

SR26

LATE



WOMEN'S CAUCUS

DEMOCRATIC PARTY OF HAWAII

March 29, 2010

LATE

To: Senator Brian Taniguchi, Chair
Senator Dwight Takamine, Vice Chair and
Members of the Committee on Judiciary and Government Operations

From: Jeanne Ohta, Legislative Chair

RE: SCR 37 and SR 26 Urging the Governor to use and consider gender equity when appointing judges and justices to Hawai'i courts (Hearing: Monday, March 26, 2010, 9:35 a.m., Room 016)

The Hawai'i Democratic Women's Caucus writes in support of SCR 37 and SR26 which urge the Governor of Hawai'i to use and consider gender equity when appointing judges and justices to Hawai'i courts.

The Hawai'i State Democratic Women's Caucus is a catalyst for progressive, social, economic, and political change through action on critical issues facing Hawaii's women and girls. It is because of this mission, the Women's Caucus strongly supports this measure which encourages gender equity in our courts.

Concerned that seven women announced their retirements from the judiciary in 2009; and that only 5 of 19 appointments by the governor were women; the Women's Caucus, on January 21, 2010 wrote to Governor Linda Lingle. In the letter, the caucus expressed its concern over the gender imbalance of the courts. Namely:

- Ed Nacino and Ed Kubo were nominated to fill two circuit level judicial vacancies. In both cases, there were equally qualified or superior women candidates.
- An Intermediate Court of Appeals vacancy was filled by Larry Reifurth, Director of Department of Consumer Affairs. A well-qualified woman, Judge Sabrina McKenna, was on that list and not selected.
- Currently only 34-40% of sitting judges are women. Every time a woman judge leaves, and is not replaced, the percentage drops.

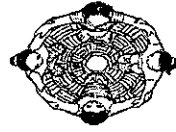
During this legislative session, Lisa Ginoza was confirmed to the Intermediate Court of Appeals and Robert Browning was confirmed to the Circuit Court of the First Circuit.

On February 22, 2010, the Judicial Selection Commission announced a notice of anticipated judicial vacancies. The commission is currently accepting nominations and applications for district (2), circuit (1), and supreme court (1) levels. We urge the governor to use these four judicial openings as an opportunity to redress decades of imbalance.

The Women's Caucus also wrote to the Judicial Selection Commission and to the governor, "since most women breaking into traditionally male-held territory must be better qualified than their male counterparts we know that you will have no trouble finding over-qualified women. On behalf of the women and girls of Hawai'i we ask you to consider doing your part in redressing this inequity."

We urge the committee to pass these measures on behalf of the women and girls of Hawai'i. Thank you for this opportunity to provide testimony.

LATE



Hawai'i Women's Coalition

March 29, 2010

To: Senator Brian Taniguchi, Chair
Senator Dwight Takamine, Vice Chair and
Members of the Committee on Judiciary and Government Operations

From: Ann S. Freed, Co-Chair Women's Coalition

Position: **STRONG SUPPORT**

RE: SCR37 and SR26 Urging the Governor to use and consider gender equity when appointing judges and justices to Hawai'i courts (Hearing: Monday, March 26, 2010, 9:35 a.m., Room 016)

The Hawai'i Women's Coalition writes in support of SCR37 and SR26. Gender imbalance in the courts results in inequity in judicial decisions. We do not need a return to the bad old days when women and women's issues were considered of lesser importance in the predominantly male judiciary.

I recall a case in Michigan in the seventies where a male judge freed the rapist of a twelve-year-old girl because "she dressed provocatively."

We are concerned that seven women announced their retirements from the judiciary in 2009; and that only 5 of 19 appointments by the governor were women. Consider:

- Currently only 34-40% of sitting judges are women. Every time a woman judge leaves, and is not replaced, the percentage drops.
- Ed Nacino and Ed Kubo were nominated to fill two circuit level judicial vacancies. In both cases, there were equally qualified or superior women candidates.
- An Intermediate Court of Appeals vacancy was filled by Larry Reifurth, Director of Department of Consumer Affairs. A well-qualified woman, Judge Sabrina McKenna, was on that list and not selected.

