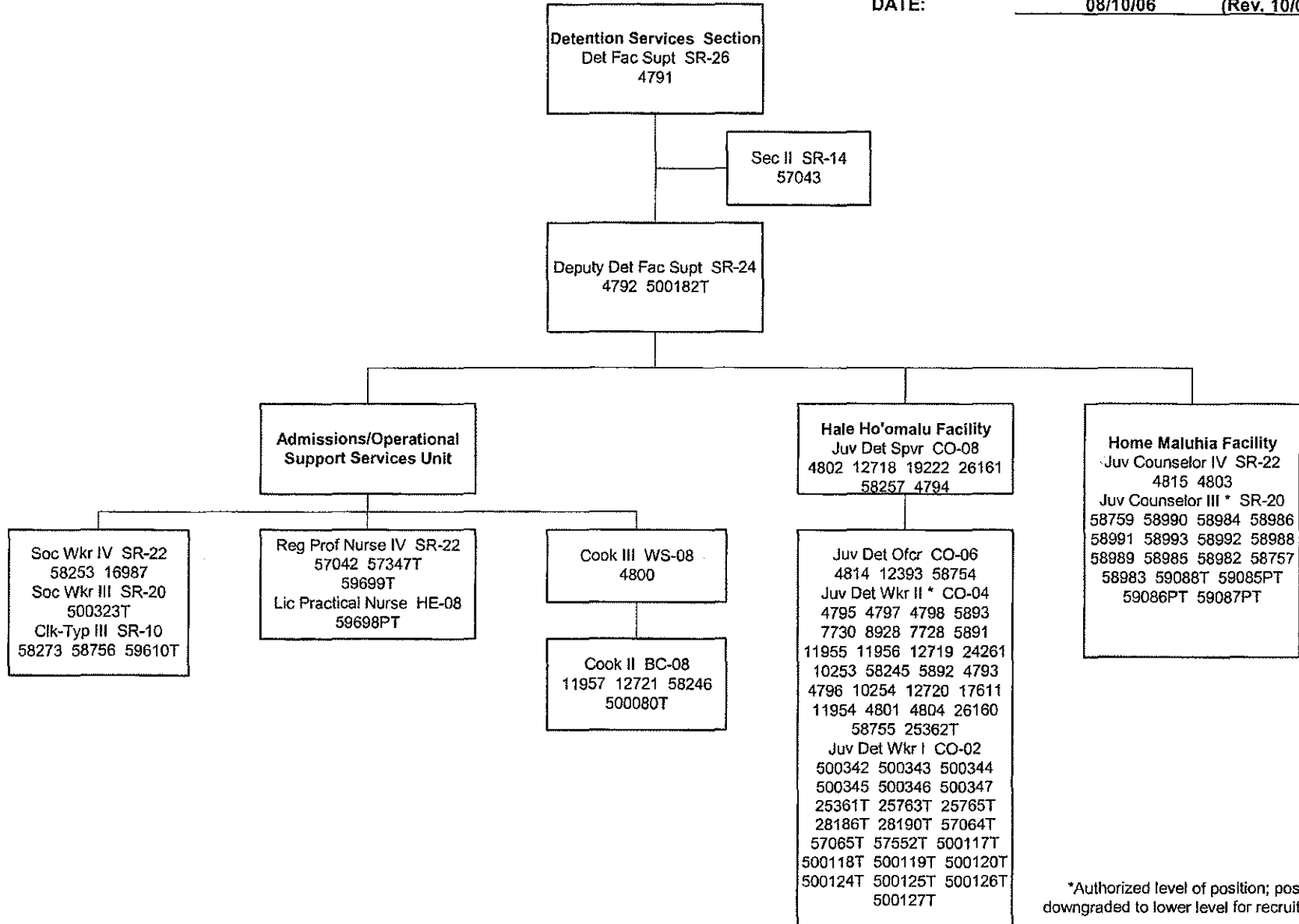
First Circuit

APPROVED:

Ronald T. Y. Moon
 Ronald T. Y. Moon
 CHIEF JUSTICE

DATE:

08/10/06 (Rev. 10/07)

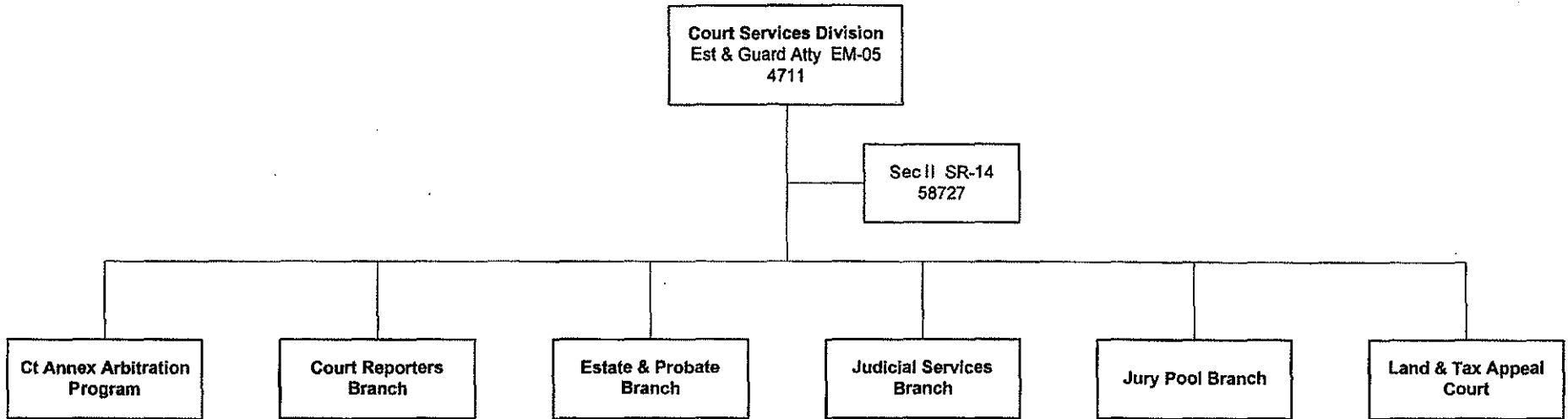


*Authorized level of position; position may be downgraded to lower level for recruitment purposes

First Judicial Circuit

APPROVED: *Ronald T. Y. Moon*
Ronald T. Y. Moon
CHIEF JUSTICE

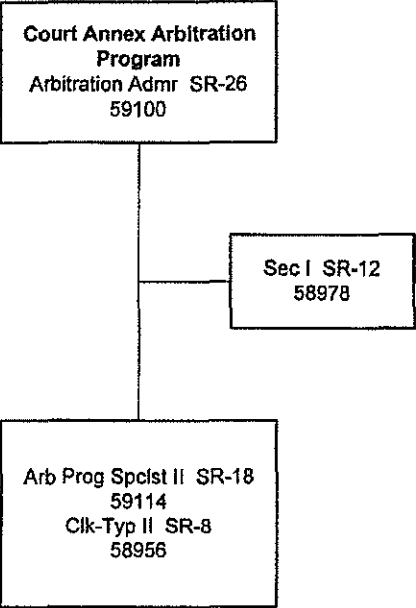
DATE: 08/23/02



First Judicial Circuit

APPROVED: *Ronald T. Y. Moon*
Ronald T. Y. Moon
CHIEF JUSTICE

DATE: 08/23/02



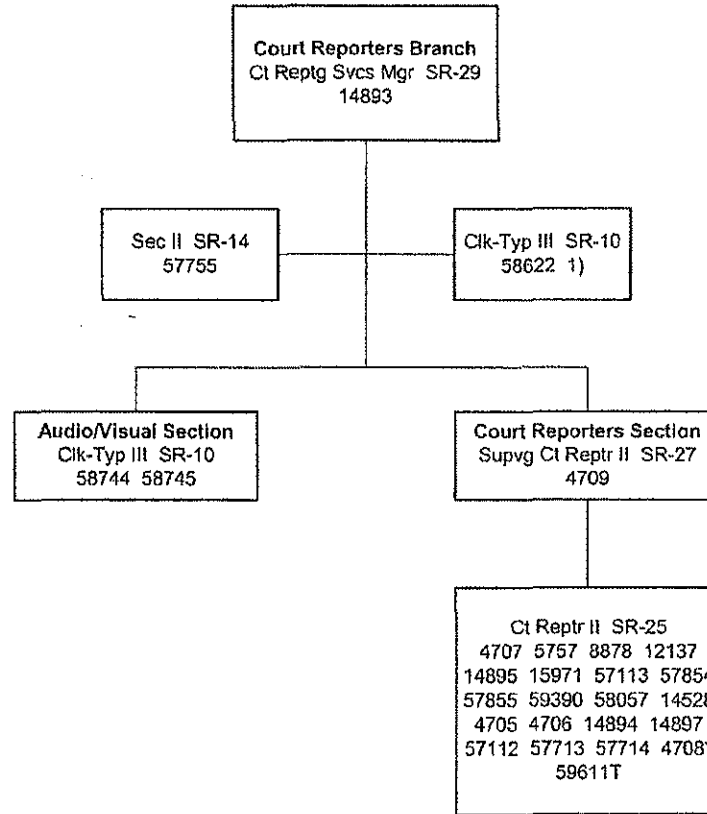
First Circuit

APPROVED:


Ronald T. Y. Moon
CHIEF JUSTICE

DATE:

3/1/04



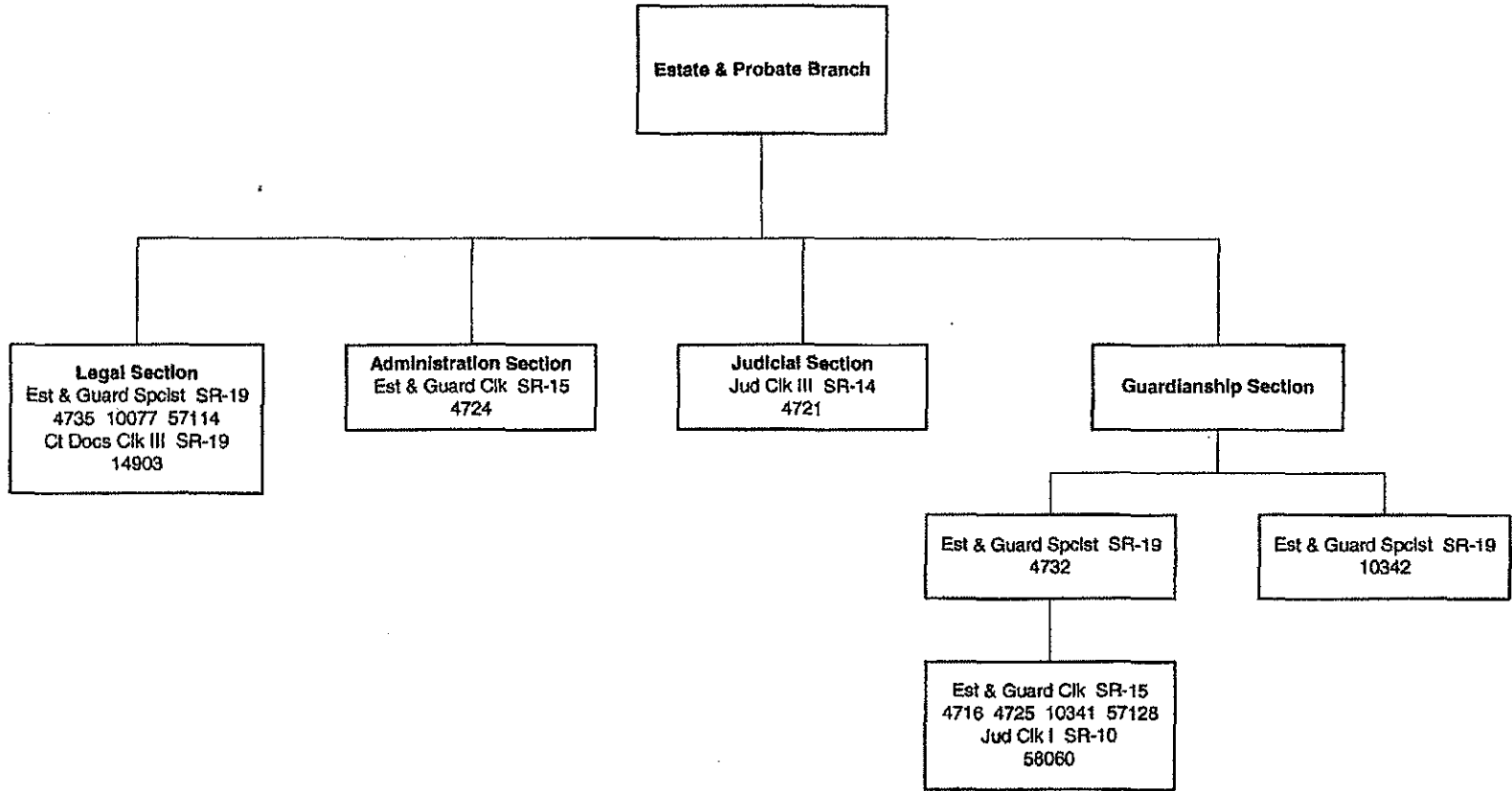
1) Provides clerical support to the Certified Shorthand Reporters Board.

*To be redescribed.

First Judicial Circuit

APPROVED: *Ronald T. Y. Moon*
Ronald T. Y. Moon
CHIEF JUSTICE

DATE: 3/17/05



First Circuit

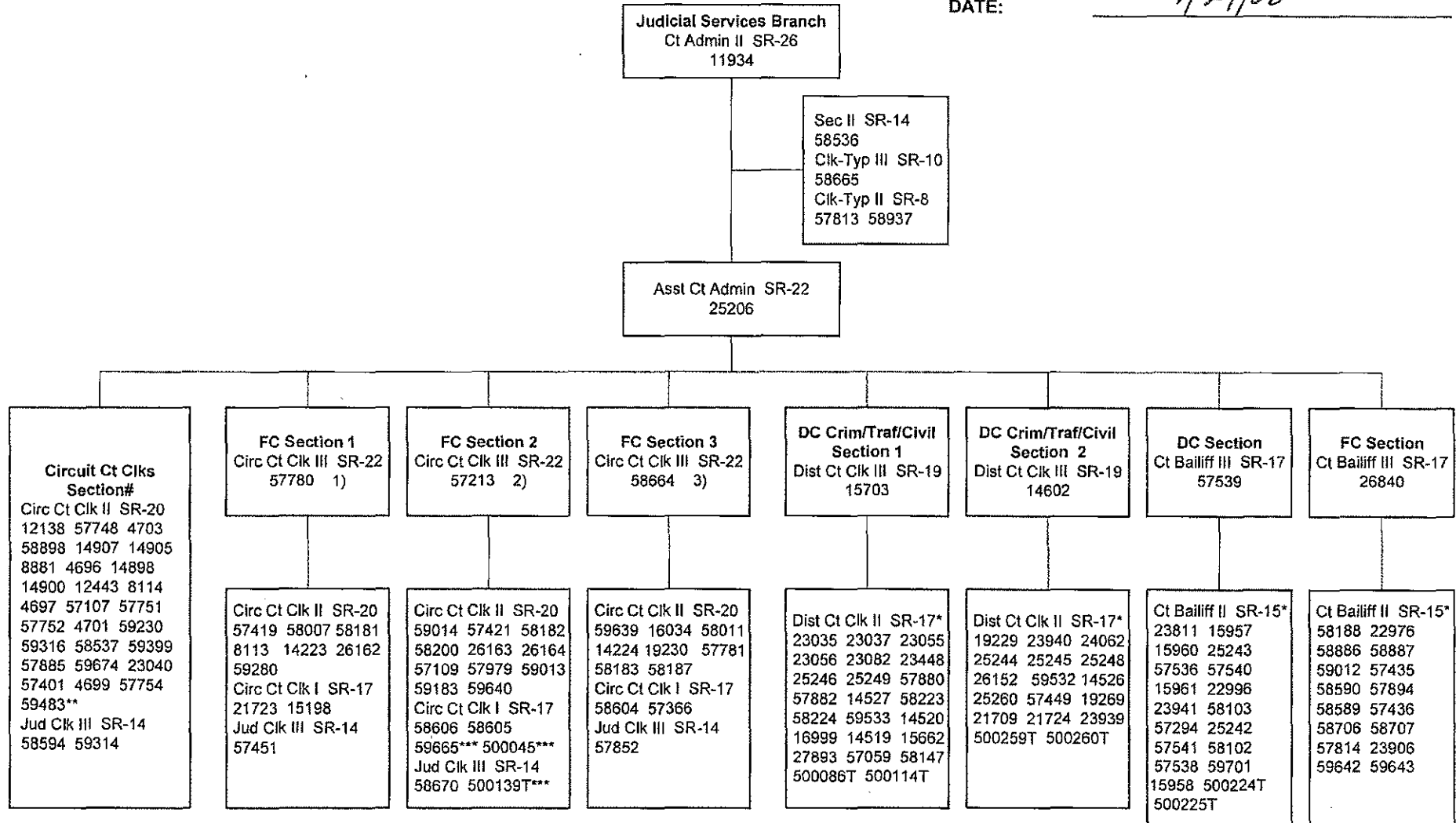
APPROVED:



Ronald T. Y. Moon
CHIEF JUSTICE

DATE:

9/29/08



#Circ Ct Clk positions from the Trial Divisions and former Criminal Administration will be administratively assigned to individual trial divisions.


- 1) Domestic Calendar
- 2) Juvenile Calendar
- 3) Special Calendar

*Positions may be downgraded to the lower level for recruitment purposes.

**Assigned to Drug Ct.
***Assigned to Specialty Cts.

First Circuit

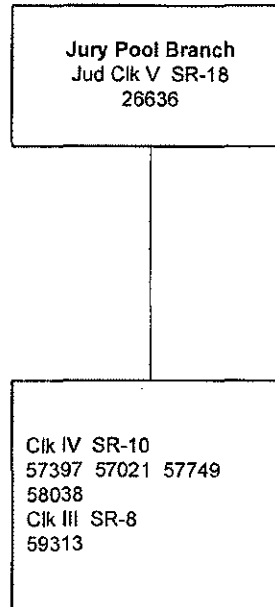
APPROVED:



Ronald T. Y. Moon
CHIEF JUSTICE

DATE:

10/6/08

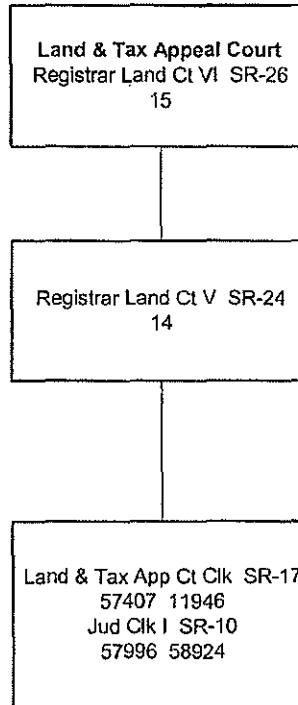


Note: Clk and Clk-Typist class series consolidated into Clk class series.


First Circuit

APPROVED: *Ronald T. Y. Moon*
Ronald T. Y. Moon
CHIEF JUSTICE

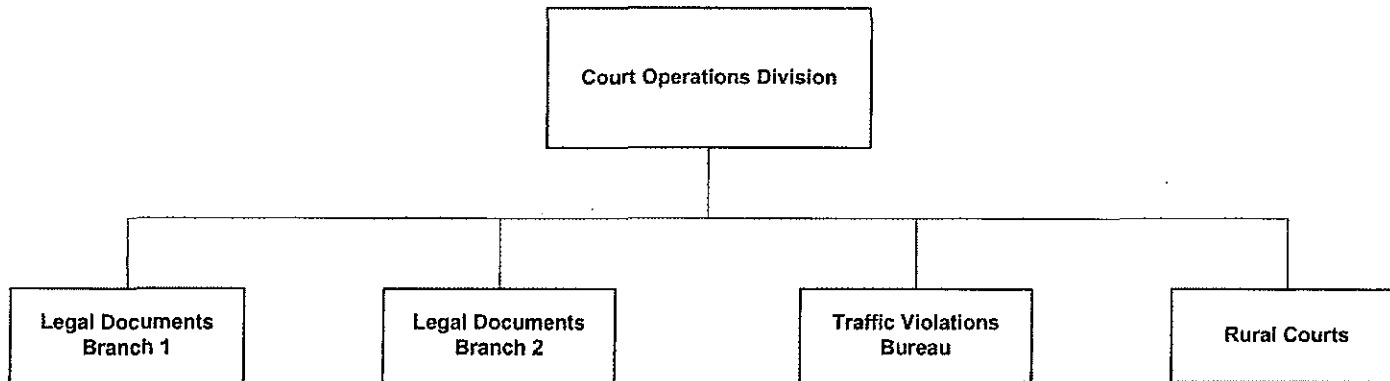
DATE: 05/07/02 (Rev. 08/06)



First Judicial Circuit

APPROVED: 
Ronald T. Y. Moon
CHIEF JUSTICE

DATE: 9/17/04



First Circuit

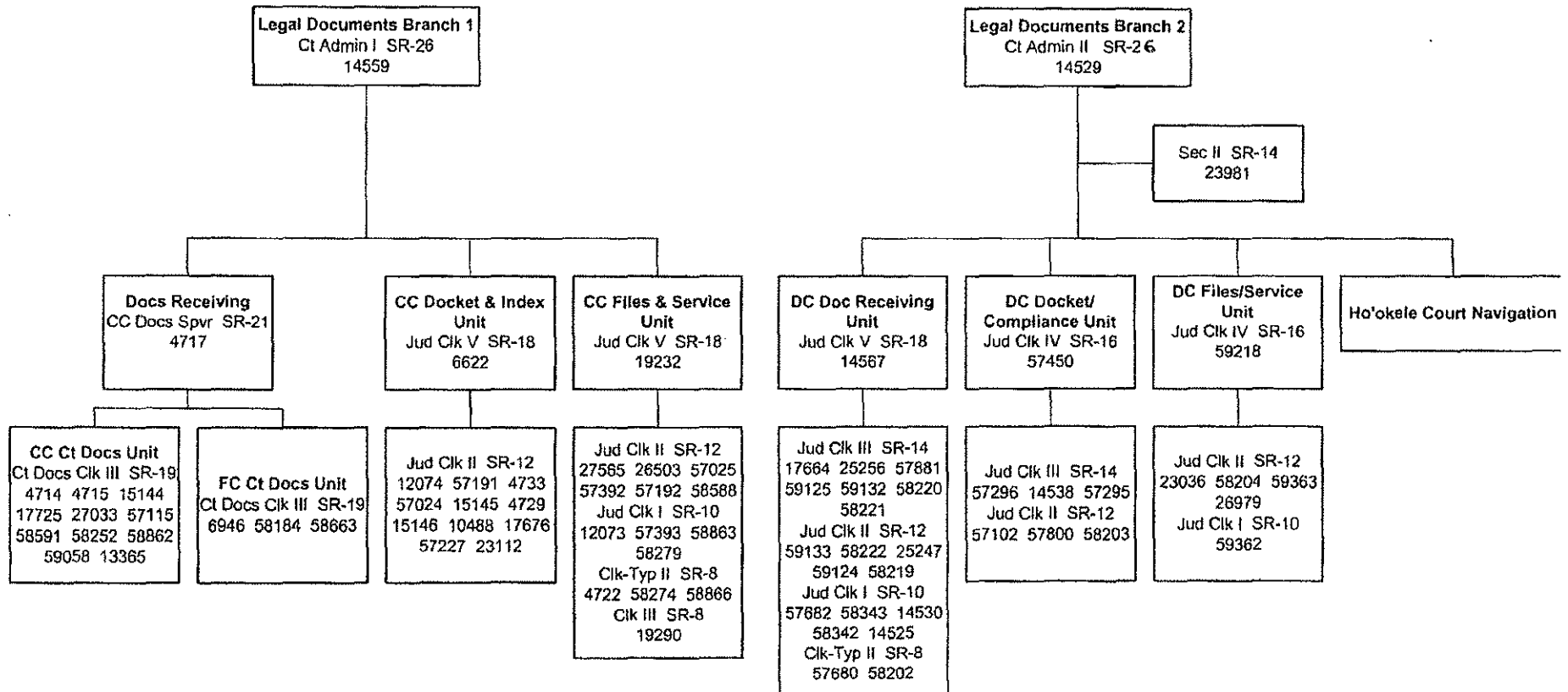
Legal Documents

APPROVED:

Ronald T. Y. Moon
 Ronald T. Y. Moon
 CHIEF JUSTICE

DATE:


7/9/07



First Circuit

Legal Documents - Ho'okele

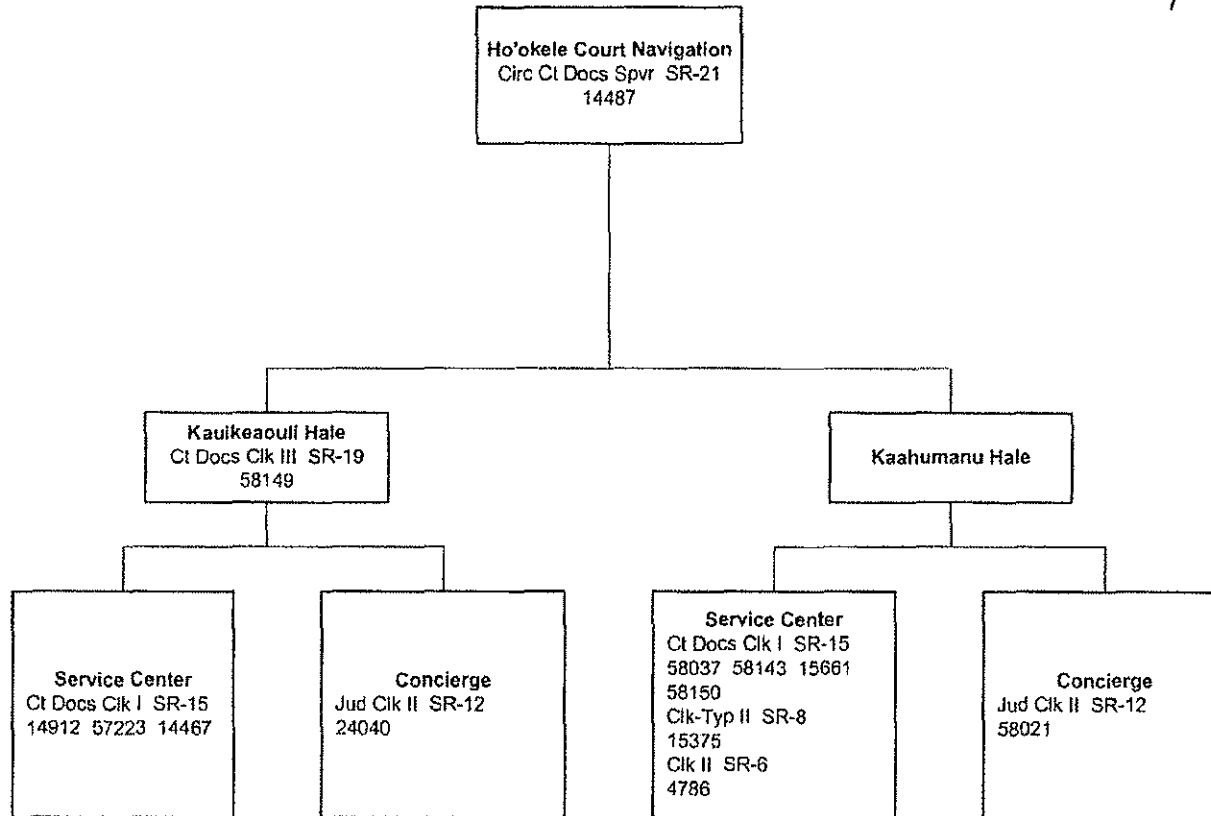
APPROVED:



Ronald T. Y. Moon
CHIEF JUSTICE

DATE:

9/27/07



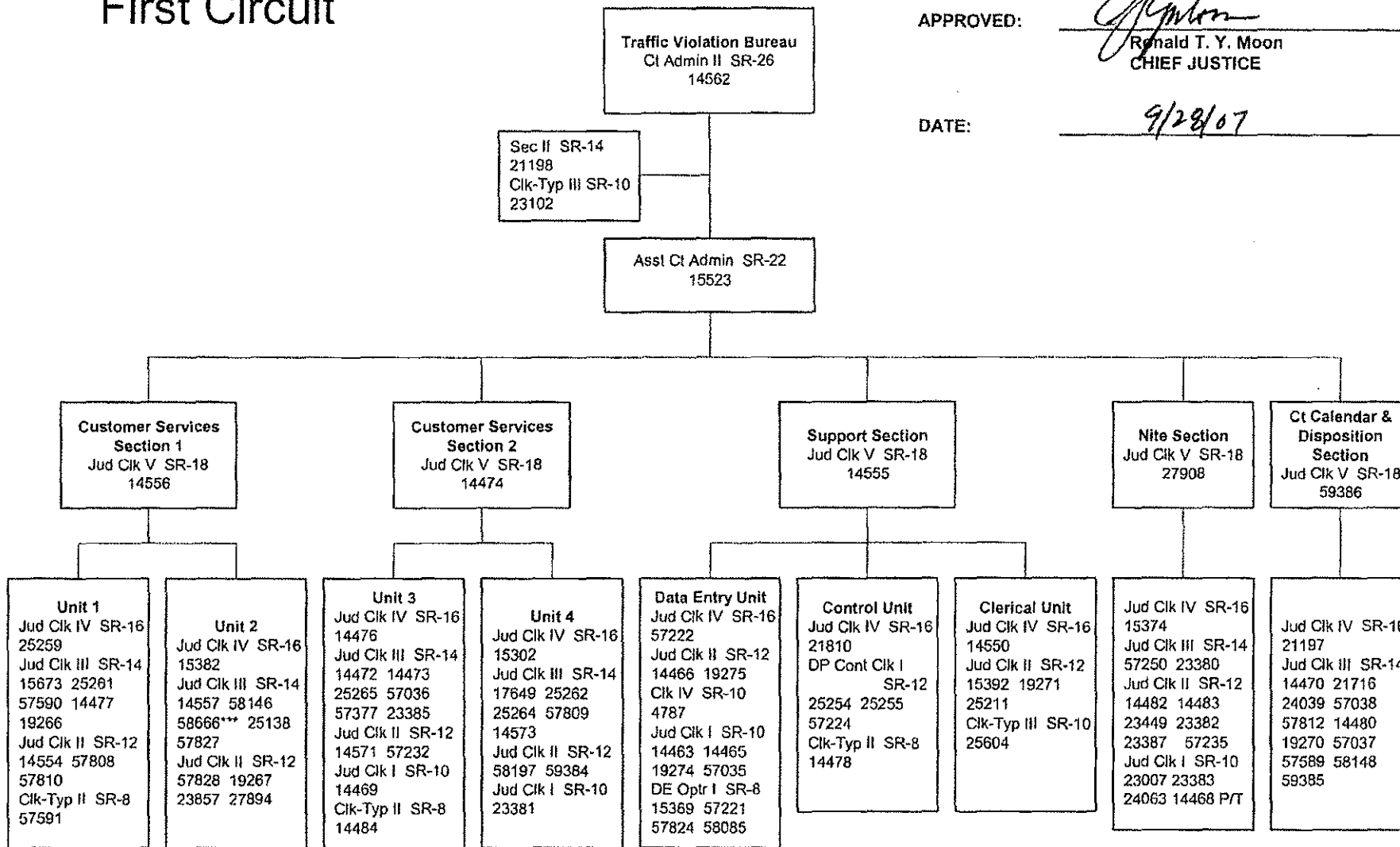
First Circuit

APPROVED:

Ronald T. Y. Moon
 Ronald T. Y. Moon
 CHIEF JUSTICE

DATE:

9/28/07



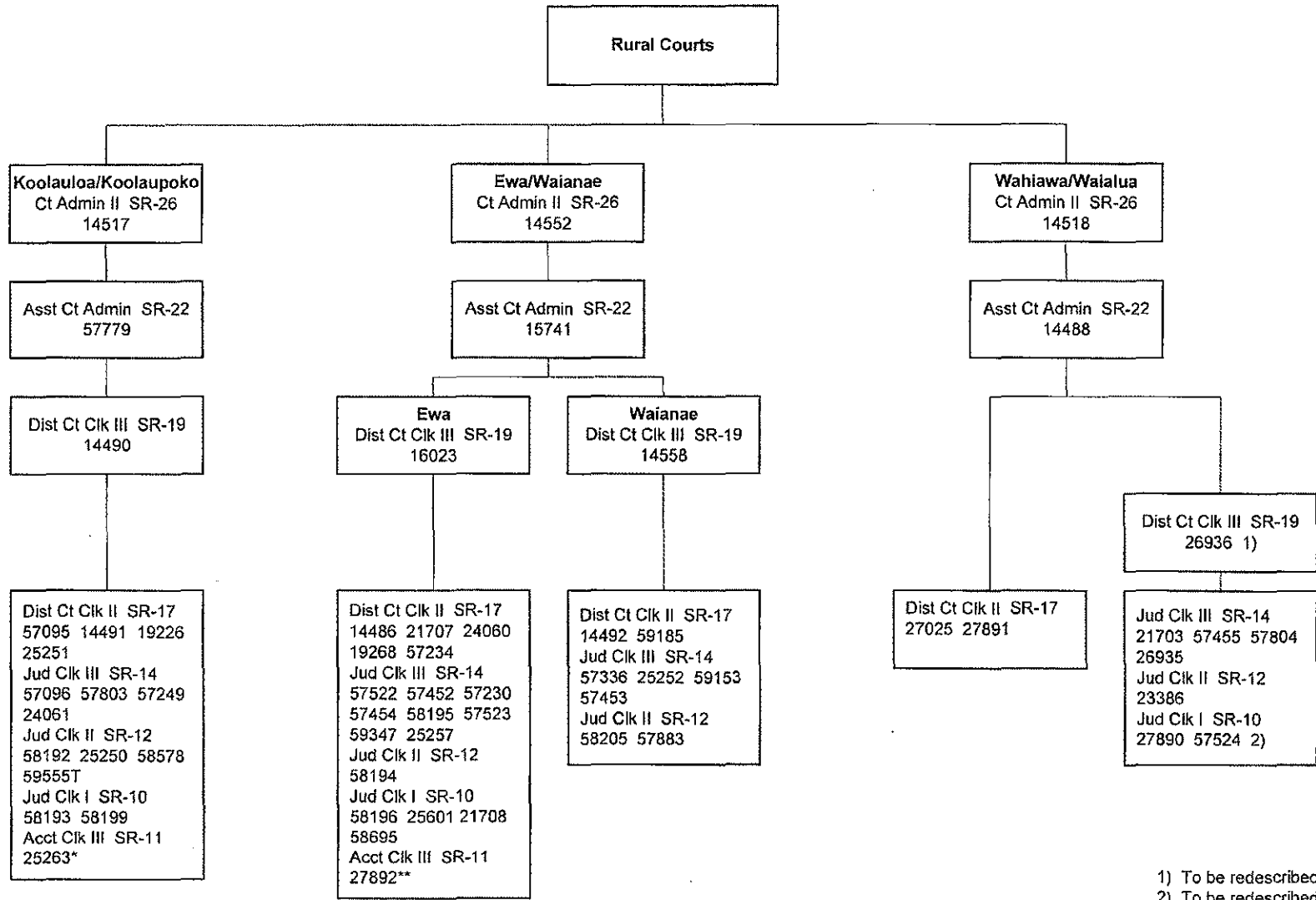
*** Vacant psn - redescribed to Jud Clk III

First Circuit

Rural Courts

APPROVED: 
 Ronald T. Y. Moon
 CHIEF JUSTICE

DATE: 12/14/08




*Position provides account clerical services for Kaneohe and Wahiawa.
 **Position provides account clerical services for Ewa and Waianae.

1) To be redescribed.
 2) To be redescribed.

SECOND JUDICIAL CIRCUIT

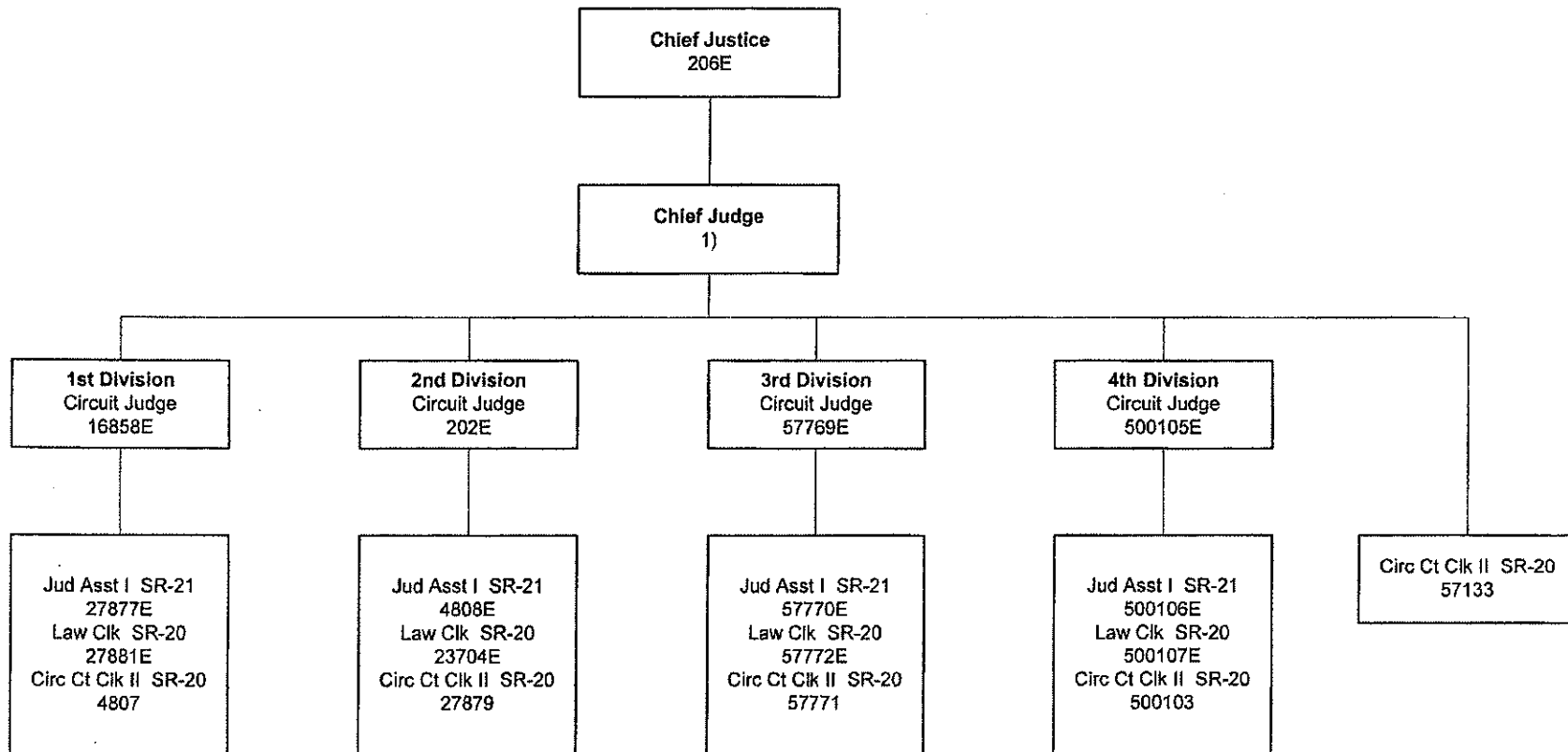
CIRCUIT JUDGES

APPROVED:


Ronald T. Y. Moon
CHIEF JUSTICE

DATE:

10/27/04




1) Per Chief Justice's order of appointment.

SECOND JUDICIAL CIRCUIT

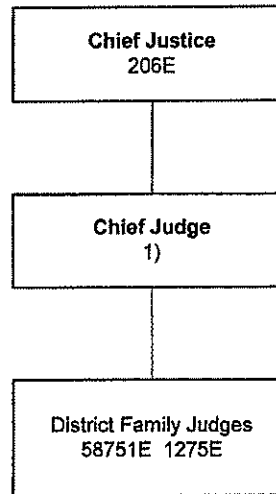
FAMILY JUDGES

APPROVED:


Ronald T. Y. Moon
CHIEF JUSTICE

DATE:

02/21/03



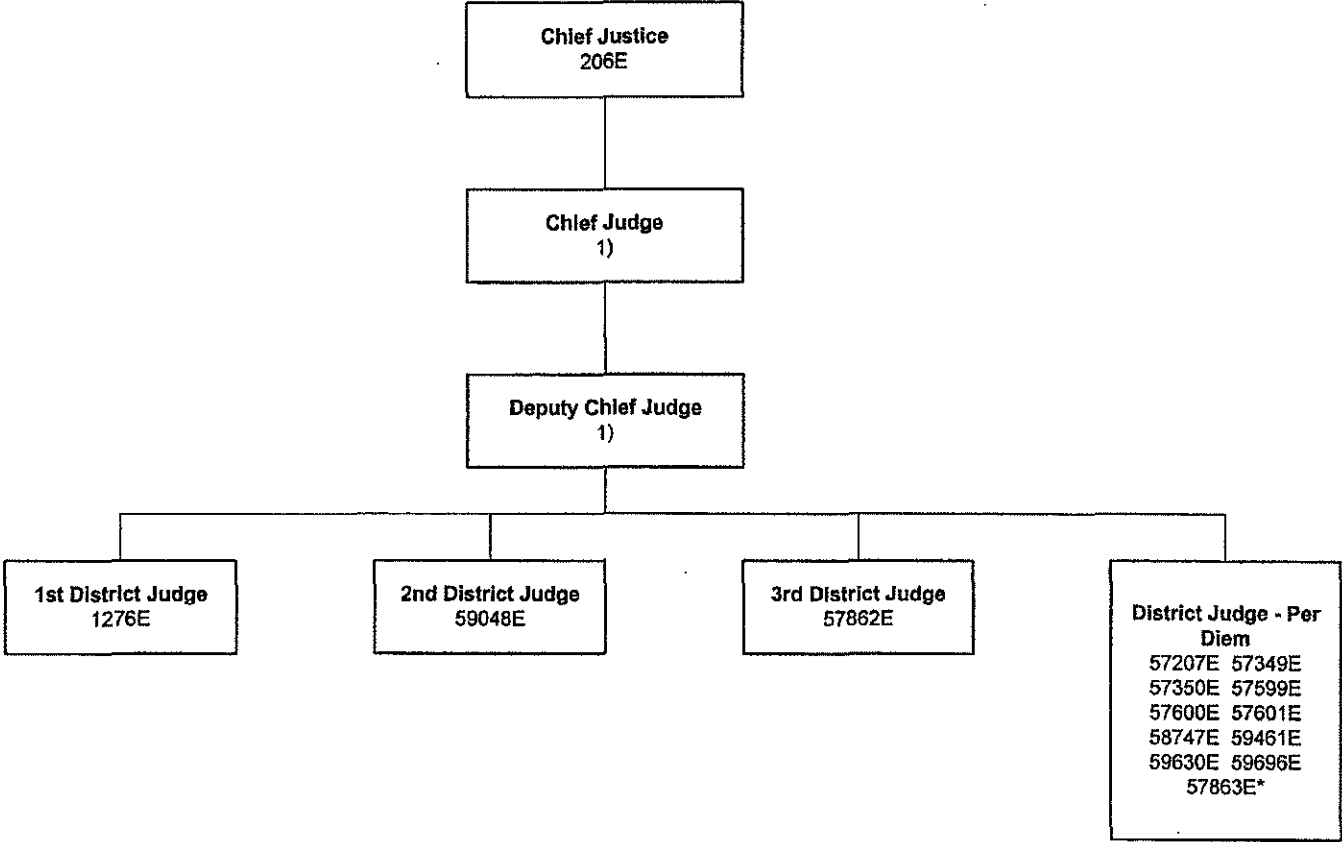
1) Per Chief Justice's order of appointment.

