

STAND. COM. REP. NO.

1389

Honolulu, Hawaii

APR 27 2011

RE: JUD. COM. NO. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred Judiciary Communication No. 1, submitting for study and consideration the appointment of:

DISTRICT COURT OF THE FIFTH CIRCUIT, STATE OF HAWAII

J.C. No. 1 EDMUND D. ACOBA,
 for a term to expire in six years,

begs leave to report as follows:

Your Committee has reviewed the resume submitted by the appointee and finds Edmund D. Acoba to possess the requisite qualifications to be appointed to the District Court of the Fifth Circuit, State of Hawaii.

Testimony in support of the appointment of Edmund D. Acoba was submitted by the Public Defender, Chief Deputy Public Defender, County Attorney of the County of Kauai, and thirteen individuals. Comments were submitted by the Board of Directors of the Hawaii State Bar Association.

The Hawaii State Bar Association Board of Directors (HSBA Board) found the appointee to be qualified for the position of District Court Judge, Fifth Circuit Court, based on established criteria for determining the qualifications of judicial and executive appointments generally utilizing the American Bar Association Guidelines for Reviewing Qualifications of Candidates for State Judicial Office. Those Guidelines include the following criteria, which are not exclusive: integrity and diligence, legal knowledge and ability, professional experience, judicial

2011-2265 JC SSCR SMA.doc



temperament, financial responsibility, public service, health, and responsibilities and duties required of the position for which the applicant has been appointed. The HSBA Board ratings system includes the categories of "qualified" and "not qualified."

Edmund D. Acoba received his Bachelor of Business Administration in Marketing from the University of Hawaii at Manoa, and his Juris Doctor degree from Whittier College School of Law. Mr. Acoba is currently with the Office of the Public Defender on Kauai, where he has worked since 1989. Since 2000, he has served as the Supervising Attorney of that office. From 1987 to 1989, he worked with the Office of the Prosecuting Attorney on Kauai.

Mr. Acoba is very involved in the community, acting in various coaching and officiating capacities in Little League and Pop Warner programs. He has also participated extensively in the community in other capacities, including as an Executive Board Member of Hookena Community Association and as a Project Coordinator with the Kekaha Park Improvement Project.

Testimony submitted in support of Mr. Acoba's appointment commended Mr. Acoba's work ethic, integrity, legal ability, knowledge, and ability to work well with others. Testimony from the Public Defender noted that Mr. Acoba is especially well-suited for the family court because Mr. Acoba has devoted the majority of his career to the area of juvenile justice, has regularly attended national conferences related to the juvenile justice system, and has handled numerous family court criminal matters.

Your Committee finds that, based on the testimony submitted on his behalf, Edmund D. Acoba has the experience, temperament, judiciousness, and other competencies to be a District Court judge, and has a good sense of where the equities, rights, and responsibilities lie in a case, which is essential for a District Court judge.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the appointee, has found the appointee to be qualified for the position to which appointed and recommends that the Senate consent to the appointment.



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




CLAYTON HEE, Chair



The Senate
Twenty-Sixth Legislature
State of Hawaii

Record of Votes
Committee on Judiciary and Labor
JDL
Consent

Gov. Msg./Jud. Comm. No.:* JCI	Committee Referral: JDL	Date: 4-20-11		
<input type="checkbox"/> The Committee is reconsidering its decision				
The Recommendation is: <input checked="" type="checkbox"/> Consent 2347 <input type="checkbox"/> Not Consent 2349				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile (VC)	✓			
GABBARD, Mike				✓
IHARA, Jr., Les	✓			
SLOM, Sam	✓			
TOTAL	4	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:	Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy

*Only one Judiciary Communication per Record of Votes