

Twenty-Seventh Legislature
Regular Session of 2013

THE SENATE

Committee on Judiciary and Labor
Senator Clayton Hee, Chair
Senator Maile Shimabukuro, Vice Chair
State Capitol, Conference Room 016
Tuesday, January 29, 2013; 9:30 a.m.

STATEMENT OF THE ILWU LOCAL 142 ON S.B. 886
Proposing an Amendment to Article VI, Section 3, of the Hawaii State Constitution
To Increase the Mandatory Retirement Age for State Justices and Judges

The ILWU Local 142 supports S.B. 886, which proposes a constitutional amendment to increase the mandatory retirement age for justices and judges from 70 to 80 years of age.

This proposal attempts to mitigate the decision made by voters to set an age limit for judges. The ILWU opposed the constitutional amendment back then and believed, then and now, that no age limit should be imposed. If there is concern about the fitness of judges to make decisions that affect the lives of many, there are other means to evaluate the competence and capability of these jurists instead of an arbitrary age limit. Such an evaluation can be initiated for cause or on a periodic basis.

The issue about whether a judge or justice should serve should be about competence, judicial temperament, and fairness—not age.

Although we opposed any age limit for justices and judges to serve, the ILWU does urge passage of S.B. 890 as a reasonable compromise. Thank you for the opportunity to share our views and concerns.

Kristin Young

From: mailinglist@capitol.hawaii.gov
Sent: Monday, January 28, 2013 10:32 PM
To: JDLTestimony
Cc: chinooker@gmail.com
Subject: *Submitted testimony for SB886 on Jan 29, 2013 09:30AM*

SB886

Submitted on: 1/28/2013
Testimony for JDL on Jan 29, 2013 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Daniel Alvarez	Individual	Oppose	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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SENATE COMMITTEE ON JUDICIARY AND LABOR
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SB 886 PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE HAWAII STATE CONSTITUTION TO
INCREASE THE MANDATORY RETIREMENT AGE FOR STATE JUSTICES AND JUDGES.

TESTIMONY

Jean Aoki, Legislative Committee Member, League of Women Voters of Hawaii

Chair Hee, Vice-Chair Shimabukuro, and Committee Members:

The League of Women Voters of Hawaii strongly supports SB886 increasing the mandatory retirement age for justices and judges from 70 to 80 years of age. With the average life span of human beings increasing, the mandatory retirement age of 70 years has deprived our state of the continued services of many leaders who were really at their peak, capable of many more years in their respective positions.

We realize that judgeships demand mental alertness, and know that the Judiciary is very much aware of this and has processes in place to deal with it. If the mandatory retirement age is increased, we would expect that the Judiciary would tighten their monitoring processes.

With an increase in the mandatory retirement age to 80, making the judgeship the culmination of one's career could be a consideration for many of our successful attorneys.

We urge the adoption of SB886. Thank you for the opportunity to submit testimony.