SECOND JUDICIAL CIRCUIT

DISTRICT JUDGES

APPROVED: *Ronald T. Y. Moon*
Ronald T. Y. Moon
CHIEF JUSTICE

DATE: 02/21/03



1) Per Chief Justice's order of appointment.

*Assigned to Molokai.

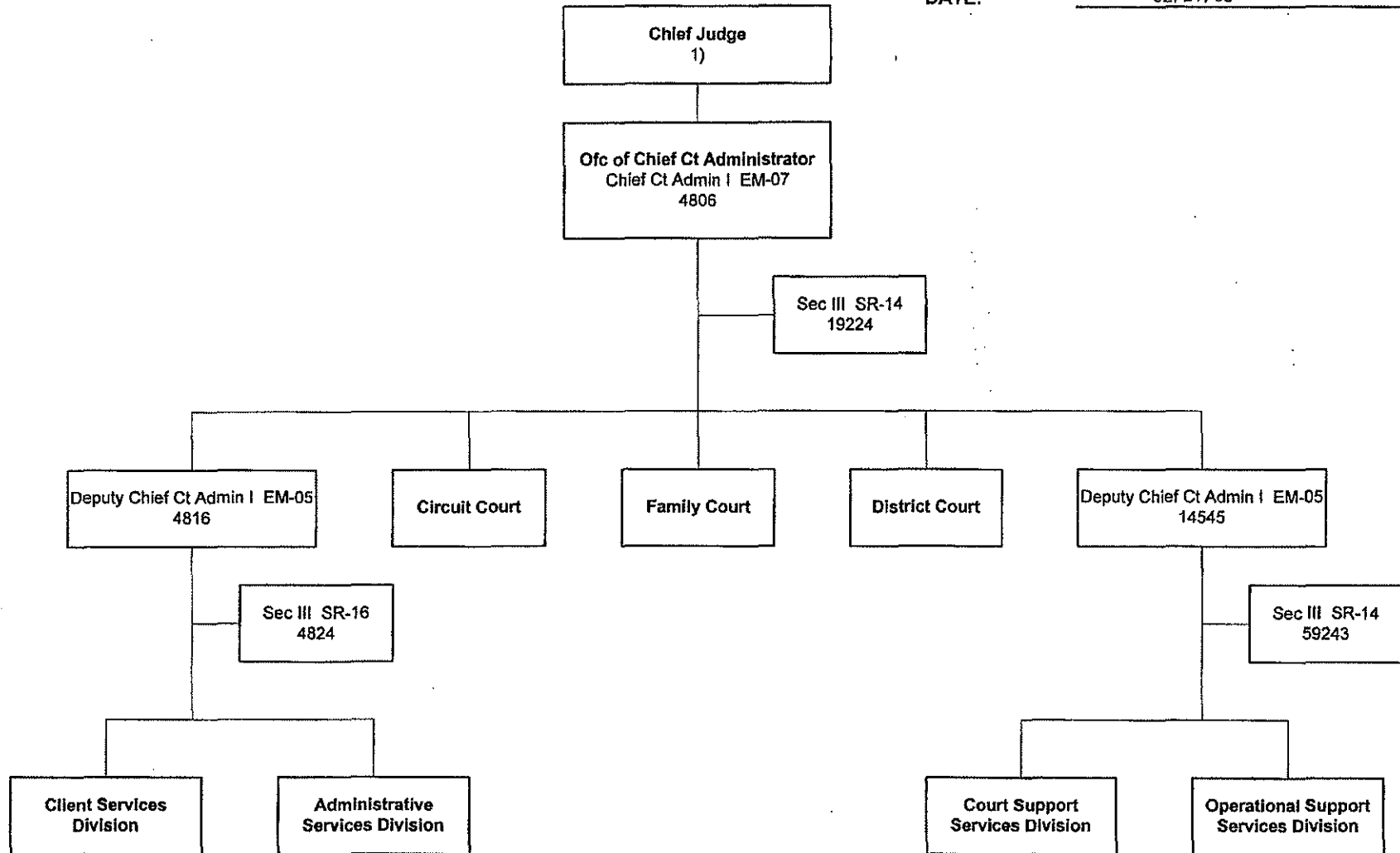
Second Judicial Circuit

APPROVED:

Ronald T. Y. Moon
Ronald T. Y. Moon
CHIEF JUSTICE

DATE:

02/21/03

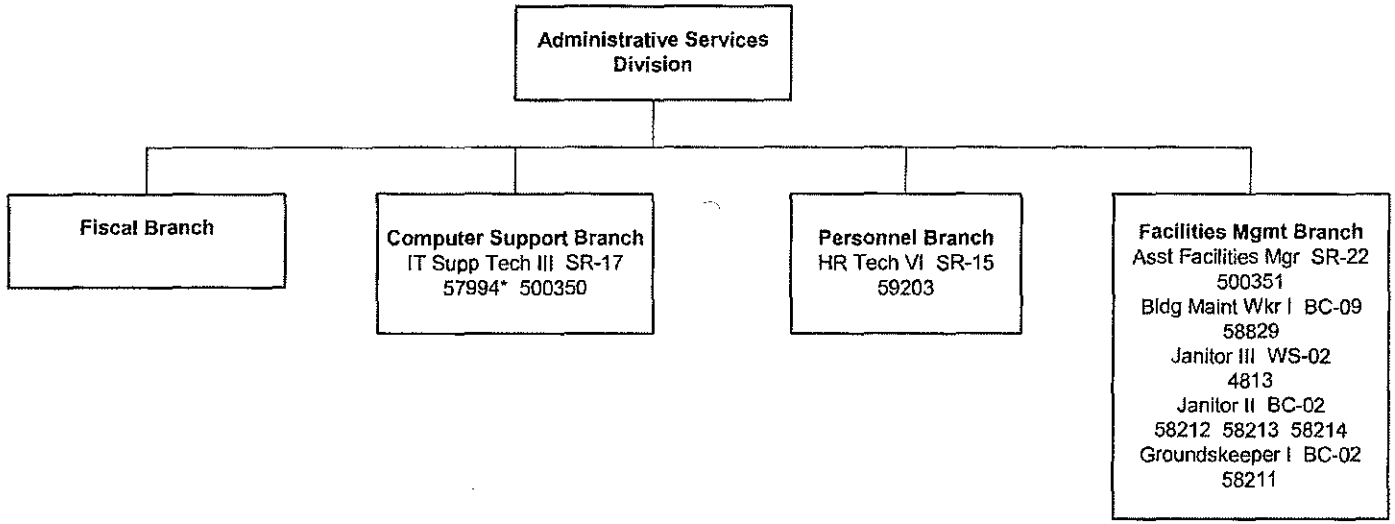


1) Per Chief Justice's order of appointment.

Second Circuit

APPROVED: *Ronald T. Y. Moon*
Ronald T. Y. Moon
CHIEF JUSTICE

DATE: 02/21/03 (Rev. 10/07)

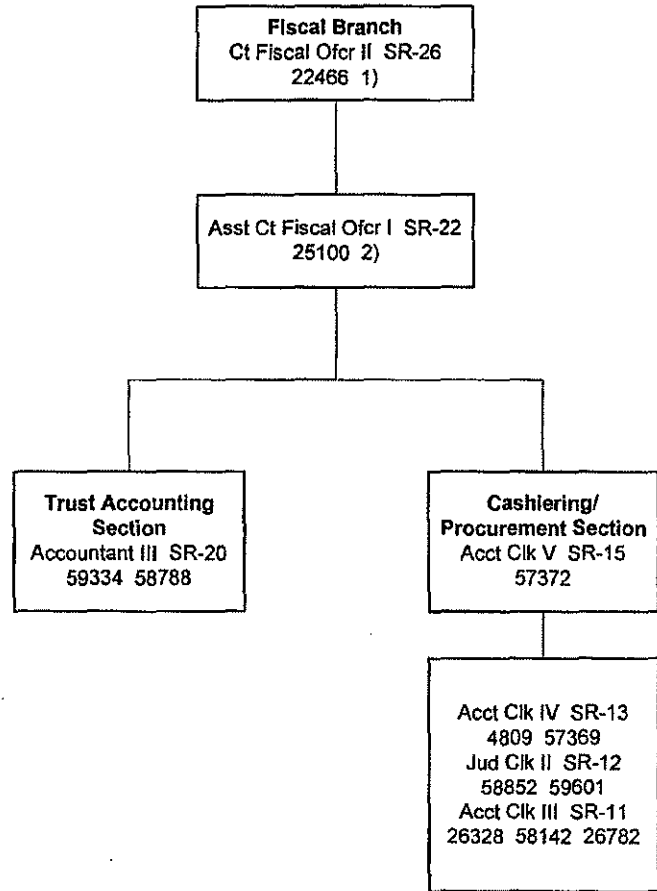


*Psn reallocated.

Second Judicial Circuit

APPROVED: *Ronald T. Y. Moon*
Ronald T. Y. Moon
CHIEF JUSTICE

DATE: 05/07/02

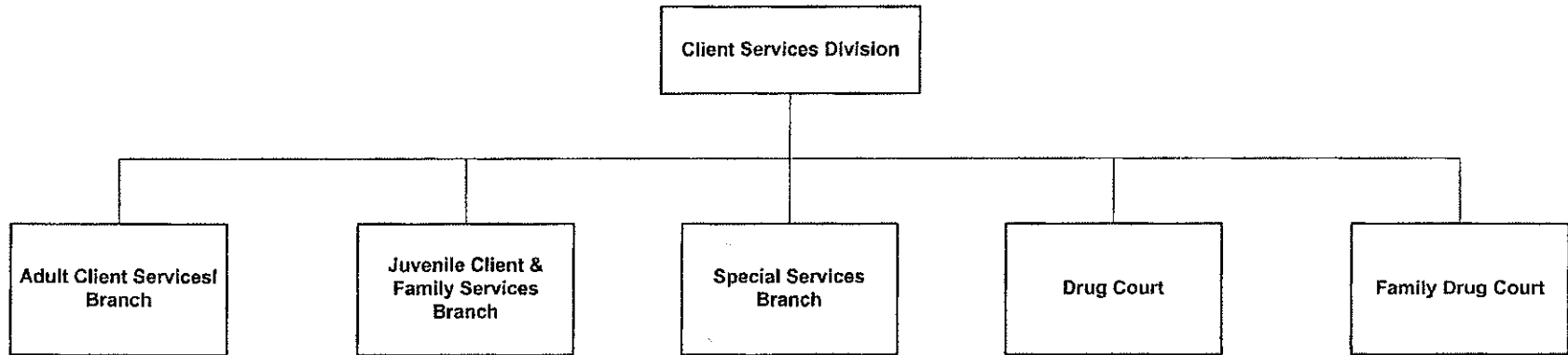


1) Psn redescribed from Ct Fiscal Ofcr IV, SR-26.
2) Psn redescribed from Ct Fiscal Ofcr II, SR-22.

Second Judicial Circuit

APPROVED: *R. Y. Moon*
Ronald T. Y. Moon
CHIEF JUSTICE

DATE: 10/27/04

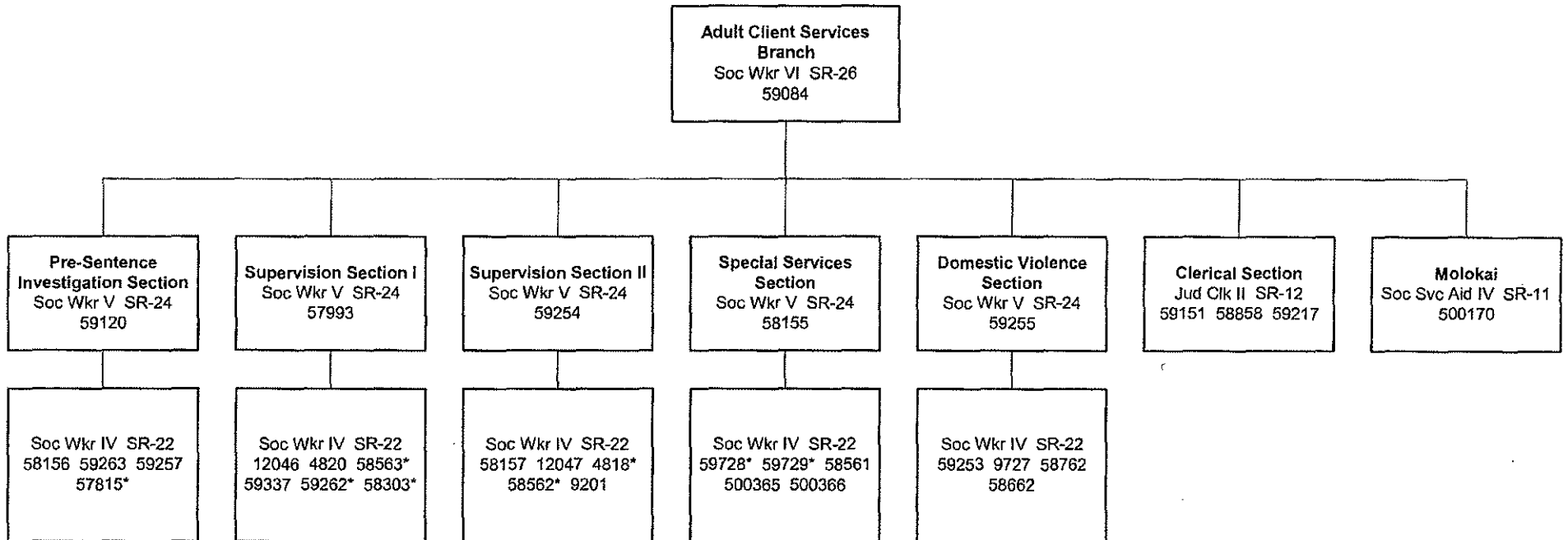


Note: Client Services Division aka Court User Services

Second Circuit

APPROVED: *Ronald T. Y. Moon*
Ronald T. Y. Moon
CHIEF JUSTICE

DATE: 03/01/07 (Rev. 10/07)



* Position downgraded for recruitment purposes.

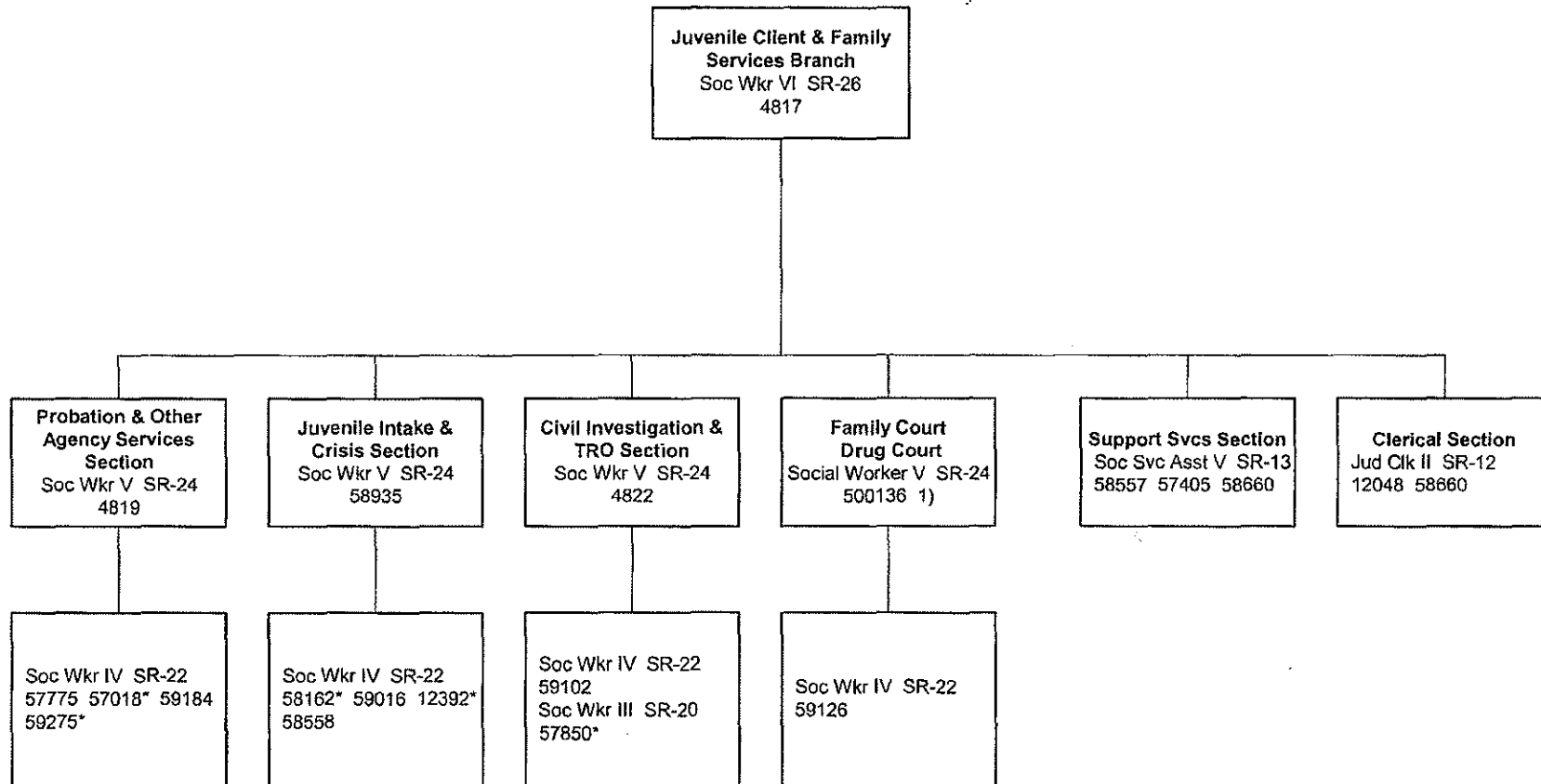
Second Circuit

APPROVED:

Ronald T. Y. Moon
 Ronald T. Y. Moon
 CHIEF JUSTICE

DATE:

11/19/87



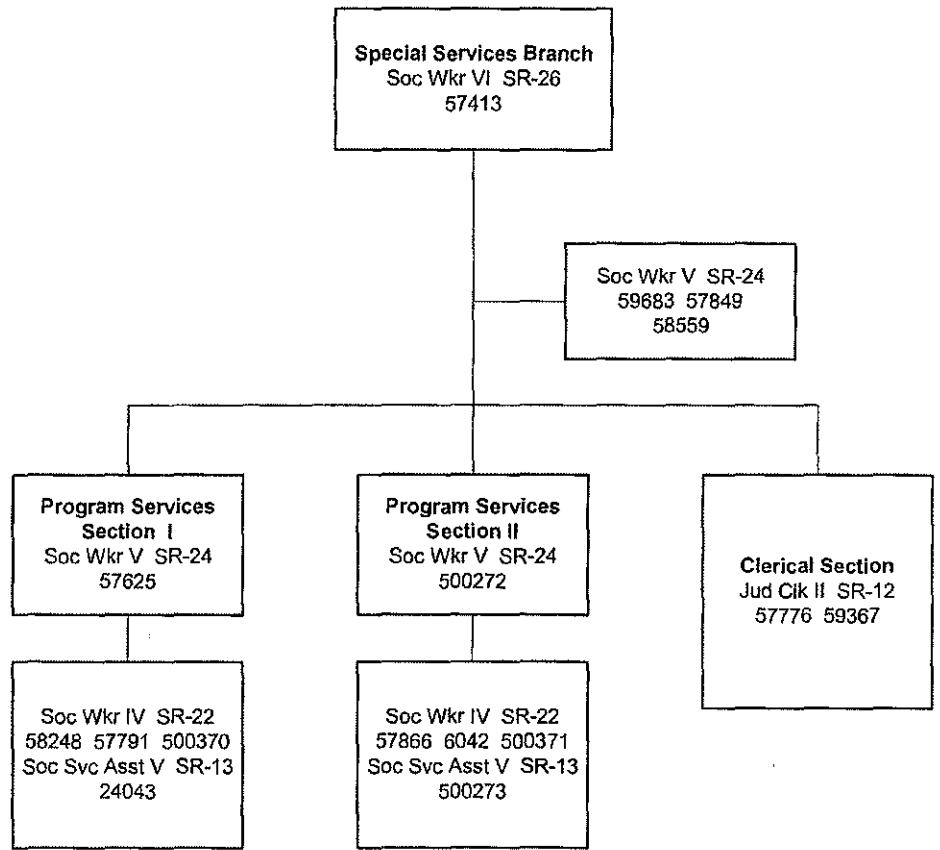
* Downgraded for recruitment purposes.

1) Psn also serves as a social work program splct.

Second Circuit

APPROVED: *Ronald T. Y. Moon*
Ronald T. Y. Moon
CHIEF JUSTICE

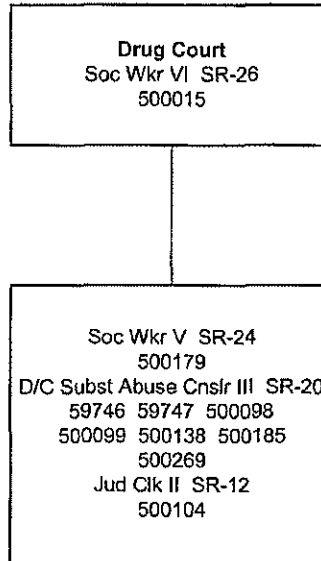
DATE: 08/30/06 (Rev. 10/07)



Second Circuit

APPROVED: *Ronald T. Y. Moon*
Ronald T. Y. Moon
CHIEF JUSTICE

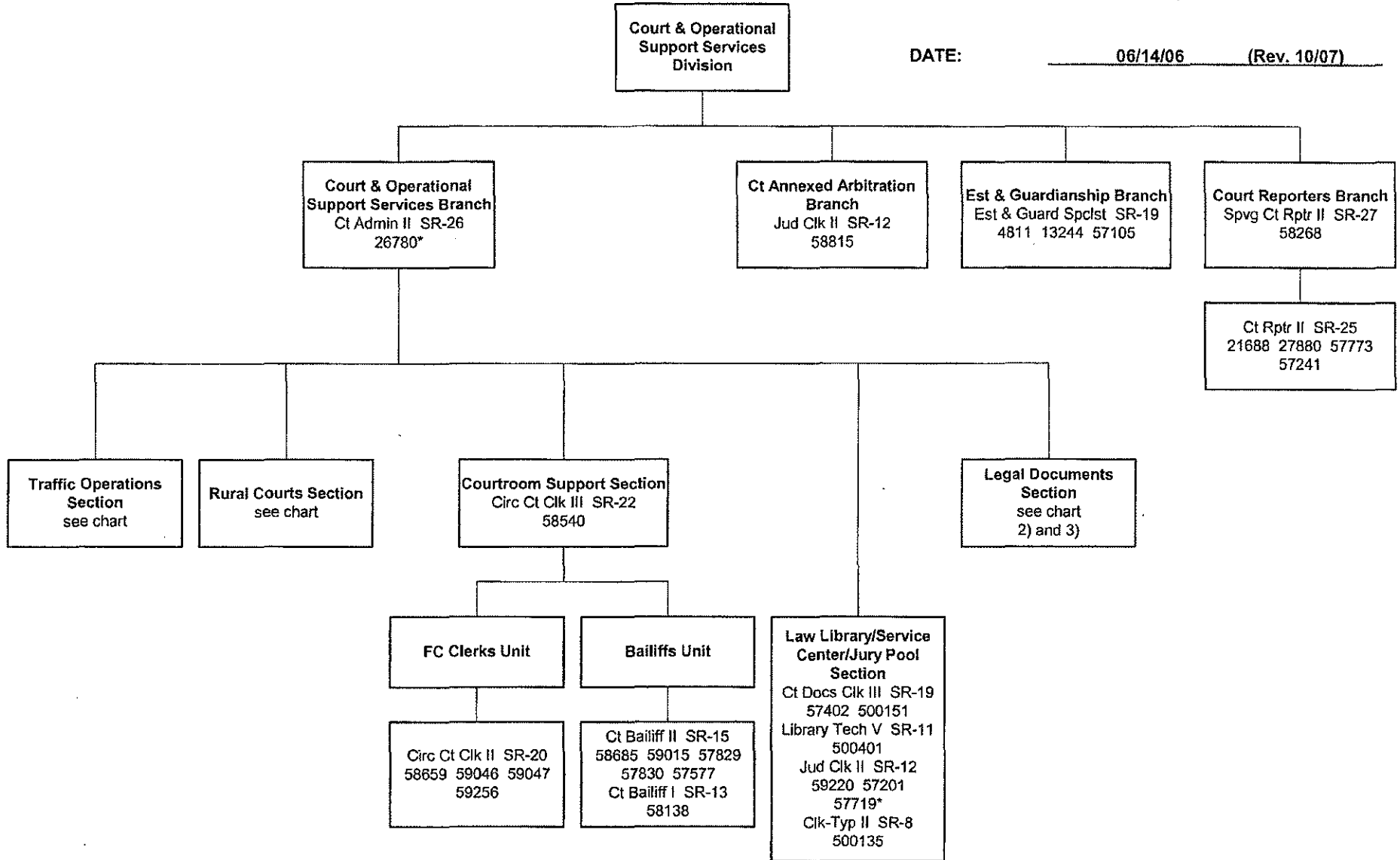
DATE: 09/20/02 (Rev. 10/07)



Second Circuit

APPROVED: *Ronald T. Y. Moon*
 Ronald T. Y. Moon
 CHIEF JUSTICE

DATE: 06/14/06 (Rev. 10/07)



*Psn reallocated.

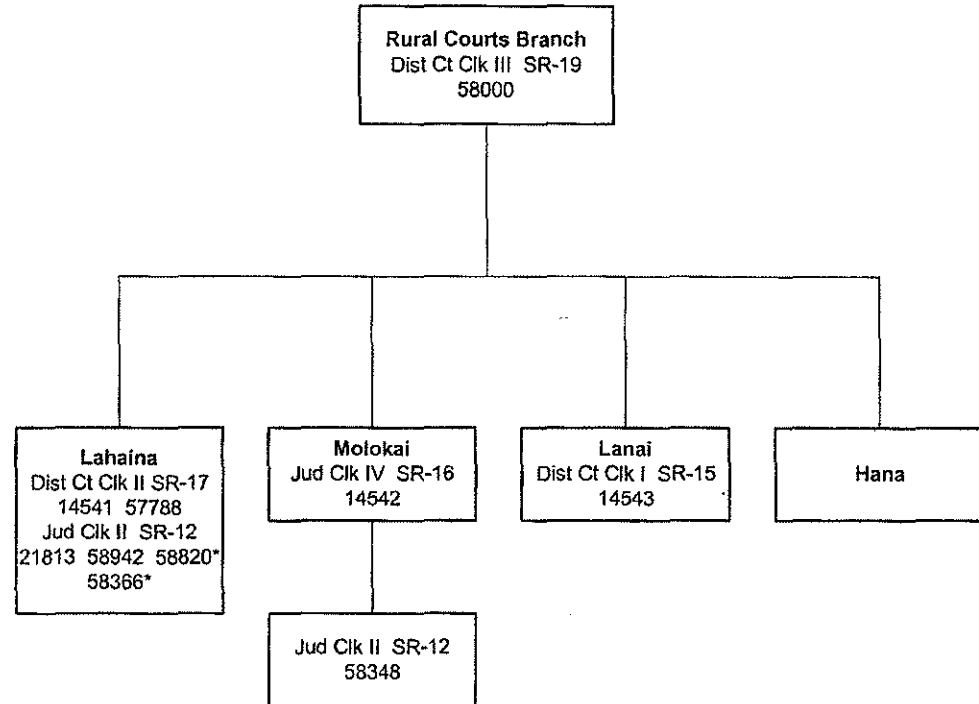
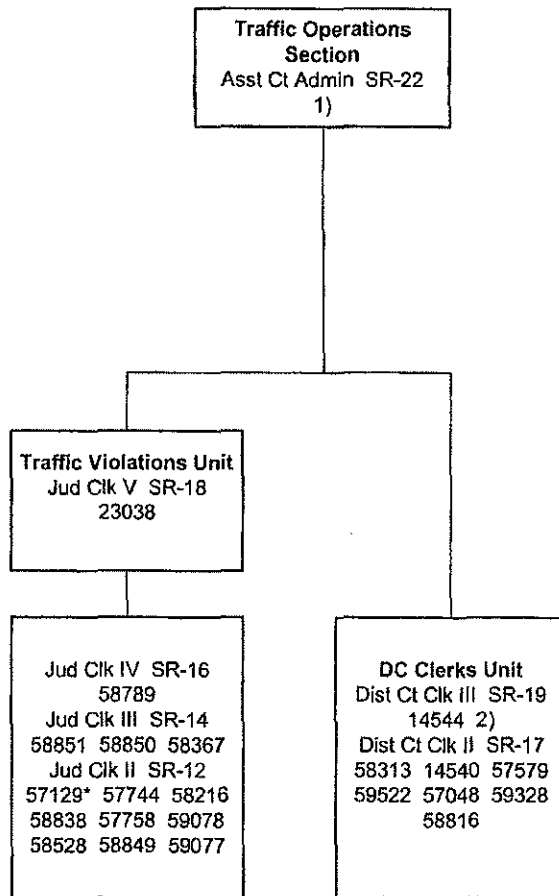
Second Circuit

APPROVED:

Ronald T. Y. Moon
 Ronald T. Y. Moon
 CHIEF JUSTICE

DATE:

6/14/06



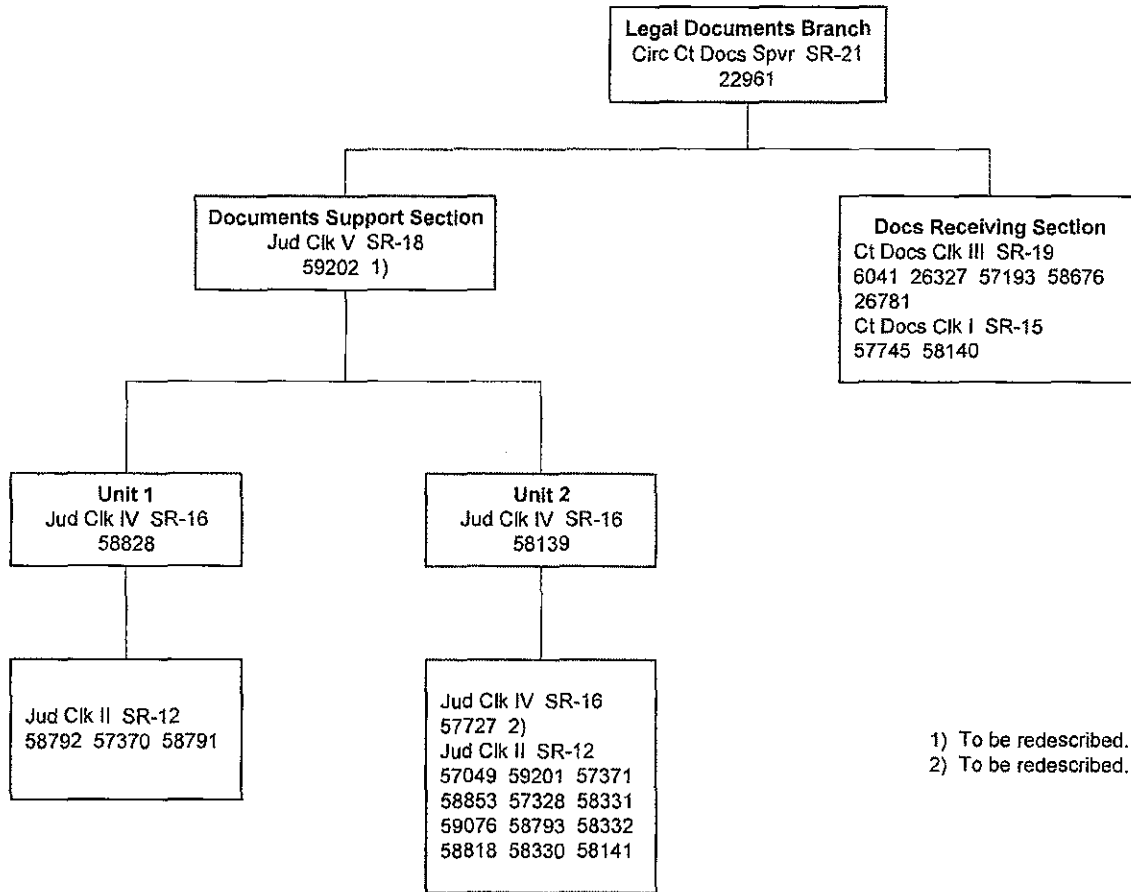
- 1) To be redescribed to Asst Ct Administrator.
- 2) To be redescribed to Dist Ct Clk II.

*Psn downgraded for recruitment purposes.

Second Circuit

APPROVED: *R. Moon*
Ronald T. Y. Moon
CHIEF JUSTICE

DATE: 10/21/02

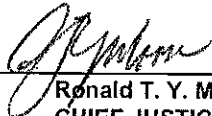


- 1) To be redescribed.
- 2) To be redescribed.

THIRD CIRCUIT

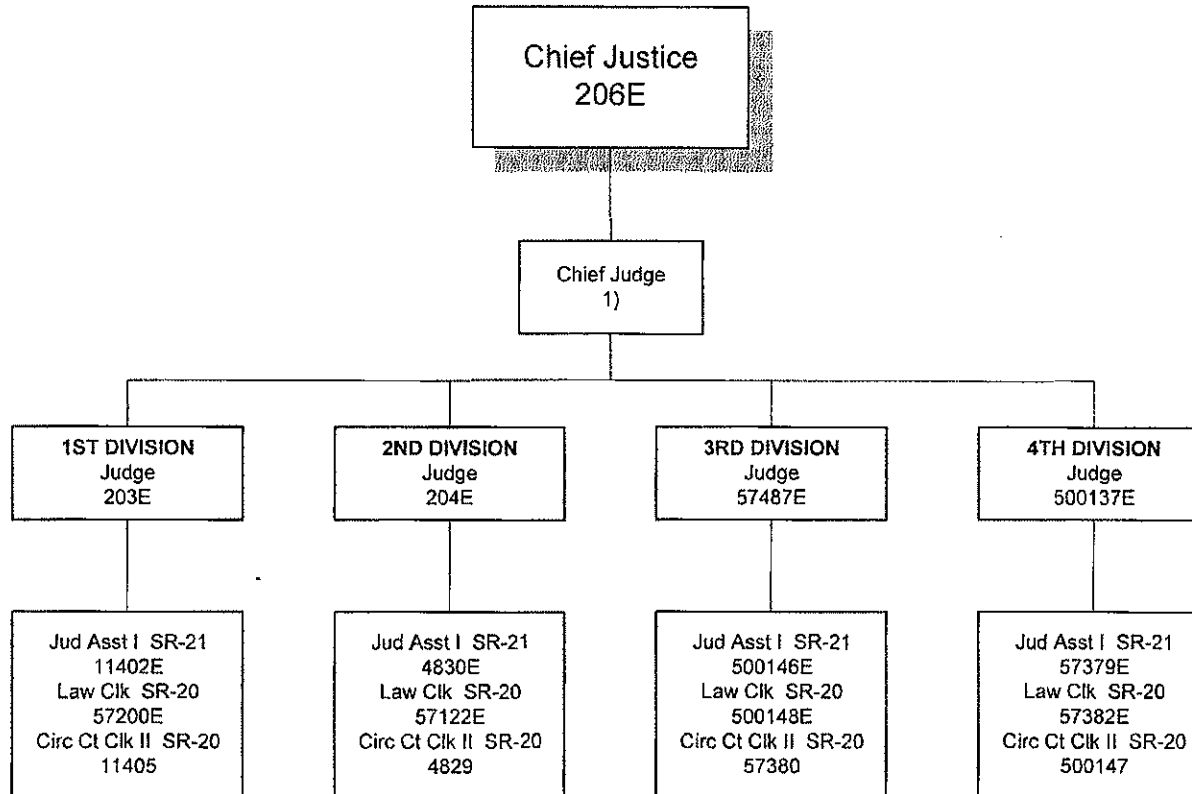
CIRCUIT JUDGES

APPROVED:


Ronald T. Y. Moon
CHIEF JUSTICE

DATE:

10/14/08




1) Per Chief Justice's order of assignment.

THIRD JUDICIAL CIRCUIT

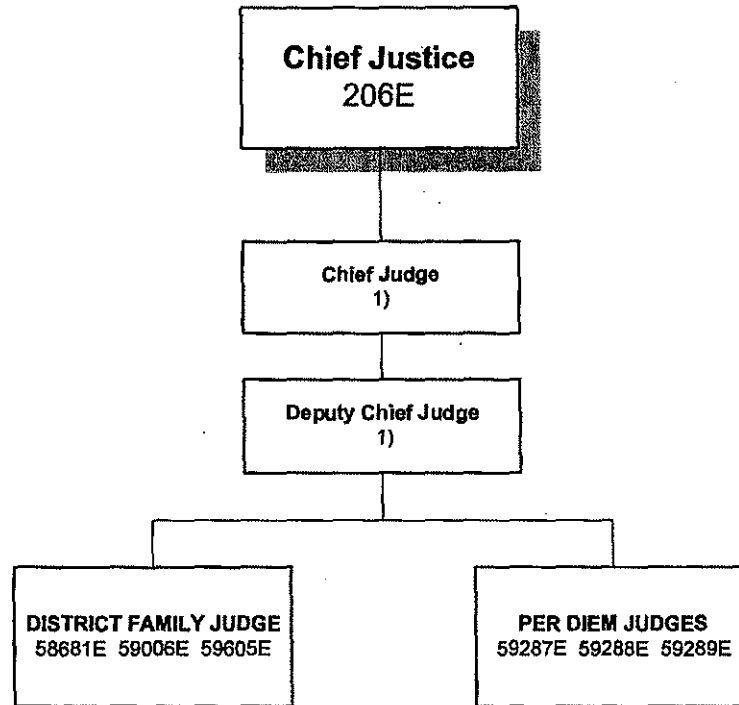
FAMILY JUDGES

APPROVED:


Ronald T. Y. Moon
CHIEF JUSTICE

DATE:

MAR 16 2004



1) Per Chief Justice's order of assignment.

THIRD JUDICIAL CIRCUIT

DISTRICT JUDGES

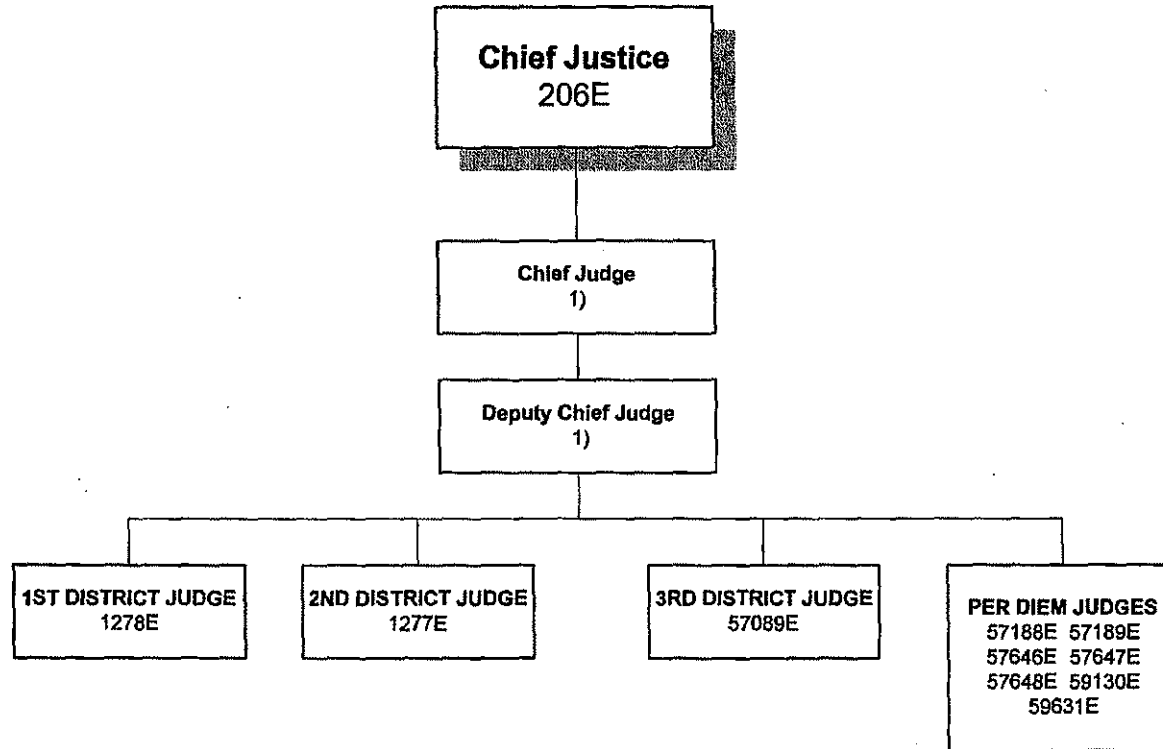
APPROVED:



Ronald T. Y. Moon
CHIEF JUSTICE

DATE:

MAR 16 2004

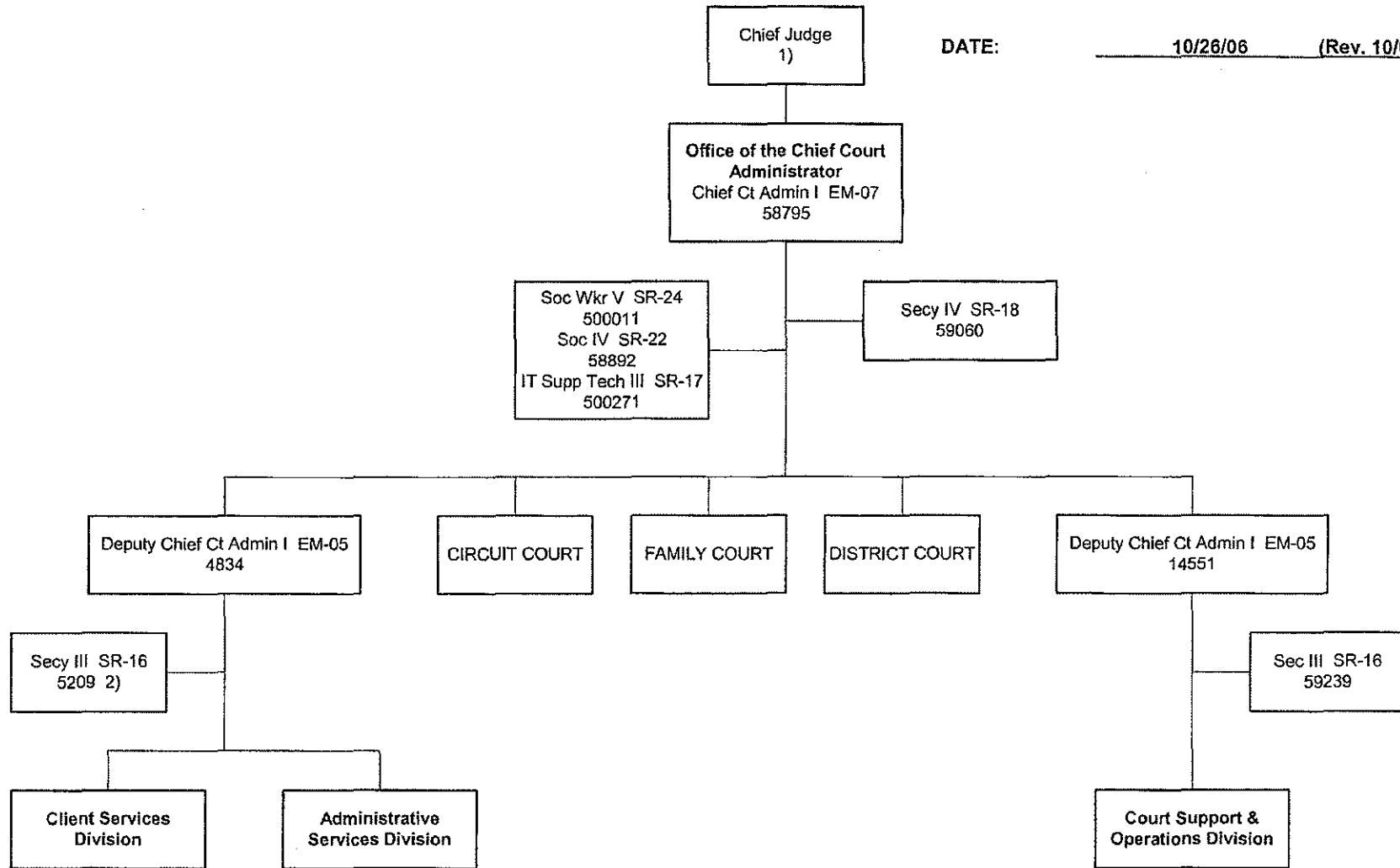


1) Per Chief Justice's order of assignment.

