

STAND. COM. REP. NO.

1391

Honolulu, Hawaii

RE: APR 27 2011 JUD. COM. NO. 3

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

DISTRICT COURT OF THE FIRST CIRCUIT, STATE OF HAWAII

J.C. No. 3            LANSON K. KUPAU,  
                              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 Lanson K. Kupau 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 Lanson K. Kupau was submitted by United States Representative Colleen Hanabusa, the Public Defender, and numerous individuals. Comments were submitted by the Board of Directors of the Hawaii State Bar Association and the Family Law Section 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."

Lanson K. Kupau received his Bachelor of Business Administration in Management from the University of Hawaii at Manoa, and his Juris Doctor degree from California Western School of Law. Mr. Kupau is currently in private practice with Bronster Hoshibata, where he practices general civil litigation, including trust litigation, surety defense, and criminal defense. He is also a Per Diem Judge with the District Court. Prior to these positions, Mr. Kupau was with Rush Moore LLP in an Of Counsel position, engaging in general civil litigation, trust and real estate litigation, criminal defense, and family law, and with Kobayashi, Sugita and Goda as a partner, where he concentrated his practice in general civil litigation with an emphasis on commercial litigation and insurance regulatory issues. From 1996 to 1999, Mr. Kupau worked as an associate with Reinwald, O'Connor and Playdon. From 1992 to 1995, Mr. Kupau served with the Office of the Public Defender, handling criminal defense, including numerous bench and jury trials pursuant to which he represented adult and juvenile defendants.

Testimony in support of Mr. Kupau's appointment highlighted that Mr. Kupau is hard working, dedicated, responsible, articulate, gracious under pressure, and humble. Testifiers praised his litigation skills, noting that Mr. Kupau is always in command of the facts and the law of his case, that he is respectful of all participants, and that his legal memoranda are always well thought out, well researched, and well written. Mr. Kupau has a reputation within the legal community as a good decision-maker with excellent legal analytical skills, and as a person with integrity, moral courage, intelligence, and compassion.

Your Committee finds that, based on the testimony submitted on his behalf, Lanson K. Kupau 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.:* <i>JL 3</i>	Committee Referral: <i>JDL</i>	Date: <i>4/20/11</i>		
<input type="checkbox"/> The Committee is reconsidering its decision				
The Recommendation is:				
<input checked="" type="checkbox"/> Consent 2347 <span style="margin-left: 200px;"><input type="checkbox"/> Not Consent 2349</span>				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile (VC)	✓			
GABBARD, Mike				✓
IHARA, Jr., Les	✓			
SLOM, Sam	✓			
<b>TOTAL</b>	<i>4</i>	<i>0</i>	<i>0</i>	<i>1</i>
Recommendation:				
<input checked="" type="checkbox"/> Adopted <span style="margin-left: 200px;"><input type="checkbox"/> Not Adopted</span>				
Chair's or Designee's Signature: <i>[Signature]</i>				
<b>Distribution:</b> <span style="margin-left: 50px;">Original</span> <span style="margin-left: 100px;">Yellow</span> <span style="margin-left: 100px;">Pink</span> <span style="margin-left: 100px;">Goldenrod</span> <span style="margin-left: 50px;">File with Committee Report</span> <span style="margin-left: 100px;">Clerk's Office</span> <span style="margin-left: 100px;">Drafting Agency</span> <span style="margin-left: 100px;">Committee File Copy</span>				

\*Only one Judiciary Communication per Record of Votes