During this legislative session, Lisa Ginoza was confirmed to the Intermediate Court of Appeals and Robert Browning was confirmed to the Circuit Court of the First Circuit.

On February 22, 2010, the Judicial Selection Commission announced a notice of anticipated judicial vacancies. The commission is currently accepting nominations and applications for district (2), circuit (1), and Supreme Court (1) levels.

We urge the committee to pass these measures on behalf of the women and girls of Hawai'i. Thank you for this opportunity to provide testimony.

Ann S. Freed
Co-Chair Hawai'i Women's Coalition

LATE

JO-ANN M. ADAMS, ATTORNEY AT LAW

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TESTIMONY IN SUPPORT OF SCR37 AND SR27

**(URGING THE GOVERNOR TO USE AND CONSIDER GENDER EQUITY
WHEN APPOINTING JUDGES AND JUSTICES)**

HEARING scheduled for Monday, March 29, 2010, 9:35 a.m. in Conference Room 016

TO: COMMITTEE ON JUDICIARY AND GOVERNMENT OPERATIONS

Senator Brian T. Taniguchi, Chair
Senator Dwight Y. Takamine, Vice Chair

In 2009 seven female judges announced plans to retire. Governor Lingle could make several additional judicial appointments during the remainder of her term. To date Governor Lingle has made 19 judicial appointments; of those, only five have been females.

Nationally the percentage of female judges is roughly proportional to the percentage of female lawyers. The Hawaii State Bar Association reports that 40.6% of its membership is female. Therefore, Governor Lingle's appointment rate of 26% is alarmingly low.

There are many reasons why more women should be appointed as judges until gender equity is achieved:

1. Law schools are admitting women in greater numbers, so law students are accustomed to seeing men and women in roughly equal numbers;
2. The composition of the bench should reflect the diversity of population;
3. Since more cases are decided by judges than juries, a diverse bench creates the appearance that you will be judged by your peers;
4. Becoming a judge is generally seen by the legal profession as a crowning achievement of a legal career; women judges serve as role models for attorneys entering the profession;
5. The circuit court judges appointed in 2010 will become appellate judges and supreme court justices of the future.

I urge the committee to pass these resolutions.

Very truly yours,

Jo-Ann M. Adams

From: amy agbayani [amy_agbayani@yahoo.com]
Sent: Monday, March 29, 2010 7:24 AM
To: JGO Testimony
Cc: Sen. Michelle Kidani; allycin tasaka
Subject: SCR 37/SR 26 Monday March 26, 9:35am Room 016

LATE

March 29, 2010

To: Senator Brian Taniguchi, Chair
Senator Dwight Takamine, Vice Chair and
Members of the Committee on Judiciary and Government Operations

From: Amy Agbayani, co-chair
Hawai'i Friends of Civil Rights

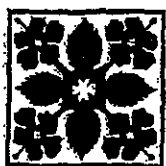
RE: SCR 37 and SR 26 Urging the Governor to use and consider gender equity when appointing judges and justices to Hawai'i courts (Hearing: Monday, March 26, 2010, 9:35 a.m., Room 016)

Hawai'i Friends of Civil Rights strongly support this resolution. Our organization values equal opportunity for women, ethnic groups and other groups who have been traditionally excluded from full participation in our society. We believe that good decisions cannot be made if competent and talented members of our community are excluded. Women have proven they have the necessary qualification, experience and dedication to be judges. We believe that diversity is a strength and will contribute positively and improve the judicial system.

As a former chair of the Judicial Commission as well as a UH employee working on equal educational opportunities I can attest to the fact that there are many highly qualified women who could be and should be appointed to the bench. There are many excellent women lawyers yet there continues to be a severe under-representation of women judges. Governor Lingle has unilaterally made the situation worse.