Third Circuit

APPROVED: *Ronald T. Y. Moon*
 Ronald T. Y. Moon
 CHIEF JUSTICE

DATE: 10/26/06 (Rev. 10/07)



1) Per Chief Justice's order of assignment.
 2) Position located in Kona.

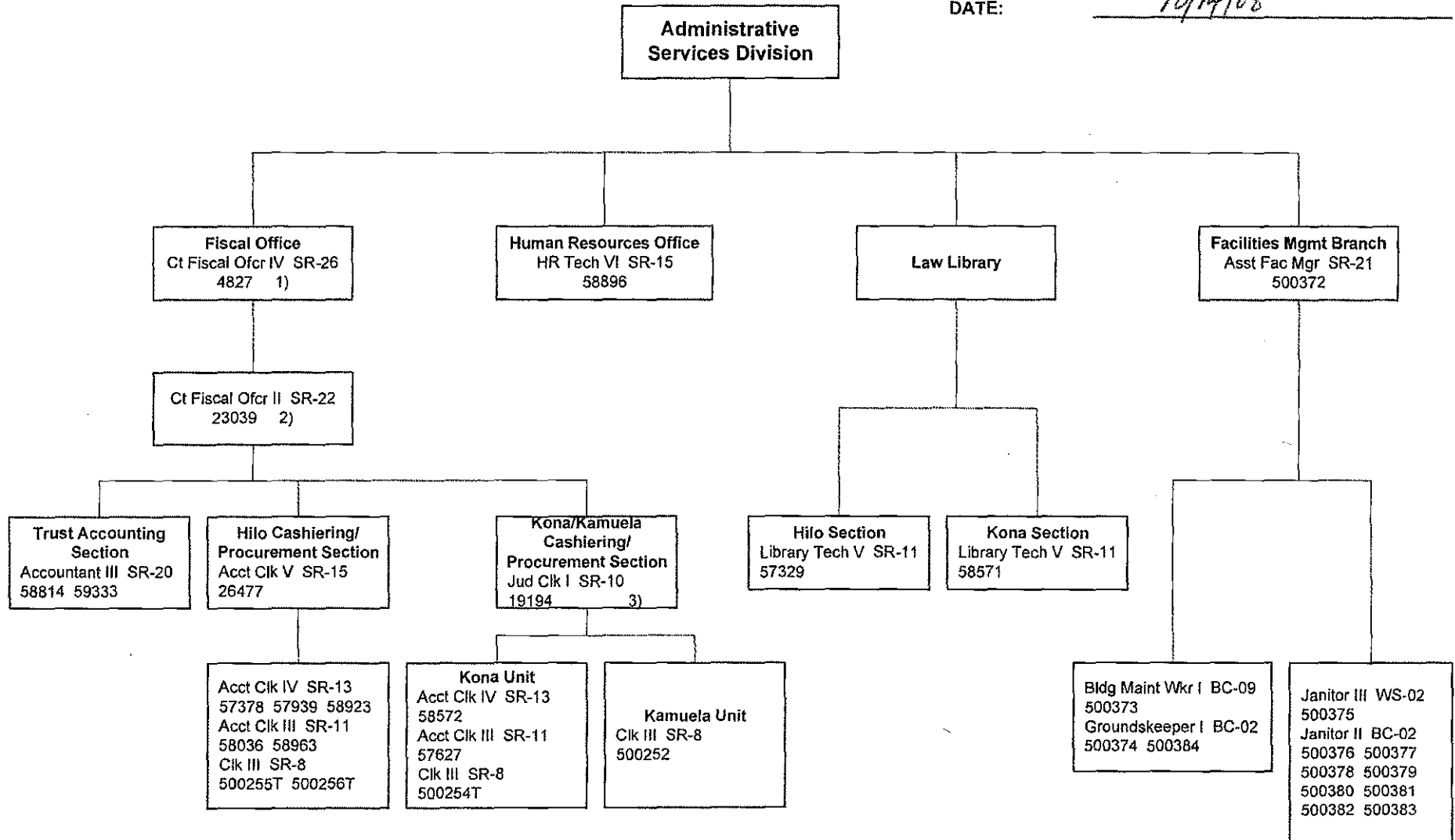
Third Circuit

APPROVED:

R. Y. Moon
 Ronald T. Y. Moon
 CHIEF JUSTICE

DATE:

10/14/08

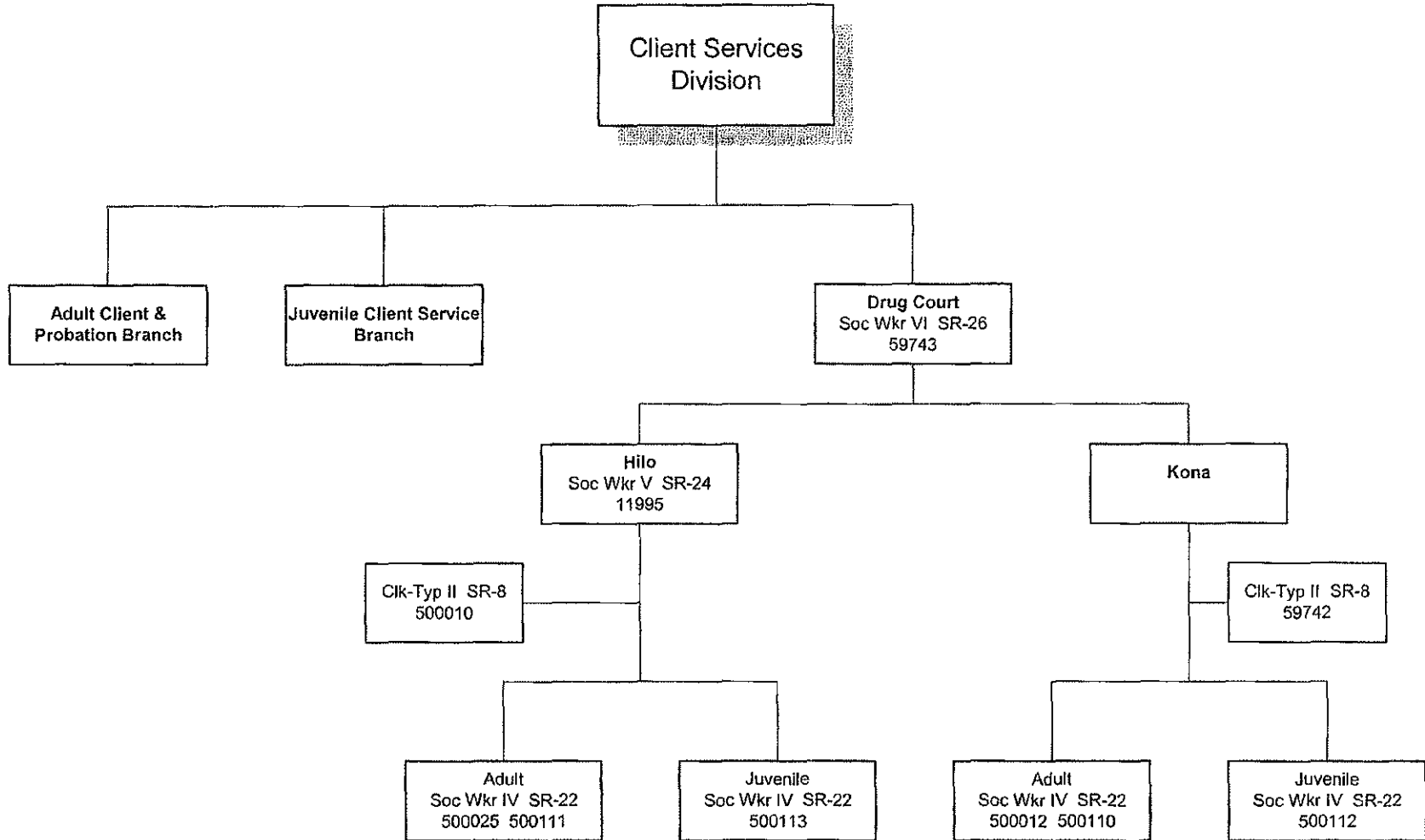


1) Psn retitled to Ct Fiscal Ofcr II.
 2) Psn retitled to Asst Ct Fiscal Ofcr I.
 3) To be redescribed.

Third Circuit

APPROVED: *R. T. Y. Moon*
Ronald T. Y. Moon
CHIEF JUSTICE

DATE: 10/26/06



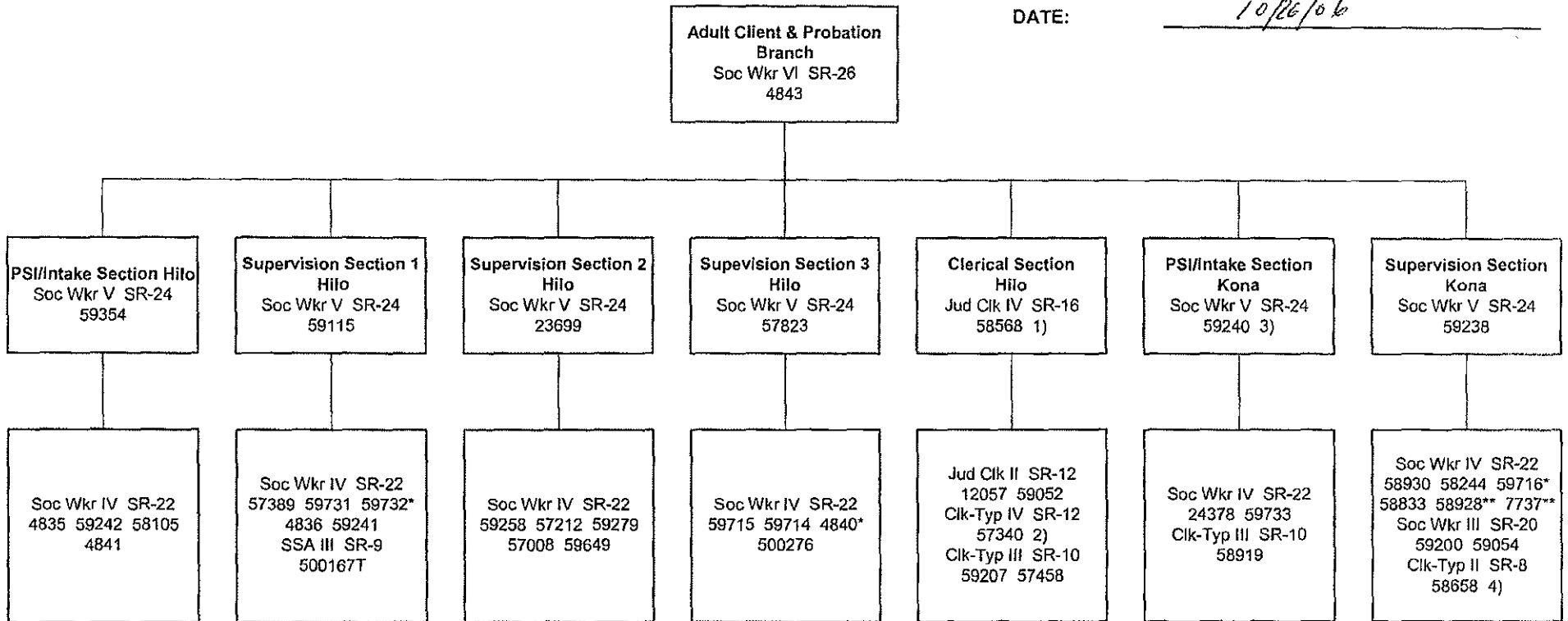
Third Circuit

APPROVED:

Ronald T. Y. Moon
 Ronald T. Y. Moon
 CHIEF JUSTICE

DATE:

10/26/06



- 1) Vacant psn to be redescribed from Clk-Typ II.
- 2) To be redescribed.
- 3) Vacant psn to be redescribed from Soc Wkr IV.
- 4) To be redescribed.

*Psn downgraded for recruitment purposes.

** Psn located in Kamuela Office.

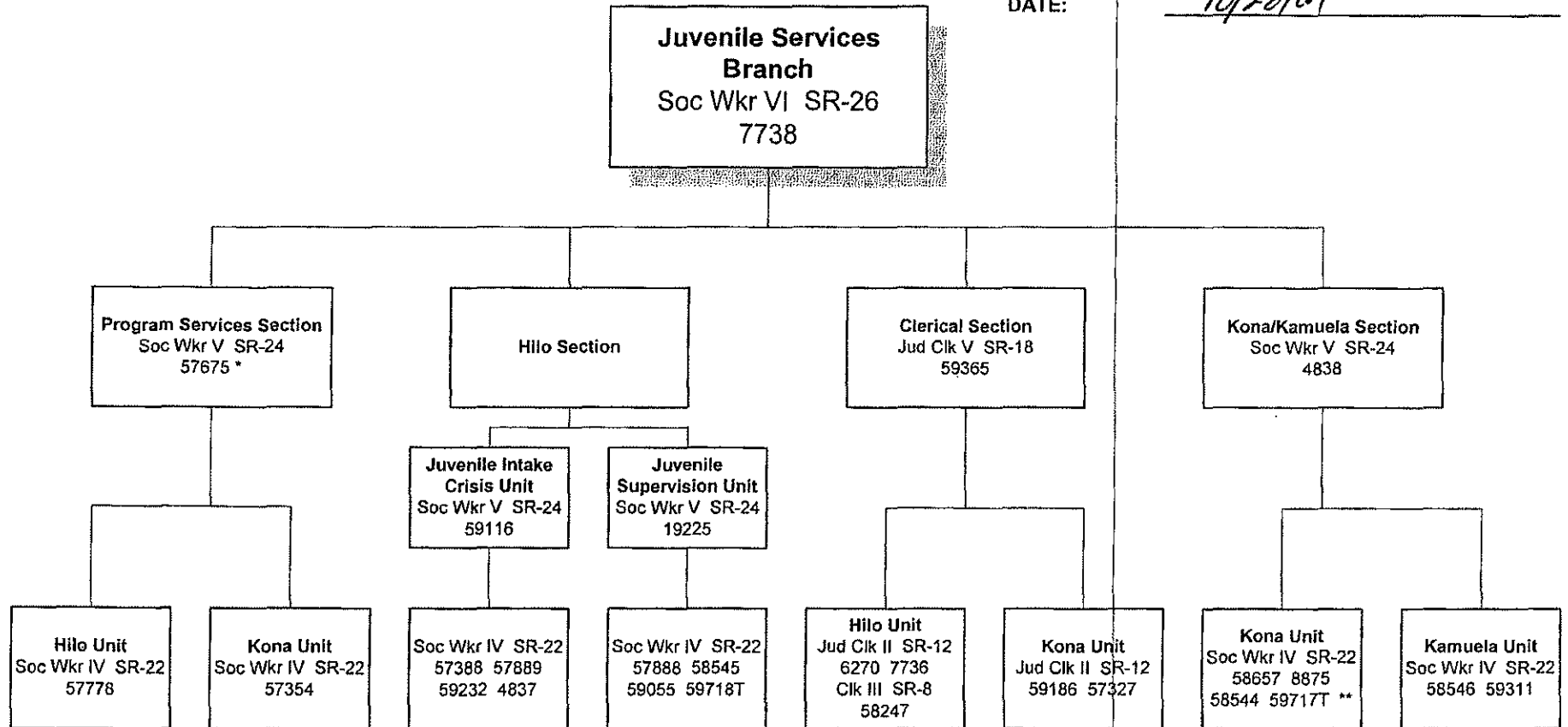
THIRD JUDICIAL CIRCUIT

APPROVED:

Ronald T. Y. Moon
 Ronald T. Y. Moon
 CHIEF JUSTICE

DATE:

10/28/04



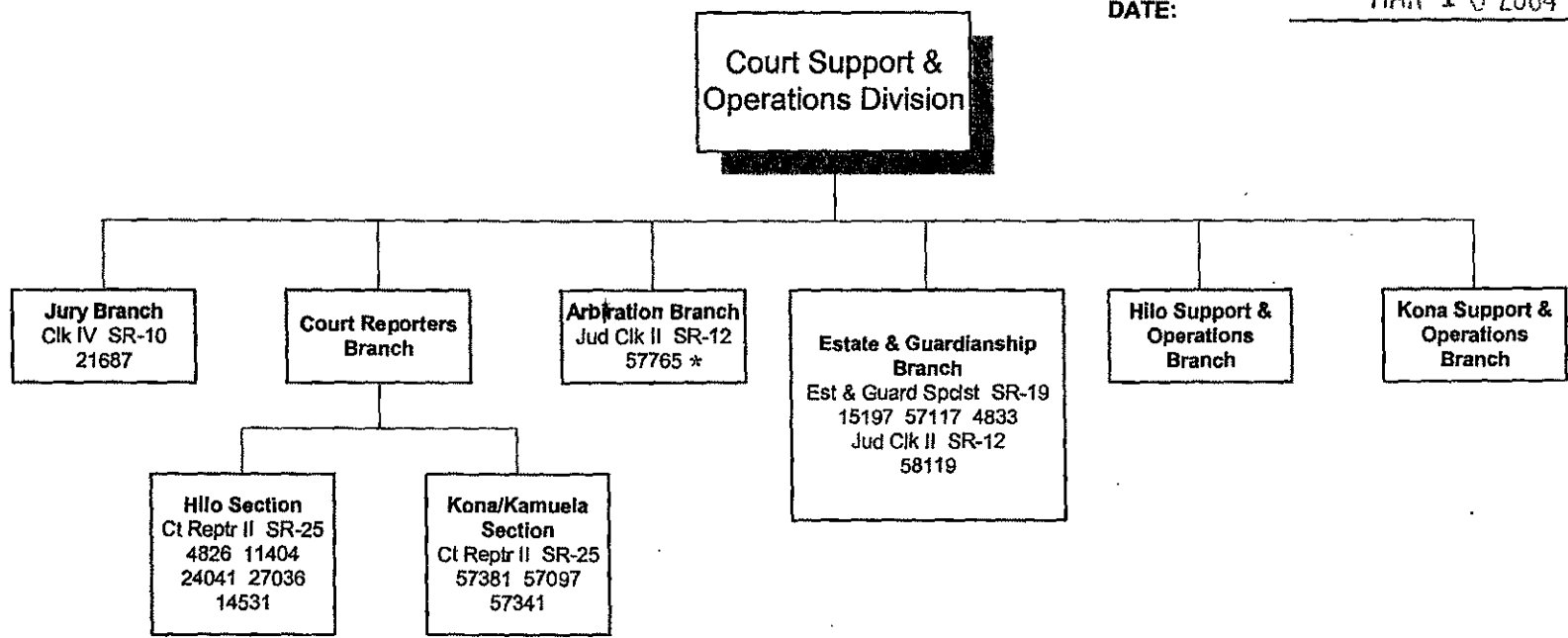
* Section organizationally placed under Juvenile Services Branch; however, section head will report directly to Position no. 4834 Deputy Chief Court Administrator due to familial relationship between Position nos. 57675 and 7738.

** Psn downgraded for recruitment purposes.

Third Judicial Circuit

APPROVED: *R. Y. Moon*
Ronald T. Y. Moon
CHIEF JUSTICE

DATE: MAR 16 2004



*Due to familial relationship, Position no. 57765 will temporarily report to Position no. 58795 Chief Court Administrator.

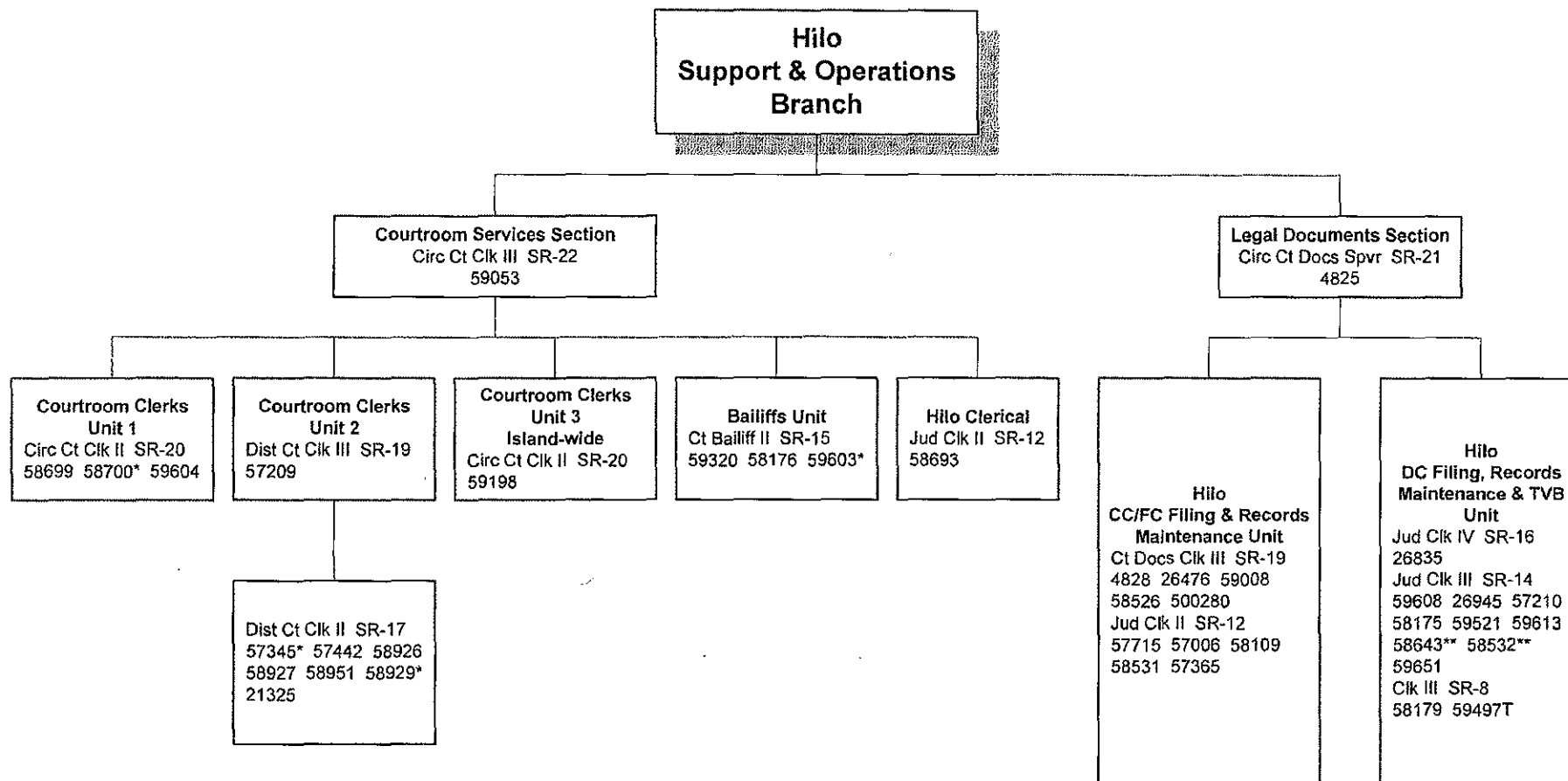
Third Circuit

APPROVED:

R. T. Y. Moon
 Ronald T. Y. Moon
 CHIEF JUSTICE

DATE:

10/14/08



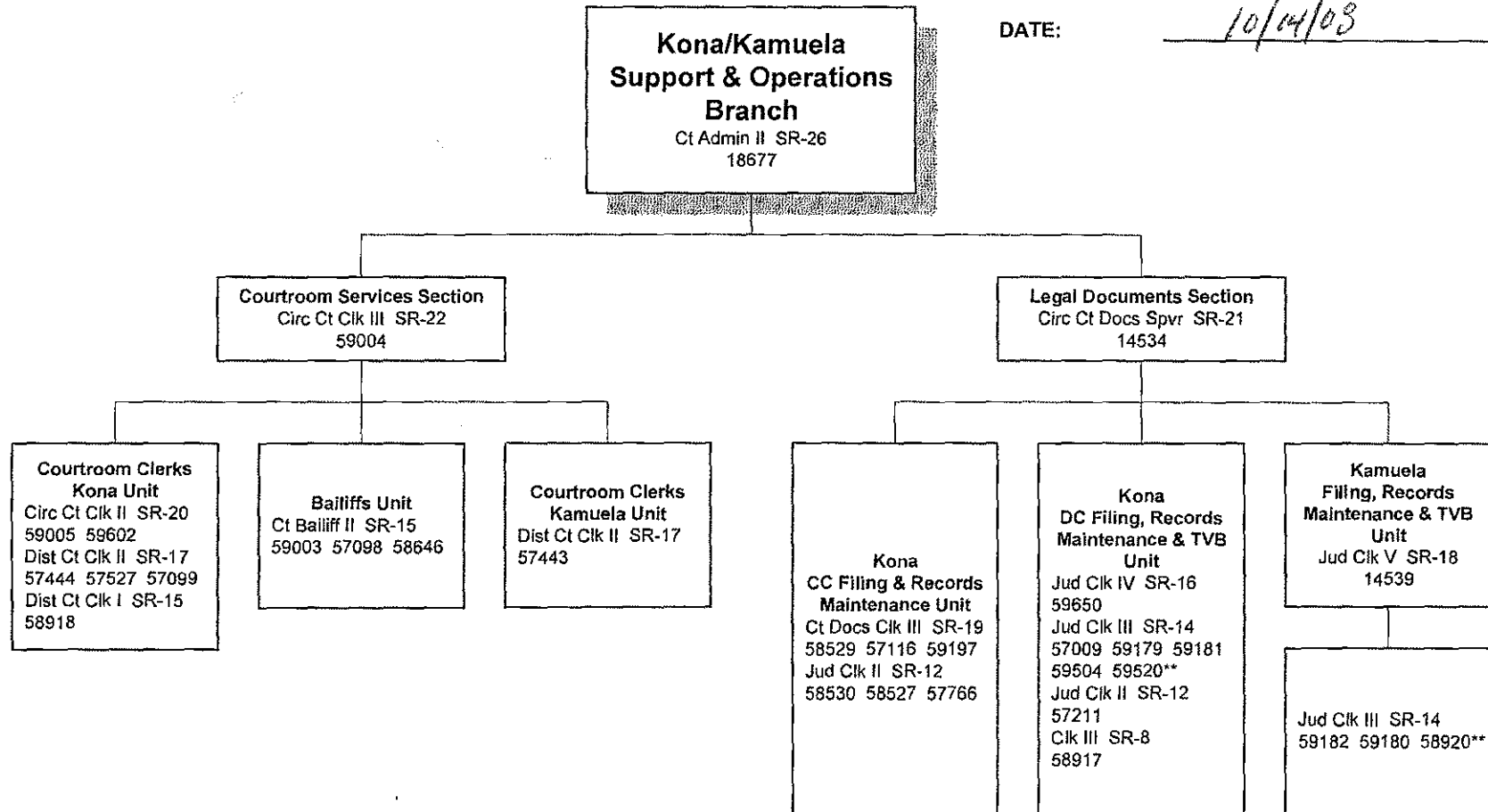
*Psn downgraded for recruitment purposes.

**Position to be reallocated to this level based on the Judicial Clk Study.

Third Circuit

APPROVED: *R. T. Y. Moon*
Ronald T. Y. Moon
CHIEF JUSTICE

DATE: 10/04/03



*Psn downgraded for recruitment purposes.

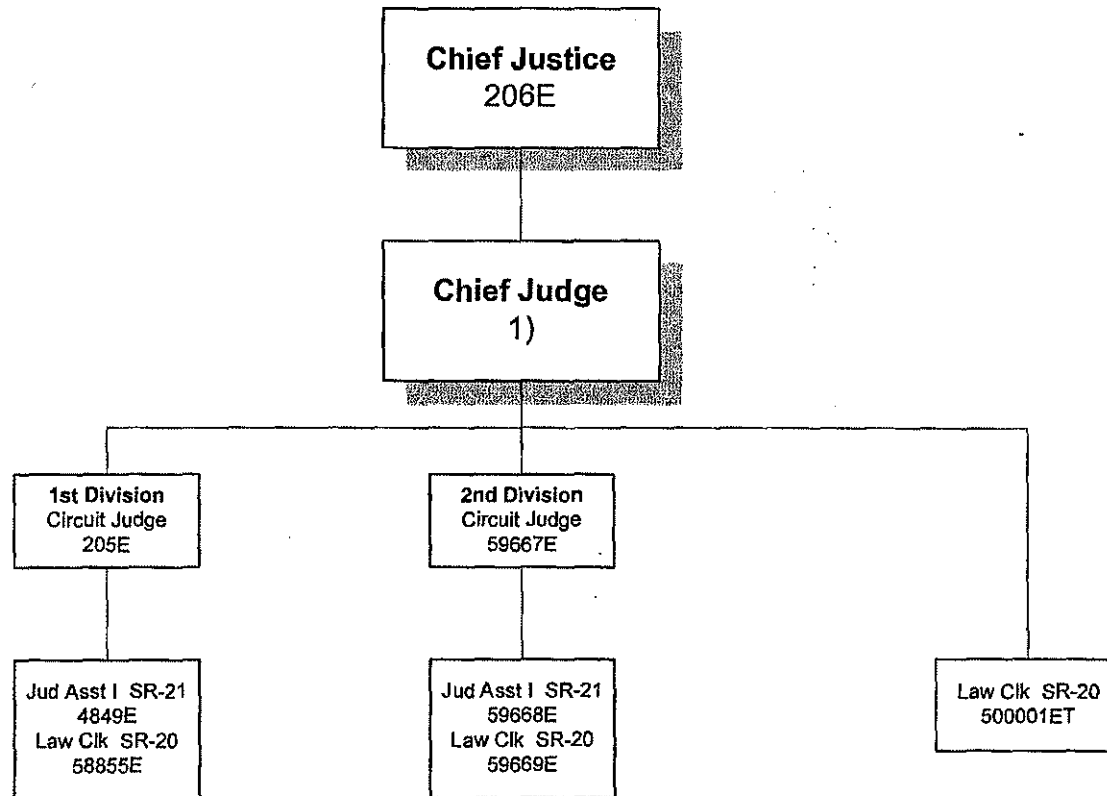
**Position to be reallocated to this level based on the Judicial Clk Study.

FIFTH JUDICIAL CIRCUIT

CIRCUIT JUDGES

APPROVED: *Ronald T. Y. Moon*
Ronald T. Y. Moon
CHIEF JUSTICE

DATE: 06/13/02



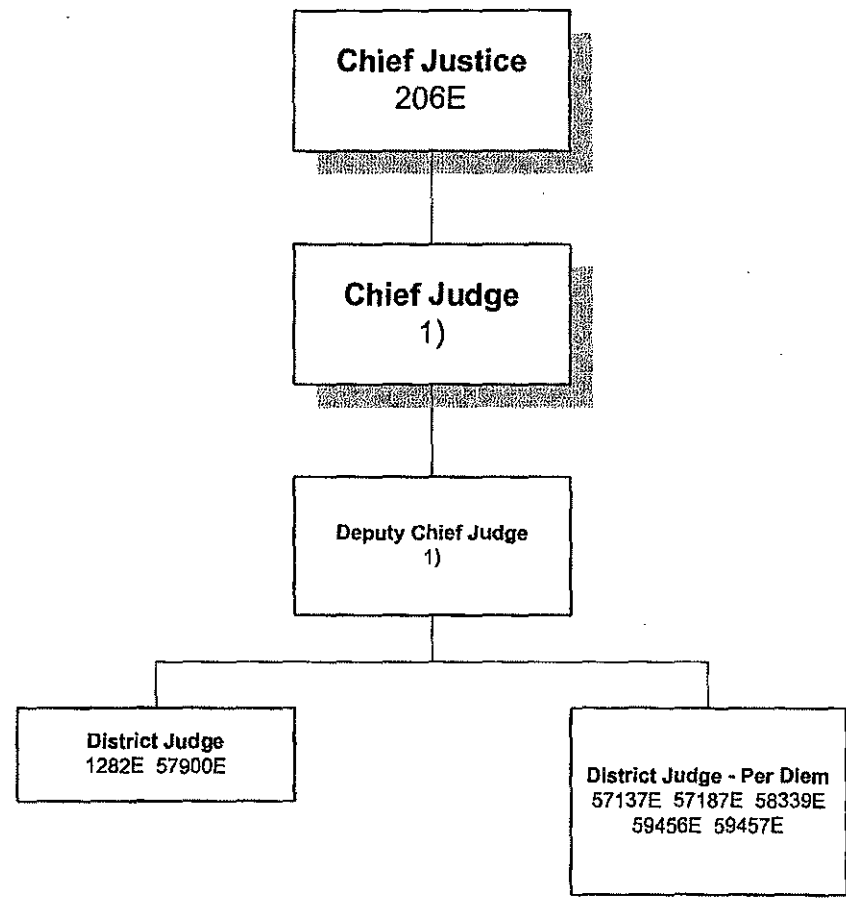
1) Per Chief Justice's order of assignment.

FIFTH JUDICIAL CIRCUIT

DISTRICT JUDGES

APPROVED: *Ronald T. Y. Moon*
Ronald T. Y. Moon
CHIEF JUSTICE

DATE: 06/13/02

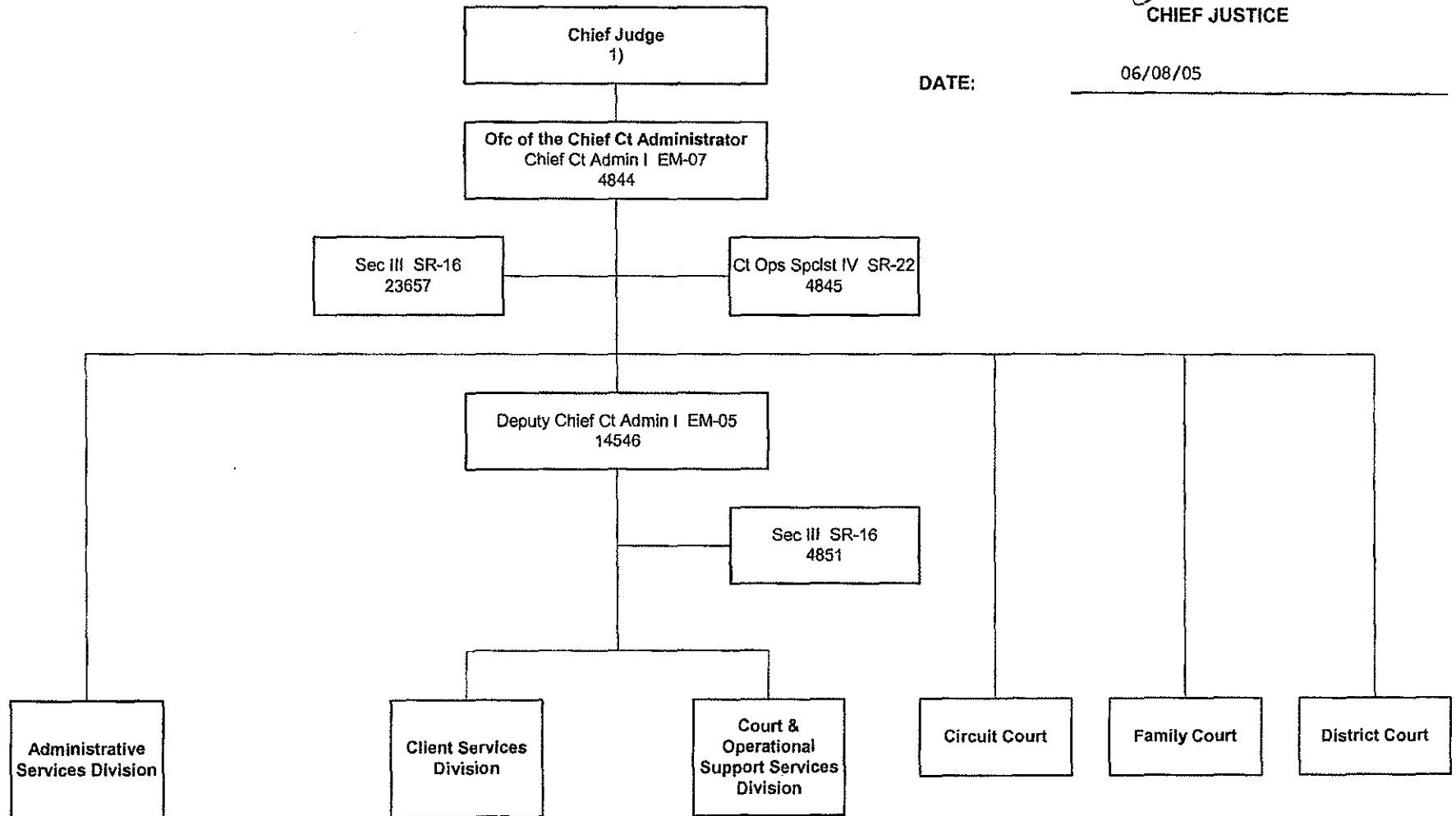


1) Per Chief Justice's order of assignment.

Fifth Judicial Circuit

APPROVED: *Ronald T. Y. Moon*
Ronald T. Y. Moon
CHIEF JUSTICE

DATE: 06/08/05

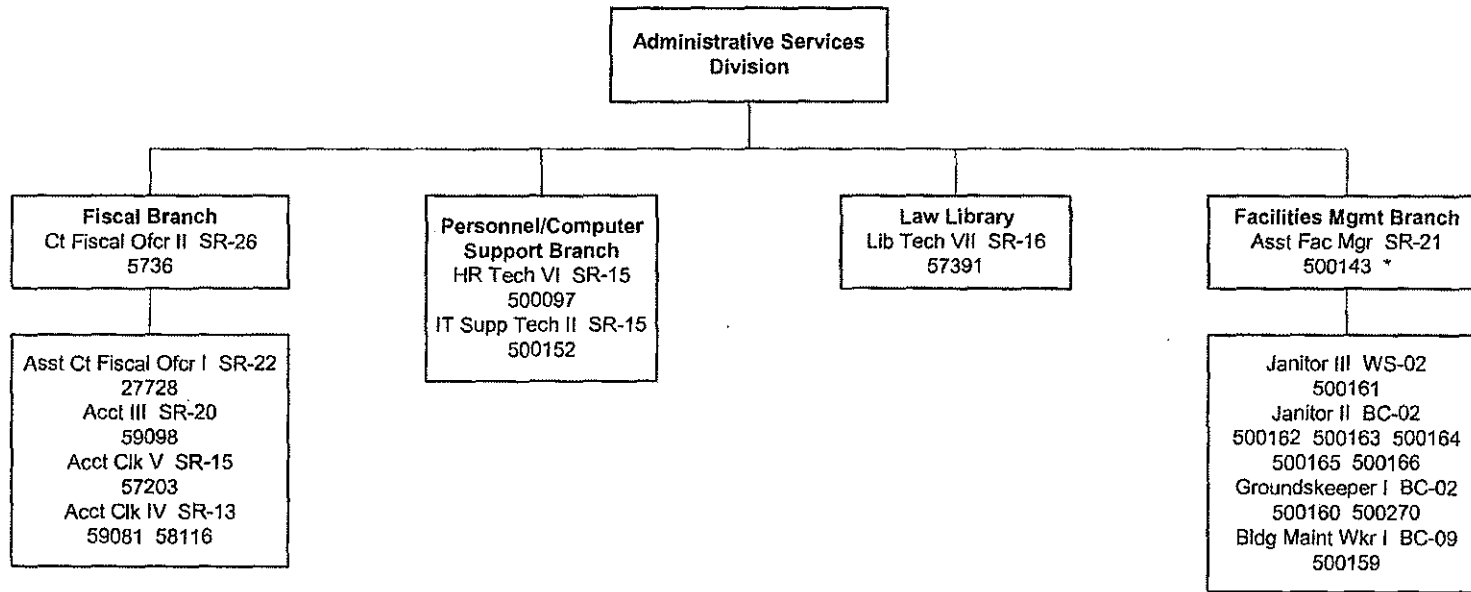


1) Per Chief Justice's Order of Appointment.

Fifth Circuit

APPROVED: *Ronald T. Y. Moon*
Ronald T. Y. Moon
CHIEF JUSTICE

DATE: 06/08/05 (Rev. 10/07)



* Reports to Deputy Chief Court Administrator I.

