

STAND. COM. REP. NO. **2015**

Honolulu, Hawaii

FEB 03 2012

RE: S.B. No. 2205

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred S.B. No. 2205 entitled:

"A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE HAWAII STATE CONSTITUTION TO LOWER THE NUMBER OF NOMINEES PRESENTED BY THE JUDICIAL SELECTION COMMISSION TO FILL STATE COURT JUDICIAL VACANCIES,"

begs leave to report as follows:

The purpose and intent of this measure is to propose a constitutional amendment to lower the number of nominees presented by the Judicial Selection Commission to fill state court judicial vacancies.

Your Committee did not receive any written testimony regarding this measure.

Your Committee finds that the Judicial Selection Commission is mandated by the state constitution to present to the Governor a list of not less than four and not more than six nominees to fill a vacancy in the Office of the Chief Justice, Supreme Court, Intermediate Court of Appeals, and Circuit Courts. The Judicial Selection Commission also presents to the Chief Justice a list of not less than six nominees to fill a vacancy in the District Courts. Lowering the number of nominees for consideration to fill a state court judicial vacancy to three nominees enhances the level of review the Judicial Selection Commission engages in when selecting nominees from the pool of judicial applicants. A higher level of review by the commission thereby better enables the



Governor and Chief Justice to appoint the most qualified nominee to serve on the bench.

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 is in accord with the intent and purpose of S.B. No. 2205 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

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



CLAYTON HEE, Chair