I want to express our deep concern that Governor Lingle does not seem to appreciate the qualified women that have been recommended to her in the past and we urge that she take this opportunity to strengthen and diversify the judicial branch by nominating women on the list.

LATE



**Hawai'i
Women's
Political
Caucus**

P.O. Box 11946
Honolulu, Hawai'i 96828
(808) 732-4987

Faye Kennedy
President

Allicyn Hikida Tasaka
Vice President

Nanci Kriedman
Vice President

**I
Carolyn Wilcox**
Treasurer

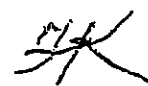
Pua Auyong White
Secretary

Amy Agbayani
Director

Diane Chang
Director

Gladys Gerlich-Hayes
Director

Alice Tucker
Director

DATE: March 28, 2010
TO: Senator Brian Taniguchi, Chair
Dwight Takamine, Vice Chair
Judiciary and Governmental Operations Committee
FROM: Faye Kennedy, President 
Hawai'i Women's Political Caucus
RE: SCR 38/SR 26 Urging the Governor to Consider Gender
Equality When Appointing Judges and Justices to Hawaii
Courts
Monday 3/29/10-Room 016- 9:35 am

The Hawai'i Women's Political Caucus (HWPC) strongly supports SCR38/SR 26 and urges your committee to pass them.

It is very unfortunate that recent judicial appointments make such measures necessary. However, it is imperative that we make every effort to reinforce our state's image as one sensitive to issues of gender equity and justice for all members of our community.. We consider this legislation to be a basic and much-needed demonstration of Hawai'i's long-touted commitment to fair play in our courts and elsewhere.

As a multi-partisan organization dedicated to increasing the numbers of women in elected and appointed offices and the betterment of women, families and marginalized groups, we look forward to working with you to help achieve these goals.

Thank you for the opportunity to submit this testimony in strong support of this legislation

LATE

TESTIMONY IN STRONG SUPPORT OF SCR 37/SR 26
Senate Judiciary and Government Operations Committee
Mar. 29, 2010, 9:30 a.m., Conference Room 016

URGING THE GOVERNOR TO USE AND CONSIDER GENDER EQUALITY WHEN APPOINTING
JUDGES AND JUSTICES TO HAWAII COURTS.

To: Sen. Brian T. Taniguchi, Chair; Sen. Dwight Takamine., Vice Chair; Sen.
Robert Bunda, Sen. Mike Gabbard, Sen. Clarence Nishimura, Sen. Sam Slom

From: Charlene Cuaresma
Board Member
Filipinos For Affirmative Action
c/o 3432-B1 Kalihi Street
Honolulu, HI 96819

Dear Senator Taniguchi and Committee Members:

My name is Charlene Cuaresma. I am a board member of Filipinos For Affirmative Action, which was established more than 40 years ago to advocate for civil rights and social justice issues.

We are grateful that your committee is hearing these important resolutions. Our organization believes strongly that such measures are needed to ensure that gender bias does not detrimentally affect Hawai'i's judicial appointment process. Hawai'i has a pool of qualified, competent and promising women. However, only five women out of nineteen judicial appointments have been made under Governor Lingle's administration.

I apologize that I was not aware of this hearing notice earlier. Please accept my late testimony.

Sincerely,

Charlene Cuaresma
Board Member
Filipinos For Affirmative Action



LATE

OAHU FILIPINO COMMUNITY COUNCIL

P.O. Box 17531 · Honolulu · Hawaii 96817

TESTIMONY IN STRONG SUPPORT OF SCR 37/SR 26

Senate Judiciary and Government Operations Committee

Mar. 29, 2010, 9:30 a.m., Conference Room 016

**URGING THE GOVERNOR TO USE AND CONSIDER GENDER
EQUALITY WHEN APPOINTING JUDGES AND JUSTICES TO
HAWAII`I COURTS.**

**To: Sen. Brian T. Taniguchi, Chair; Sen. Dwight Takamine., Vice
Chair; Sen. Robert Bunda, Sen. Mike Gabbard, Sen. Clarence
Nishimura, Sen. Sam Slom**