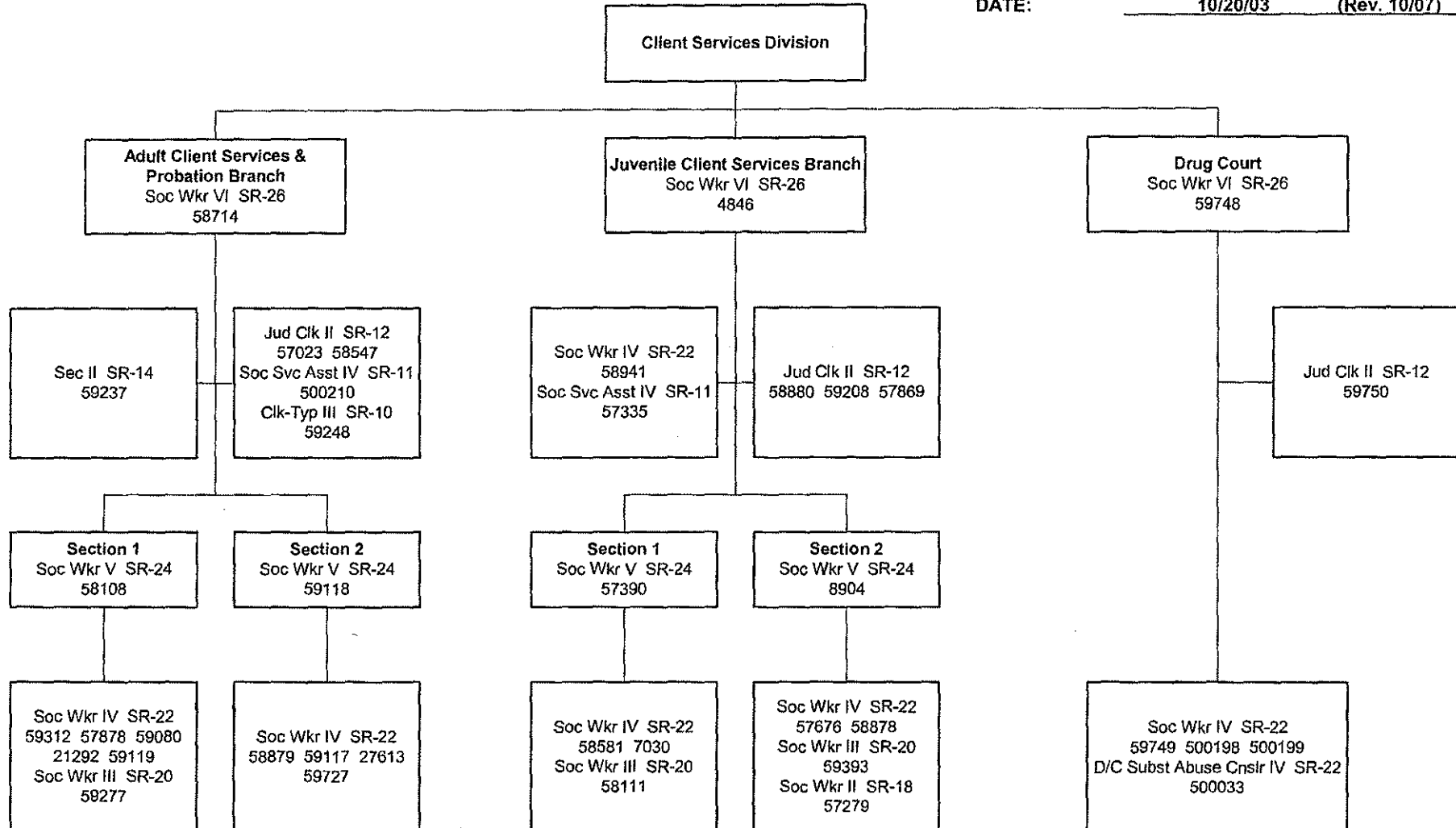
Fifth Circuit

APPROVED:

Ronald T. Y. Moon
Ronald T. Y. Moon
CHIEF JUSTICE

DATE:

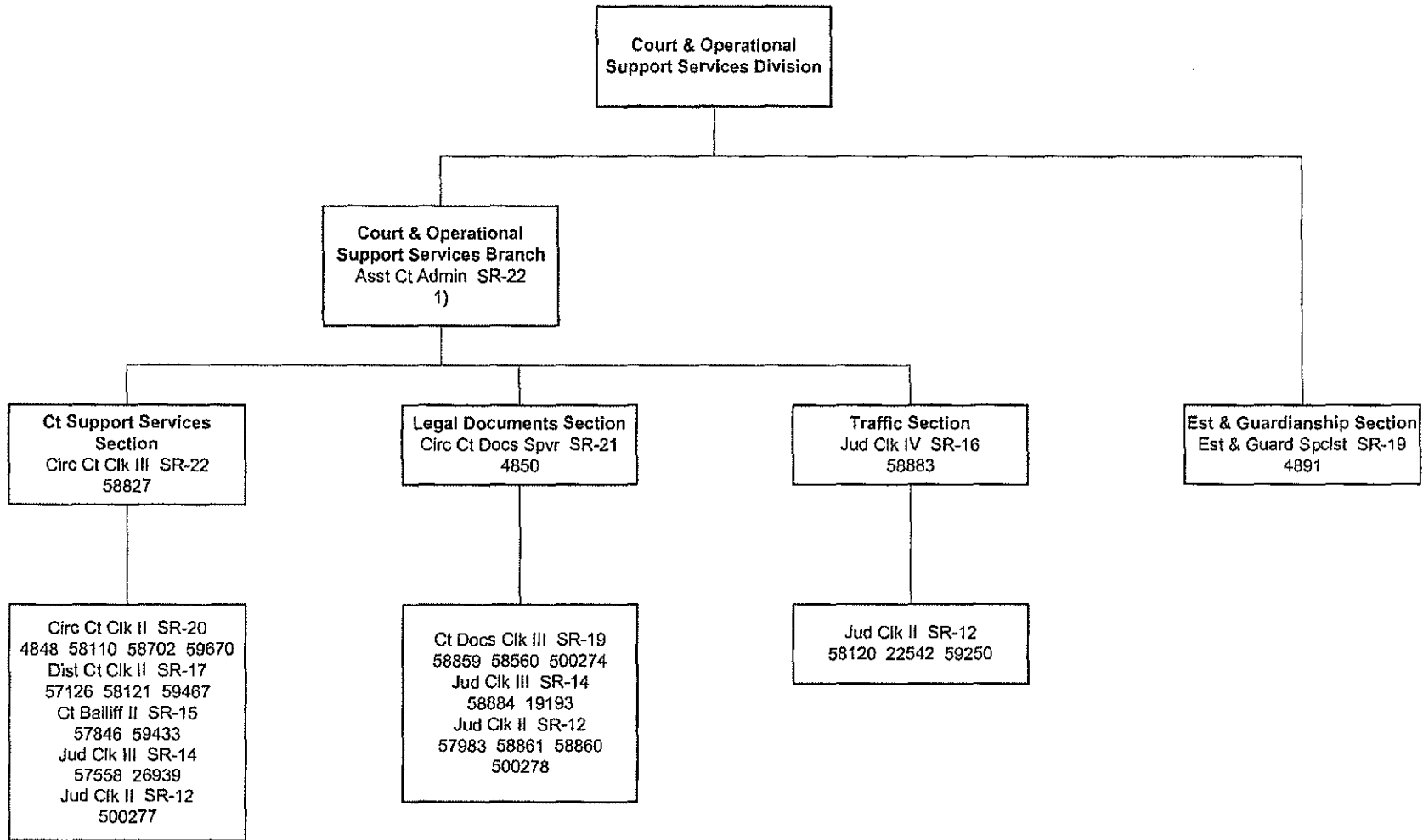
10/20/03 (Rev. 10/07)



Fifth Circuit

APPROVED: *Ronald T. Y. Moon*
Ronald T. Y. Moon
CHIEF JUSTICE

DATE: 06/08/05 (Rev. 08/06)



1) PD# assigned by pseudo number recruitment.

Worksheet 1
Funding levels for divisions/branches

Division or Branch Name	FY09 (P)	FY09 (T)	FY09 \$\$\$	FY10 (P)	FY10 (T)	FY10 \$\$\$	MOF
Courts of Appeal	80.00	-	7,397,336	80.00	-	7,566,428	A
			243,261			243,261	W
First Circuit	1,077.50	37.00	76,878,570	1,098.50	35.00	79,512,933	A
	40.00	0.00	3,693,111	40.00	0.00	3,777,131	B
Second Circuit	220.00	2.00	16,143,028	220.00	-	16,616,351	A
Third Circuit	229.00	8.00	19,051,323	229.00	7.00	19,578,412	A
Fifth Circuit	98.00	1.00	7,316,426	98.00	1.00	7,812,771	A
Judicial Selection Commission	1.00	-	99,292	1.00	-	99,292	A
Administration	227.00	8.50	23,559,655	228.00	8.50	24,245,676	A
	1.00	8.00	5,683,661	1.00	9.00	8,396,900	B
			100,000			100,000	W

Table 1
Priority List of Functions

Priority #	Description of Function	Performance Measures	Statutory Reference (HRS, PL, etc.)
Appeals Courts			
1	Supreme Court The Supreme Court is the State of Hawaii's court of last resort, and hears appeals on transfer from the Intermediate Court of Appeals or on writ of certiorari to the Intermediate Court of Appeals. It licenses and disciplines attorneys, disciplines judges, and exercises ultimate rule-making power for all courts in the State.	Measures of Effectiveness Median Time to Decision, Criminal Appeal (Mo)* Median Time to Decision, Civil Appeal (Mo)* Median Time to Decision, Original Proc. (Mo)* *Counted from docket date	Article VI of the Hawaii State Constitution HRS Section 602
2	Intermediate Court of Appeals The Intermediate Court of Appeals reviews, in the first instance, appeals from trial courts and from some agencies. It is also authorized to entertain cases submitted without suit when there is a question of law that could be the subject of a civil suit in the Circuit Court of the Tax Appeal Court, and the parties agree upon the facts upon which the controversy depends.	Program Size Indicators Criminal Appeals Filed Civil Appeals Filed Original Proceedings Filed Appeals Disposed Motions Filed Motions Terminated	
3	State Law Library System The State Law Library System provides legal reference sources and services to the courts, the legal community, and the public. It collects, organizes, and disseminates information and materials relating to legal research and judicial administration through the central collection in Honolulu and satellite collections in the Second, Third, and Fifth Circuit Courts. Chamber libraries also are furnished and maintained for each district, circuit, and appellate court judge statewide.	Library-Size of Collection (000's) Library-Circulation & Reference Use (000's) Library-Patrons Served (000's)	
Lower Court Programs*			
1	Adjudication Provides the First, Second, Third, and Fifth Circuits with judges and staff to operate the circuit, family, and district courts.	Measures of Effectiveness Med. Time to Dispo., Circ. Ct. Crim. Act. (Days) Med. Time to Dispo., Circ. Ct. Civil Act. (Days)	Article VI of the Hawaii State Constitution HRS Section 603 HRS Section 604
2	Central Administration The primary objectives of the programs in each circuit include providing for effective and efficient planning, direction, administration, coordination, and evaluation of all administrative business and support functions, operations, and activities required to support judicial proceedings and judgements in the circuit, district, and family courts.	Program Size Indicators Civil Actions, Circuit Court Marital Actions Adoption Proceedings Parental Proceedings	
3	Client Services The primary objective is to provide direct services to adult and juvenile clients of courts within the First, Second, Third, and Fifth Circuits. Activities include making recommendations to the courts, enforcing compliance with court orders, maintaining client classification and information systems, managing purchase of service	Civil Actions Filed, Circuit Court Criminal Actions Filed, Circuit Court Marital Actions Filed Traffic - New Filings (thousands) Traffic - Entry of Judgement (thousands)	

Table 1
Priority List of Functions

Priority #	Description of Function	Performance Measures	Statutory Reference (HRS, PL, etc.)
	contracts, and maintaining contacts with community resources.		
4	Court Services Responsible for providing courtroom clerical, court reporting, and other support and ancillary services to the courts of the First, Second, Third, and Fifth Circuits. Programs are designed to aid in the timely disposition of cases of general and limited jurisdiction for civil, criminal felonies, misdemeanors, petty misdemeanors, family proceedings, and traffic (decriminalized and regular traffic criminal) in each circuit.		
*all functions are an integral part of the Judiciary operation; I.e., you can't have one without the other.			
Overall Judiciary Administration*			Article VI of the Hawaii State Constitution
1	Office of the Administrative Director of the Courts The Office of the Administrative Director primarily assists the Chief Justice in directing the administration of the Judiciary and in examining the administrative methods of the courts to determine and make recommendations to the Chief Justice for their improvement. It also administers statewide programs and activities relating to personnel management; planning and budget; fiscal; compilation and analysis of statistical data and reports; information and data processing; public information and dissemination; and facilities planning and maintenance. Relative to these programs and activities, the Office of the Administrative Director will provide direction to the respective Chief Court Administrators and other managers.	Measure of Effectiveness Avg. Time to Process JUDHR001 Forms (Days) Avg. Time to Process Payment Document (Days) Program Size Indicators Payment Documents Recruitment Announcements JUDHR001 Forms	HRS Section 601 HRS Section 6F HRS Section 551A HRS Section 588 HRS Section 613
2	Office of the Deputy Administrative Director of the Courts The Office of the Deputy Administrative Director of the Courts assists the Administrative Director of the Courts in the administration of the Judiciary through subordinate administrators/managers.		
3	Intergovernmental and Community Relations The Intergovernmental and Community Relations Department plans, directs, and coordinates the operations and activities of the various programs within the department through subordinate program managers, and supervisors. Programs in this unit include: staff attorneys, public information, alternative dispute resolution, volunteers in public service, equality and access to the courts, children's justice advocacy, public guardian, and the Judiciary History Center.		
4	Policy and Planning The Policy and Planning Department plans, directs, and coordinates the operations		

Table 1
Priority List of Functions

Priority #	Description of Function	Performance Measures	Statutory Reference (HRS, PL, etc.)
	and activities of the various programs within the department through subordinate program managers, and supervisors. Programs in this unit include: budget, statistics, CIP, planning, program evaluation, internal audit, affirmative action and equal employment opportunity, legislative coordinating / special projects, and administrative driver's license revocation.		
5	Support Services The Support Services Department plans, directs, and coordinates the operations and activities of the various programs within the department through subordinate program managers, and supervisors. Programs in this unit include: fiscal and support services, information technology and communication services, records management, and reprographics.		
6	Human Resources Human Resources Department plans, directs, and coordinates the operations and activities of the various programs within the department through subordinate program managers, and supervisors. Programs in this unit include: administrative services, labor relations, classification and pay, recruitment and examinations, workers' compensation, employee services, and judicial / employee training and development.		
*all functions are an integral part of the Judiciary operation; i.e., you can't have one without the other.			

Table 2
Program ID Listing of Major Activities

Prog ID/Org	Major Activity or Activities performed 1), 2)	Priority #	Pos (P)	Pos (T)	PS \$\$\$\$	Other \$\$\$\$	MOF
JUD 101	Courts of Appeal		80.00	0.00	5,880,568	1,685,860	A
	To provide timely disposition of cases, including resolution of particular disputes and explication of applicable law; to license and discipline attorneys; and to make rules of procedure for all Hawaii courts.					243,261	W
JUD 310	First Circuit		1098.50	35.00	56,484,330	23,028,603	A
	The mission of the First Circuit is to expeditiously and fairly adjudicate or resolve all matters within its jurisdiction in accordance with law.		40.00	0.00	2,171,720	1,605,411	B
JUD 320	Second Circuit		220.00	0.00	11,030,485	5,585,866	A
	The mission of the Second Circuit is to expeditiously and fairly adjudicate or resolve all matters within its jurisdiction in accordance with law.						
JUD 330	Third Circuit		229.00	7.00	12,087,837	7,490,575	A
	The mission of the Third Circuit is to expeditiously and fairly adjudicate or resolve all matters within its jurisdiction in accordance with law.						
JUD 350	Fifth Circuit		98.00	1.00	5,081,047	2,731,724	A
	The mission of the Fifth Circuit is to expeditiously and fairly adjudicate or resolve all matters within its jurisdiction in accordance with law.						
JUD 501	Judicial Selection Commission		1.00	0.00	57,424	41,868	A
	To screen and submit nominees for judicial vacancies, and to conduct hearings for retention of justices or judges.						
JUD 601	Administration		228.00	8.50	13,383,181	10,862,495	A
	To enable the operation of judicial programs by providing executive direction, program coordination, policy development, resource allocation, fiscal control, and administrative services.		1.00	9.00	1,024,490	7,372,410	B
						100,000	W

1)all functions are an integral part of the Judiciary operation

2)includes biennium budget requests

Table 3
Biennium Budget Reductions

#	Description of Reduction	Impact of Reduction	Prog ID/Org	Pos (P) 10	Pos (T) 10	\$\$\$ 10	Pos (P) 11	Pos (T) 11	\$\$\$ 11	MOF
1	Development of Judiciary reductions package is ongoing.									
2										
3										
4										
5										

Table 4
Biennium Budget Additions

Description of Addition	Prog ID/Org	Pos (P) 10	Pos (T) 10	\$\$\$\$ 10	Pos (P) 11	Pos (T) 11	\$\$\$\$ 11	MOF
Additional Resources to Facilitate Payment of Increased Cost of Electricity	JUD 310			207,630			314,790	A
Add'l Special Fund Ceiling to Facilitate Payment of Increased Cost of Electricity	JUD 310			4,020			6,860	B
Additional Resources to Facilitate Payment of Increased Cost of Electricity	JUD 320			343,070			585,844	A
Additional Resources to Facilitate Payment of Increased Cost of Electricity	JUD 330			381,000			468,000	A
Additional Resources to Facilitate Payment of Increased Cost of Electricity	JUD 350			433,392			643,476	A
Additional Resources to Facilitate Payment of Increased Cost of Electricity	JUD 601			2,341,742			3,635,306	A
Kapolei - Staff & Corresponding Resources to Maintain the New Facility	JUD 310	22.00		413,954	22.00		707,596	A
Kapolei - Operating Expenses for New Facility; Incl Utilities & Maintenance	JUD 310			1,515,000			1,812,000	A
Kapolei - Contract Security for Courthouse & Detention Facility	JUD 310			65,183			136,883	A
Kapolei - Moving Costs to Facilitate Transfer of DH Operations to New Facility	JUD 310			20,562				A
Add'l Special Fund Ceiling to Accommodate Increased Operating Costs	JUD 310			80,000			85,000	B
Funding for Judges' Scheduled Pay Raise	JUD 101			169,092			234,204	A
Funding for Judges' Scheduled Pay Raise	JUD 310			723,963			1,002,730	A
Funding for Judges' Scheduled Pay Raise	JUD 320			143,055			198,137	A
Funding for Judges' Scheduled Pay Raise	JUD 330			177,353			245,635	A
Funding for Judges' Scheduled Pay Raise	JUD 350			62,953			87,194	A
Additional Funding for Increase in OPG Lease Costs	JUD 601			25,288			33,277	A
Add'l Special Fund Ceiling for JIMS	JUD 601		1.00	1,240,134		2.00	1,273,524	B
Add'l Special Fund Ceiling for Judiciary Data Center A/C & Power Backup Systems	JUD 601			1,500,000				B
Judiciary Total		22.00	0.00	7,023,237	22.00	0.00	10,105,072	A
		0.00	1.00	2,824,154	0.00	2.00	1,365,384	B

Table 5
Current Year (FY09) Restrictions

Prog ID	FY09 \$\$\$	Impact	FY10 \$\$\$	FY11 \$\$\$
Amounts to be determined.				
(The Judiciary has imposed restrictions on hiring, travel, and overtime beginning August 2008.)				

Table 6
Program Performance Results

JUD 101

#	Measures of Effectiveness	Direction of Success (increase/decrease)	FY07 Result	FY08 Result	FY09 Plan	FY10 Plan
1	Med. Time to Decision, Criminal Appeal (Mo)*	decrease	13	12	16	16
2	Med. Time to Decision, Civil Appeal (Mo)*	decrease	11	16	16	16
3	Med. Time to Decision, Original Proc. (Mo)*	decrease	1	1	1	1
*Counted from docket date.						

JUD 310

#	Measures of Effectiveness	Direction of Success (increase/decrease)	FY07 Result	FY08 Result	FY09 Plan	FY10 Plan
1	Med. Time to Dispo., Circt. Ct. Crim. Act. (Days)	decrease	271	260	260	260
2	Med. Time to Dispo., Circt. Ct. Civil Act. (Days)	decrease	384	376	395	395

JUD 320

#	Measures of Effectiveness	Direction of Success (increase/decrease)	FY07 Result	FY08 Result	FY09 Plan	FY10 Plan
1	Med. Time to Dispo., Circt. Ct. Crim. Act. (Days)	decrease	219	223	225	225
2	Med. Time to Dispo., Circt. Ct. Civil Act. (Days)	decrease	378	361	350	350

JUD 330

#	Measures of Effectiveness	Direction of Success (increase/decrease)	FY07 Result	FY08 Result	FY09 Plan	FY10 Plan
1	Med. Time to Dispo., Circt. Ct. Crim. Act. (Days)	decrease	312	272	330	330
2	Med. Time to Dispo., Circt. Ct. Civil Act. (Days)	decrease	356	320	350	350

JUD 350

#	Measures of Effectiveness	Direction of Success (increase/decrease)	FY07 Result	FY08 Result	FY09 Plan	FY10 Plan
1	Med. Time to Dispo., Circt. Ct. Crim. Act. (Days)	decrease	345	355	330	330
2	Med. Time to Dispo., Circt. Ct. Civil Act. (Days)	decrease	260	320	375	375

JUD 501

#	Measures of Effectiveness	Direction of Success (increase/decrease)	FY07 Result	FY08 Result	FY09 Plan	FY10 Plan
	N/A					

Table 6
Program Performance Results

JUD 601

#	Measures of Effectiveness	Direction of Success (increase/decrease)	FY07 Result	FY08 Result	FY09 Plan	FY10 Plan
1	Average Time to Process JUDHR001 Form (Days)	decrease	5	5	5	5
2	Average Time to Process Payment Document (Days)	decrease	5	5	5	5

Success in these cases is effectuated by decreasing processing times.

Attachment 1
Department-Wide Summary Information (by MOF)

Fiscal Year (FY) 2009					
Act 102/08 Appropriation (a)		Restriction (b)	Emergency Request (c)	Total FY09 (a)+(b)+(c)	MOF
150,445,630		-	1,854,425	152,300,055	A
9,376,772		-	1,770	9,378,542	B
343,261		-	-	343,261	W
				-	
160,165,663		-	1,856,195	162,021,858	Total

Fiscal Year (FY) 2010					
Act 102/08 Appropriation (d)	Collective Bargaining (e)	Reduction (f)	Additions (g)	Total FY10 (d)+(e)+(f)+(g)	MOF
148,408,626	-	-	7,023,237	155,431,863	A
9,349,877	-	-	2,824,154	12,174,031	B
343,261	-	-	-	343,261	W
				-	
158,101,764	-	-	9,847,391	167,949,155	Total

Fiscal Year (FY) 2011					
Act 102/08 Appropriation (h)	Collective Bargaining (i)	Reduction (j)	Additions (k)	Total FY11 (h)+(i)+(j)+(k)	MOF
148,408,626	-	-	10,105,072	158,513,698	A
9,349,877	-	-	1,365,384	10,715,261	B
343,261	-	-	-	343,261	W
				-	
158,101,764	-	-	11,470,456	169,572,220	Total

Judiciary restrictions & reductions to be determined.

Please indicate restrictions and reductions as negative numbers, using brackets ()

Attachment 2
 FY09 Proposed Emergency Requests

Program ID	Description of Emergency Request	FTE	\$\$\$	MOF
JUD 310	Additional Funds to Pay for Increased Electricity Costs in FY 2009	-	121,905	A
JUD 320	Additional Funds to Pay for Increased Electricity Costs in FY 2009	-	156,825	A
JUD 330	Additional Funds to Pay for Increased Electricity Costs in FY 2009	-	33,000	A
JUD 350	Additional Funds to Pay for Increased Electricity Costs in FY 2009	-	180,000	A
JUD 601	Additional Funds to Pay for Increased Electricity Costs in FY 2009	-	1,362,695	A
	Judiciary Total	-	1,854,425	A

Attachment 3
Program ID Totals

Prog ID	Title	Pos 10	\$\$\$ 10	Pos 11	\$\$\$ 11	MOF
JUD 101	Courts of Appeal	80.00	7,566,428	80.00	7,631,540	A
		-	243,261	-	243,261	W
JUD 310	First Circuit	1,098.50	79,512,933	1,098.50	80,540,640	A
		40.00	3,777,131	40.00	3,784,971	B
JUD 320	Second Circuit	220.00	16,616,351	220.00	16,914,207	A
JUD 330	Third Circuit	229.00	19,578,412	229.00	19,733,694	A
JUD 350	Fifth Circuit	98.00	7,812,771	98.00	8,047,096	A
JUD 501	Judicial Selection Commission	1.00	99,292	1.00	99,292	A
JUD 601	Administration	228.00	24,245,676	228.00	25,547,229	A
		1.00	8,396,900	1.00	6,930,290	B
		-	100,000	-	100,000	W
	Judiciary Total	1,954.50	155,431,863	1,954.50	158,513,698	A
		41.00	12,174,031	41.00	10,715,261	B
		-	343,261	-	343,261	W

Attachment 7
List of Transfers for FY08 and FY09 to date

<u>From Prog ID</u>	<u>To Prog ID</u>	<u>Amount Transferred</u>	<u>Date of Transfer</u>	<u>Reason for Transfer</u>	<u>Recurring (Y/N)</u>
FY 2008					
JUD 601	JUD 310	71,000	9/19/2007	Interpreter fees approp to JUD 601 but paid by operating pgm.	N
	JUD 320	11,000	9/19/2007	Interpreter fees approp to JUD 601 but paid by operating pgm.	N
	JUD 330	16,000	9/19/2007	Interpreter fees approp to JUD 601 but paid by operating pgm.	N
	JUD 350	2,000	9/19/2007	Interpreter fees approp to JUD 601 but paid by operating pgm.	N
JUD 310	JUD 101	17,455	9/20/2007	Installation costs for VoIP telephones approp to JUD 310 but paid by operating pgm.	N
	JUD 601	126,645	9/20/2007	Installation costs for VoIP telephones approp to JUD 310 but paid by operating pgm.	N
JUD 601	JUD 310	75,000	9/24/2007	Hawaii Family Law Clinic GIA approp to JUD 601 by administered by JUD 310.	N
JUD 310	JUD 320	15,647	9/24/2007	Distribution of statewide urinalysis funds to neighbor island programs.	N
	JUD 330	7,910	9/24/2007	Distribution of statewide urinalysis funds to neighbor island programs.	N
	JUD 350	7310	9/24/2007	Distribution of statewide urinalysis funds to neighbor island programs.	N
JUD 350	JUD 601	10,000	10/29/2007	To accommodate increased technology and copier needs in JUD 601.	N
JUD 330	JUD 601	300,000	6/4/2008	To ensure the adequacy of operating resources in JUD 601.	N
FY 2009					
JUD 601	JUD 310	75,000	9/18/2008	Hawaii Family Law Clinic GIA approp to JUD 601 by administered by JUD 310.	N
JUD 310	JUD 320	15,647	9/18/2008	Distribution of statewide urinalysis funds to neighbor island programs.	N
	JUD 330	7,910	9/18/2008	Distribution of statewide urinalysis funds to neighbor island programs.	N
	JUD 350	7,310	9/18/2008	Distribution of statewide urinalysis funds to neighbor island programs.	N
JUD 601	JUD 310	66,030	9/18/2008	Interpreter fees approp to JUD 601 but paid by operating pgm.	N
	JUD 320	10,230	9/18/2008	Interpreter fees approp to JUD 601 but paid by operating pgm.	N
	JUD 330	14,880	9/18/2008	Interpreter fees approp to JUD 601 but paid by operating pgm.	N
	JUD 350	1,860	9/18/2008	Interpreter fees approp to JUD 601 but paid by operating pgm.	N

Attachment 8
CIP Summary

Priority	Project Title	FY10 \$\$\$	FY11 \$\$\$	MOF
1	Kapolei Judiciary Complex, O'ahu	230,000	3,000,000	C
2	Ka'ahumanu Hale Mauka Wing Roof and Miscellaneous Lanai Deck Surface Improvements, O'ahu	3,900,000	0	C
3	Kauikeaouli Hale Elevator Systems Upgrade and Modernization, O'ahu	3,995,000	0	C
4	Kona Judiciary Complex, Hawai'i	550,000	0	C
5	Lump Sum CIP for Judiciary Facilities, Statewide	5,900,000	25,000,000	C
	Judiciary Total	14,575,000	28,000,000	

Report:	JUDHR010	Run Date:	12/10/2008 JUDICIARY STATE OF HAWAII						
Page 1	Run Time:	11:49:40	VACANCY LISTING BY ORGANIZATION						
PERMANENT POSITIONS									
AS OF 12/01/2008			(Information for Attachment 5)						
VACANCY									
Program ID	Department	Position #	Position Title	Date of vacancy	Exempt	MOF	Amount budgeted	Amount last actually paid	Authorized to Fill
JUD101	Courts Of Appeal	57718	Account Clerk IV	10/1/2008	N	A	39,809.00	41,040.00	
JUD310	1st Circuit	59079	Law Clerk	8/19/2008	Y	A	50,684.00	51,300.00	Y
JUD310	1st Circuit	15959	Court Support Svcs Coordinator	9/29/2007	N	A	37,506.00	58,404.00	
JUD310	1st Circuit	59199	Judicial Clerk II	8/14/2008	N	A	33,311.00	35,064.00	
JUD310	1st Circuit	4727	Secretary II	3/11/2008	N	A	30,803.00	42,708.00	
JUD310	1st Circuit	58360	Account Clerk III	9/16/2008	N	A	27,394.00	28,836.00	
JUD310	1st Circuit	10350	Account Clerk V	6/19/2007	N	A	32,068.00	37,944.00	
JUD310	1st Circuit	57337	Judicial Clerk II	3/1/2008	N	A	28,544.00	35,112.00	
JUD310	1st Circuit	59676	Account Clerk III	9/9/2008	N	A	30,803.00	32,424.00	
JUD310	1st Circuit	58742	IT Support Technician I	7/15/2008	N	A	30,803.00	32,424.00	
JUD310	1st Circuit	59606	Social Worker I	6/17/2008	N	A	46,865.00	42,144.00	
JUD310	1st Circuit	58573	Social Worker II	8/21/2008	N	A	46,865.00	43,824.00	
JUD310	1st Circuit	24359	Social Worker V	11/21/2008	N	A	54,823.00	57,708.00	
JUD310	1st Circuit	57837	Social Service Assistant IV	7/21/2007	N	A	27,394.00	30,012.00	
JUD310	1st Circuit	4754	Social Worker IV	3/16/2007	N	A	46,865.00	57,720.00	
JUD310	1st Circuit	58026	Social Worker I	4/7/2008	N	A	43,297.00	40,512.00	
JUD310	1st Circuit	57597	Social Worker III	10/1/2008	N	A	45,041.00	45,588.00	
JUD310	1st Circuit	59194	Social Worker IV	9/13/2008	N	A	59,303.00	43,824.00	
JUD310	1st Circuit	15612	Social Worker IV	5/17/2008	N	A	46,865.00	45,588.00	
JUD310	1st Circuit	58161	Social Worker I	8/28/2008	N	A	46,865.00	40,512.00	
JUD310	1st Circuit	57410	Social Worker IV	11/1/2007	N	A	43,297.00	43,824.00	
JUD310	1st Circuit	59484	Social Worker V	11/6/2008	N	A	50,684.00	53,352.00	
JUD310	1st Circuit	59476	Drug Ct Subst Abuse Cnslr IV	5/8/2007	N	A	43,297.00	45,612.00	
JUD310	1st Circuit	8922	Social Worker IV	11/15/2008	N	A	48,746.00	45,576.00	
JUD310	1st Circuit	57832	Social Worker IV	9/9/2008	N	A	46,865.00	47,436.00	
JUD310	1st Circuit	26222	Social Worker IV	8/2/2008	N	A	60,591.00	60,024.00	
JUD310	1st Circuit	4800	Cook III	10/1/2008	N	A	42,283.00	43,788.00	
JUD310	1st Circuit	11955	Juvenile Detention Worker II	10/8/2008	N	A	39,672.00	41,292.00	
JUD310	1st Circuit	5891	Juvenile Detention Worker II	6/18/2008	N	A	39,672.00	39,708.00	
JUD310	1st Circuit	57112	Court Reporter II	12/1/2007	N	A	47,435.00	73,980.00	
JUD310	1st Circuit	58057	Court Reporter II	3/21/2008	N	A	53,363.00	56,196.00	
JUD310	1st Circuit	14897	Court Reporter II	9/1/2006	N	A	47,435.00	48,252.00	
JUD310	1st Circuit	4724	Estate & Guardianship Clerk	7/16/2008	N	A	34,690.00	36,516.00	
JUD310	1st Circuit	59665	Circuit Court Clerk I	8/20/2008	N	A	40,550.00	39,480.00	
JUD310	1st Circuit	58670	Judicial Clerk III	6/28/2008	N	A	33,311.00	36,504.00	

Program ID	Department	Position #	Position Title	Date of vacancy	Exempt	MOF	Amount budgeted	Amount last actually paid	Authorized to Fill
JUD310	1st Circuit	23082	District Court Clerk I	11/24/2008	N	A	34,690.00	39,480.00	
JUD310	1st Circuit	57880	District Court Clerk II	12/17/2007	N	A	42,191.00	44,400.00	
JUD310	1st Circuit	21724	District Court Clerk I	5/27/2008	N	A	32,068.00	37,956.00	
JUD310	1st Circuit	15662	District Court Clerk I	6/16/2008	N	A	32,068.00	42,708.00	
JUD310	1st Circuit	21709	District Court Clerk II	11/11/2008	N	A	34,690.00	36,516.00	
JUD310	1st Circuit	14526	District Court Clerk II	12/29/2007	N	A	34,690.00	54,012.00	
JUD310	1st Circuit	22996	Court Bailiff I	8/5/2008	N	A	29,651.00	31,212.00	
JUD310	1st Circuit	15961	Court Bailiff II	10/2/2008	N	A	43,867.00	46,176.00	
JUD310	1st Circuit	58706	Court Bailiff II	12/1/2007	N	A	32,068.00	30,156.00	
JUD310	1st Circuit	57894	Court Bailiff II	8/30/2008	N	A	49,339.00	51,936.00	
JUD310	1st Circuit	58590	Court Bailiff II	10/1/2008	N	A	40,550.00	42,684.00	
JUD310	1st Circuit	59313	Clerk III	4/27/2007	N	A	24,385.00	23,736.00	
JUD310	1st Circuit	14469	Judicial Clerk I	8/30/2008	N	A	30,803.00	33,756.00	
JUD310	1st Circuit	14483	Judicial Clerk III	9/2/2008	N	A	36,070.00	37,968.00	
JUD310	1st Circuit	57222	Judicial Clerk IV	9/16/2008	N	A	37,506.00	39,480.00	
JUD310	1st Circuit	57589	Judicial Clerk III	12/10/2007	N	A	30,803.00	35,112.00	
JUD310	1st Circuit	13365	Secretary II	11/29/2008	N	A	42,191.00	44,412.00	
JUD310	1st Circuit	4717	Cir Ct Documents Supervisor	2/23/2008	N	A	40,550.00	46,200.00	
JUD310	1st Circuit	17725	Court Documents Clerk III	3/1/2008	N	A	37,506.00	58,404.00	
JUD310	1st Circuit	57024	Judicial Clerk II	11/1/2007	N	A	28,534.00	32,460.00	
JUD310	1st Circuit	58279	Judicial Clerk I	7/17/2008	N	A	26,368.00	27,756.00	
JUD310	1st Circuit	58863	Judicial Clerk I	6/4/2008	N	A	26,368.00	32,460.00	
JUD310	1st Circuit	57680	Clerk III	9/2/2008	N	A	25,365.00	26,700.00	
JUD310	1st Circuit	24061	Judicial Clerk III	10/23/2007	N	A	30,803.00	36,504.00	
JUD310	1st Circuit	25601	Judicial Clerk I	12/29/2007	N	A	26,368.00	33,720.00	
JUD310	1st Circuit	58695	Judicial Clerk I	7/1/2008	N	A	26,368.00	31,212.00	
JUD310	1st Circuit	57522	Judicial Clerk III	2/19/2008	N	A	30,803.00	35,112.00	
JUD310	1st Circuit	26936	District Court Clerk III	12/29/2007	N	A	37,506.00	58,404.00	
JUD320	2nd Circuit	58852	Account Clerk III	6/2/2008	N	A	27,971.00	27,732.00	
JUD320	2nd Circuit	58142	Judicial Clerk III	11/5/2008	N	A	34,012.00	35,064.00	
JUD320	2nd Circuit	500350	IT Support Technician III	7/1/2007	N	A	41,403.00	36,516.00	
JUD320	2nd Circuit	58562	Social Worker III	10/1/2007	N	A	44,209.00	40,512.00	
JUD320	2nd Circuit	58157	Social Worker IV	11/1/2008	N	A	55,977.00	55,500.00	
JUD320	2nd Circuit	500365	Social Worker IV	7/1/2007	N	A	44,209.00	45,576	
JUD320	2nd Circuit	59729	Social Worker IV	10/27/2008	N	A	47,852.00	49,332.00	
JUD320	2nd Circuit	58662	Social Worker III	7/2/2007	N	A	40,868.00	49,344.00	
JUD320	2nd Circuit	59275	Social Worker IV	6/28/2008	N	A	44,209.00	43,824.00	
JUD320	2nd Circuit	59102	Social Worker III	8/23/2008	N	A	40,868.00	40,512.00	
JUD320	2nd Circuit	58556	Judicial Clerk II	7/29/2008	N	A	29,135.00	30,036.00	
JUD320	2nd Circuit	59126	Social Worker II	8/25/2008	N	A	37,818.00	37,488.00	

Program ID	Department	Position #	Position Title	Date of vacancy	Exempt	MOF	Amount budgeted	Amount last actually paid	Authorized to Fill
JUD320	2nd Circuit	500099	Drug Ct Subst Abuse Cnsr II	9/6/2008	N	A	37,818.00	37,488.00	Y
JUD320	2nd Circuit	500269	Drug Ct Subst Abuse Cnsr III	10/6/2007	N	A	40,868.00	40,512.00	Y
JUD320	2nd Circuit	57758	Judicial Clerk II	1/16/2008	N	A	29,135.00	39,456.00	
JUD320	2nd Circuit	58850	Judicial Clerk III	10/1/2008	N	A	41,403.00	41,040.00	
JUD320	2nd Circuit	58820	Clerk III	1/9/2006	N	A	24,898.00	27,888.00	
JUD320	2nd Circuit	58659	Circuit Court Clerk II	10/1/2008	N	A	58,922.00	60,744.00	
JUD320	2nd Circuit	57201	Judicial Clerk II	7/16/2008	N	A	29,135.00	39,480.00	
JUD320	2nd Circuit	59201	Judicial Clerk II	11/4/2008	N	A	31,451.00	31,212.00	
JUD320	2nd Circuit	59202	Judicial Clerk II	10/16/2007	N	A	29,135.00	37,956.00	
JUD320	2nd Circuit	21688	Court Reporter II	1/26/2008	N	A	48,434.00	48,012.00	
JUD320	2nd Circuit	57241	Court Reporter II	5/28/2008	N	A	48,434.00	51,936.00	
JUD330	3rd Circuit	500147	Circuit Court Clerk II	11/15/2008	N	A	41,403.00	41,040.00	Y
JUD330	3rd Circuit	500276	Social Worker III	7/24/2008	N	A	44,209.00	40,512.00	
JUD330	3rd Circuit	57340	Judicial Clerk II	1/2/2008	N	A	35,409.00	36,504.00	
JUD330	3rd Circuit	58919	Clerk IV	10/6/2008	N	A	29,135.00	28,836.00	
JUD330	3rd Circuit	59116	Social Worker V	9/23/2008	N	A	73,681.00	73,044.00	
JUD330	3rd Circuit	500457	Circuit Court Clerk II	7/21/2008	N	A	39,809.00	41,040.00	
JUD330	3rd Circuit	500458	Circuit Court Clerk II	7/21/2008	N	A	39,809.00	41,040.00	Y
JUD330	3rd Circuit	500459	Court Bailiff II	7/21/2008	N	A	34,012.00	33,756.00	
JUD330	3rd Circuit	19194	Account Clerk V	12/29/2007	N	A	32,743.00	24,684.00	
JUD350	5th Circuit	59727	Social Worker II	9/2/2008	N	A	38,208.00	37,488.00	
JUD350	5th Circuit	59467	District Court Clerk II	6/2/2008	N	A	40,431.00	44,400.00	
JUD350	5th Circuit	26939	District Court Clerk II	8/1/2008	N	A	27,177.00	28,836.00	
JUD601	Intergovernment/Comm Relations	57226	Information Specialist IV	2/1/2006	N	A	43,297.00	47,664.00	
JUD601	Intergovernment/Comm Relations	59292	Information Specialist IV	9/23/2008	N	A	52,725.00	53,364.00	
JUD601	Intergovernment/Comm Relations	58551	Program Specialist I	7/8/2008	N	A	58,590.00	62,424.00	
JUD601	Intergovernment/Comm Relations	500330	Program Specialist I	5/3/2008	N	A	43,297.00	43,824.00	
JUD601	Intergovernment/Comm Relations	58633	Clerk IV	11/12/2008	N	A	29,651.00	28,836.00	
JUD601	Intergovernment/Comm Relations	58600	Social Service Assistant V	10/11/2008	N	A	30,803.00	31,212.00	
JUD601	Policy & Planning Department	59065	Internal Control Analyst V	7/30/2008	N	A	48,746.00	62,424.00	
JUD601	Policy & Planning Department	59066	Internal Control Analyst V	4/16/2008	N	A	48,746.00	53,364.00	
JUD601	Policy & Planning Department	59331	DUI Assistant	4/24/2008	Y	A	38,988.00	39,456.00	
JUD601	Support Services Department	58063	Account Clerk III	5/1/2007	N	A	24,385.00	24,684.00	
JUD601	Support Services Department	59370	Clerk III	6/9/2008	N	A	24,385.00	31,176.00	
JUD601	Support Services Department	57085	Court Records Mgmt Off IV	12/29/2007	N	A	43,297.00	62,424.00	
JUD601	Support Services Department	25606	IT Specialist V	6/6/2008	N	A	46,877.00	60,024.00	
JUD601	Support Services Department	58052	IT Specialist V	7/18/2008	N	A	52,725.00	55,488.00	
JUD601	Support Services Department	25591	IT Specialist V	11/1/2008	N	A	54,823.00	57,708.00	

Program ID	Department	Position #	Position Title	Date of vacancy	Exempt	MOF	Amount budgeted	Amount last actually paid	Authorized to Fill
JUD601	Human Resources Department	59296	Secretary II	8/30/2008	N	A	45,646.00	48,048.00	
Special Fund Positions									
JUD310	1st Circuit	25738	Driver Education Officer	4/1/2004	N	B	54,823.00	49,344.00	
JUD310	1st Circuit	57783	Information Specialist II	12/14/1998	N	B	37,039.00	38,988.00	
JUD310	1st Circuit	26900	Illustrator III	12/30/2006	N	B	53,363.00	56,160.00	
JUD350	5th Circuit	500210	Social Service Assistant IV	7/25/2008	N	B	27,032.00	28,836.00	Y

Program I.D. and Title: JUD 101 – Courts of Appeal
Page References in the Biennium Budget Document: Pgs. 10-15

1. Introduction:

a. Supreme Court

The mission of the Supreme Court is to provide timely disposition of cases, including resolution of particular disputes and explication of applicable law; to license and discipline attorneys; to discipline judges; and to make rules of practice and procedure for all Hawai'i courts.

Intermediate Court of Appeals

The mission of the Intermediate Court of Appeals is to provide timely disposition of appeals from trial courts and state agencies, including the resolution of the particular dispute and explication of the law for the benefit of the litigants, the bar, and the public:

Law Library

The mission of the State Law Library System is to provide for the centralized and standardized selection and purchase of legal research materials and services that meet the needs of those who utilize its resources.

b. Summary of program objectives

Supreme Court

- To hear and determine appeals and original proceedings that are properly brought before the court, including cases heard upon:
 - applications for writs of certiorari
 - transfer from the Intermediate Court of Appeals
 - reserved questions of law from the Circuit Courts, the Land Court, and the Tax Appeal Court
 - certified questions of law from federal courts
 - applications for writs directed to judges and other public officers
 - applications for other extraordinary writs
 - complaints regarding elections

- To make rules of practice and procedure for all state courts
- To license, regulate, and discipline attorneys
- To discipline judges

Intermediate Court of Appeals

- To promptly hear and determine all appeals from the district, family, and circuit courts and from any agency when appeals are allowed by law.
- To entertain, at its discretion, any case submitted without suit when there is a question of law that could be the subject of a civil action or proceeding in the Circuit Court or Tax Appeal Court, and the parties agree to the facts upon which the controversy depends.

