

Honolulu, Hawaii

APR 27 2011

RE: JUD. COM. NO. 2

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. 2, submitting for study and consideration the appointment of:

DISTRICT COURT OF THE FIRST CIRCUIT, STATE OF HAWAII

J.C. No. 2            DEAN E. OCHIAI,  
                          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 Dean E. Ochiai to possess the requisite qualifications to be appointed to the District Court of the First Circuit, State of Hawaii.

Testimony in support of the appointment of Dean E. Ochiai was submitted by United States Representative Colleen Hanabusa, the Public Defender, Judge Walter Kirimitsu (retired), President of Itoen USA Inc., and nineteen 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, First 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



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."

Dean E. Ochiai received his Bachelor of Business Administration degree, with distinction, from the University of Hawaii at Manoa, and his Juris Doctor degree from the University of California, Hastings College of the Law. He is currently a Vice President and Managing Attorney with First Insurance Company of Hawaii, Ltd., where he is the chief trial counsel responsible for the overall management, construction, recruitment, staffing, employee evaluation, training and mentoring, active litigation, and operations of the legal department. He also performs budgeting, negotiating, and managing of the internal operations of the company. Prior to his position with First Insurance Company, he served as the Senior Trial Attorney with the Department of the Corporation Counsel of the City and County of Honolulu. In this position, he handled major complex tort, contract, construction claim, infrastructure, and geotechnical cases. From 1984 to 1988, Mr. Ochiai was an associate attorney with Damon Key Char and Bocken, where he concentrated his practice in commercial and construction litigation.

Mr. Ochiai has also been involved in the legal community, including as a member of the Hawaii Supreme Court Attorneys Disciplinary Board, Hawaii Supreme Court Judicial Arbitration Commission, and Supreme Court Committee on Pattern Civil Jury Instructions, among others. He has also served small nonprofit organizations by being a volunteer instructor for the Castle Colleagues, a program for early child care nonprofit entities, and the Weinberg Fellows, a program for social services nonprofit entities, in the areas of insurance and risk management.

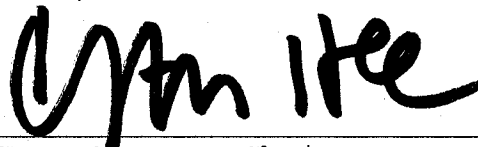
Testimony submitted in support of Mr. Ochiai's appointment commend his broad legal background and exemplary judicial temperament. Many testifiers observed that Mr. Ochiai has a wide and deep range of courtroom experience that includes criminal experience gained as a prosecutor and varied civil experiences obtained through his work with the Corporation Counsel and in private practice, and that this varied experience will give Mr. Ochiai a solid legal base in the criminal and civil cases that are within the jurisdiction of the District Court. Mr. Ochiai also has a reputation in the legal community as a person who is honest, professional, fair, even-tempered, tolerant, and patient.



Your Committee finds that, based on the testimony submitted on his behalf, Dean E. Ochiai 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,



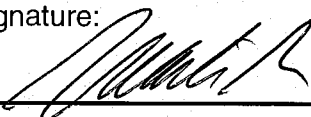
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CLAYTON HEE, Chair



The Senate  
Twenty-Sixth Legislature  
State of Hawaii

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

Gov. Msg./Jud. Comm. No.:* <b>JC 2</b>	Committee Referral: <b>JDL</b>	Date: <b>4/21/11</b>		
<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	✓			
<b>TOTAL</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b>	Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy

\*Only one Judiciary Communication per Record of Votes