**From: Danny Villaruz, President
Oahu Filipino Community Council**

Dear Senator Taniguchi and Members of the Committee:

**My name is Danny Villaruz, president of the Oahu Filipino
Community Council. OFCC is an umbrella organization that
represents a network of non-profit civic groups with a unified
vision to improve the lives of our Filipino communities.**

**OFCC strongly supports SCR 37 and SR 26. Gender equity in
education, sports, labor, and throughout a civil society is what
distinguishes equal opportunity in America from other nations.
Judicial appointments should not be an exception. However, of
the nineteen judicial appointments made by Gov. Linda Lingle,
only five have been women. This is unacceptable.**

**Gender equity is an important issue that is in keeping with
OFCC's ongoing resolution to address disparities and to advocate
for civil rights issues that will advance the aspirations of all of
Hawai'i's people, including Filipinos, for the collective good.**

**I respectfully ask that you pass these resolutions. Thank you for
hearing these important resolutions.**

Sincerely,

**Danny Villaruz
President
Oahu Filipino Community Council**

Unit Organizations

- Alliance of Residential
Carehome Administrators
- Aloha Saguibsib Cultural
Foundation, Inc.
- Annac ti Bado iti Hawaii
- Annac ti Batac
- Annac ti Caoayan 2002
- Annak ti Kailokuan iti
America
- Annak ti Sinait iti Hawaii
- Asingan Organization of
Hawaii
- Badoc-Pinili Aid
- Association of Hawaii
- Banna Association of
Hawaii
- Bannatiran Association of
Hawaii
- Batangas Association of
Hawaii
- Bulacan Circle of Hawaii
- Caballeros de Dimasalang
Cabugao Sons & Daughters
of Hawaii
- Candonians of Hawaii
- Caoyan ISAH
- Cavitenians of Hawaii
- Dingras Association of
Hawaii
- Divine Word College
Alumni Association
- FilAm Sports USA
- Fil American Citizens
League
- Filipino Business Women's
Club
- Filipino Nurses Organization
of Hawaii
- Filipino Women's Civic
Club
- GUMIL Hawaii
- GUMIL Oahu
- Hawaii Filipino Women's
Club
- Hawaii Council of Bilingual
Educators
- ILAH
- Ilocos Norternians of
America
- INCAT Alumni Association
of Hawaii
- International Filipino
Society of Hawaii
- Kalayaan Phil.-Hi. Int.
- La Union Circle of
Hawaii
- Lingayen Gulf Club of
Hawaii

Unit Organizations

- Magsingal Association of
Hawaii
- Narvacan/San Antonio Club of
Hawaii
- Nueva Vizcaya Association of
Hawaii
- Pasuquinos Association of
Hawaii
- Philippine Cultural Foundation
Philippine Nurses
Association of Hawaii
- Piddig Association of Hawaii
- Sanchez Mira Association of
Hawaii
- San Manuel Pangasinan
Association of Hawaii
- San Nicolaneos USA
- San Nicolas Goodwill
Foundation
- San Nicolas Teachers of
Hawaii
- Santa Lucia Association of
Hawaii
- Sarrat Association of Hawaii
- Sarrat International Inc.
- Sinait Nt. High School Alumni
of Hawaii
- Solsona of Hawaii
- Tarlac Mutual Club of Hawaii
TPCP
- Kalihi Ballroom, Inc.
- Sadiri ti San Nicolas iti Hawaii
- Samar Leyte Association of
Hawaii
- Sampaguita/Sunflower Club of
Hawaii
- San Juan Association of
Hawaii
- San Nicolas Nat. High
School Alumni
- Santa Marians of Hawaii
School Alumni
- Santa Nicolas Nat. High
School Bingao Annex
- Tagalog Association of Oahu
- United Bacarreneos of Hawaii
- United Group of Home
Operators
- United Pangasinan of Hawaii
- United Urdaneta Club of
Hawaii
- United Vintarinians of Hawaii
- Vigan Association of Hawaii