Law Library

- To collect, organize, and disseminate information and materials relating to legal research and judicial administration in order to enhance the effectiveness of the judicial process.

Activities performed to achieve program objectives

The Supreme Court is the State of Hawaii's court of last resort, and hears appeals on transfer from the Intermediate Court of Appeals (ICA) or on *writ of certiorari* to the ICA. It licenses and disciplines attorneys, disciplines judges, and exercises ultimate rule-making power for all courts in the State. The Supreme Court is empowered to issue all writs necessary and proper to carry out its functions.

The ICA reviews, in the first instance, appeals from trial courts and from some agencies. It is also authorized to entertain cases submitted without suit when there is a question of law that could be the subject of a civil suit in the Circuit Court or the Tax Appeal Court, and the parties agree upon the facts upon which the controversy depends.

The State Law Library System (SLLS) provides legal reference sources and services to the courts, the legal community, and the public. It collects, organizes, and disseminates information and materials relating to legal research and judicial administration through the central collection in Honolulu and satellite collections in the Second, Third, and Fifth Circuit Courts. Chamber libraries also are furnished and maintained for each district, circuit, and appellate court judge statewide.

2. Program Performance Results:

- a. Please include Table 6: Program Performance Results. (Entries in the table should be similar to what can be found on the Variance Report for this particular Program ID.) For “Direction of Success,” indicate whether an increase or a decrease in that particular Measure of Effectiveness is the indicator of greater success.**

See narrative below.

- b. Discuss how this Program ID’s Measures of Effectiveness relate to the department’s mission and program objectives.**

See narrative below.

- c. Discuss how results of measures of effectiveness affect program activities.**

See narrative below.

- d. Please identify any modifications to your program’s performance measures and discuss the rationale for these modifications. If there were no modifications, please indicate “none.”**

See narrative below.

The Courts of Appeal trends presented on JUD 101 pages 6 and 7 are for the overall caseload. On these charts, we have included the year-by-year actual caseload filing and termination data. The trend lines in the charts reflect the current and projected filings and dispositions based on past experience.

The graphs and trend analysis indicate that demands on the appellate courts remain relatively steady. The number of appeals filed in FY 2008 reflects a slight increase over the FY 2007 filings, and we expect this trend to continue over the next few years. FY 2007 marked the first year of a new appellate system in which all appeals are filed first in the ICA and move to the Supreme Court only upon a motion for transfer (before an ICA decision on the merits) or an application for a writ of certiorari (after an ICA dismissal or decision on the merits). While the total number of terminations was down, the termination rate (number of dispositions over the number docketed) was 237% for the Supreme Court. Furthermore, the Supreme Court’s total pending appeals continues to move in a downward trend with a 73% reduction from FY 2007 to FY 2008. At the

beginning of FY 2007, two Supreme Court staff attorneys were transferred to the ICA. The ICA hired a third staff attorney during FY 2007, hired two additional staff attorneys in FY 2008, and now has a complete professional staff. In FY 2007, for the first time in its history, the ICA began handling the procedural motions routinely filed during the processing of an appeal. The FY 2008 figures show a decrease in the total number of appeal terminations, due in part to the long vacancy that resulted from the untimely death of Associate Judge John Lim. The ICA received its full complement of judges when Judge Katherine Leonard took office during the third quarter of FY 2008. With the ICA processing routine appeals and procedural matters, the Supreme Court has resumed a regular schedule of oral arguments. A detailed report about the appellate process will be provided to the 2010 legislature in accordance with Section 2 of Act 94 of the 2006 Hawai'i Session Laws.

We have provided long-term trends in lieu of looking at the most recent two years because of the more reliable resource implications; i.e., short-term comparisons as seen on the termination chart can be misleading because of the year-to-year variations in cases docketed and disposed.

The SLLS has been engaged in continuous evaluation of its collections to ensure that library customers are provided with the best, most current materials available. To the extent funds are available, emphasis is placed on acquiring resources geared towards Hawai'i law and practice.

The SLLS is now providing access to a variety of electronic legal resources through the CD-ROM network, web-based subscriptions, and the Patron Access Westlaw program at all of its public PC workstations. Conversion to electronic subscriptions and cancellation of their print equivalents have generated some cost savings, but more importantly, have expanded the library system's capability to provide access to more resources than it can afford to acquire and house in hard copy. For example, two web-based subscriptions (Patron Access Westlaw and Hein OnLine) have made it possible for all library users, including those on the neighbor islands, to be able to search for and retrieve federal and 50-states statutes, administrative codes, and case law, as well as articles from more than 1,000 law reviews.

Biennium Budget Requests for FB 2009-2011:

Judges' Pay Raise

Cost: FY 2010 - \$169,092, FY 2011 - \$234,204

The Commission on Salaries was established as a result of a constitutional amendment of Article XVI of the Constitution of the State of Hawai'i that was approved in November 2006. The Commission was charged with reviewing and making recommendations for the salaries of

justices and judges of all State courts, members of the Legislature, the Governor and Lieutenant Governor, and specified appointed officials within the State Executive branch. The 2006 Commission was convened in December 2006 and submitted its report and recommendations to the 2007 State Legislature. Because the recommendations of the Commission provided judges with a salary increase for FY's 2008 through 2013, additional resources are required each biennium to provide for the new pay differential. The additional requested resources will ensure that the Courts of Appeal have sufficient resources in each year of the biennium to pay its judges for this scheduled pay increase.

Capital Improvement Program (CIP) Budget

If no request is being made, please indicate "none".

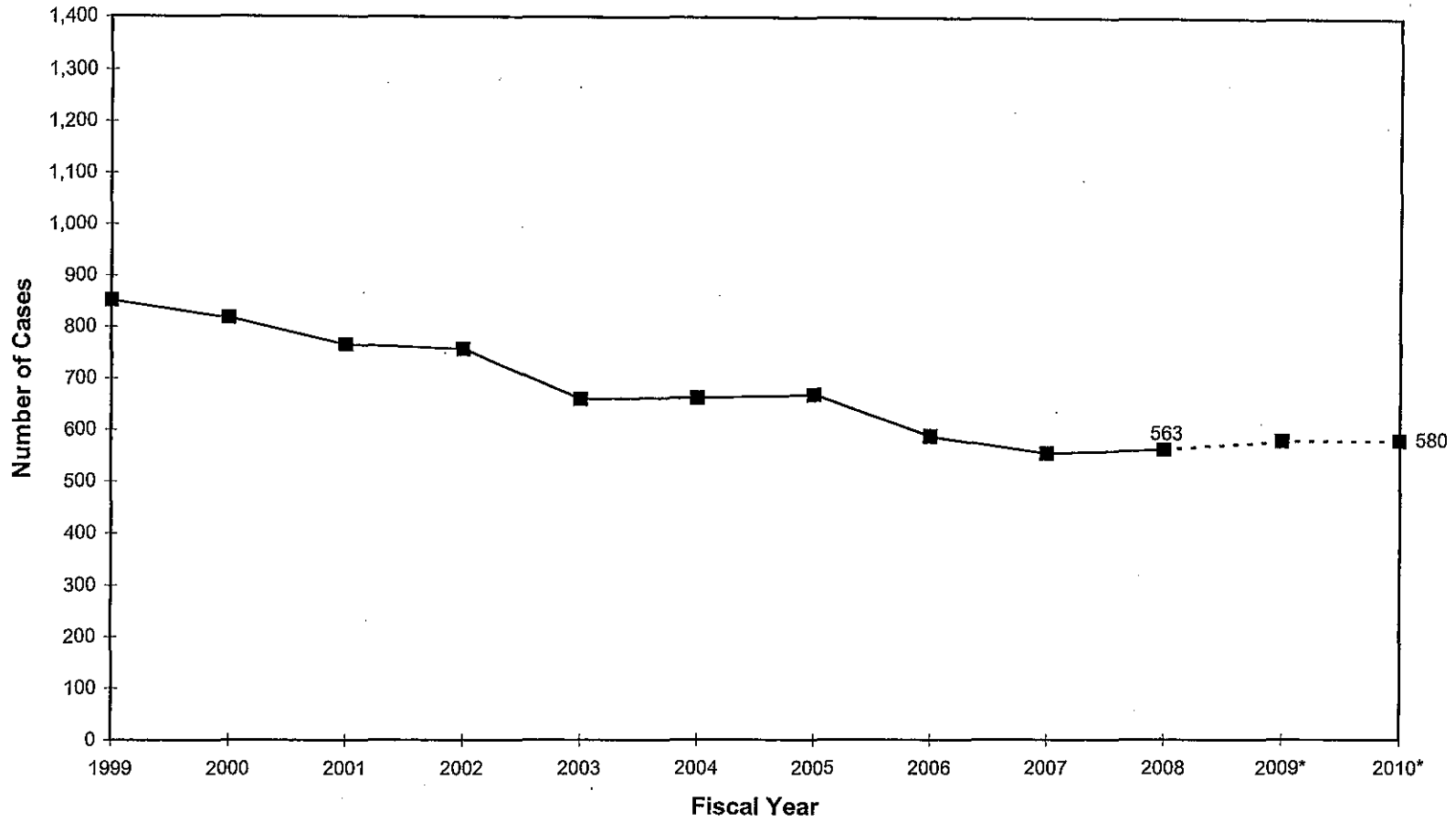
1. CIP Requests (for each request, please provide the following): (The Table R format will suffice)

None.

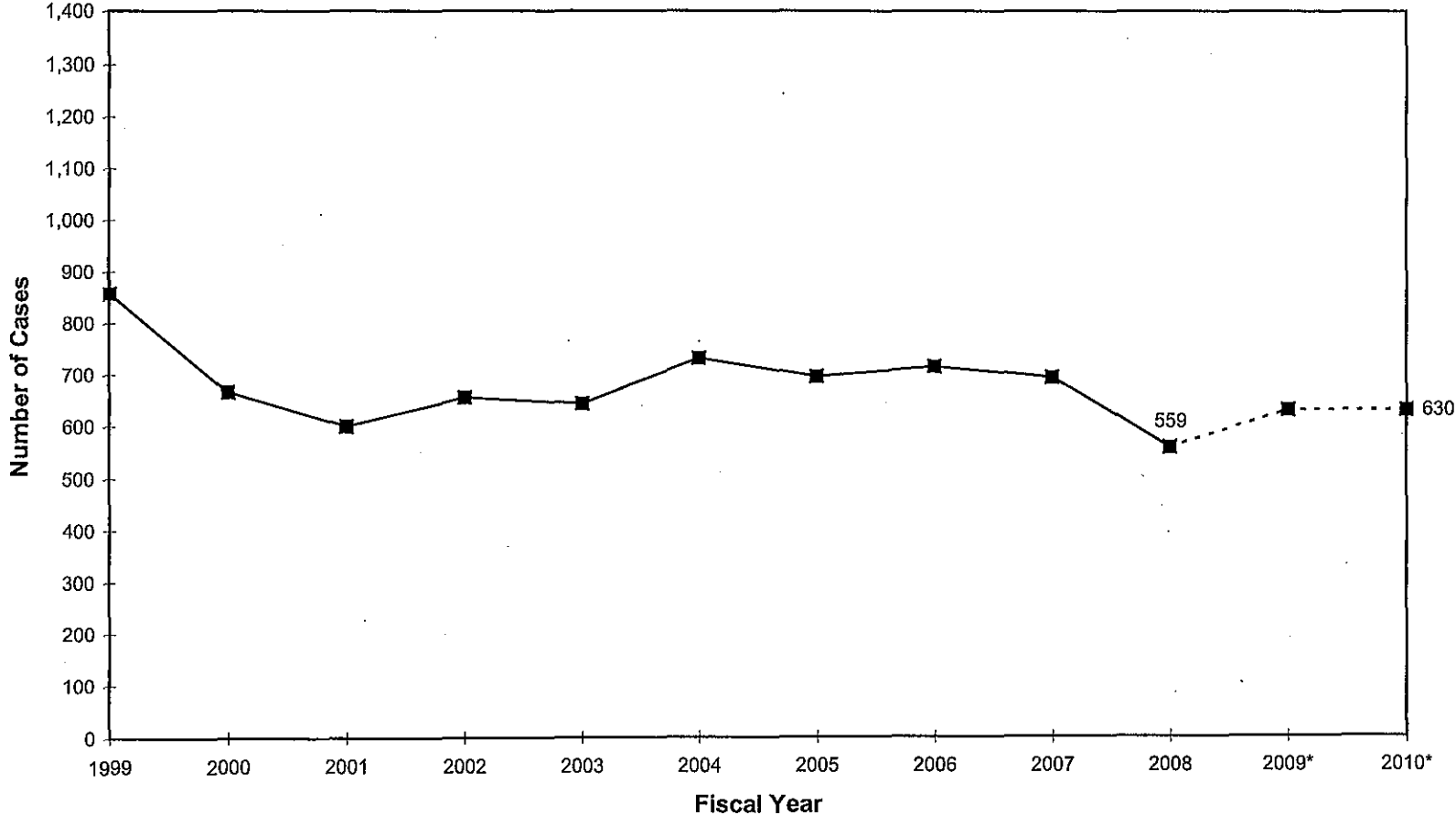
2. Proposed Lapses of CIP projects (for each proposed lapse, please provide the following):

None.

Appellate Courts Appeal Cases Filed FY 1999 - 2008 (Actual); FY 2009 - 2010 (Forecast*)



**Appellate Courts
Appeal Cases Terminated
FY 1999 - 2008 (Actual); FY 2009 - 2010 (Forecast*)**



Program I.D. and Title: JUD 310 - First Circuit
Page References in the Biennium Budget Document: Pgs. 16-25

1. Introduction:

- a. The mission of the First Circuit is to expeditiously and fairly adjudicate or resolve all matters within its jurisdiction in accordance with law.
- b. Summary of program objectives**
 1. To assure a proper consideration of all competing interests and countervailing considerations intertwined in questions of law arising under the Constitution of the State and the United States in order to safeguard individual rights and liberties and to protect the legitimate interest of the State and thereby ensure to the people of this State the highest standard of justice attainable under our system of government.
 2. To develop and maintain a sound management system which incorporates the most modern administrative practices and techniques to assure the uniform delivery of services of the highest possible quality, while providing for and promoting the effective, economical, and efficient utilization of public resources.
 3. To administer a system for the selection of qualified individuals to serve as jurors so as to ensure fair and impartial trials and thereby effectuate the constitutional guarantee of trial by jury.
 4. To provide for the fair and prompt resolution of all civil and criminal proceedings and all civil and criminal traffic cases so as to ensure public safety and promote the general welfare of the people of the State, but with due consideration for safeguarding the constitutional rights of the accused.
 5. To conduct presentence and other predispositional investigations in a fair and prompt manner for the purpose of assisting the courts in rendering appropriate sentences and other dispositions with due consideration for all relevant facts and circumstances.
 6. To maintain accurate and complete court records as required by law and to permit immediate access to such records, where appropriate, by employing a records management system which minimizes storage and meets retention requirements.

7. To supervise convicted and deferred law violators who are placed on probation or given deferments of guilty pleas by the courts to assist them toward socially acceptable behavior and thereby promote public safety.
8. To safeguard the rights and interests of persons by assuring an effective, equitable, and expeditious resolution of civil and criminal cases properly brought to the courts, and by providing a proper legal remedy for legally recognized wrongs.
9. To assist and protect children and families whose rights and well-being are jeopardized by securing such rights through action by the court, thereby promoting the community's legitimate interest in the unity and welfare of the family and the child.
10. To administer, to the fullest extent permitted by law, the orders and decrees pronounced by the Family Division so as to maintain the integrity of the judicial process.
11. To supervise law violators who are placed on probation by the Family Division to assist them toward socially acceptable behavior, thereby promoting public safety.
12. To protect minors whose environment or behavior is injurious to themselves or others and to restore them to society as law-abiding citizens.
13. To complement the strictly adjudicatory function of the Family Division by providing services such as counseling, guidance, mediation, education, and other necessary and proper services for children and adults.
14. To coordinate and administer a comprehensive traffic safety education program as a preventive and rehabilitative endeavor directed to both adult and juvenile traffic offenders in order to reduce the number of deaths and injuries resulting from traffic mishaps.
15. To develop a statewide drug court treatment and supervision model for non-violent adults and juveniles, adapted to meet the needs and resources of the individual jurisdictions they serve.
16. To deliver services and attempt to resolve disputes in a balanced manner that provides attention to all participants in the justice system, including parties to a dispute, attorneys, witnesses, jurors,

and other community members, embodying the principles of restorative justice.

Land Court/Tax Appeal Court

1. To provide for an effective, equitable, and expeditious system for the adjudication and registration of title to land and easements and rights to land within the State.
2. To assure an effective, efficient, and expeditious adjudication of all appeals between the tax assessor and the taxpayer with respect to all matters of taxation committed to its jurisdiction.
3. To provide a guaranteed and absolute register of land titles which simplifies for landowners the method for conveying registered land.

Activities performed to achieve program objectives

The Adjudication program provides the First Circuit with judges and staff to operate the circuit, family, and district courts. Adjudication program judges also staff drug courts for adults, juveniles, and families. In addition, the program budget provides for judges' operating supplies and professional fees.

The Central Administration program consolidates court administrative offices, and includes the chief court administrator and administrative staff. The primary objectives of the program include providing for effective and efficient planning, direction, administration, coordination, and evaluation of all administrative, business and support functions, operations, and activities required to support judicial proceedings and judgements in the circuit, district, and family courts. This program also strives to provide the First Circuit with fiscal and accounting services that ensure the uniform delivery of services of the highest quality while providing and promoting the effective, economical, and efficient utilization of resources. The Central Administration program includes the Facilities Management Section whose staff coordinates the cleaning, repair, and maintenance of Judiciary buildings located in the First Circuit, and provides custodial and groundskeeping services.

The Client Services program's primary objective is to provide direct services to adult and juvenile clients of courts within the First Circuit. Activities include making recommendations to the courts, enforcing compliance with court orders, maintaining client classification and information systems, managing purchase of service contracts, and maintaining contacts with community resources. Drug court services for

adults, families, and juveniles are also provided. All probation officers providing services to adult and juvenile clients are consolidated within this program.

The Court Services program is responsible for providing courtroom clerical, court reporting, and other support and ancillary services to the courts of the First Circuit. Programs in the division are designed to aid in the timely disposition of cases of general and limited jurisdiction for civil, criminal felonies, misdemeanors, petty misdemeanors, family proceedings, and traffic (decriminalized and regular traffic criminal) in the First Circuit.

Circuit Courts are trial courts of general jurisdiction. Circuit Courts have jurisdiction in most felony cases, and concurrent jurisdiction with the Family Courts for certain felonies related to domestic abuse, such as violations of temporary restraining orders involving family and household members. Circuit Courts also have exclusive jurisdiction in probate, trust, and conservatorship (formerly "guardian of the property") proceedings, and concurrent jurisdiction with the Family Courts over adult guardianship (formerly "guardian of the person") proceedings. Circuit Courts have exclusive jurisdiction in civil cases involving amounts greater than \$20,000, and concurrent jurisdiction with District Courts in civil cases involving amounts between \$10,000 and \$20,000. Jury trials are conducted exclusively by Circuit Court judges. A party to a civil case triable by jury may demand a jury trial where the amount in controversy exceeds \$5,000. Circuit Courts have exclusive jurisdiction in mechanics lien cases and foreclosure cases, and jurisdiction as provided by law in appeals from other agencies (such as unemployment compensation appeals). Appeals from decisions of the Circuit Courts are made directly to the Intermediate Court of Appeals, subject to transfer to or review by the Supreme Court.

As courts of record, the Circuit Courts are responsible for the filing, docketing, and maintenance of court records. During the course of a case, numerous documents may be filed. Thus, document filing is an ongoing activity. In addition to the Legal Documents Branch, the Court Reporters' Office, Jury Pool Office, and Cashier's Office provide services critical to effective court operations.

The Chief Clerks of the Circuit Courts, with the assistance of Small Estates and Guardianship Program staff, serve as personal representatives in small estates cases and as conservators in small conservatorship cases.

Circuit Court judges refer criminal offenders to the Adult Client Services (probation) staff for presentence diagnostic evaluations. Offenders

sentenced to probation are supervised by probation officers on the Court's staff.

The Land Court and Tax Appeal Court are specialized statewide courts of record based in Honolulu. The Land Court hears and determines questions arising from applications for registration of title to fee simple land within the State, registers title to property, and determines disputes concerning land court property. The Tax Appeal Court determines tax appeals and exercises jurisdiction in disputes between the tax assessor and taxpayer. Land Court and Tax Appeal Court matters are assigned to the appropriate judge or judges of the First Circuit Court. The Office of the Land and Tax Appeal Court maintains custody and control over papers and documents filed with the Land Court and Tax Appeal Court.

Circuit Court programs include alternatives to traditional dispute resolution methods. The Circuit Court Drug Court Programs aim to divert nonviolent defendants from the traditional criminal justice path and incarceration, placing them in treatment programs under judicial supervision, rewarding good behavior, and imposing immediate sanctions for relapse into drug use. The Circuit Court's Court Annexed Arbitration Program is designed to reduce the cost and delay of protracted civil litigation, requiring tort actions with a probable jury award value under \$150,000 to be submitted to the program and be subject to determination of arbitrability and to arbitration under program rules.

The Family Courts, divisions of the Circuit Courts, are specialized courts of record designed to deal with family conflict and juvenile offenders. The Family Court complements its strictly adjudicatory functions by providing a number of counseling, guidance, detention, mediation, education, and supervisory programs for children and adults.

The Family Courts retain jurisdiction over children who, while under the age of 18, violate any law or ordinance, are neglected or abandoned, are beyond the control of their parents or other custodians, live in an environment injurious to their welfare, or behave in a manner injurious to their own or others' welfare. Activities are geared toward facilitating the determination of the court for appropriate and timely dispositions; preparing cases for detention, adjudicatory, and dispositional hearings; conducting social study investigations; and supervising and treating juveniles under legal status with the court. Family Court activities also include Foster Home placement and providing volunteer guardians ad-litem.

The Family Court's jurisdiction also encompasses adults involved in offenses against other family members; dissolution of marriages; disputed child custody and visitation issues; resolution of paternity issues;

adoptions; and adults who are incapacitated and/or are in need of protection. The Family Courts provide services which include temporary restraining orders for protection; treatment of parties involved in domestic violence; supervision and monitoring of defendants in domestic abuse cases; and education programs for separating parents and children.

The District Courts, in civil matters, exercise jurisdiction where the amount in controversy does not exceed \$20,000. If the amount in controversy exceeds \$5,000, the parties may demand a jury trial, in which case the matter is committed to the Circuit Courts. The District Courts also have exclusive jurisdiction in all landlord-tenant cases and all small claims actions (suits in which the amount in controversy does not exceed \$3,500).

The civil divisions of the District Courts also handle temporary restraining orders and injunctions against harassment for non-household members.

In traffic matters, the District Courts exercise jurisdiction over civil infractions and criminal traffic violations of the Hawai'i Revised Statutes, county ordinances, and the rules and regulations of state and county regulatory agencies. Certain traffic matters, known as "decriminalized" traffic offenses, are handled on a civil standard within the traffic division. Those traffic matters which are not "decriminalized" are handled on a criminal standard.

In criminal matters, the jurisdiction of the District Courts is limited to misdemeanors, traffic offenses, and cases filed for violations of county ordinances and the rules of the State's regulatory agencies. In felony cases where an arrest has been made, the District Courts are required to hold a preliminary hearing, unless such hearing is waived by the accused. All trials are conducted by judges. However, in criminal misdemeanor cases, the defendant may demand a jury trial, in which case the matter is committed to the Circuit Courts for trial.

The District Courts are the courts with which the citizens of Hawai'i most frequently come into contact. In the First Circuit, courthouses in the four rural judicial districts of Ewa, Waianae, Wahiawa, and Kaneohe provide residents with the option of conveniently staying within their respective communities to transact many types of court business.

The Community Service Sentencing Program provides placement and monitoring services for offenders sentenced to perform community work by the District, Circuit, Family, and Federal Courts.

The Driver Education and Training Program provides counseling, instructional services, and public information in the area of traffic safety

for the counties of Oahu, Maui, Hawai'i, and Kauai. It is a preventive and rehabilitative endeavor directed at both adult and juvenile traffic offenders.

2. Program Performance Results:

- a. **Please include Table 6: Program Performance Results. (Entries in the table should be similar to what can be found on the Variance Report for this particular Program ID.) For "Direction of Success," indicate whether an increase or a decrease in that particular Measure of Effectiveness is the indicator of greater success.**

See narrative below.

- b. **Discuss how this Program ID's Measures of Effectiveness relate to the department's mission and program objectives.**

See narrative below.

- c. **Discuss how results of measures of effectiveness affect program activities.**

See narrative below.

- d. **Please identify any modifications to your program's performance measures and discuss the rationale for these modifications. If there were no modifications, please indicate "none."**

See narrative below.

As previously indicated, a central measure of Judiciary performance is a review of the caseload and disposition of these cases. The graphs and trend analysis that we have included clearly indicate the high public demand on the Courts. The trend charts also show that the First Circuit is meeting the urgent public need by its output or total dispositions, which were slightly less than filings in FY 2008. We have provided long-term trends in lieu of looking at the most recent two years because of the more reliable resource implications, i.e., short-term comparisons can be misleading due to the year-to-year variations in both cases filed and cases disposed. Further, since there is always a special interest in the criminal caseload, we have broken the First Circuit data out separately for your review. In this sub-section of the total caseload, the First Circuit is again fulfilling its mission by disposing of criminal cases in numbers slightly lower than the number of criminal cases filed (JUD 310, pages 13-16).

Data compiled for the First Circuit Court for FY 2008 showed that overall filings totaled 6,608 and dispositions totaled 6,696. However, during the last eight years, there was considerable variation from year to year in both the filing and disposition data. The variance, which was most notable in our dispositions, was in large part the result of processing and recording procedures. But, in any case, over these eight years, the First Circuit Court averaged a rate of overall case disposition nearly in line with cases filed.

In the First Circuit, the data shows a slight upward trend in filings for most types of Family Court cases, with overall filings for FY 2008 totaling 19,299, up from 18,585 in FY 2007. As a result, the demands on the Family Court remain at a high level and still require the augmentation of our staff of existing permanent judges with per diem judges. The trend data also shows that the Family Court consistently meets the public need by disposing of cases at a rate consistent with new filings.

The data compiled for District Court operations in the First Circuit shows that District Court continues to address great demands caused by the high, though somewhat fluctuating, number of cases filed. The data and trend analysis indicate a slight downward trend followed by a period of stabilization and gradual increase in caseload for the District Court, excluding traffic cases. This includes 52,099 filings for FY 2008 alone.

Biennium Budget Requests for FB 2009-2011:

Cost Increases for Electricity

Cost: FY 2010 - \$207,630, FY 2011 - \$314,790

Since the onset of the significant rise in fuel prices, the cost of electricity to operate the First District Court's rural courts and Family Court Detention Facility has increased substantially. (It should be noted that the electric bills for the First Circuit's Kaahumanu Hale and Kauikeaouli Hale are included in and therefore paid out of the budget of the Judiciary Administration's Fiscal Office.) For FY 2007, the total bill for electricity for the First Circuit was \$225,872, including \$220,412 in state general funds and \$5,460 in special funds (Driver's Education program). In FY 2008, expenditures rose to \$282,202 (\$275,323 in general funds and \$6,879 in special funds), an increase of 25%.

The First Circuit received technical information from Hawaiian Electric Company that indicated that the average price per kilowatt-hour for its rural courts and Detention Facility increased substantially from FY 2007 to FY 2008. Although the increases varied by building location, there was generally about a 25-30% increase in costs for electricity. The Fifth Circuit also received information from the Kauai Island Utility Cooperative

that showed that the Fifth Circuit experienced a 23% increase in the average price per kilowatt-hour during the 12 months ending July 11, 2008.

Based on data from the beginning of the current fiscal year that continues the trend from the previous fiscal year, the First Circuit's projected FY 2009 general fund expenditure for electricity increases to \$342,905, an amount that exceeds the general fund budget base of \$221,000 by \$121,905. The projected general fund shortfall for FY 2010 is \$207,630, and \$314,790 for FY 2011.

The base budget for electricity for the Driver's Education Program (paid for from special funds) is \$6,900, which is very small in comparison to the general fund budget for electricity for the First Circuit. However, cost projections also show a projected deficit for FY's 2009 through 2011. For FY 2009, estimates indicate a shortfall of \$1,770, or 26% more than the special fund budget for electricity. The projected shortfalls for FY's 2010 and 2011 are \$4,020 and \$6,860, respectively.

The biennium request addresses the critical need to fund substantial projected shortfalls in the First Circuit's general and special fund budgets for the FY's 2010 and 2011. Of course, the actual costs for electricity that the First Circuit will incur will depend on future prices in the fuel oil market. However, actual expenditures for electricity in FY 2008 have already shown an increase of 25%, with even larger increases projected for FY's 2009 through 2011.

The Judiciary has implemented some energy conservation initiatives that may have some impact, however, the cost of fuel remains the primary influence on future expenses for electricity. Costs for electricity in Hawai'i are dependent on worldwide petroleum markets because petroleum-fired power plants supply more than 75% of all electricity generated in Hawai'i. If oil prices continue to increase annually (the current downturn in cost may only be temporary), the First Circuit will be unable to provide the level of services desired without additional resources to cover costs for electricity. The First Circuit would not have the means to properly maintain and operate its court buildings. The conditions in courtrooms and public areas would be unbearable without air conditioning, as it is conceivable that the building air conditioning system would have to be shut down for periods of time to save on operating costs. This would undoubtedly result in complaints by the public and grievances filed by employees due to sub-par courthouse and working conditions. Because of the direct relationship between the price of electricity in Hawai'i and the cost of fuel, the Judiciary would have no alternative but to pay the higher price for electricity (that is passed on to consumers by the electric company) to keep the courthouse doors open.

Kapolei Judiciary Complex

The Judiciary will soon assume responsibility for the operation and maintenance of the Kapolei Court Complex that is currently under construction. The present schedule reflects a substantial completion date in late 2009, with an opening in Spring 2010. In order for the Kapolei Court Complex to open and provide courthouse services, the following items have been included in the Judiciary's budget request for the upcoming biennium.

Facilities Maintenance Staff (Kapolei Court Complex)

Cost: FY 2010 - \$413,954, FY 2011 - \$707,596

Additional staff is necessary to adequately maintain the buildings and grounds of the new Kapolei Court Complex. Included in the request are: 1 Assistant Facilities Manager, 2 supervising Janitor III's, 14 Janitor II's, and 5 Groundskeepers. (The complex consists of a courthouse building with a total square footage of approximately 123,000 square feet, a juvenile detention facility of approximately 58,000 square feet, and a central plant that contains the shared and back-up mechanical systems for the complex. The juvenile detention facility operates on a 24-hour a day, 7-day a week schedule, providing secure housing and programs for a maximum of 66 juveniles. The site has 394 parking stalls in three lots on an 11 acre parcel, consisting of newly planted grass, shrubs, hedges, plants, and trees which require substantial daily maintenance.)

The Assistant Facilities Manager position will play an integral role in creating the facilities management program at the new Kapolei complex. The position will be directly involved in the daily operational control of the maintenance of the new complex and oversee the planning and coordinating of building repairs, maintenance and renovations, and contacting vendors. The position will supervise all custodial and groundskeeping staff assigned to maintain the buildings and grounds to provide clean, safe and sanitary conditions for all court users and staff. The Janitor III positions will be working supervisors who will provide daily direction to the janitorial and groundskeeping line staff. Funding for the Assistant Facilities Manager and two Janitor III positions is being requested from FY 2010 to allow sufficient time for them to participate in the interview and selection process, and to conduct on-site training.

Basic Utility Cost, Maintenance Contracts, and Temporary Perimeter Security (Kapolei Court Complex)

Cost: FY 2010 - \$1,515,000, FY 2011 - \$1,812,000

This request is for utilities and maintenance expenses that will be required to efficiently and effectively operate and maintain the new complex at normal functional levels. Included are the resources for basic utilities services such as water, sewer, electricity, telephone and gas. The

maintenance contract expenses are for maintenance and service contracts once the initial one-year warranty for the building and its major components expire. These components include air conditioning, elevators, electronic security/surveillance, and building security systems.

Also included are resources for contracted security guards (a temporary measure for a six-month period, from approximately August 2009 through February 2010). 1 Security to provide 24-hour coverage once construction of the new complex is completed will be required to ensure that no vandalism or theft occurs, as the complex will be vacant until court staff can be fully moved in.

Contract Security Guards to Control Building Access (Kapolei Court Complex)

Cost: FY 2010 - \$65,183, FY 2011 - \$136,883

This request will provide funding for four contract security guards (two to control access to the courthouse building, and two for the Juvenile Detention Facility). The security guards will provide security for the court buildings, court staff, and court users; operate x-ray machines and walk through metal detectors; and use hand held metal detectors.

Detention Facility Moving and Transportation Costs (Kapolei Court Complex)

Cost: FY 2010 - \$20,562

The movement of juveniles from the Alder Street detention home to the new detention facility in Kapolei may occur as soon as January 2010. Resources are therefore requested to rent moving vans and to contract security guards to facilitate this move.

Moving the operations of the Alder Street juvenile detention facility to the new Kapolei Court Complex will eliminate the expense of repairing and maintaining the deteriorating facility at Alder Street. The requested funds will enable the Judiciary to move the staff and functions of the Alder Street facility to Kapolei in a safe and timely manner.

Judges' Pay Raise

Cost: FY 2010 - \$723,963, FY 2011 - \$1,002,730

The Commission on Salaries was established as a result of a constitutional amendment of Article XVI of the Constitution of the State of Hawai'i that was approved in November 2006. The Commission was charged with reviewing and making recommendations for the salaries of justices and judges of all State courts, members of the Legislature, the Governor and Lieutenant Governor, and specified appointed officials within the State Executive branch. The 2006 Commission was convened in December 2006 and submitted its report and recommendations to the 2007 State Legislature. Because the recommendations of the

Commission provided judges with a salary increase for FY's 2008 through 2013, additional resources are required each biennium to provide for the new pay differential. The additional requested resources will ensure that the First Circuit has sufficient funds in each year of the biennium to pay its judges for this scheduled salary increase.

Capital Improvement Program (CIP) Budget

If no request is being made, please indicate "none".

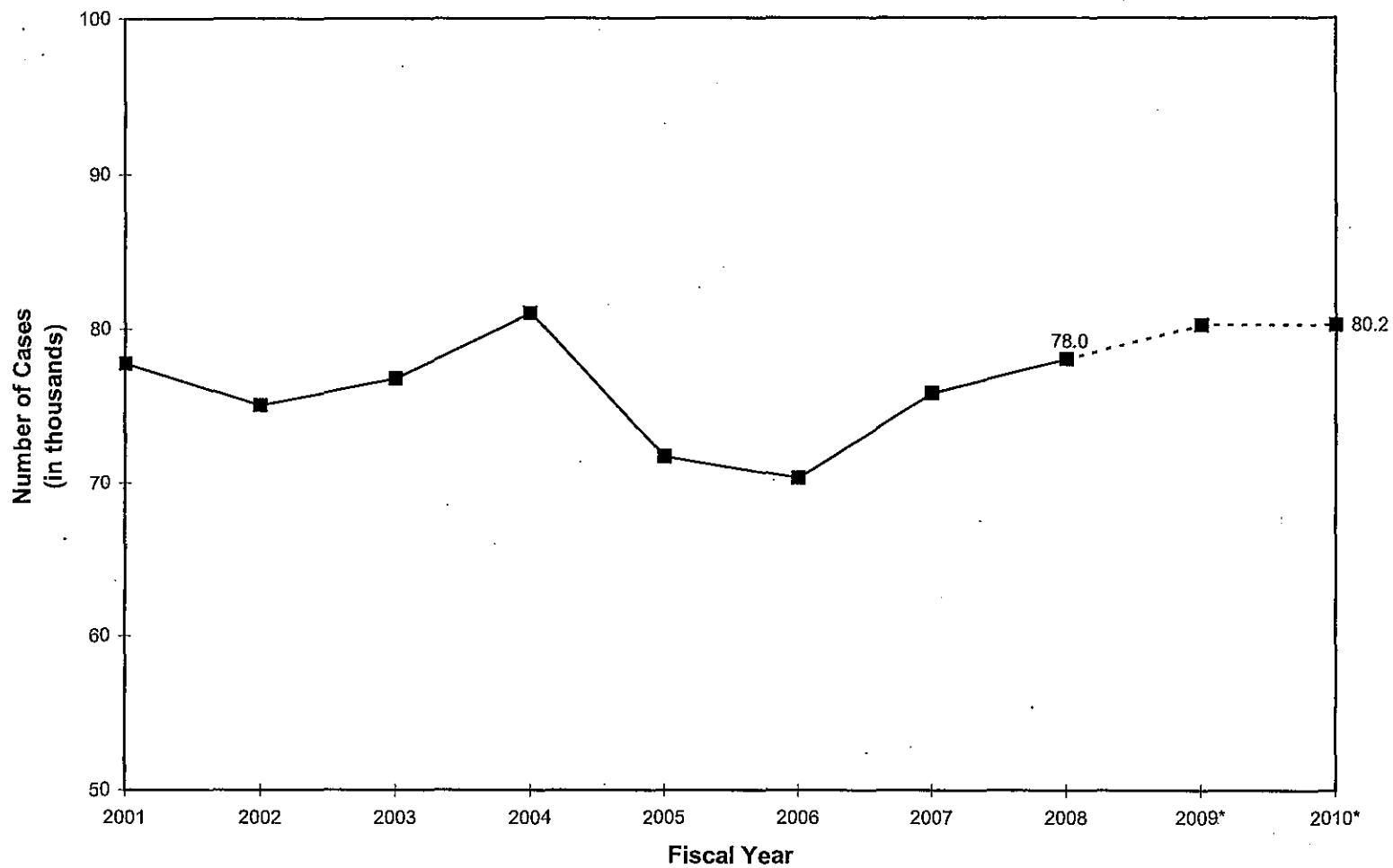
1. CIP Requests (for each request, please provide the following): (The Table R format will suffice)

None.

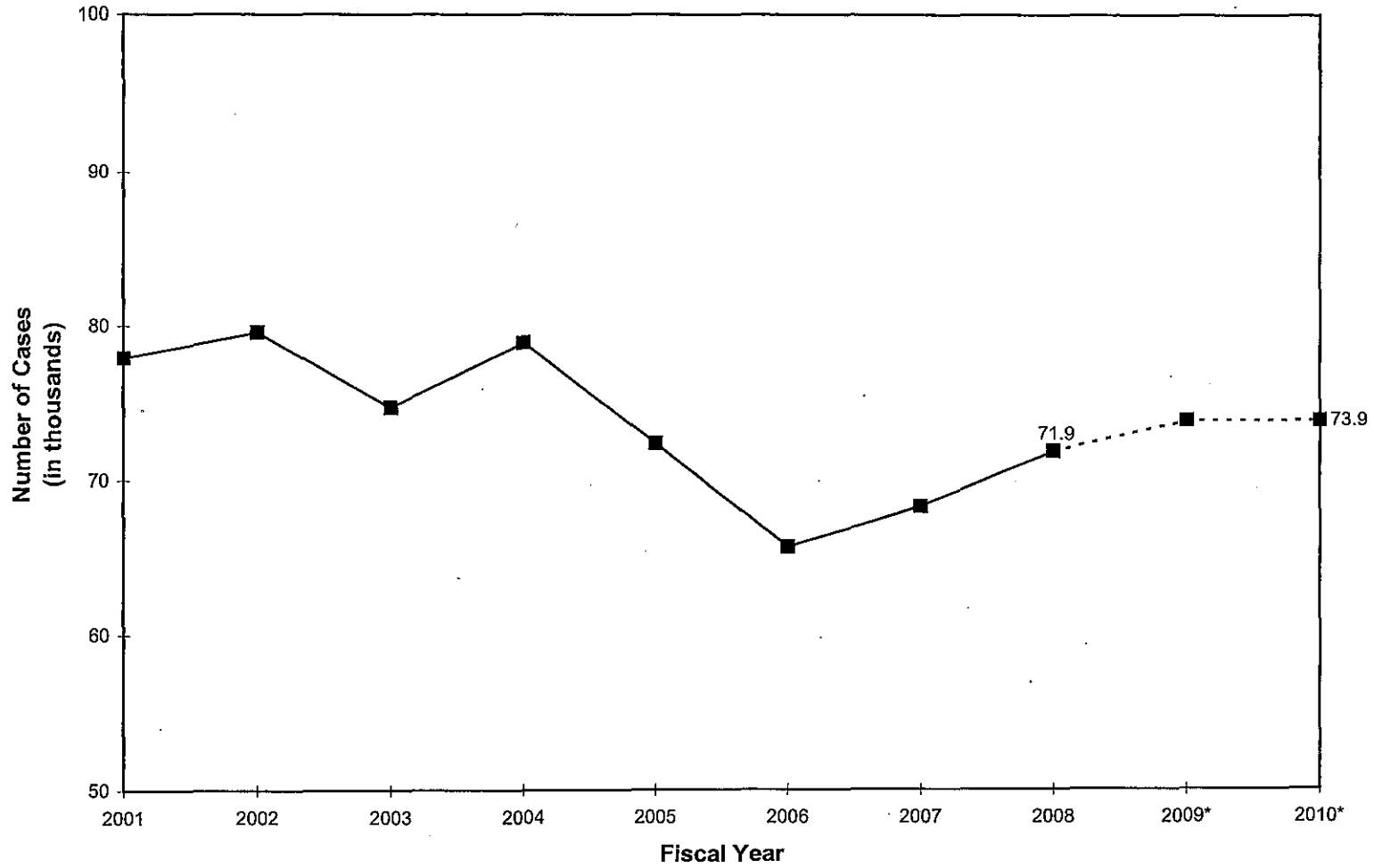
2. Proposed Lapses of CIP projects (for each proposed lapse, please provide the following):

None.

