

STAND. COM. REP. NO. 1280-12

Honolulu, Hawaii

March 23, 2012

RE: S.B. No. 2209
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2209 entitled:

"A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 4, OF THE HAWAII STATE CONSTITUTION TO REQUIRE THE JUDICIAL SELECTION COMMISSION TO DISCLOSE THE NAMES OF AND CERTAIN INFORMATION REGARDING ACTIVE NOMINEES AND APPLICANTS TO FILL JUSTICE AND JUDGE VACANCIES,"

begs leave to report as follows:

The purpose of this measure is to propose an amendment to Article VI, Section 4, of the Hawaii State Constitution to require the Judicial Selection Commission to disclose the names of active nominees and applicants to fill justice and judge vacancies and certain information regarding those nominees and applicants.

The Judicial Selection Commission and The League of Women Voters of Hawaii commented on this measure.

Your Committee has amended this measure by specifying to whom the names of active nominees and applicants to fill justice and judge vacancies, and the areas of vacancies, shall be disclosed, by requiring the Judicial Selection Committee to disclose:

- (1) To the Governor the names of nominees and applicants to fill a vacancy in the Office of the Chief Justice, the Supreme Court, the Intermediate Appellate Court, and the Circuit Court;

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- (2) To the Chief Justice the names of nominees and applicants to fill a vacancy in the district court; and
- (3) To the public the names of the nominees to fill any justice and judge vacancies, as well as statistical information relative to each vacancy consisting of the total number of applicants, the gender of the applicants, and the number of years of licensure for the applicants.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2209, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2209, H.D. 1, and be referred to the Committee on Finance.

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


GILBERT KEITH-AGARAN, Chair