LATE

UNITED FILIPINO COUNCIL OF HAWAII

P.O. BOX 498, Honolulu, Hawaii 96809-0498

TESTIMONY IN STRONG SUPPORT OF SCR 37/SR 26
Senate Judiciary and Government Operations Committee
Mar. 29, 2010, 9:30 a.m., Conference Room 016

URGING THE GOVERNOR TO USE AND CONSIDER GENDER EQUALITY WHEN APPOINTING
JUDGES AND JUSTICES TO HAWAII COURTS.

To: Sen. Brian T. Taniguchi, Chair; Sen. Dwight Takamine., Vice Chair; Sen. Robert Bunda, Sen. Mike Gabbard, Sen. Clarence Nishimura, Sen. Sam Slom

FROM: Eddie Agas, President, United Filipino Council of Hawaii

DATE: March 29, 9:30 a.m., Hawaii State Capitol, Conference Room 016

Dear Senator Taniguch and Members of the Committees:

I submit this testimony to strongly support these resolutions. My name is Eddie Agas. I am the president of the United Filipino Council of Hawaii (UFCH). We are an umbrella organization with member civic groups from six island councils. UFCH membership is comprised of nearly 5,000 individual members.

U.S. Supreme Court Justice Sonia Sotomayor prevails as a role model to the judicial appointment process across the country in the wisdom that women, including Latino women, contributes life lessons experienced and learned in weighing cases that will impact laws and policies. Likewise, gender equity is an essential foundation needed in order to strike a critical balance of perspective to Hawai'i's judicial appointment.

In 2009, seven female judges announced their early retirement from the Judiciary, which constitutes twenty-five per cent of Hawaii's female judges. Governor Linda Lingle is in the position to appoint replacements for these female judges prior to the end of her term of office. Please vote in favor of this resolution to send a clear message to our governor that gender equity is supported by our Filipino leaders and communities.

Respectfully submitted,

Eddie Agas
President
United Filipino Council of Hawaii

Filipino American Citizens League

Jake Manegdeg, President
P. O. Box 270126 * Honolulu, Hawai'i 96827

LATE

TESTIMONY IN STRONG SUPPORT OF SCR 37/SR 26
Senate Judiciary and Government Operations Committee
Mar. 29, 2010, 9:30 a.m., Conference Room 016

URGING THE GOVERNOR TO USE AND CONSIDER GENDER EQUALITY WHEN APPOINTING JUDGES AND JUSTICES TO HAWAII COURTS.

To: Sen. Brian T. Taniguchi, Chair; Sen. Dwight Takamine., Vice Chair; Sen. Robert Bunda, Sen. Mike Gabbard, Sen. Clarence Nishimura, Sen. Sam Slom

From: Jake Manegdeg, President, Filipino American Citizens League

My name is Jake Manegdeg. I am the president of the Filipino American Citizens League. The Filipino American Citizens League was formed over ten years ago to contribute to the advancement of civil rights and social justice for minority groups, underserved populations, and vulnerable communities through education, advocacy, and social action.

Filipino American Citizens League proudly submits this testimony to strongly support these resolutions. We support gender equity in Hawai'i's judicial appointment process, and stand in full agreement of the provisions outlined in these resolutions. Though a woman herself, Gov. Linda Lingle's track record of appointing only five women out of her nineteen judicial appointments is disappointing.

As a man and former legislator, I can attest that gender bias must be avoided at the judicial level. Hawai'i must lead by example. Great women leaders from Hawai'i like former Congresswoman Patsy Mink and union activist Ah Quon McElrath advocated for gender equity. Please do the same.

Thank you for hearing this bill. I apologize for this late testimony.

Very Sincerely,

Jake Manegdeg
President
Filipino American Citizens League