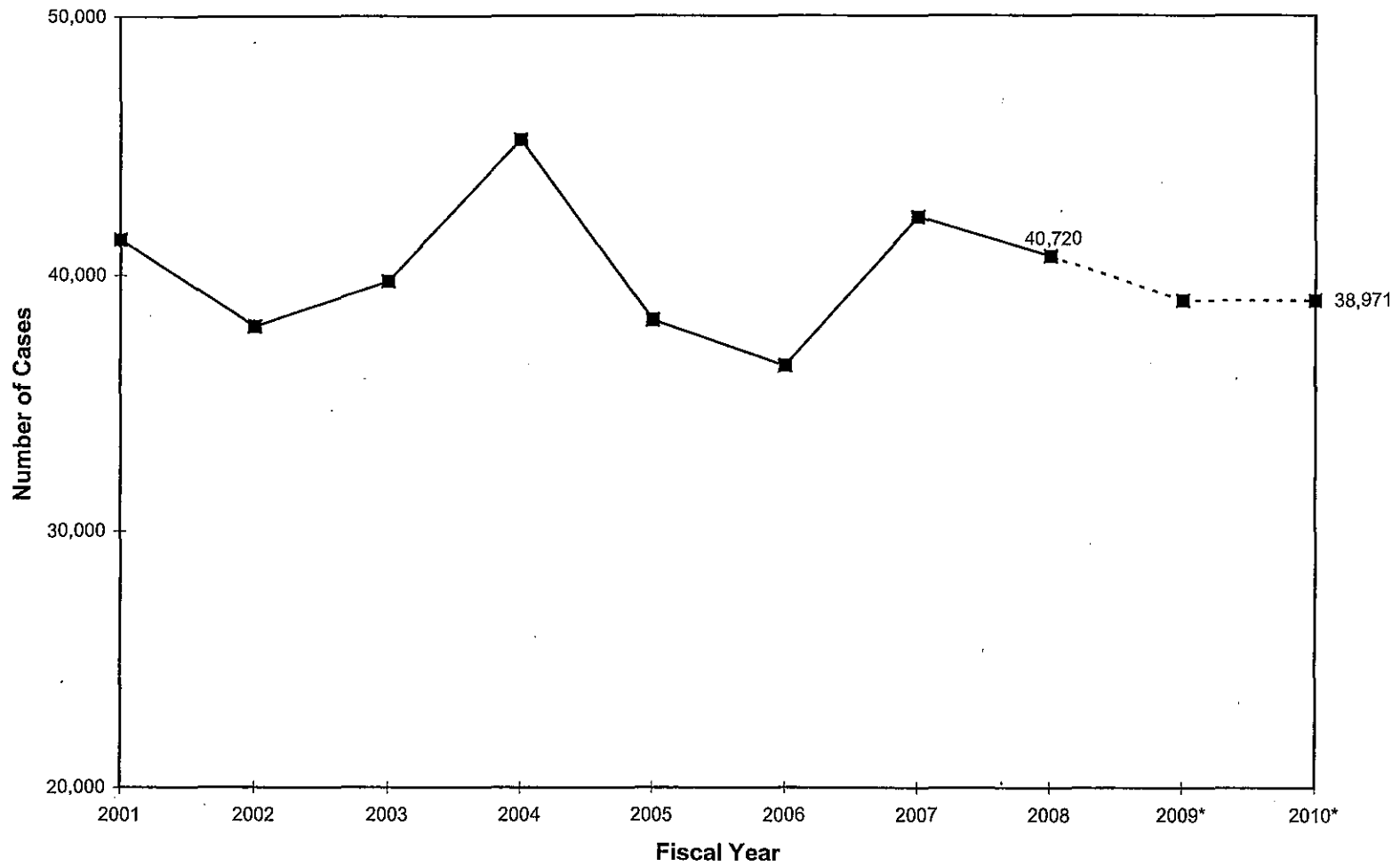
First Circuit
Total Cases Filed (excluding District Court Traffic Cases)
FY 2001 - 2008 (Actual); FY 2009 - 2010 (Forecast*)



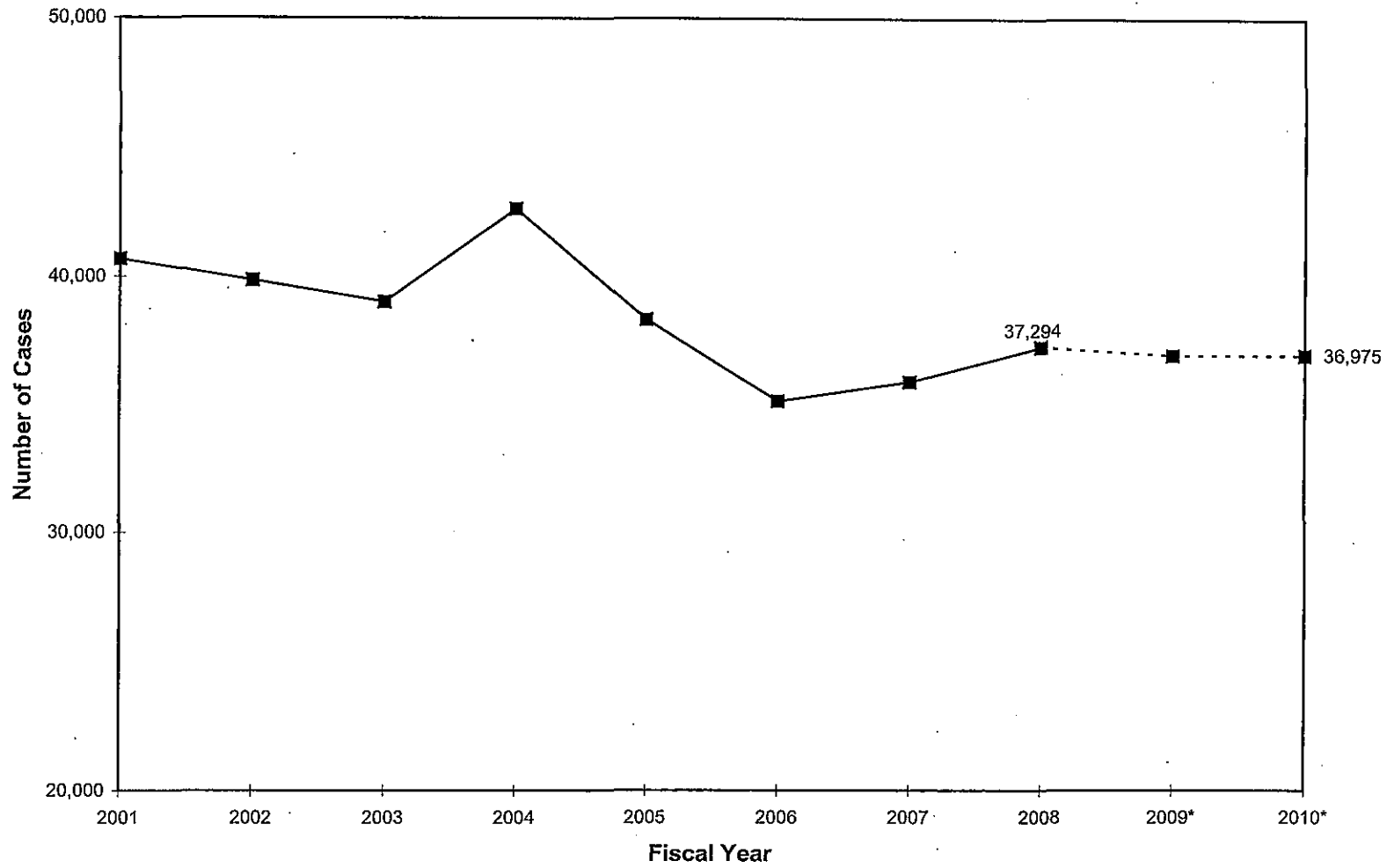
First Circuit
Total Cases Terminated (excluding District Court Traffic Cases)
FY 2001 - 2008 (Actual); FY 2009 - 2010 (Forecast*)



**First Circuit
Criminal Cases Filed
FY 2001 - 2008 (Actual); FY 2009 - 2010 (Forecast*)**



**First Circuit
Criminal Cases Terminated
FY 2001 - 2008 (Actual); FY 2009 - 2010 (Forecast*)**



Program I.D. and Title: JUD 320 - Second Circuit
Page References in the Biennium Budget Document: Pgs. 26-34

1. Introduction:

- a. The mission of the Second Circuit is to expeditiously and fairly adjudicate or resolve all matters within its jurisdiction in accordance with law.**
- b. Summary of program objectives**
 1. To assure a proper consideration of all competing interests and countervailing considerations intertwined in questions of law arising under the Constitution of the State and the United States in order to safeguard individual rights and liberties and to protect the legitimate interest of the State and thereby ensure to the people of this State the highest standard of justice attainable under our system of government.
 2. To develop and maintain a sound management system which incorporates the most modern administrative practices and techniques to assure the uniform delivery of services of the highest possible quality, while providing for and promoting the effective, economical, and efficient utilization of public resources.
 3. To administer a system for the selection of qualified individuals to serve as jurors so as to ensure fair and impartial trials and thereby effectuate the constitutional guarantee of trial by jury.
 4. To provide for the fair and prompt resolution of all civil and criminal proceedings and all civil and criminal traffic cases so as to ensure public safety and promote the general welfare of the people of the State, but with due consideration for safeguarding the constitutional rights of the accused.
 5. To conduct presentence and other predispositional investigations in a fair and prompt manner for the purpose of assisting the courts in rendering appropriate sentences and other dispositions with due consideration for all relevant facts and circumstances.
 6. To maintain accurate and complete court records as required by law and to permit immediate access to such records, where appropriate, by employing a records management system which minimizes storage and meets retention requirements.

7. To supervise convicted and deferred law violators who are placed on probation or given deferments of guilty pleas by the courts to assist them toward socially acceptable behavior, thereby promoting public safety.
8. To safeguard the rights and interests of persons by assuring an effective, equitable, and expeditious resolution of civil and criminal cases properly brought to the courts, and by providing a proper legal remedy for legally recognized wrongs.
9. To assist and protect children and families whose rights and well-being are jeopardized by securing such rights through action by the court, thereby promoting the community's legitimate interest in the unity and welfare of the family and the child.
10. To administer, to the fullest extent permitted by law, the orders and decrees pronounced by the Family Division so as to maintain the integrity of the judicial process.
11. To supervise law violators who are placed on probation by the Family Division to assist them toward socially acceptable behavior, thereby promoting public safety.
12. To protect minors whose environment or behavior is injurious to themselves or others and to restore them to society as law-abiding citizens.
13. To complement the strictly adjudicatory function of the Family Division by providing services such as counseling, guidance, mediation, education, and other necessary and proper services for children and adults.
14. To coordinate and administer a comprehensive traffic safety education program as a preventive and rehabilitative endeavor directed to both adult and juvenile traffic offenders in order to reduce the number of deaths and injuries resulting from traffic mishaps.
15. To develop a statewide drug court treatment and supervision model for non-violent adults and juveniles, adapted to meet the needs and resources of the individual jurisdictions the drug courts serve.
16. To deliver services and attempt to resolve disputes in a balanced manner that provides attention to all participants in the justice system, including parties to a dispute, attorneys, witnesses, jurors,

and other community members, embodying the principles of restorative justice.

Activities performed to achieve program objectives

The Adjudication program provides the Second Circuit with judges and staff to operate the circuit, family, and district courts. Adjudication program judges also staff drug courts for adults, juveniles, and families. In addition, the program budget provides for judges' operating supplies and professional fees.

The Central Administration program consolidates court administrative offices, and includes the chief court administrator and administrative staff. The primary objectives of the program include providing for effective and efficient planning, direction, administration, coordination, and evaluation of all administrative, business and support functions, operations, and activities required to support judicial proceedings and judgments in the circuit, district, and family courts. This program also strives to provide the Second Circuit with fiscal and accounting services that ensure the uniform delivery of services of the highest quality while providing and promoting the effective, economical, and efficient utilization of resources.

The Client Services program's primary objective is to provide services which support the adjudicatory function of the Circuit, District, and Family Courts within the Second Circuit. The program accomplishes its mission with activities that include making recommendations to the courts, enforcing compliance with court orders, providing victim support services, maintaining client classification and information systems, managing purchase of service contracts, and maintaining contacts with community resources. Drug court services for adults, families, and juveniles are also provided. Families and juveniles appearing in the Family Court are provided a number of counseling and educational services, including volunteer guardian-ad-litem services for abused and neglected children and an educational program for separating parents and their children. All probation officers providing services to adult and juvenile clients are consolidated within this program.

The Court Services program is responsible for providing courtroom clerical, court reporting, and other support and ancillary services to the courts of the Second Circuit. Programs in the division are designed to aid in the timely disposition of cases of general and limited jurisdiction for civil, criminal felonies, misdemeanors, petty misdemeanors, family proceedings, and traffic (decriminalized and regular traffic criminal) in the Second Circuit.

Circuit Courts are trial courts of general jurisdiction. Circuit Courts have jurisdiction in most felony cases, and concurrent jurisdiction with the Family Courts for certain felonies related to domestic abuse, such as violations of temporary restraining orders involving family and household members. Circuit Courts also have exclusive jurisdiction in probate, trust, and conservatorship (formerly "guardian of the property") proceedings, and concurrent jurisdiction with the Family Courts over adult guardianship (formerly "guardian of the person") proceedings. Circuit Courts have exclusive jurisdiction in civil cases involving amounts greater than \$20,000, and concurrent jurisdiction with District Courts in civil cases involving amounts between \$10,000 and \$20,000. Jury trials are conducted exclusively by Circuit Court judges. A party to a civil case triable by jury may demand a jury trial where the amount in controversy exceeds \$5,000. Circuit Courts have exclusive jurisdiction in mechanics lien cases and foreclosure cases, and jurisdiction as provided by law in appeals from other agencies (such as unemployment compensation appeals). Appeals from decisions of the Circuit Courts are made directly to the Intermediate Court of Appeals, subject to transfer to or review by the Supreme Court.

The Family Courts, divisions of the Circuit Courts, are specialized courts of record designed to deal with family conflict and juvenile offenders. The Family Courts retain jurisdiction over children under the age of 18 who violate any law or ordinance, are neglected or abandoned, are beyond the control of their parents or other custodians, live in an environment injurious to their welfare, or behave in a manner injurious to their own or others' welfare. The Family Court's jurisdiction also encompasses those adults involved in offenses against other family members; dissolution of marriages; disputed child custody and visitation issues; resolution of paternity issues; adoptions; temporary restraining orders for protection; and adults who are incapacitated and/or are in need of protection.

In civil matters, District Courts exercise exclusive jurisdiction where the amount in controversy does not exceed \$20,000. If the amount in controversy exceeds \$5,000, the parties may demand a jury trial, in which case the matter is committed to the Circuit Courts. The District Courts also have exclusive jurisdiction in all landlord-tenant cases and all small claims actions (suits in which the amount in controversy does not exceed \$3,500). Temporary restraining orders and injunctions against harassment are handled by the civil divisions of the District Courts.

In traffic matters, the District Courts exercise jurisdiction over civil and criminal traffic violations of the Hawai'i Revised Statutes, county ordinances, and the rules and regulations of state and county regulatory agencies. Certain traffic matters, known as "decriminalized" traffic offenses, are handled on a civil standard within the traffic division. Those

traffic matters which are not "decriminalized" are handled on a criminal standard.

In criminal matters, the jurisdiction of the District Courts is limited to misdemeanors, traffic offenses, and cases filed for violations of county ordinances and the rules of the State's regulatory agencies. In felony cases where an arrest has been made, the District Courts are required to hold a preliminary hearing, unless such hearing is waived by the accused. All trials are conducted by judges. However, in criminal misdemeanor cases, the defendant may demand a jury trial, in which case the matter is committed to the Circuit Courts for trial.

The Driver Education and Training Program provides counseling, instructional services, and public information in the area of traffic safety. It is a preventive and rehabilitative endeavor directed at both adult and juvenile traffic offenders.

2. Program Performance Results:

- a. **Please include Table 6: Program Performance Results. (Entries in the table should be similar to what can be found on the Variance Report for this particular Program ID.) For "Direction of Success," indicate whether an increase or a decrease in that particular Measure of Effectiveness is the indicator of greater success.**

See narrative below.

- b. **Discuss how this Program ID's Measures of Effectiveness relate to the department's mission and program objectives.**

See narrative below.

- c. **Discuss how results of measures of effectiveness affect program activities.**

See narrative below.

- d. **Please identify any modifications to your program's performance measures and discuss the rationale for these modifications. If there were no modifications, please indicate "none."**

See narrative below.

A central measure of Judiciary performance is a review of the caseload and disposition of these cases. Graphs and trend analysis clearly indicate the public demand on the Second Circuit courts. In total, case filings in the Second Circuit have increased by over 17% from FY 2007 to FY 2008 and the average disposition rate for the past eight years is 91%. In the Circuit and District Courts, filings increased in all areas when compared to the previous year. In Family Court, criminal, special, and domestic filings were slightly down, however, these figures were offset by an increase in juvenile filings. The average rate of disposition for the past eight years is 89% for the Circuit Court cases, 97% for Family Court, and 88% for District Court.

Biennium Budget Requests for FB 2009-2011:

Cost Increases for Electricity

Cost: FY 2010 - \$343,070, FY 2011 - \$585,844

Since the onset of the significant rise in fuel prices, the corresponding cost of electricity to operate the Second Circuit courts has increased substantially. The Second Circuit received technical information from Maui Electric Company that indicates that the average price per kilowatt-hour increased by 35% during the past year. With a budget base of \$466,175, the Second Circuit projects a shortfall of \$343,070 in FY 2010 and \$585,844 in FY 2011.

Judges' Pay Raise

Cost: FY 2010 - \$143,055, FY 2011 - \$198,137

The Commission on Salaries was established as a result of a constitutional amendment of Article XVI of the Constitution of the State of Hawai'i that was approved in November 2006. The Commission was charged with reviewing and making recommendations for the salaries of justices and judges of all State courts, members of the Legislature, the Governor and Lieutenant Governor, and specified appointed officials within the State Executive branch. The 2006 Commission was convened in December 2006 and submitted its report and recommendations to the 2007 State Legislature. Because the recommendations of the Commission provided judges with a salary increase for FY's 2008 through 2013, additional resources are required each biennium to provide for the new pay differential. The additional requested resources will ensure that the Second Circuit has sufficient resources in each year of the biennium to pay its judges for this scheduled pay increase.

Capital Improvement Program (CIP) Budget

If no request is being made, please indicate "none".

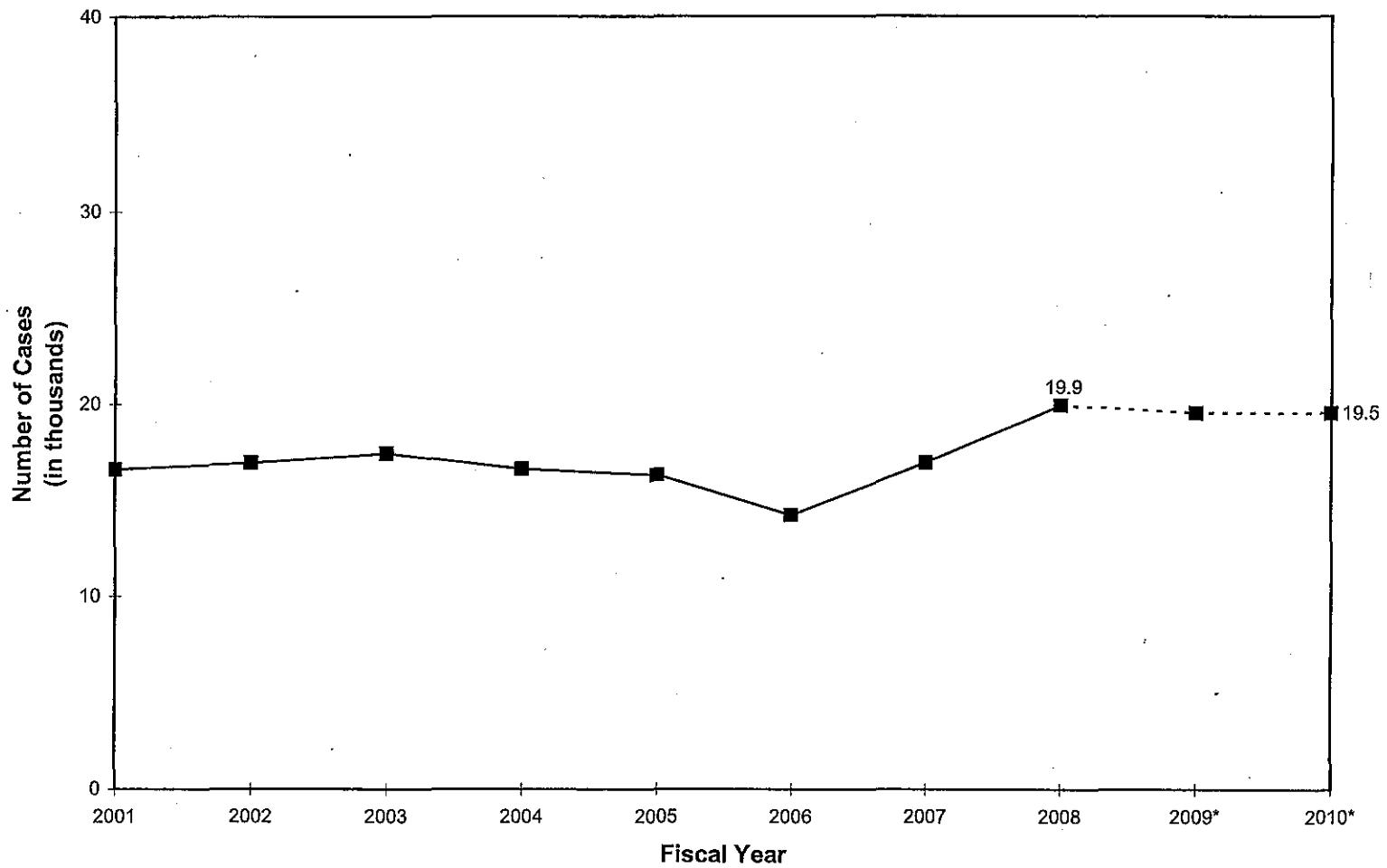
1. CIP Requests (for each request, please provide the following): (The Table R format will suffice)

None.

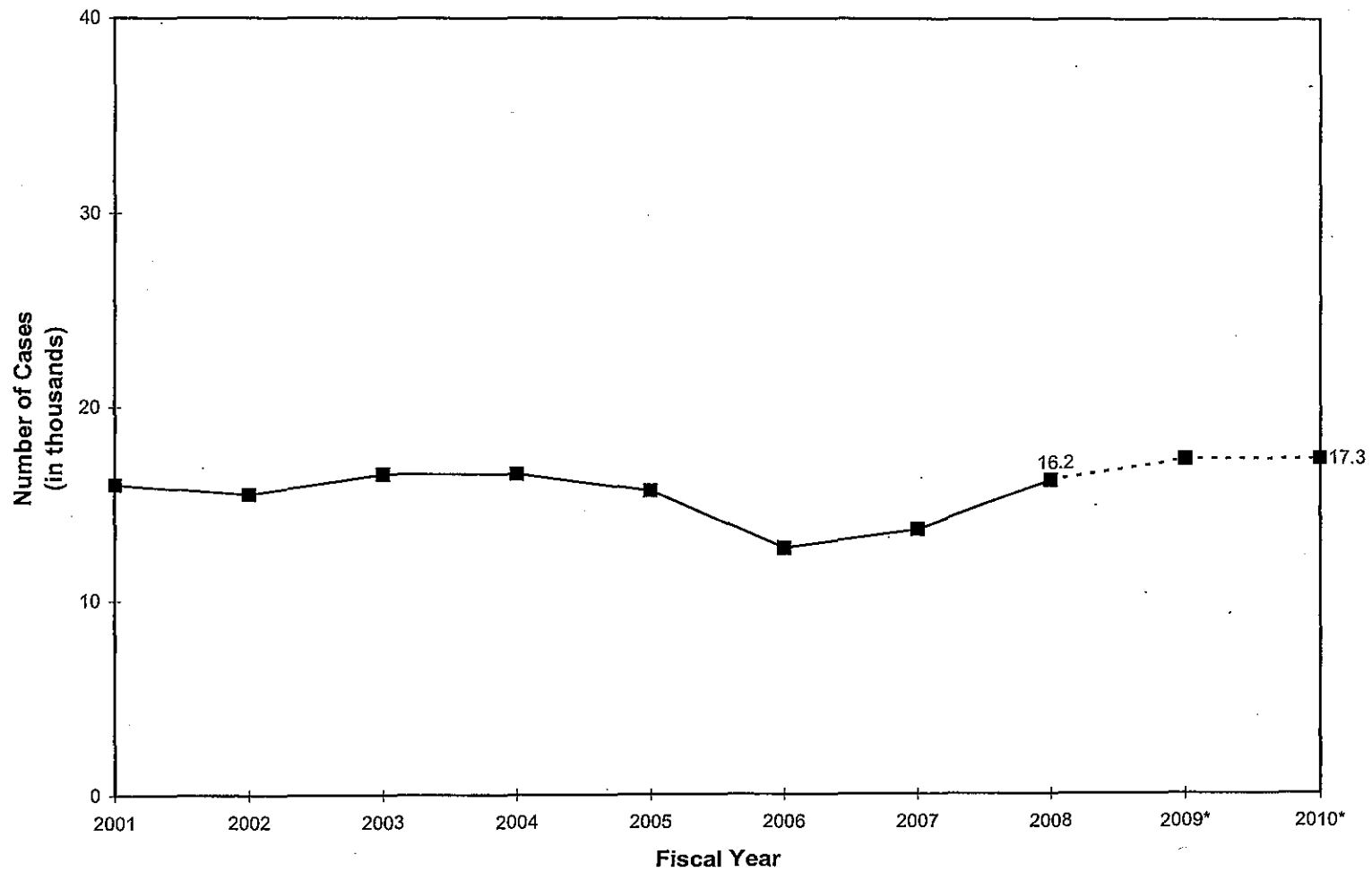
2. Proposed Lapses of CIP projects (for each proposed lapse, please provide the following):

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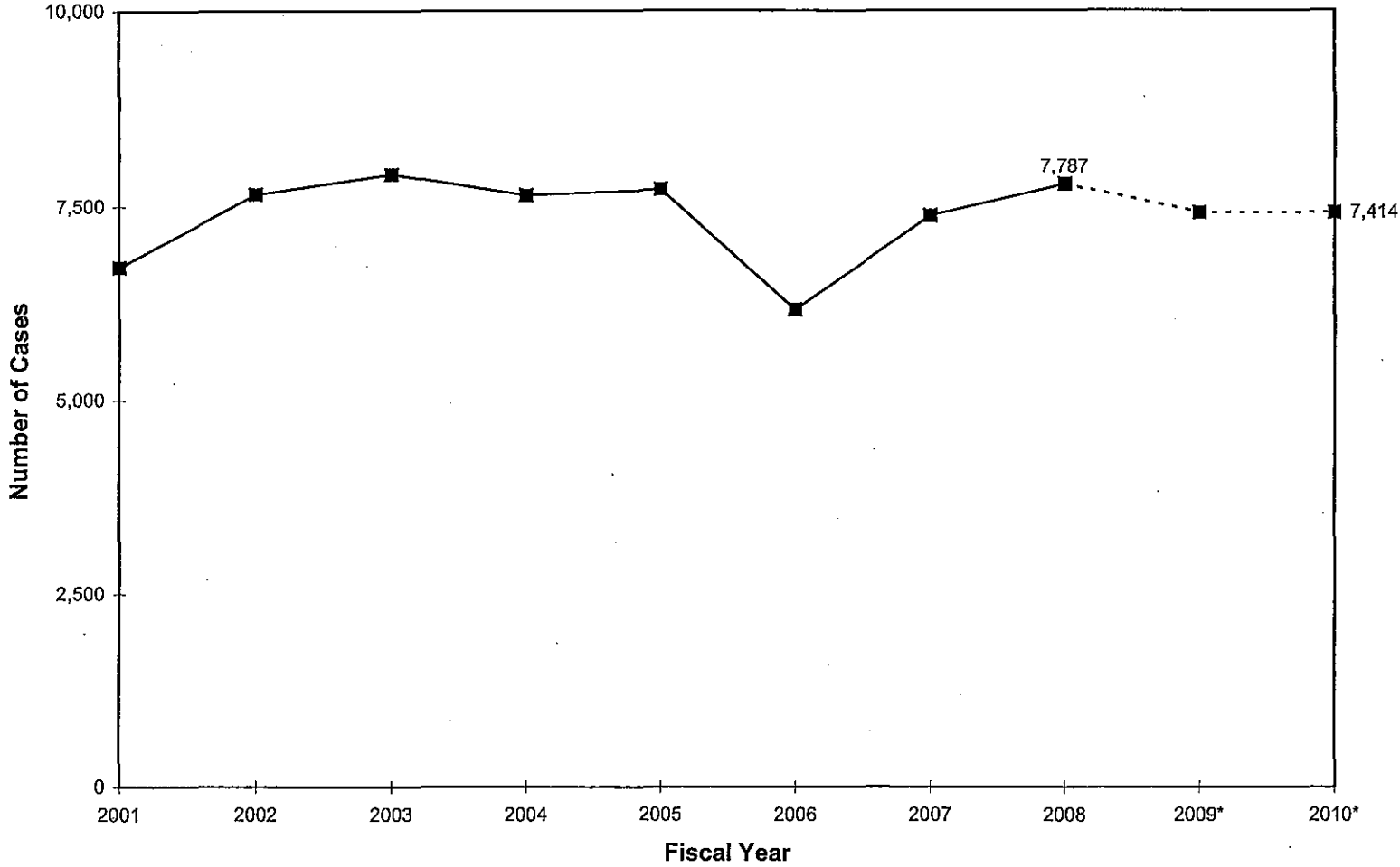
Second Circuit
Total Cases Filed (excluding District Court Traffic Cases)
FY 2001 - 2008 (Actual); FY 2009 - 2010 (Forecast*)



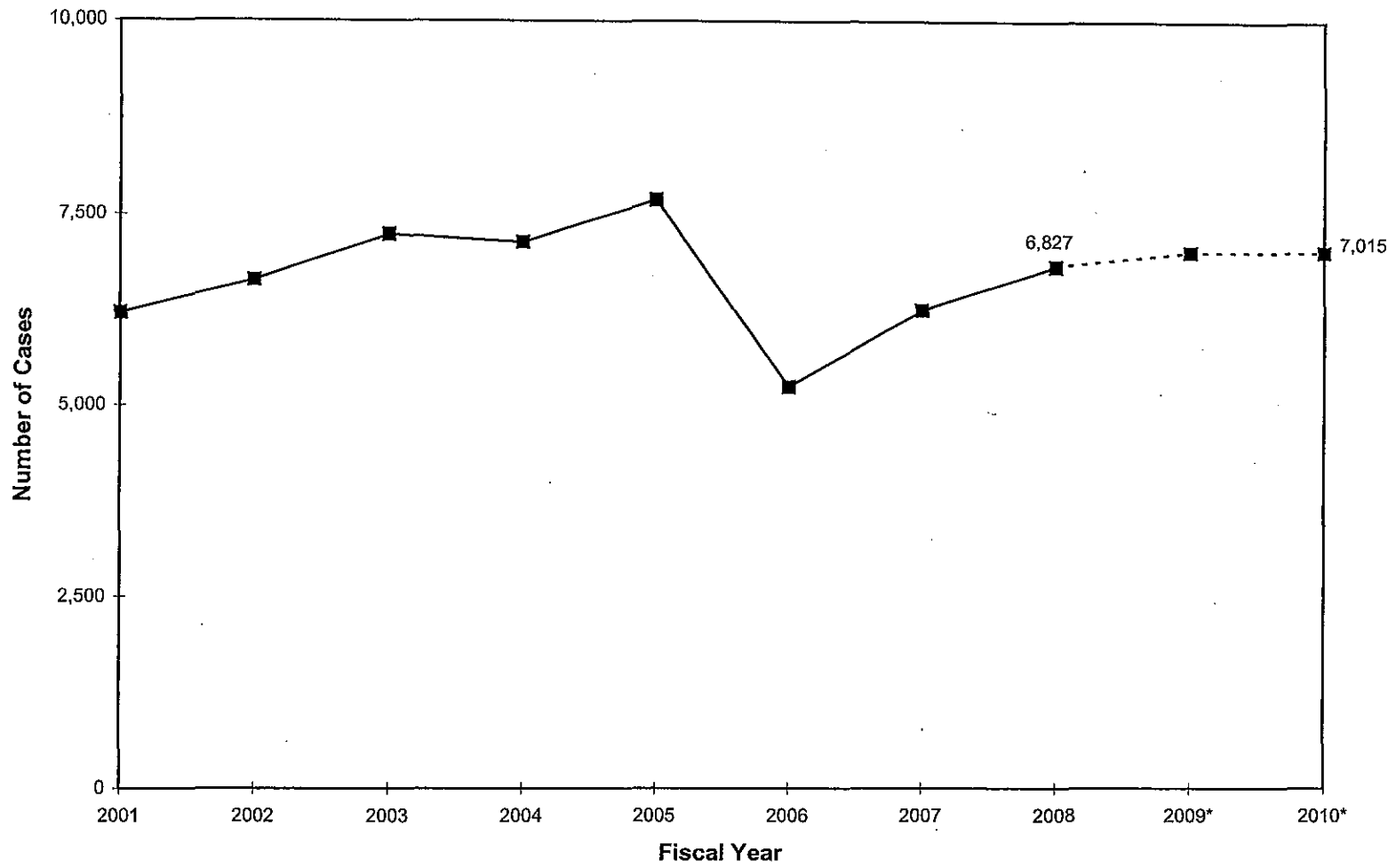
Second Circuit
Total Cases Terminated (excluding District Court Traffic Cases)
FY 2001 - 2008 (Actual); FY 2009 - 2010 (Forecast*)



**Second Circuit
Criminal Cases Filed
FY 2001 - 2008 (Actual); FY 2009 - 2010 (Forecast*)**



**Second Circuit
Criminal Cases Terminated
FY 2001 - 2008 (Actual); FY 2009 - 2010 (Forecast*)**



Program I.D. and Title: JUD 330 - Third Circuit
Page References in the Biennium Budget Document: Pgs. 35-43

1. Introduction:

- a. The mission of the Third Circuit is to expeditiously and fairly adjudicate or resolve all matters within its jurisdiction in accordance with law.**
- b. Summary of program objectives**
 1. To assure a proper consideration of all competing interests and countervailing considerations intertwined in questions of law arising under the Constitution of the State and the United States in order to safeguard individual rights and liberties and to protect the legitimate interest of the State and thereby ensure to the people of this State the highest standard of justice attainable under our system of government.
 2. To develop and maintain a sound management system which incorporates the most modern administrative practices and techniques to assure the uniform delivery of services of the highest possible quality, while providing for and promoting the effective, economical, and efficient utilization of public resources.
 3. To administer a system for the selection of qualified individuals to serve as jurors so as to ensure fair and impartial trials and thereby effectuate the constitutional guarantee of trial by jury.
 4. To provide for the fair and prompt resolution of all civil and criminal proceedings and all civil and criminal traffic cases so as to ensure public safety and promote the general welfare of the people of the State, but with due consideration for safeguarding the constitutional rights of the accused.
 5. To conduct presentence and other predispositional investigations in a fair and prompt manner for the purpose of assisting the courts in rendering appropriate sentences and other dispositions with due consideration for all relevant facts and circumstances.
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The Driver Education and Training Program provides counseling, instructional services, and public information in the area of traffic safety. It is a preventive and rehabilitative endeavor directed at both adult and juvenile traffic offenders.

2. Program Performance Results:

- a. **Please include Table 6: Program Performance Results. (Entries in the table should be similar to what can be found on the Variance Report for this particular Program ID.) For "Direction of Success," indicate whether an increase or a decrease in that particular Measure of Effectiveness is the indicator of greater success.**

See narrative below.

- b. **Discuss how this Program ID's Measures of Effectiveness relate to the department's mission and program objectives.**

See narrative below.

- c. **Discuss how results of measures of effectiveness affect program activities.**

See narrative below.

- d. **Please identify any modifications to your program's performance measures and discuss the rationale for these modifications. If there were no modifications, please indicate "none."**

See narrative below.

A central measure of Judiciary performance is a review of the caseload and disposition of these cases. Graphs and trend analysis clearly indicate the public demand on the Third Circuit courts. In total, case filings in the Third Circuit increased from FY 2007 to FY 2008 by over 9% and the average disposition rate during the past eight years is 96%. In the Circuit Court, filings increased in the civil and criminal area but decreased slightly in the other category. In the District Court, filings in the civil, criminal, and other areas all increased compared to the previous year. In Family Court, criminal, special, and domestic filings were slightly up, however, juvenile filings experienced a decrease. The rate of disposition for Circuit Court cases has averaged 87% for the past eight years. Family Court and District Court dispositions averaged 98% and 96%, respectively, over the past eight years.

Biennium Budget Requests for FB 2009-2011:

Cost Increases for Electricity

Cost: FY 2010 - \$381,000, FY 2011 - \$468,000

With the rising cost of fuel prices, the corresponding cost of electricity to operate the courts in the Third Circuit, including the new Hilo courthouse, will result in insufficient funding to pay for electricity.

The Third Circuit currently has \$66,000 per month appropriated for the new Hilo court house, however, the contractor is already incurring \$76,000 per month in expenses for electricity with the building still unoccupied. It is anticipated that once the new court house is occupied and in full operation, these expenses will increase substantially. The contractor is currently running the air conditioner on a daily basis, but the entire building is not lighted during the working hours and computer equipment, copiers, and other equipment and appliances have not yet been installed. With a projected cost for electricity of \$1,248,000 in FY 2010 and \$1,335,000 in FY 2011, the Third Circuit will be short \$381,000 and \$468,000 in the upcoming biennium.

Judges' Pay Raise

Cost: FY 2010 - \$177,353, FY 2011 - \$245,635

The Commission on Salaries was established as a result of a constitutional amendment of Article XVI of the Constitution of the State of Hawai'i that was approved in November 2006. The Commission was charged with reviewing and making recommendations for the salaries of justices and judges of all State courts, members of the Legislature, the Governor and Lieutenant Governor, and specified appointed officials within the State Executive branch. The 2006 Commission was convened in December 2006 and submitted its report and recommendations to the 2007 State Legislature. Because the recommendations of the

Commission provided judges with a salary increase for FY's 2008 through 2013, additional resources are required each biennium to provide for the new pay differential. The additional requested resources will ensure that the Third Circuit has sufficient resources in each year of the biennium to pay its judges for this scheduled pay increase.

Capital Improvement Program (CIP) Budget

If no request is being made, please indicate "none".

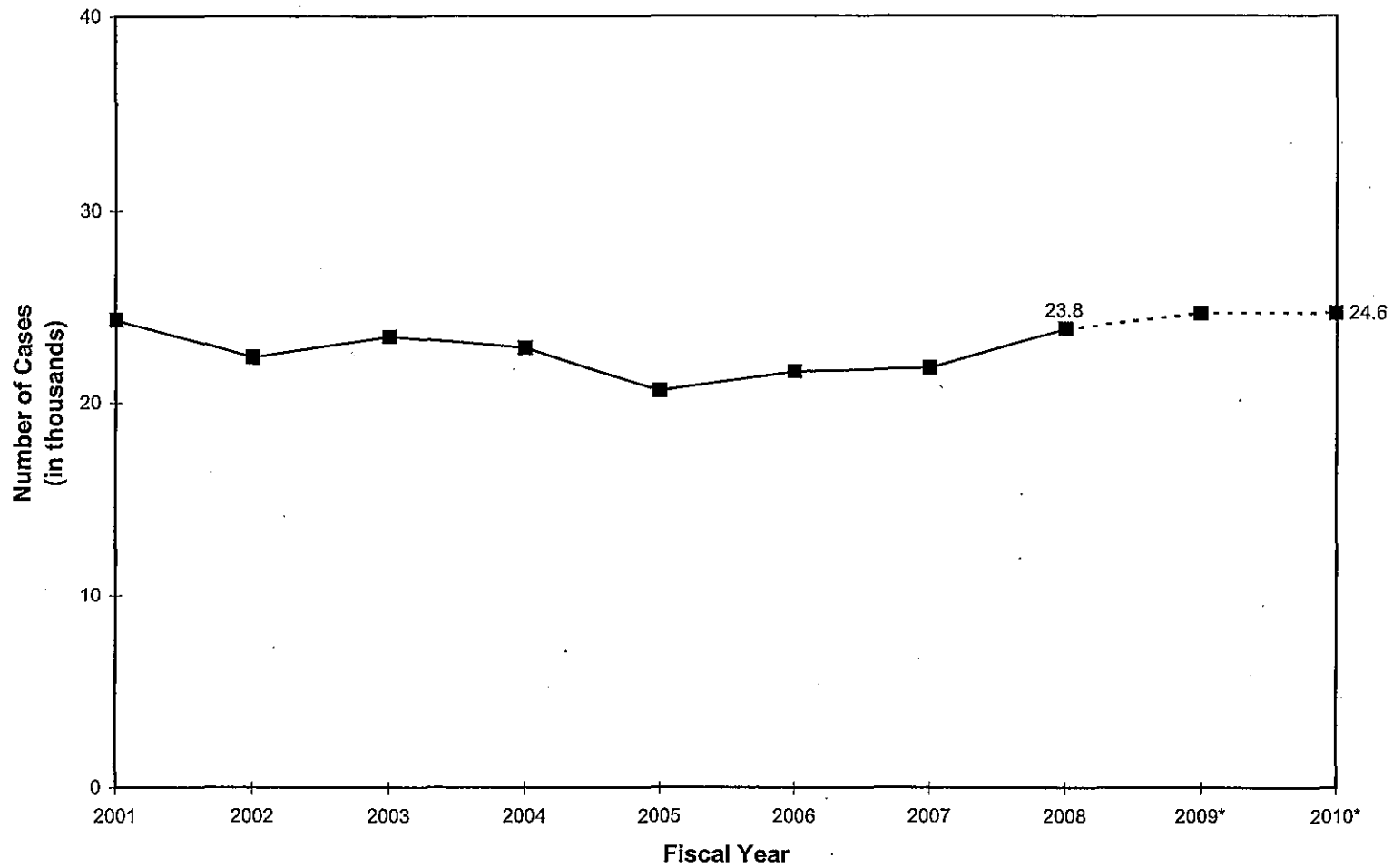
1. CIP Requests (for each request, please provide the following):
(The Table R format will suffice)

None.

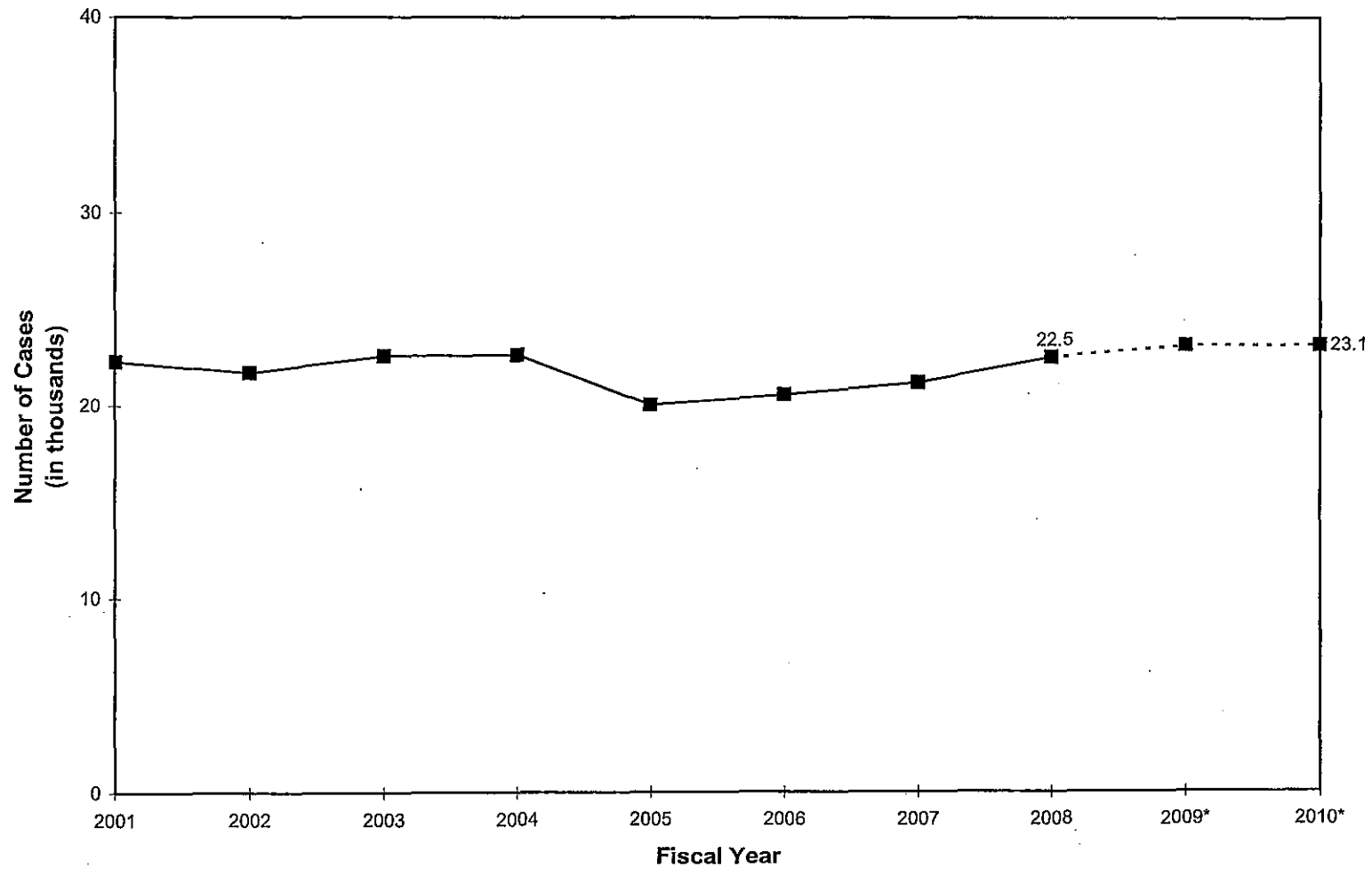
2. Proposed Lapses of CIP projects (for each proposed lapse, please provide the following):

None.

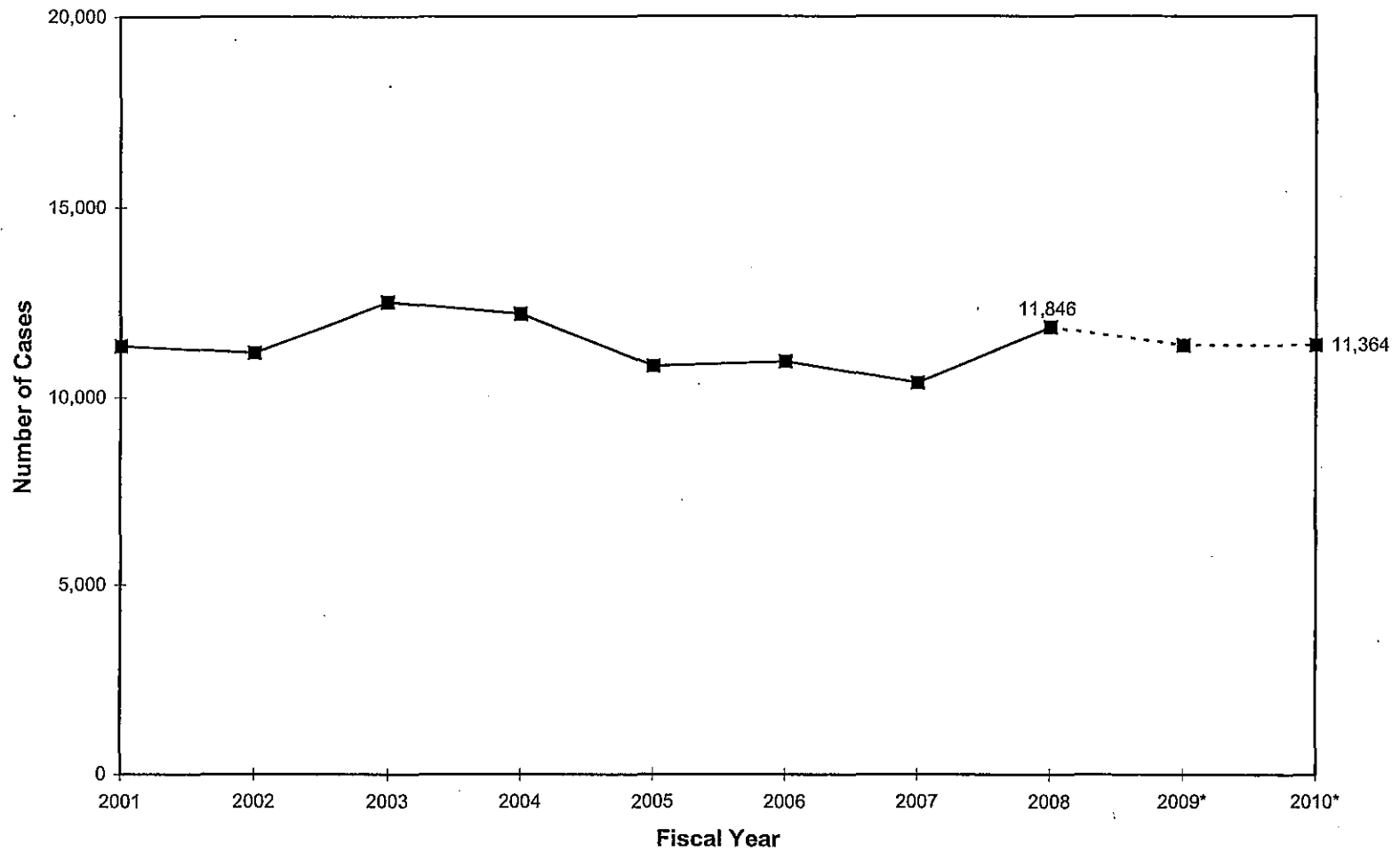
**Third Circuit
Total Cases Filed (excluding District Court Traffic Cases)
FY 2001 - 2008 (Actual); FY 2009 - 2010 (Forecast*)**



**Third Circuit
Total Cases Terminated (excluding District Court Traffic Cases)
FY 2001 - 2008 (Actual); FY 2009 - 2010 (Forecast*)**

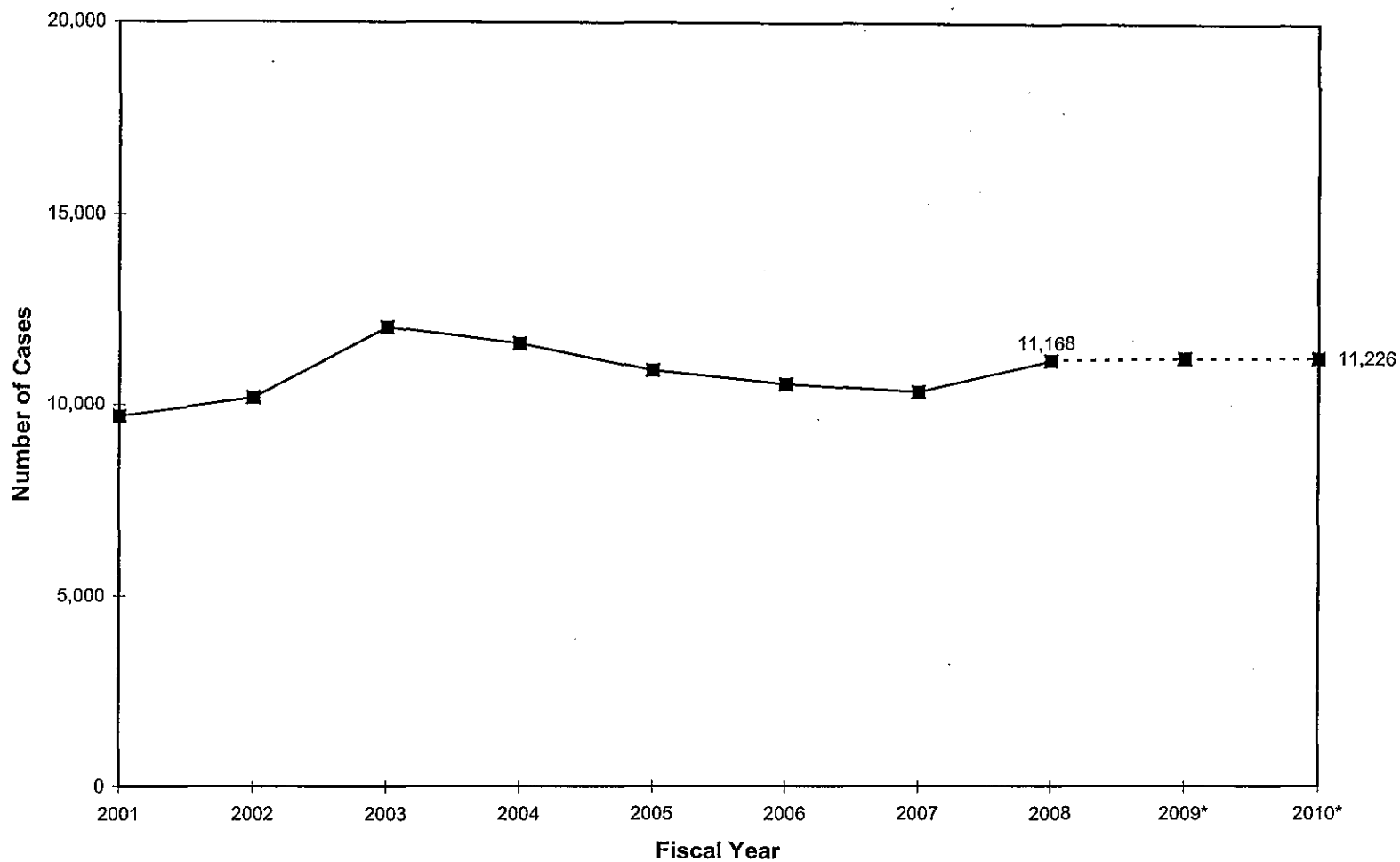


**Third Circuit
Criminal Cases Filed
FY 2001 - 2008 (Actual); FY 2009 - 2010 (Forecast*)**



JUD 330 Page 10

**Third Circuit
Criminal Cases Terminated
FY 2001 - 2008 (Actual); FY 2009 - 2010 (Forecast*)**



Program I.D. and Title: JUD 350 - Fifth Circuit
Page References in the Biennium Budget Document: Pgs. 44-52

1. Introduction:

- a. The mission of the Fifth Circuit is to expeditiously and fairly adjudicate or resolve all matters within its jurisdiction in accordance with law.**
- b. Summary of program objectives**
 1. To assure a proper consideration of all competing interests and countervailing considerations intertwined in questions of law arising under the Constitution of the State and the United States in order to safeguard individual rights and liberties and to protect the legitimate interest of the State and thereby ensure to the people of this State the highest standard of justice attainable under our system of government.
 2. To develop and maintain a sound management system which incorporates the most modern administrative practices and techniques to assure the uniform delivery of services of the highest possible quality, while providing for and promoting the effective, economical, and efficient utilization of public resources.
 3. To administer a system for the selection of qualified individuals to serve as jurors so as to ensure fair and impartial trials and thereby effectuate the constitutional guarantee of trial by jury.
 4. To provide for the fair and prompt resolution of all civil and criminal proceedings and all civil and criminal traffic cases so as to ensure public safety and promote the general welfare of the people of the State, but with due consideration for safeguarding the constitutional rights of the accused.
 5. To conduct presentence and other predispositional investigations in a fair and prompt manner for the purpose of assisting the courts in rendering appropriate sentences and other dispositions with due consideration for all relevant facts and circumstances.
 6. To maintain accurate and complete court records as required by law and to permit immediate access to such records, where appropriate, by employing a records management system which minimizes storage and meets retention requirements.

7. To supervise convicted and deferred law violators who are placed on probation or given deferments of guilty pleas by the courts to assist them toward socially acceptable behavior, thereby promoting public safety.
8. To safeguard the rights and interests of persons by assuring an effective, equitable, and expeditious resolution of civil and criminal cases properly brought to the courts, and by providing a proper legal remedy for legally recognized wrongs.
9. To assist and protect children and families whose rights and well being are jeopardized by securing such rights through action by the court, thereby promoting the community's legitimate interest in the unity and welfare of the family and the child.
10. To administer, to the fullest extent permitted by law, the orders and decrees pronounced by the Family Division so as to maintain the integrity of the judicial process.
11. To supervise law violators who are placed on probation by the Family Division to assist them toward socially acceptable behavior, thereby promoting public safety.
12. To protect minors whose environment or behavior is injurious to themselves or others and to restore them to society as law-abiding citizens.
13. To complement the strictly adjudicatory function of the Family Division by providing services such as counseling, guidance, mediation, education, and other necessary and proper services for children and adults.
14. To coordinate and administer a comprehensive traffic safety education program as a preventive and rehabilitative endeavor directed to both adult and juvenile traffic offenders in order to reduce the number of deaths and injuries resulting from traffic mishaps.
15. To develop a statewide drug court treatment and supervision model for non-violent adults and juveniles, adapted to meet the needs and resources of the individual jurisdictions the drug courts serve.
16. To deliver services and attempt to resolve disputes in a balanced manner that provides attention to all participants in the justice system, including parties to a dispute, attorneys, witnesses, jurors,

and other community members, embodying the principles of restorative justice.

Activities performed to achieve program objectives

The Adjudication program provides the Fifth Circuit with judges and staff to operate the circuit, family, and district courts. Adjudication program judges also staff drug courts for adults, juveniles, and families. In addition, the program budget provides for judges' operating supplies and professional fees.

The Central Administration program consolidates court administrative offices, and includes the chief court administrator and administrative staff. The primary objectives of the program include providing for effective and efficient planning, direction, administration, coordination, and evaluation of all administrative, business and support functions, operations, and activities required to support judicial proceedings and judgments in the circuit, district, and family courts. This program also strives to provide the Fifth Circuit with fiscal and accounting services that ensure the uniform delivery of services of the highest quality while providing and promoting the effective, economical, and efficient utilization of resources.

The Client Services program's primary objective is to provide services which support the adjudicatory function of the Circuit, District, and Family Courts within the Fifth Circuit. The program accomplishes its mission with activities that include making recommendations to the courts, enforcing compliance with court orders, providing victim support services, maintaining client classification and information systems, managing purchase of service contracts, and maintaining contacts with community resources. Drug court services for adults, families, and juveniles are also provided. Families and juveniles appearing in the Family Court are provided a number of counseling and educational services, including volunteer guardian-ad-litem services for abused and neglected children and an educational program for separating parents and their children. All probation officers providing services to adult and juvenile clients are consolidated within this program.

The Court Services program is responsible for providing courtroom clerical, court reporting, and other support and ancillary services to the courts of the Fifth Circuit. Programs in the division are designed to aid in the timely disposition of cases of general and limited jurisdiction for civil, criminal felonies, misdemeanors, petty misdemeanors, family proceedings, and traffic (decriminalized and regular traffic criminal) in the Fifth Circuit.

The Client/Court Support program groups and accounts for expenditures such as attorney fees, court ordered transportation services, grand jury counsel fees, interpreter fees, process server fees, and guardian-ad-litem fees. A major portion of program resources is also allocated to purchase services for adult and juvenile clients in the Fifth Circuit. Juvenile shelter, substance abuse and sex offender treatment, and domestic violence services for both victims and perpetrators are included here.

Circuit Courts are trial courts of general jurisdiction. They have exclusive jurisdiction in all felony cases, probate and guardianship proceedings, and civil cases involving amounts greater than \$20,000. In civil, non-jury cases involving amounts between \$10,000 and \$20,000, Circuit Courts have concurrent jurisdiction with District Courts. Appeals are made directly to the Intermediate Court of Appeals and the Supreme Court. As a court of record, the Circuit Court is responsible for the filing, docketing, and maintaining of court records. During the course of a case, numerous documents may be filed, thus document filing is an ongoing and labor-intensive activity. The court administrators, with the assistance of support staff, administer probate hearings of small estates and guardianship cases. Criminal offenders are referred to the probation staff for presentence diagnostic evaluations. Offenders placed under court jurisdiction are supervised by probation officers.

The Family Courts, divisions of the Circuit Courts, are specialized courts of record designed to deal with family conflict and juvenile offenders. The Family Courts retain jurisdiction over children under the age of 18 who violate any law or ordinance, are neglected or abandoned, are beyond the control of their parents or other custodians, live in an environment injurious to their welfare, or behave in a manner injurious to their own or others' welfare. The Family Court's jurisdiction also encompasses those adults involved in offenses against other family members; dissolution of marriages; disputed child custody and visitation issues; resolution of paternity issues; adoptions; and adults who are incapacitated and/or are in need of protection.

In civil matters, District Courts exercise exclusive jurisdiction where the amount in controversy does not exceed \$20,000. If the amount in controversy exceeds \$5,000, the parties may demand a jury trial, in which case the matter is committed to the Circuit Courts. The District Courts also have exclusive jurisdiction in all landlord-tenant cases and all small claims actions (suits in which the amount in controversy does not exceed \$3,500). Temporary restraining orders and injunctions against harassment are handled by the civil divisions of the District Courts.

In traffic matters, the District Courts exercise jurisdiction over civil and criminal traffic violations of the Hawai'i Revised Statutes, county

ordinances, and the rules and regulations of state and county regulatory agencies. Certain traffic matters, known as "decriminalized" traffic offenses, are handled on a civil standard within the traffic division. Those traffic matters which are not "decriminalized" are handled on a criminal standard.

In criminal matters, the jurisdiction of the District Courts is limited to misdemeanors, traffic offenses, and cases filed for violations of county ordinances and the rules of the State's regulatory agencies. In felony cases where an arrest has been made, the District Courts are required to hold a preliminary hearing, unless such hearing is waived by the accused. All trials are conducted by judges. However, in criminal misdemeanor cases, the defendant may demand a jury trial, in which case the matter is committed to the Circuit Courts for trial.

The Driver Education and Training Program provides counseling, instructional services, and public information in the area of traffic safety. It is a preventive and rehabilitative endeavor directed at both adult and juvenile traffic offenders.

2. Program Performance Results:

- a. Please include Table 6: Program Performance Results. (Entries in the table should be similar to what can be found on the Variance Report for this particular Program ID.) For "Direction of Success," indicate whether an increase or a decrease in that particular Measure of Effectiveness is the indicator of greater success.**

See narrative below.

- b. Discuss how this Program ID's Measures of Effectiveness relate to the department's mission and program objectives.**

See narrative below.

- c. Discuss how results of measures of effectiveness affect program activities.**

See narrative below.

- d. **Please identify any modifications to your program's performance measures and discuss the rationale for these modifications. If there were no modifications, please indicate "none."**

See narrative below.

As indicated in the overview, central to the measure of Judiciary performance is a review of caseload and disposition of these cases. The graphs and trend analysis (JUD 350 pages 9-12) for FY 2008 shows an increase of 23% in overall cases filed as compared to the last two years which reflected a slight downward turn in cases filed. It is noted that Family Court cases filed for FY 2008 increased by 58%, while all other courts showed lesser increases. It is further noted that for FY 2008, the clearance rate for Circuit and District Court cases showed a slight improvement from FY 2007, and the total number of overall cases terminated for FY 2008 increased slightly (about 8%) from FY 2007.

As in all circuits, the Fifth Circuit strives to enhance its processes and services. The state-of-the-art Kauai Judiciary Complex opened to the public on August 22, 2005, and offers technologically enhanced courtrooms and a comprehensive security system to better serve its patrons. In addition, the new complex fulfills the Fifth Circuit's long-standing office space needs and consolidates its many court programs into one convenient location.

Biennium Budget Requests for FB 2009-2011:

Electricity Cost Increases

Cost: FY 2010 - \$433,392, FY 2011 - \$643,476

Since the onset of the significant rise in fuel prices, the corresponding cost of electricity to operate the Kauai Judiciary Complex has increased substantially. In FY 2008, this shortfall increased to \$70,775, with actual costs for electricity totaling \$550,775. In fact, a comparison between the actual cost of electricity and the budgeted resources for FY 2008 reveals that the Fifth Circuit's general fund budget base of \$480,000 for electricity was underfunded by nearly 15%.

The Fifth Circuit received technical information from the Kauai Island Utility Cooperative that showed that during the 12-month period ending 7/11/08, the Fifth Circuit experienced a 23% increase in the average price per kilowatt-hour. The First Circuit also received information from Hawaiian Electric Company that indicated that the average price per kilowatt-hour for the rural courts and Detention Facility increased

substantially from FY 2007 to FY 2008. Although the increases varied by building location, there was generally about a 30% increase.

Based on data from the first two months of the fiscal year and continuing the trend from the previous fiscal year, the Fifth Circuit's projected general fund shortfall for electricity for FY 2009 increases to \$180,000, or 38% more than the budgeted amount. The projected shortfall for the FY 2010 is \$433,392, 90% more than budgeted, and \$643,476 for FY 2011, 134% more than the amount budgeted.

The biennium request addresses the critical need to fund substantial projected shortfalls in the Fifth Circuit's general fund budget for the FY's 2010 and 2011. Of course, the actual cost for electricity that the Fifth Circuit will incur will depend on future prices in the fuel oil market. However, actual expenditures for electricity in FY 2008 have already shown an increase of nearly 15%, with even larger increases projected for FY's 2009 through 2011. Hawai'i is dependent on worldwide petroleum markets because petroleum-fired power plants supply more than 75% of all electricity generated in Hawai'i. While some economic reports suggest that the price per barrel may decrease in the future, other economists contend that there are many contributing factors to the extremely volatile oil pricing market, so there is considerable uncertainty about the future path of oil prices.

Energy conservation initiatives that may have some impact can be implemented, however, the cost of fuel remains the primary influence on future electricity expenses. With oil prices projected to increase annually, the Fifth Circuit will be unable to continue to provide the level of services desired without additional resources to cover electricity costs because its buildings would not be properly maintained and operated. The conditions in courtrooms and public areas would be unbearable without air conditioning, as it is conceivable that the building air conditioning system would have to be shut down for periods of time to save on operating costs. This would undoubtedly result in complaints by the public and grievances filed by employees due to sub-par courthouse and working conditions. With oil prices increasing annually (the current downturn in cost may be only temporary) and the direct relationship between the price of electricity in Hawai'i and the cost of fuel, the Judiciary would have no alternative but to pay the higher price for electricity (that is passed on to consumers by the electric company) to keep the courthouse doors open.

Judges' Pay Raise

Cost: FY 2010 - \$62,953, FY 2011 - \$87,194

The Commission on Salaries was established as a result of a constitutional amendment of Article XVI of the Constitution of the State of Hawai'i that was approved in November 2006. The Commission was

charged with reviewing and making recommendations for the salaries of justices and judges of all State courts, members of the Legislature, the Governor and Lieutenant Governor, and specified appointed officials within the State Executive branch. The 2006 Commission was convened in December 2006 and submitted its report and recommendations to the 2007 State Legislature. Because the recommendations of the Commission provided judges with a salary increase for FY's 2008 through 2013, additional resources are required each biennium to provide for the new pay differential. The additional requested resources will ensure that the Fifth Circuit has sufficient resources in each year of the biennium to pay its judges for this scheduled pay increase.

Capital Improvement Program (CIP) Budget

If no request is being made, please indicate "none".

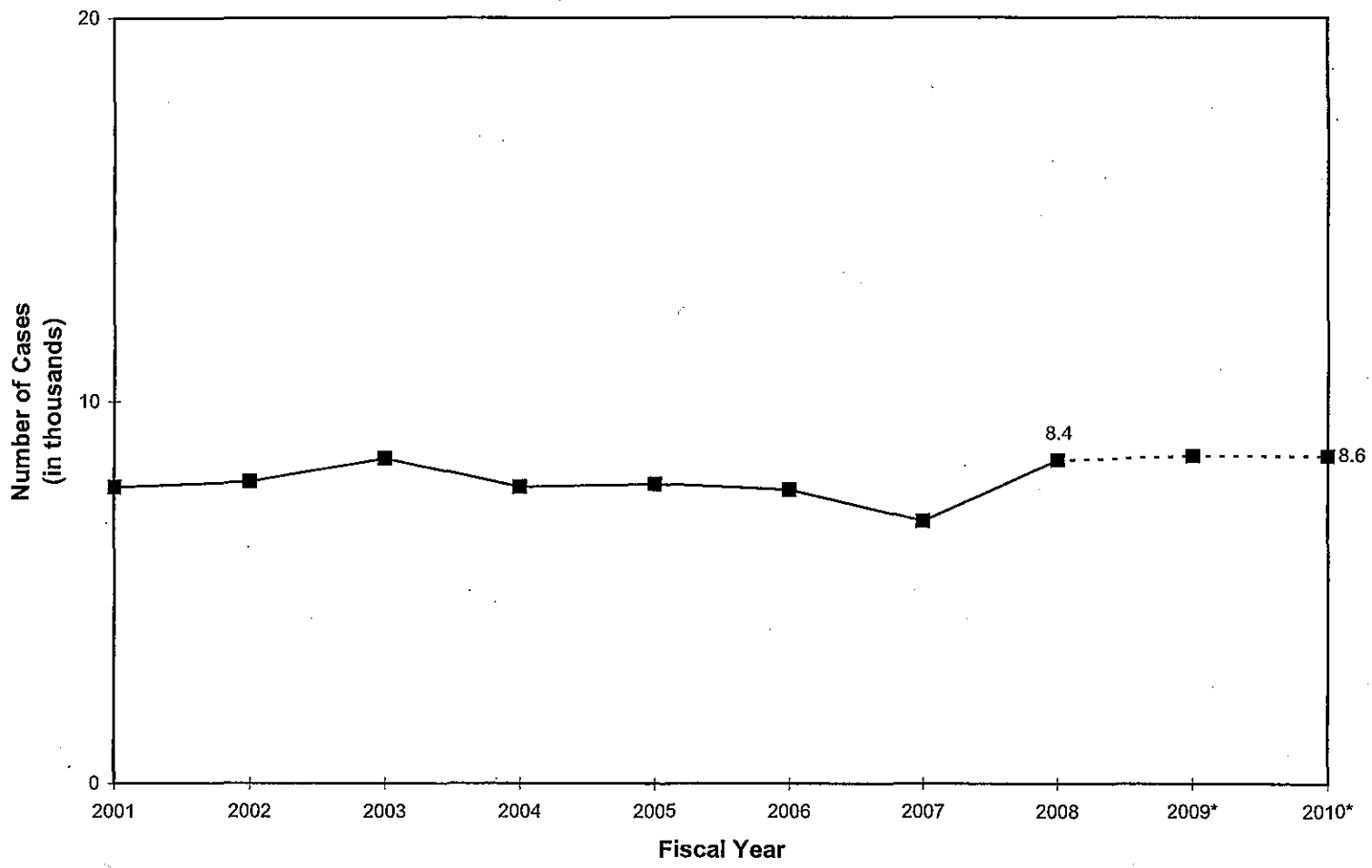
1. CIP Requests (for each request, please provide the following): (The Table R format will suffice)

None.

2. Proposed Lapses of CIP projects (for each proposed lapse, please provide the following):

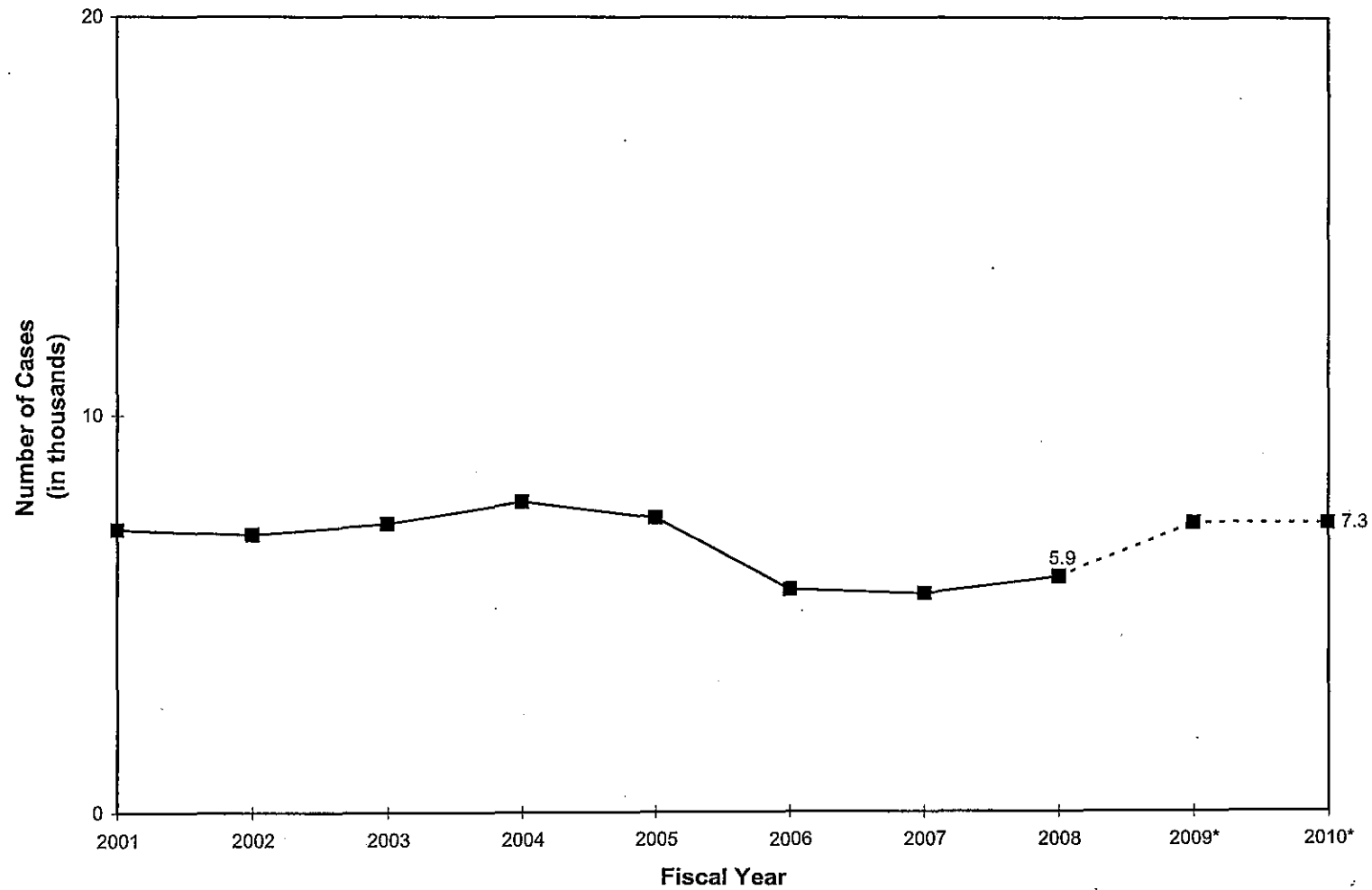
None.

**Fifth Circuit
Total Cases Filed (excluding District Court Traffic Cases)
FY 2001 - 2008 (Actual); FY 2009 - 2010 (Forecast*)**

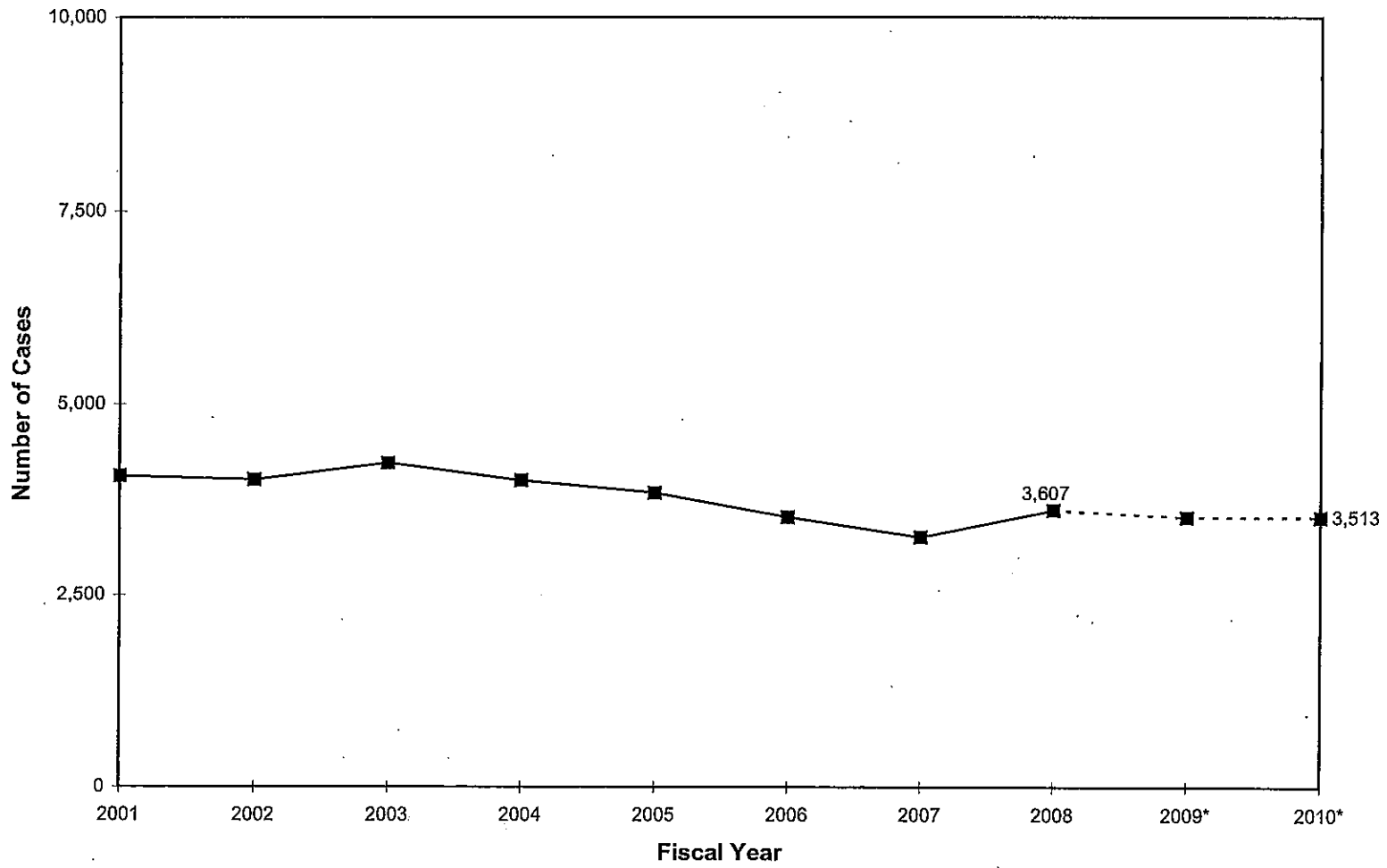


JUD 350 page 9

Fifth Circuit
Total Cases Terminated (excluding District Court Traffic Cases)
FY 2001 - 2008 (Actual); FY 2009 - 2010 (Forecast*)

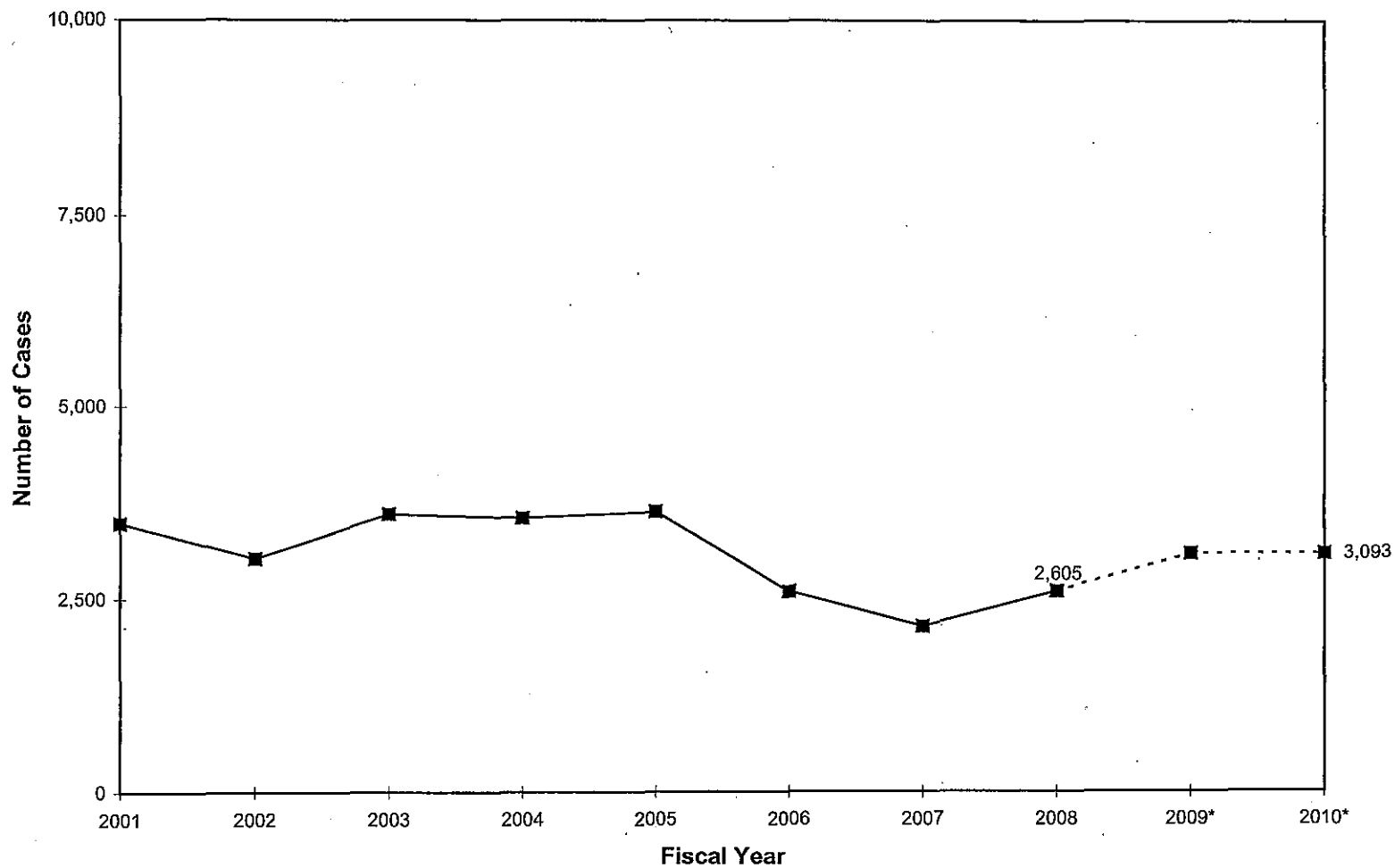


**Fifth Circuit
Criminal Cases Filed
FY 2001 - 2008 (Actual); FY 2009 - 2010 (Forecast*)**



JUD 350 page 11

**Fifth Circuit
Criminal Cases Terminated
FY 2001 - 2008 (Actual); FY 2009 - 2010 (Forecast*)**



1. Introduction

Summary of Program Objectives

Overall Program Objective

To screen and submit nominees for judicial vacancies, and to conduct hearings for retention of justices or judges.

Activities performed to achieve program objectives

The Judicial Selection Commission is responsible for reviewing applicants for judgeships in Hawai'i courts and submitting a list of six nominees to the appointing authority for each vacancy. The Governor, with the consent of the Senate, appoints justices to the Supreme Court and judges to the Intermediate Court of Appeals and Circuit Court. The Chief Justice appoints and the Senate confirms District Court and District Family Court judges. The Commission has sole authority to act on reappointments to judicial office.

The Judicial Selection Commission is attached to the Judiciary for administrative purposes only.

2. Program Performance Results:

- a. **Please include Table 6: Program Performance Results. (Entries in the table should be similar to what can be found on the Variance Report for this particular Program ID.) For "Direction of Success," indicate whether an increase or a decrease in that particular Measure of Effectiveness is the indicator of greater success.**

N/A

- b. **Discuss how this Program ID's Measure of Effectiveness relate to the department's mission and program objectives.**

N/A

- c. Discuss how results of measures of effectiveness affect program activities.**

N/A

- d. Please identify any modifications to your program's performance measures and discuss the rationale for these modifications. If there were no modifications, please indicate "none."**

None

Program I.D. and Title: JUD 601 - Administration

Page references in the Supplemental Budget Document: Pgs. 57-64

1. Introduction

a. The mission of the Office of the Administrative Director is to provide efficient and effective administrative support to the Chief Justice, the courts, and Judiciary programs, and to promote, facilitate, and enhance the mission of the Judiciary.

b. Summary of Program Objectives

Overall Program Objective

To enhance the effectiveness and efficiency of judicial programs by providing executive direction, program coordination, policy development, resource allocation and fiscal control, and administrative services.

I. Policy and Planning

- a. To develop and maintain an effective and comprehensive planning capability within the Judiciary to provide the statewide organization with overall guidance and long-range direction in meeting the community's demands for judicial service.
- b. To establish and maintain a budgeting system that will serve as the mechanism by which the required resources to achieve the objectives of the Judiciary will be identified and articulated to top-level management.
- c. To develop and maintain a uniform statistical information system for the statewide Judiciary which identifies what data is needed as well as how the data will be collected, tabulated, analyzed, and interpreted so as to permit the periodic reporting of statistics of court cases to the principal decision-makers of the Judiciary and thereby facilitate evaluation of influential factors or variables affecting court workload and efficiency.
- d. To administer a judiciary-wide audit program to ensure compliance with laws, rules and regulations, and policies of

the Judiciary, the State and, where applicable, the federal government.

- e. To conduct investigations and audits of accounting, reporting, and internal control systems established and maintained in the Judiciary, and to suggest and recommend improvements to accounting methods and procedures.
- f. To provide advice and technical assistance to the Judiciary to ensure compliance with equal employment opportunity laws, legislation, and policies.
- g. To provide training to judges, administrators, and staff on current Equal Employment Opportunities (EEO) issues; to develop and review EEO policies and procedures; and to investigate complaints of discrimination.
- h. To provide a fair and expeditious administrative process for revoking the driver licenses and motor vehicle registrations of alcohol or drug impaired offenders who have shown themselves to be safety hazards by driving or boating under the influence of intoxicants or who refused chemical testing.

II. Support Services

- a. To provide current, accurate, and complete financial and accounting data in a form useful to decision-makers.
- b. To ensure adequate and reasonable accounting control over assets, liabilities, revenues, and expenditures in accordance with generally accepted accounting principles, laws, policies, rules, and regulations of the State and the Judiciary.
- c. To plan, organize, direct, and coordinate the Judiciary's statewide telecommunications and information processing program, resources, and services by providing advice, guidance, and assistance to all Judiciary courts and administrative units relating to the concepts, methods, and use of telecommunication and information processing technologies and equipment.
- d. To plan, direct, and manage a centralized court records management system which includes reproduction, retention, control, storage, and destruction.

- e. To maintain accurate and complete court records, render technical assistance, and provide information and reference services from court records to court personnel, attorneys, and the general public.
- f. To provide cost effective printing, form development, and related services, statewide.

III. Intergovernmental and Community Relations

- a. To promote public awareness and understanding of the Judiciary by disseminating information through various print, broadcast, and electronic means; the news media; and direct dealings with the general public and other audiences concerning the role of the Judiciary and the services that it provides.
- b. To acquaint the Legislature with the program and policies of the Judiciary in order to convey the ongoing needs and importance of its role as an independent branch of government.
- c. To advise Judiciary officials on public perception of particular issues relating to the Judiciary.
- d. To design and implement projects that promote access to the courts for all persons, including those with special needs.
- e. To promote, through research and educational programs, fair treatment in adjudication of cases and provision of services to the public.
- f. To inform and provide learning opportunities to the public about the judicial process and Hawaii's legal history from pre contact to present. The Judiciary History Center generates knowledge by conducting and encouraging research, disseminating information, and collecting, preserving, and displaying materials.
- g. To provide an impartial professional process for addressing reports of felony child abuse that will facilitate access to the justice system for child victims and witnesses.

- h. To maintain a continuing liaison with agencies and departments dealing with child abuse to foster cooperation within the legal system to improve and coordinate activities for the effective overall administration of justice.
- i. To investigate, design, and implement alternative dispute resolution processes for the judicial, legislative, and executive branches of government that will assist these three branches of government in resolving their disputes. Emphasis is on developing systems for use by the Judiciary in the various courts, mediating/facilitating public policy issues, and building skills capacity within all branches of government.
- j. To provide and coordinate the Judiciary's statewide guardianship services for mentally incapacitated adults.
- k. To provide information, referral, and technical assistance to guardians and to the courts on the roles and responsibilities of a guardian.
- l. To effectively utilize volunteer citizen participants from a cross-section of the community in formalized volunteer positions based on the needs of the Judiciary and the skills, talents, and interests of the volunteers.

IV. Human Resources

- a. To manage a central recruitment and examination system that will attract the most capable persons and provide a selection system that will ensure the highest caliber employee, without regard to race, color, religion, sex, sexual orientation, national origin, ancestry, age, physical disability, marital status, or political affiliation.
- b. To develop, enhance, and manage a Judiciary compensation program consistent with merit principles, recognized job evaluation principles and methodologies, and labor market trends, and to attract and retain a competent and skilled workforce.
- c. To develop and implement an ongoing comprehensive continuing legal education program for judges to support them in their judicial roles and in the performance of their

duties and responsibilities and programs of continuing education and development for staff in support of the judges and the mission of the Judiciary.

V. Commission on Judicial Conduct

- a. To investigate and conduct hearings concerning allegations of misconduct or disability of justices or judges.
- b. To make recommendations to the Supreme Court concerning the reprimand, discipline, suspension, retirement, or removal of any justice or judge.
- c. To provide advisory opinions concerning proper interpretations of the Revised Code of Judicial Conduct.

Activities performed to achieve program objectives

The Office of the Administrative Director of the Courts serves as the administrative arm of the Judiciary. It is headed by an Administrative Director who is appointed by the Chief Justice with the approval of the Supreme Court. The Administrative Director is assisted by a Deputy Administrative Director of the Courts in fulfilling the duties and responsibilities assigned to the office. The Director's Office is composed of a number of staff and specific programs.

The planning, program evaluation, budgeting, statistical, capital improvement, affirmative action, audit, legislative coordination, and administrative drivers' license revocation functions are carried out by the Policy and Planning Department.

The financial, purchasing, data processing, reprographics, telecommunications, and records management functions are performed within the Support Services Department.

The Human Resources Department manages centralized programs of recruitment, compensation, record keeping, employee and labor relations, employee benefits, and continuing education.

The Intergovernmental and Community Relations Department provides legal services, public relations, and information services for the Judiciary; coordinates citizen volunteer services and investigative processes in cases of intrafamilial and extrafamilial child sex abuse; researches, plans, and develops alternate dispute resolution procedures and programs; and

provides educational programs using a variety of interpretive media that promote understanding and appreciation of the history of Hawaii's Judiciary. This Department is also concerned with providing public guardianship for mentally incapacitated adults; and providing equality and accessibility in the State's justice system.

The Commission on Judicial Conduct is responsible for investigating allegations of judicial misconduct and disability. Rules of the court require that three licensed attorneys and four citizens who are not attorneys be appointed to this Commission. An additional function allows the Commission to issue advisory opinions to aid judges in the interpretation of the Code of Judicial Conduct.

The Commission on Judicial Conduct is attached to the Judiciary for administrative purposes only.

2. Program Performance Results:

- a. **Please include Table 6: Program Performance Results. (Entries in the table should be similar to what can be found on the Variance Report for this particular Program ID.) For "Direction of Success," indicate whether an increase or a decrease in that particular Measure of Effectiveness is the indicator of greater success.**

See narrative below.

- b. **Discuss how this Program ID's Measure of Effectiveness relate to the department's mission and program objectives.**

See narrative below.

- c. **Please identify any modifications to your program's performance measures and discuss the rationale for these modifications. If there were no modifications, please indicate "none."**

See narrative below.

The Office of the Administrative Director provides an extremely wide range of services as is indicated in Section 1.b., Summary of Program Objectives. These offices directly or indirectly contribute to the overall performance of the individual court programs. Thus, the performance measures addressed in the Judiciary Overview and in each of the individual program sections of this testimony can be considered as indirect measures of the Administration program's performance.

Included are gains in technology, improvements in processes, making the courts safer, improving court access, initiating public information efforts, obtaining grants, and coordinating a strong volunteer program.

The Administration is expanding training and educational efforts of its employees, as well as providing public information programs to educate the public about the judicial process. The Administration also provides public-service oriented information through the Judiciary's web site. This program is further enhancing assistance efforts such as the multilingual Lawline, the self-help center, and the court interpreter program. Simplification of court forms is another project that continues to move forward.

The Center for Alternative Dispute Resolution (Center) focuses on making alternative dispute resolution (ADR) broadly available in Hawai'i. It provides opportunities for early, party-driven, efficient, and fair solutions. The Center 1) designs and helps implement ADR programs for state and county government, 2) mediates and facilitates public policy disputes, 3) oversees the Judiciary's Purchase of Services contract for mediation and related dispute resolution services, and 4) promotes ADR through training and education.

The Center designs and implements ADR programs for state and county agencies. This is an effective way to make ADR broadly available in Hawai'i. Center designed programs include a monitoring segment. Evaluations from users and neutrals in the programs provide the Center with measures to determine whether a particular program is successful. These questionnaires make it possible for the Center to identify problems that may arise, monitor the quality of the programs, and make adjustments as necessary. The Center monitors questionnaires for the Hawai'i Appellate Mediation Program (AMP), which the Center administers, and three different ADR processes utilized in the courts. Each of the programs uses the services of volunteer mediators to assist the public.

During FY 2008, 23 AMP cases were closed of which 9 were settled or partially settled by mediation. At the end of FY 2008, the AMP had processed 417 cases since its inception. The Volunteer Settlement Master (VSM) process, in which licensed attorney members of the Family Law Section help divorcing couples settle their financial and other issues, served approximately 150 cases in FY 2008. Evaluations reflect a 4.6 rating (on a 5 scale w/ 5 = best) for "I would recommend meeting with a VSM to others." Additionally, the Judicial Pre-trial Assistant Program, in which mediators assist judges by working with families to resolve cases on the HRS Chapter 587 calendar, served 14 families during FY 2008.

The Center mediates and facilitates public policy disputes referred by elected or appointed officials. In FY 2008, the Center facilitated meetings for the following groups: Standing Committee on Children in Family Court (foster children); Detention Home Interagency Services Team (improving information sharing); Interagency Council on Intermediate Sanctions; Domestic Violence/Child Welfare Services; Child Sex Abuse Response System Task Force; Emergency Preparedness for Persons with Disabilities During Natural Disasters; and the Juvenile Justice Information Sharing Committee (re: Hawai'i Youth Correctional Facility). These cases bring together participants to collaborate on a common goal. Center services include conflict analysis, which includes identifying the issues and stakeholders, agenda building, serving as mediators and facilitators, and writing meeting summaries.

The Center oversees the Judiciary's Purchase of Services contract with the community mediation centers. The six community mediation centers in Hawai'i provide affordable and quality mediation services statewide. In FY 2008, the community mediation centers worked on approximately 3,150 cases and served about 7,500 clients. Overall, approximately 43% of the cases handled by the community mediation centers were either conciliated or resolved through mediation. Client satisfaction questionnaires reflect that about 94% of the community mediation centers' clients were satisfied with the mediation process, and 95% would definitely or probably recommend mediation to others with problems. It should be noted that even though a case may not be resolved or conciliated, the intake process provides a valuable opportunity to educate disputants about the availability and merits of utilizing mediation for any future matters.

The Center promotes ADR through training and education. The Center conducts training for Hawai'i state and county employees in mediation skills, basic and advanced meeting facilitation, negotiation, and addressing challenging behaviors in the workplace. Center trainings provide government employees with skills and techniques to improve their communication and conflict resolution skills, which increases their efficiency and capacity to work with each other and better serve the public. In FY 2008, the Center conducted 22 classes and trained approximately 900 state and county employees.

In addition, the Center promotes public awareness and understanding of ADR processes. By disseminating information through public forums, various print, broadcast, and electronic media, and by direct dealings with the general public and other audiences, the Center assists the public in identifying opportunities for fast, fair, effective, party-driven resolution of disputes. In FY 2008, education and outreach activities included numerous presentations, and the publication of a significant research project, *Settling Civil Lawsuits in the Hawai'i Circuit Courts*, in the Hawai'i Bar Journal. Additionally, the Center held 17 public forums

focusing on different aspects of ADR. Forum topics ranged from Restorative Justice in Hawai'i and Abroad to Hoonoponopono and Labor Mediation.

The King Kamehameha V Judiciary History Center is an administrative program of the courts established by the Hawai'i State Legislature in 1990 to educate the public about Hawaii's legal history and the judicial process. The History Center plays a key role in the Judiciary's efforts to promote public awareness and understanding of the courts by operating a legal history museum, and providing law-related educational activities and resources to Judiciary personnel, students and teachers, the general public, and Hawaii's visitors. The History Center is the largest provider of civic education in the state.

During FY 2008, the History Center welcomed 34,260 visitors including 10,396 students. Visitors enjoy a selection of short films in the movie theater, as well as exhibits examining topics like the Republic of Hawaii's trial of Queen Liliuokalani, martial law in Hawai'i during World War II, and the appeals process. Students conduct mock trials in the History Center's 1913 Courtroom and learn about the transition from Hawaiian *kapu* to legislated law. School field trips to the History Center are often coordinated with the State Capitol Tour Office, allowing students an opportunity to experience all three branches of government in one day.

The History Center operates the Judiciary's Speakers Bureau -- judges' visits to schools and community groups are arranged and judges' speaker curricula and handouts are provided. With the assistance of federal funds, the History Center also conducts three civic education programs in Hawai'i: *We The People*, the *School Violence Prevention Demonstration Project*, and *Representative Democracy In America*. Teachers may attend the programs' free workshops to earn professional development credits for re-licensing, salary advancement, and High, Objective Uniform State Standard of Evaluation (HOUSSE) certification as mandated under the No Child Left Behind Act. They also receive free curricula for their students. Not only have 3,840 textbooks already been distributed to participating schools throughout the state, the History Center partners with the Hawai'i State Bar Association's Young Lawyers Division to run the Hawai'i High School Mock Trial Tournament. The Center's activities continue to be instrumental in helping the public to better understand the Judiciary's history and it's important role in the State of Hawai'i.

In Hawai'i, children are the victims in approximately 60% of the reported cases of felony sexual assault. The Children's Justice Program/Children's Justice Centers (CJCs) ensure that the doors of the justice system are open to our youngest and most vulnerable citizens.

Felony child abuse, particularly sexual abuse, is a severe and extremely traumatizing crime. The Oahu Center opened in 1988 and expanded to the

neighbor islands (East Hawai'i, West Hawai'i, Maui and Kauai) in 1990/1991. Presently, the CJsCs serve an expanded legislative mandate to provide services for all children who are victims of abuse and witnesses to crime. With the advent of computers and the advancement of technology, more children are becoming victims of internet crimes that include pornography. Despite limited resources, most cases are being handled expeditiously and interagency cooperation and collaboration are being used to seek ways to handle the increased workloads.

The CJsCs strive to accomplish its mission as defined in Chapter 588, HRS. From 1988 through December 15, 2008, 28,357 reports of child abuse (primarily sexual assault) were tracked by the CJsCs and 18,587 children received forensic interviews at the CJsCs. Statewide, over 1,000 children were involved in reports tracked by the CJsCs regarding abuse and witnesses to crime during this calendar year. Hundreds of professionals were provided training. Legal proceedings with child victims and witnesses were coordinated by the CJsCs. In calendar year 2007, 3,657 abused children and their families received support through our five community support organizations. These non-profits (Children's Alliance of Hawai'i and the Friends of the East Hawai'i, West Hawai'i, Maui and Kauai) also provided services to hundreds of other children and families with their prevention/education and public awareness activities related to child abuse.

As a result of a community task force identifying the need for a public guardian program and to accept the transfer of guardianship cases from the Department of Health's Waimano Training School and Hospital, the Office of the Public Guardian (OPG) was created in 1984 by Act 223, Session Laws of Hawai'i. The public guardian serves as court-appointed guardians of the person for incapacitated adults who have no family or friends willing or available to serve. The public guardian is responsible for making all decisions affecting the client's overall support, care, education, health and welfare.

After absorbing the transfer cases from Waimano Training School and Hospital, caseloads for the public guardian dramatically increased statewide. A major source of new petitions for guardianship is from Adult Protective Services (APS) in cases of self neglect, abuse and/or financial exploitation. Another major source of referrals are from petitions by acute care facilities involving incapacitated patients with no family or friends willing to serve as decision makers for medical treatment or for discharge planning purposes. For the developmentally disabled population residing at home with aging parents, public guardianship provides families with an alternative.

OPG serves as court-appointed guardians of the person for approximately 750 incapacitated adult clients statewide with intakes averaging approximately 4.5 cases per month. More than half of all cases are developmentally disabled; approximately 35% are elderly and 10% are diagnosed with severe mental

illness. The majority of incoming cases are elderly or mentally ill, incapacitated adults. A growing number of cases involve clients who are aging in place in community-based residential programs with no family or friends willing to serve as decision makers.

The demand for legal guardianship will continue to increase as the general population ages and more of the elderly over 85 become incapacitated. Further, the incidents of financial exploitation of the elderly are increasing as APS expands their investigative authority over financial exploitation referrals. A large portion of recent cases have involved clients with sizable assets or property matters which requires the services of a court-appointed conservator. OPG plays an essential role in the social service network for these incapacitated adults, the severely mentally ill, and the developmentally disabled. OPG is appointed as a last resort when those with priority, including family members, are unavailable or unwilling to serve as decision makers. More petitions are being brought to court with adult children refusing to serve as legal guardians or to assist in the decision making for their elderly parent. While this may be more common in dysfunctional families, petitions indicate otherwise that family members are feeling too busy, burdened or fearful of financial responsibilities. The expectation of an increasing and complex case load for guardianship continues.

JIMS is envisioned as a statewide, integrated case management system for the Judiciary. Implementation of JIMS represents a new set of technology and, more importantly, a business transformation aimed at enabling many of the Judiciary's strategic goals:

- sharing information
 - internally
 - with trusted agencies, and
 - with the public;
- improved public safety;
- improved data quality;
- streamlined and standardized business processes; and
- improvement of Judiciary operations by leveraging new technologies.

Over many years, Judiciary's case management and other technical systems were developed to support paper-based and circuit-specific operational processes and court functions. The piecemeal development resulted in silos of information and disjointed and inconsistent business processes. The situation became increasingly complex as the separately developed technical environments inhibited the Judiciary's ability to adequately meet changing business and public needs. Growing demands for information sharing, readily

accessible information and functions, automation of manual processes, and other functional needs required more holistic technology.

Implementation of the JIMS vision is being conducted in phases, *i.e.*, by implementation of 'modules' that address specific case types (traffic, criminal, civil, family, land and tax, appellate) and specific functions that are common to more than one case type (jury, probation, public access, e-filing).

The Judiciary launched the Traffic module of JIMS in November 2005. For traffic cases, paper documents now are scanned, stored electronically, and linked to the appropriate case and docket entry. This allows Judiciary staff statewide to see and provide all the information, regardless of where the case was initiated. The public may also view traffic case information over the internet, although viewing of documents over the internet is not yet available. Trusted agencies are also able to access aggregated information such as individual abstracts and court calendars. In addition, by electronic interface, the Judiciary is able to exchange data with trusted agencies to improve traffic case processing. Finally, the JIMS system allows the public to pay traffic citations over the telephone and over the internet.

Our primary areas of focus:

Under the direction of a professional project manager, who joined the Judiciary in June of 2006, the Judiciary has focused on laying required groundwork for additional modules. We understand that a project of this nature requires a solid internal infrastructure that can support the complexity involved in implementing a project like JIMS. As such, we have been working to develop, implement, and refine our JIMS project infrastructure, which includes providing a means for post implementation support and developing structured project methodologies for our future modules. We have also been working to define a new future module roll-out schedule, or project roadmap.

JIMS Post-Module Implementation Support

In August of 2006, the Judiciary launched an internal support process that allows JIMS users to request and get support. In sum, all JIMS-related issues are systematically reported and brought to the attention of technicians, court administrators, and administrative Judges. These people determine priorities, and develop processes and solutions to resolve the issues. The Judiciary is also installing updated software to improve system functionality or performance, and enable new initiatives.

As each module is implemented, Judiciary user groups will grow, the types of issues will become more complex, and accommodation of statewide interests will continue to be challenging. Implementation and refinement of the Judiciary's

Post-Module Implementation Support Model continues to be a matter of high priority, as it will support all future JIMS users.

Future Module Implementation Methodology

The Judiciary is formalizing project methodology and project team structures for future module implementations and other projects. The methodology and structures are designed to guide appropriate personnel in carrying out all the steps necessary to achieving successful module implementations. These concepts are used on all recent projects, so that the staff time is used productively, the Judiciary gets a better end product, and more employees are aware of the system and associated operational processes before a module is launched for production use.

JIMS Hardware Planning

Hardware for the JIMS system must be sufficient to support users and data. As each module is implemented and the number of users grows, the amount of data in the system increases. Additionally, the expectations of the public and justice agencies for more information being available online increases. With each new module, the need for solid training and testing environments increases. In 2007, the Judiciary outlined a three year JIMS Hardware Plan. The first year plan was fully implemented in March 2008 and the second year of the plan is expected to be implemented in the spring of 2009. As with any technical project, JIMS hardware planning will be ongoing and will require review and adjustment on a regular basis to keep the system performing properly.

JIMS Assessment

Early this year, the Judiciary terminated its contract with ACS, the primary software vendor for the JIMS case management system. As a result of this action, the Judiciary needed to re-define appropriate next steps for JIMS. In June 2008, we completed a project that included within its scope a functional and technical assessment of JIMS. As a result of the functional and technical assessment, we concluded that there are no fundamental flaws in most of the multiple technologies that make up JIMS. There are, however, several functional gaps that must be addressed. During the functional and technical assessment, we also assessed the marketplace and determined no single software product is sufficiently developed to serve as a statewide court case management system in line with the vision of JIMS. We discovered, however, significant activity by enterprise vendors who are trying to enter the courts case management marketplace, and court specific software vendors who are scaling their products to meet statewide requirements. Given the fact no alternatives in the market can be implemented for lower cost and risk, we decided to modify the current JIMS software to meet the long term vision of JIMS. In consequence, we continue to build upon and enhance various aspects of JIMS, using existing technology to meet our requirements, address functional gaps, and focus on migrating the

legacy systems to Jims. With the assistance of employees, supervisors, and administrators, the Judiciary has identified a number of software deficiencies, has packaged deficiencies of like kind together so they can be efficiently addressed, and has planned projects to address the deficiencies.

JIMS Roadmap Planning

The Judiciary had a defined sequence for our modules to be implemented at the onset of JIMS – the JIMS Project Roadmap. Various factors, including the need to terminate the services of a primary vendor, precluded adhering to the original timeline. As planned, during this fiscal year, we re-assessed our situation and defined a new JIMS Project Roadmap with a targeted implementation by the end of Fiscal Year 2014. The Judiciary also developed an alternative accelerated project schedule whereby the Judiciary would attempt to fully implement JIMS by the end of FY 2012. To achieve the accelerated timeline, additional resources will be required. Therefore, the Judiciary proposes to increase the CSSF spending ceiling by \$1,240,134 in FY 2010 and \$1,273,524 in FY 2011. (Please refer to the Computer System Special Fund Ceiling Increase – JIMS section for more information.)

Project Activities:

The Judiciary's main focus for the last year has been on foundational matters such as defining and refining methodologies, continuing to set up a proper infrastructure, and planning our new JIMS Project Roadmap. Concurrently, the Judiciary continued to address smaller, but critical projects that validated our newly defined methodologies and internal structure. Several key project activities are summarized below:

Electronic Bench Warrants

In August of 2007, the Judiciary and the Hawai'i Information Consortium (HIC) partnered to develop a Traffic Electronic Bench Warrant Portal that the Judiciary hopes will be the first step in developing a system for all warrants, thereby using technology to improve public safety for the State of Hawai'i. With HIC's leadership, we are working closely with impacted criminal justice agencies in the state. With the cooperation of Honolulu Police Department and Public Safety Department Oahu Sheriffs, we are targeting the pilot roll-out by the end of the first quarter 2009.

Horizontal Integration Pilot Project

We are working in partnership with the Hawai'i Criminal Justice Data Center to enable JIMS to have electronic delivery and receipt of arrest report data from law enforcement. This will assist the case creation data entry process and would automate court date scheduling from arrests. Shortly after the 3rd Circuit Pilot

rollout, scheduled for March 2009, plans to roll out the new functionality statewide will be defined.

Hazardous Materials – Federally Required Enhancements

In July 2008, enhancements to JIMS were implemented in order to comply with Federal requirements for commercial drivers.

Collections Agency Interface Enhancements

In November 2007, a collection agency interface was launched between JIMS and our contracted collection agency, Municipal Services Bureau (MSB). The interface automates referrals of delinquent fees and fines without manual intervention. The interface also electronically receives payments from MSB on a daily basis without manual steps that used to include paper checks, paper reports, and manual data entry in JIMS. In July 2008, enhancements to the JIMS collection agency interface were implemented to improve the interface further. Since the launch of the electronic interface between JIMS and MSB, MSB has been able to increase its collections for the Hawai'i Judiciary by 600%.

Honolulu Police Department Electronic Handheld Citations Pilot Project

We are working in partnership with the Honolulu Police Department to launch a pilot project whereby citations will be electronically transmitted to JIMS. This project will enable the automation of case creation and court date scheduling based on the data received from HPD. We are working with HPD to define the roll-out schedule.

Accounting Requirements Definition Project

In order to resolve accounting / fiscal deficiencies in the JIMS software, in August 2008, we launched a project to gather detailed accounting requirements for an accounting solution that will integrate with JIMS. That project is ongoing.

Criminal Module and Electronic Filing

Review of criminal court and criminal case record keeping processes and re-assessment of software requirements will begin shortly, with the goal of bringing criminal case management into the JIMS system within the next year. An electronic filing component is being developed at the same time.

Moving Forward:

As the Judiciary implements the vision of JIMS, it will also focus on JIMS Post-Module Implementation Support, Future Module Implementation Methodology, and Hardware Planning. The new JIMS Project Roadmap is focused on implementing the vision of JIMS and targeting completion by the end of FY 2014.

- e. **Please identify all modifications to your program's performance measures and discuss the rationale for these modifications.**

N/A.

3. Biennium Budget Requests for FB 2009-2011:

Cost Increases for Electricity

Cost: FY 2010 - \$2,341,742, FY 2011 - \$3,635,306

Since the onset of the significant rise in fuel prices, the corresponding cost of electricity to operate the various court facilities on Oahu has increased substantially. The Administration appropriation funds the costs for electricity for the main court facilities in the First Circuit as well as for several Administrative programs in leased spaces. These facilities include the Kaahumanu Hale (Circuit/Family Court), the Kauikeaouli Hale (District Court), the Aliiolani Hale (Supreme Court), and the Kapuaiwa Building (Intermediate Court of Appeals). For FY 2007, the total cost of electrical expenses that was charged to the Administration's appropriation was \$1,538,140. These charges result in a \$43,702 shortfall when compared to the amount that was initially appropriated for electricity. In FY 2008, this shortfall increased to \$663,658, with actual costs for electricity totaling \$2,309,296. Therefore, Administration's original budget appropriation of \$1,645,638 was underfunded by nearly 40%.

The Administration Fiscal Office received technical information from Hawaiian Electric Company that indicates that the average price per kilowatt-hour (KWH) increased substantially from FY 2007 to FY 2008. Although the increases varied by building location, there was generally about a 31% increase. This is a problem shared by all islands. For example, the Fifth Circuit also received information from the Kauai Island Utility Cooperative that showed that during the 12 months ending 7/11/08, the Fifth Circuit experienced a 23% increase in the average price per kilowatt hour.

Based on the percentage increase in the average price per KWH between FY 2007 and FY 2008, Administration's projected shortfall for electricity for FY 2009 increases to \$1,362,695, or 83% more than the originally appropriated amount. Applying the same percentage increases for the upcoming biennium period, the projected shortfall for FY 2010 is \$2,341,742, or 139% more than budgeted, and \$3,635,306 for FY 2011, or 215% more than the budgeted.

The biennium request addresses the critical need to fund substantial projected shortfalls for this basic utilities expense. While the actual costs for electricity that Administration will incur are dependent on future prices in the fuel oil market, it is

unlikely that decreases in this market will be matched by proportionate decreases in expenses for electricity. While we have witnessed significant drops in gasoline prices recently, invoices for electricity have decreased by a much smaller margin. Due to the magnitude of expenses for electricity that are covered by Administration, it is imperative that sufficient funding is available to address the highly volatile nature of the electrical industry. If Administration does not have adequate funding for its expenses for electricity, various court facilities may not be properly maintained and operated. The conditions in the courtrooms and public areas would be unbearable without air conditioning, as it is conceivable that the building air conditioning system would have to be shut down for periods of time to save on operating costs. This would undoubtedly result in complaints by the public and grievances filed by employees due to sub-par courthouse and working conditions.

Computer Systems Special Fund Ceiling Increase - JIMS

Cost: FY 2010 - \$1,240,134, FY 2011 - \$1,273,524

JIMS is envisioned to be the statewide court case management system for all courts and case types. Currently, the Judiciary has implemented traffic cases into the new JIMS architecture. JIMS allows for storage of case data in a relational form. As a result, case history and party history information are searchable by the public on the internet. This website, called JIMS CourtConnect, averages 8,000 hits per month. Another aspect of JIMS allows the public to pay their traffic fees/fines on the internet or through an interactive voice response telephone system. As part of the JIMS architecture, the Judiciary is also able to store electronic document images of case records.

Recent or soon to be launched projects include the electronic interface between JIMS and MSB, the Electronic Bench Warrant Project, and the Horizontal Integration Project. Having launched in November, 2007, the electronic interface with MSB has already resulted in significant increases in delinquent payment collections. The Electronic Bench Warrant and Horizontal Integration Projects are expected to be implemented in 2009, and show great promise in streamlining the bench warrant process and reducing case processing time.

While the Judiciary is making progress toward attaining the previous goals set forth by JIMS, various factors have precluded the Judiciary from adhering to the corresponding timeline. By 2010, JIMS was expected to allow Hawai'i appellate and trial courts at all levels and on all islands to manage and view information associated with individual cases and parties; implement work flow; organize data; eliminate duplicate data entry; generate notices, orders, and other official documents automatically; and lessen the need for volumes of paper. Since it is apparent these goals will not be met by 2010, the Judiciary is targeting the migration of all legacy systems to the newer technology of the JIMS architecture by the end of FY 2012. This will allow for case data to be centrally and

consistently stored, and enables several key business benefits – providing more meaningful information, improving quality of court services, and leveraging new technologies. However, in order to achieve this, additional resources will be required. Therefore, a ceiling increase of \$1,240,134 in FY 2010 and \$1,273,524 in FY 2011 has been requested for the Judiciary's Computer System Special Fund (CSSF).

The CSSF ceiling increase will allow the Judiciary to accelerate the JIMS vision and fully implement JIMS by the end FY 2012 so that the business benefits of the implementation can be realized sooner. Specifically, the Judiciary would target completion of the criminal case migration to JIMS by January 2011, and civil, appellate, family, probation, and land/tax migration by June 2012. The Judiciary would also be able to complete the capability of electronic filing of court documents by June 2012.

It is important to note that JIMS is not over after implementation. Maintenance and support needs will continue as long as JIMS is utilized by the Judiciary court operations, external agencies, and the public. The ceiling increase will allow the Judiciary to accelerate JIMS implementation while continuing to provide incremental support to the "live" portions of the system.

Computer Systems Special Fund Ceiling Increase – Judiciary Data Center AC and Power Backup Additions and Replacements

Cost: FY 2010 - \$1,500,000

The Judiciary Data Center is responsible for the operational support of the courts' technology infrastructure. Therefore, ensuring that the Data Center remains functional is of critical importance because Judiciary sites statewide rely upon the significant amount of central computing resources housed in the Data Center. With the continued addition of equipment to the Data Center and subsequent excess heat that is generated, temperature regulation within the center has become a serious concern. The Data Center must rely on the existing cooling systems to ensure that the center remains operational. However, these systems have shown to be incapable of keeping the Data Center sufficiently cool during normal operations and, in particular, during times when the building air conditioning is not working. The Capital Improvement Projects Branch has reviewed the current state of the Data Center with respect to the air conditioning issue and has recommended that the problem be addressed as soon as possible. There have been numerous instances when the temperature in the Data Center has approached 90 degrees Fahrenheit. This is well beyond the recommended temperature for operating sensitive electronic equipment and may not only reduce the life of the equipment, but could eventually result in a total equipment failure. The Information Technology and Communications Department (ITCD) has actually resorted to shutting equipment down in these

kinds of situations out of concern of the negative effects that the excessively high temperatures will have on the equipment.

ITCD has retained the services of a consultant to evaluate the temperature situation in the Data Center and preliminary findings indicate that the two main building air handlers and the two backup air handlers need to be replaced. In order to support the new air handlers, an additional backup generator and replacement of the current fuel tank have also been advised. The Data Center houses all of the Judiciary's critical computer applications, therefore, equipment failure in the center would significantly increase the likelihood that various court operations/proceedings would become unavailable. To safeguard against such an event and avoid even greater operational and funding issues, a \$1.5 million CSSF ceiling increase has been requested in FY 2010 to accommodate improvements to the Data Center's cooling and power backup systems.

Office of the Public Guardian Lease Funding Increase.

Cost: FY 2010 - \$25,288, FY 2011 - \$33,277

The Oahu operations of OPG has been leasing 1,795 square feet at the Queen Street Building since January 2000. The original lease was extended for five years and will expire on December 15, 2009. A significant increase in lease expenses is expected when the contract is renegotiated. The lease costs are projected to increase from the present rate of \$0.83 per square foot to \$1.50 per square foot. There are no existing funds to address this 81% hike in base rent expenses. In addition, common area maintenance costs have already increased dramatically and are expected to increase another 3% at the time the new contract is negotiated. While moving to a different location may be a consideration, the costs associated with the move and the disruptions to operations would likely negate any rate savings. It should also be noted that the existing rate remained at relatively low level for a number of years. Therefore, any rate savings may not be as significant as expected.

OPG requires additional funding of \$25,299 in FY 2010 and \$33,277 in FY 2011 to address the inevitable increase in lease rent costs. With recent reductions to its discretionary funding, the program cannot accommodate the rise in lease costs without significantly impacting the services provided to the incapacitated adults it serves.

**Capital Improvement Program (CIP) Requests for FB 2009-2011:
Page Reference in the Biennium Budget Document: Pages 65-70**

1. CIP Requests (for each request, please provide the following): *(the Table R format will suffice)*
 - a. Project Title and Description
 - b. Financial requirements by project phase and MOF.
 - c. Explanation and scope of project.
 - d. Justification for the project.
 - e. For lump sum requests, please provide a specific breakout detailing specific projects for all planned expenditures; and
 - f. Senate and House district(s) for the project.

<u>Description</u>	<u>Project Total</u>	<u>Prior Years (including FB 2007-2009)</u>	<u>Budget Request FY 2010</u>	<u>Budget Request FY 2011</u>
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Kapolei Judiciary Complex, Oahu

Plans and design for a new administrative services office building at Kapolei, Oahu.

Plans	1,990	1,765	225	
Land	6,139	6,139		
Design	13,420	6,915	5	3,000
Construction	167,400	108,900		
Equipment	24,050	18,050		
Total	212,999	141,769	230	3,000
G.O. Bonds				

Kaahumanu Hale Mauka Wing Roof and Miscellaneous Lanai Deck Surface Improvements, Oahu

Plans, design, and construction for mauka wing roof and miscellaneous lanai deck surface improvements at Kaahumanu Hale, Oahu.

Plans	60	0	60	
Land	0	0		
Design	350	0	350	
Construction	3,490	0	3,490	
Equipment	0	0		
Total	3,900	0	3,900	0
G.O. Bonds				

Kauikeaouli Hale Elevator Systems Upgrade and Modernization, Oahu

Design and construction for upgrade and modernization of the elevators at Kauikeaouli Hale, Oahu.

Plans	0	0		
Land	0	0		
Design	245	0	245	
Construction	3,750	0	3,750	
Equipment	0	0		
Total	3,995	0	3,995	0
G.O. Bonds				

Explanation of Scope and Justification for the Projects

With the strong funding support provided by the Legislature over the past several biennia, construction on the court building and juvenile detention center that comprise the Judiciary's first facilities at Kapolei are more than one-third of their way to completion, toward an anticipated occupancy by mid-2010. Act 102/2008 provided the most recent major installment of funding for those facilities, which will go toward the bid-out of the furniture and equipment portion of the project by the Department of Accounting and General Services (DAGS) in the spring of 2009.

This biennium's funding request for Kapolei is to begin the planning and design process for the next significant portion of the overall Kapolei Judiciary Complex, that is, the administrative services office building that will house the adjunct court service and client service functions that support the essential court and detention operations. Under Act 120/2006, the Legislature appropriated \$6 million to purchase 4.3 acres at the Judiciary Complex site, which the Judiciary was unable to "take down" from the Estate of James Campbell in connection with the court and detention building project. The purchase was concluded in July 2008, which now allows the Judiciary to begin to develop these 4.3 acres to provide the needed additional building square footage at Kapolei. Accordingly, the \$230,000 being requested for the first year of the biennium will initiate project development-type architectural programming for the facility, along with pre-design land development studies, including applicable environmental assessments and zoning analyses. The \$3 million in the second year of the biennial budget would go toward actual architectural and engineering design of the project.

Also within the First Circuit, the two major existing court facilities in downtown Honolulu are both approaching their thirtieth birthdays, and need substantial building systems improvements. Significantly, the roofing and deck surfacing at the three-story *mauka* wing at Kaahumanu Hale (the Punchbowl Street, Circuit Court Building), and the elevators throughout Kauikeaouli Hale (the Alakea Street, District Court Building) are both in obsolete and deteriorated condition. At Kaahumanu Hale, the *mauka* wing roof

and deck surfaces are the only overhead portions at of the building that have not had any surfacing renewal throughout the building's nearly 30-year lifespan. Some amount of leaking has begun to occur at these locations, and while the Judiciary has been relatively fortunate that the problems are not as bad as they might have been, given the age and deteriorated state of these roof and deck surfaces and the likelihood of more imminent failure, they are clearly long overdue for upgrade and replacement. On that basis, an important item within the Judiciary's Fiscal Biennium 2009-2011 budget is a \$3.9 million request for planning, design, and construction.

The situation with the elevators at Kauikeaouli Hale is similarly urgent. The elevators throughout the facility, serving public, staff, and security uses, originate from the building's construction in the very early 1980's. The elevators have served the users of the facility tirelessly since that time, but the advanced age, and wear and tear, on these workhorses have become increasingly evident during the last several years. Frequent breakdowns and trouble outages have been common, exacerbated by the often non-availability of obsolete parts and resultant difficulties in servicing. Because of the 11-story height (plus two basements) of this building, the disruption to normal operations and the spillover inconvenience to all facility users cause unparalleled challenges to maintaining operational control and functioning in a large, multi-floor building if the elevators are not working. The \$3.995 million request in the Judiciary's Fiscal Biennium 2009-2011 budget pertinent to this sorely needed project is for the design and construction of new, upgraded elevators.

(The Kapolei Judiciary Complex site is located in the 40th Representative District and 19th Senatorial District. The existing sites in Honolulu to be redeveloped are located in the 23rd, 25th, and 28th Representative Districts, and the 12th Senatorial District.)

<u>Description</u>	<u>Project Total</u>	<u>Prior Years (including FB 2007-2009)</u>	<u>Budget Request FY 2010</u>	<u>Budget Request FY 2011</u>
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Kona Judiciary Complex, Hawai'i

Plans and land for a new Judiciary Complex for Kona, Hawai'i.

Plans	1,100	100	500	
Land	4,550		50	
Design	6,000			
Construction	75,000			
Equipment	8,000			
Total	94,650	100	550	0
G.O. Bonds				

Explanation of Scope and Justification for the Projects

Nearly 20 years ago, the Judiciary began a long-range effort aimed toward improving and upgrading the physical facilities that service its neighbor-island Circuits. Assessments from the mid- to late 1980's of the Judiciary's facilities in the Third Circuit, whose jurisdictional area was then, and still is, the "Big Island" of Hawai'i, identified various deficiencies in the existing facilities in West Hawai'i, including an overall severe shortage of space, lack of adaptability of the physical plants to implement proper security measures, and numerous inefficiencies that stemmed from separate, disparate locations for court operations.

The Judiciary continues to maintain as a long-term goal the development of a new, permanent full-service court facility for West Hawai'i. With construction of the new Hilo Judiciary Complex approaching completion, the Kona area will become the Judiciary's last major service region in the entire state without permanent, dedicated court facilities. The Judiciary therefore remains committed to initiating the preliminary steps toward development of a new judiciary complex for West Hawai'i. The one and only appropriation that the Judiciary received for this project dates all the way back to 1989, when preliminary planning funding was appropriated. Those funds were conveyed to DAGS, which commissioned a study to identify potential sites at the time for a multi-agency State civic center that it would develop and operate in the area, of which a new court facility for the Judiciary would be a part. Unfortunately, that and subsequent efforts were unsuccessful in determining and securing such a civic center site, and the project has remained effectively dormant in the interim.

In the meanwhile, Judiciary employees and members of the public are continuing in their struggle to "make do" with the present substandard facilities, which in most cases is operating at overflowing capacity. The West Hawai'i community has continued to express its concerns regarding the longstanding problems of severe overcrowding, security and accessibility difficulties, spatial inefficiencies, and other inadequacies at the Judiciary's existing facilities at multiple locations that are scattered throughout the Kona area.

As a part of its Fiscal Biennium 2009-2011 CIP budget, the Judiciary is renewing its commitment to the burgeoning needs in the Kona area at present and into the foreseeable future, via its request for planning and land funding in the initial amount of \$550,000.

(This project is presumptively located in the 5th Representative District and 3rd Senatorial District.)

<u>Description</u>	<u>Project Total</u>	<u>Prior Years (includes only FB 2007-2009)</u>	<u>Budget Request FY 2010</u>	<u>Budget Request FY 2011</u>
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Lump Sum CIP for Judiciary Facilities, Statewide (for Fiscal Biennium 2009-2011)

Plans, Design, Construction, and Equipment for the remodeling and upgrading of Judiciary buildings, statewide (for Fiscal Biennium 2009-2011).

Plans	600	200	250	150
Land	0	0		
Design	5,250	600	3,150	1,500
Construction	27,500	2,000	2,250	23,250
Equipment	550	200	250	100

Total	33,900	3,000	5,900	25,000
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G.O. Bonds

Explanation of Scope and Justification for Project

Funding under this project title was first authorized by the Legislature under Act 120/2006, as an alternative to the appropriations that the Judiciary had received in previous years dating back to the 1980's for remodeling and upgrading, architectural barrier removal (i.e., physical plant alterations for Americans with Disabilities Act compliance and concurrent accessibility laws under the Hawai'i Revised Statutes), and similar general facility upkeep and improvement purposes.

The Judiciary operates out of nearly 50 building locations across the state that require a continuing and constantly changing variety of alterations, improvements, and modifications for improved efficiency, along with basic health and safety. The focus remains on those types of urgent, near-term improvements, renovations, and other pertinent alterations of limited scope at various facilities occupied by the Judiciary, including security-related alterations, emergency repairs, and miscellaneous alteration work prompted by building code or other regulatory compliance requirements.

For Fiscal Biennium 2009-2011, the Judiciary's level of funding request under the lump sum projects category is *significantly greater* than for past biennial periods, in recognition of the increased widespread upkeep and overall improvement needs for the Judiciary's existing physical facilities across the state. A significant portion of the resources being requested under this lump sum heading is intended to fulfill the continuing upgrade and improvement needs at the Judiciary's two historic properties in the downtown Honolulu civic center, Aliiolani Hale and Kapuaiwa Hale. The oldest portions of these two buildings are approximately 120 years old. While major alterations were undertaken at both facilities in the period from the late 1970's through the mid-1980's, including thorough replacements of air conditioning equipment

components, exterior and interior windows and doors, and electrical and plumbing systems, most of these elements have sustained the wear and tear of nearly 30 years of continual use, and have reached the age where they are in great need of overhaul, renewal, and/or replacement. The exterior building "skin" of Aliiolani Hale has not received a repainting or recoating in many years, and is in need of careful renewal of the concrete wall and parapet substrates, in addition to a full repainting / recoating treatment to protect the antiquated surfaces. The flat-roofed areas over the entire building date back to the aforementioned late 1970's time frame, and have reached the stage where full re-roofing is in order to prevent major water infiltration damage to the concrete structure and interior spaces beyond that which has already begun to occur. Also at Aliiolani Hale, the landmark clock tower requires remedial work to spalled concrete and wood elements that have sustained water and termite damage. In addition, the very specialized clock mechanism has not received satisfactory servicing in many years, and will require significant work to adequately service and restore its various timekeeping parts and pieces and make it a fully functioning clock.

The Judiciary's other, more recently constructed existing buildings, particularly within the First and Second Circuits, for which the Judiciary has primary ownership, upkeep, and maintenance responsibility, are equally in need of major-scale improvements throughout. These include overdue chiller, cooling tower, and air handling equipment replacement and upgrading at Kaahumanu Hale, Kauikeaouli Hale, and the Ewa District Court facility. Exterior common areas at all three of these facilities (especially damaged, heavily utilized pedestrian walkways, plaza surfaces, and seating areas) are also in substantial need of remedial upgrading and improvement. Similar to the situation at Aliiolani Hale and Kapuaiwa Hale, the exterior envelopes of these buildings have weathered 30 or more years without repainting or recoating, and the time has arrived to begin to rectify these longstanding needs. Finally, building and site drainage concerns at all of our facilities remain items that require addressing in the very near term.

The Judiciary's primary objective in seeking increased levels of generalized facility upgrade and improvement funding for Fiscal Biennium 2009-2011 is, of course, to begin to attack the backlog of these necessary and, in many cases, overdue areas of remedial work at our physical plant properties across the state. The Judiciary acknowledges that the restrained economic climate that has descended upon our state and nation within recent months will challenge the priorities and needs of our existing facilities. At the same time, we recognize the renewed responsibility of governmental entities at all levels to assist in stimulating the economy through appropriate construction-related activities for our public facility infrastructure. It is our hope that a significant focus on the kinds of remedial work that we envision will involve many trades and disciplines and will play a part in the economic recovery that is the widespread goal of our entire state.

(These projects are statewide in scope, and therefore affect all Representative and Senatorial Districts.)

2. Proposed Lapses of CIP Projects (for each proposed lapse, please provide the following):

- a. Project Title
- b. Act and Year of Project appropriation (include all applicable amendments)
- c. Amount requested for lapse and MOF.
- d. Justification for lapse of the project.

None.