

GM580

LATE

TESTIMONY



Collection Law Section

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Thomas J. Wong
Reginald K.T. Yee

Reply to: STEVEN GUTTMAN, CHAIR
220 SOUTH KING STREET SUITE 1900
HONOLULU, HAWAII 96813
TELEPHONE: (808) 536-1900
FAX: (808) 529-7177
E-MAIL: sguttman@kdubm.com

March 6, 2014

Senator Clayton Hee
Senator Maile S.L. Shimabukuro
Committee on Judiciary and Labor
Hawaii State Capitol
Room 407
Honolulu, Hawaii 96813

**RE: CONFIRMATION OF MICHAEL D. WILSON AS
ASSOCIATE JUSTICE OF HAWAII SUPREME COURT**

Dear Senator Hee and Senator Shimabukuro:

The Collection Law Section ("CLS") of the Hawaii State Bar Association ("HSBA") submits this letter in support of the confirmation of Michael D. Wilson as Associate Justice of the Hawaii Supreme Court.¹ As active members of the HSBA, we were surprised and disappointed to learn of the HSBA Board's negative recommendation. The CLS Board takes this opportunity to make clear its position that it strongly disagrees with the HSBA Board's position as to the confirmation of Michael D. Wilson as Associate Justice.

Based upon its collective knowledge and experience, the CLS finds Judge Wilson to be a person of unwavering integrity. His dedicated diligence, legal knowledge and professional experience are exceptional. We believe Judge Wilson has the appropriate judicial temperament and ability to fulfill the responsibilities of the position of Associate Justice, and that he will be fair, impartial and well prepared to carry out his judicial duties.

The Collection Law Section therefore respectfully requests that Michael D. Wilson be confirmed as Associate Justice of the Hawaii Supreme Court.

Thank you for your time and consideration.

Sincerely,

Steven Guttman,
Chairman, Collection Law Section

cc: Patricia A. Mau-Shimizu, Executive Director HSBA

¹ The comments and recommendations submitted reflect the position and viewpoint of the Collection Law Section of the HSBA. The position and viewpoint have not been reviewed or approved by the HSBA Board of Directors, and is not necessarily the same as HSBA.



HAWAII LABORERS-EMPLOYERS COOPERATION AND EDUCATION TRUST
1617 Palama Street · Honolulu, HI 96817 · Phone: 808-845-3238 · Fax: 808-845-8300 · URL: hilecet.org

**TESTIMONY OF HAWAII LECET
CLYDE T. HAYASHI - DIRECTOR**

TESTIMONY TO THE SENATE COMMITTEE ON JUDICIARY AND LABOR
THURSDAY, MARCH 6, 2014, 10:00 A.M.
STATE CAPITOL – ROOM 016

**RE: GM 580, SUBMITTING FOR CONSIDERATION AND CONFIRMATION AS ASSOCIATE
JUSTICE TO THE HAWAII SUPREME COURT, GUBERNATORIAL NOMINEE MICHAEL D. WILSON**

Dear Chair Hee, Vice-Chair Shimabukuro and members of the Committee:

My name is Clyde T. Hayashi and I am the Director of Hawaii LECET. Hawaii LECET is a labor-management partnership between the Hawaii Laborers Union, Local 368, its 5,000+ members and 250+ unionized contractors.

We support GM 580, submitting for consideration and confirmation of Michael D. Wilson, as Associate Justice to the Hawaii Supreme Court. We believe Mr. Wilson is more than qualified to be Associate Justice to the Hawaii Supreme Court.

Mr. Wilson has extensive experience and knowledge in the areas of criminal law, civil rights law and tort law, gained during his practice as an attorney and partner in the law firm of Hart, Wolff and Wilson, and later as a partner at the firm of Pavey, Wilson and Glickstein.

Since May 2000, Mr. Wilson has served as a judge for the Circuit Court of the State of Hawaii and has overseen both civil and criminal cases. For the past thirteen years, Mr. Wilson has been assigned to criminal court, where he has been the presiding judge for the domestic violence courts, mental health court and drug court.

With Mr. Wilson's extensive background in civil, criminal and environmental law and his proven commitment to helping the community, we believe that he will be a welcome addition to the Hawaii Supreme Court.

Mahalo for the opportunity to express our support for Mr. Michael D. Wilson as Associate Justice to the Hawaii Supreme Court.

SHERRY P. BRODER
Law Offices of Sherry P. Broder

Seven Waterfront Plaza, Suite 400, 500 Ala Moana Blvd.
Honolulu, HI 96813
808-531-1411
sherrybroder@sherrybroder.com

March 5, 2014

Chairman Senator Clayton H.W. Hee and
Senate Judiciary and Labor Committee
State Capitol
Honolulu, Hawaii

RE: GM 589 Hearing Consideration and Confirmation as Associate Justice to the Hawaii
Supreme Court, Gubernatorial Nominee MICHAEL D. WILSON

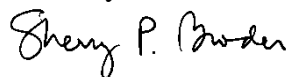
Dear Chairman Hee and Committee Members,

I am writing to give you the highest recommendation possible for Judge Michael D.
Wilson for the position of Associate Justice, Hawaii Supreme Court.

Judge Wilson has had experience as in both criminal and civil matters. He has shown his passionate commitment to the community and to making Hawaii a better place through his pro bono attorney representation of those involved in opposing development of some of our most precious places. He has been partner with other attorneys who are among the best lawyers in Hawaii and with them provided clients with first class representation, the best that any client could have. He was appointed the Director of the Department of Land and Natural Resources and in that position he served the community with honor and distinction. Throughout his career as a judge, Judge Wilson has demonstrated excellence, sound reasoning, moral courage, and judicial temperament. Judge Wilson has admirable personal qualities as well – he is enthusiastic, optimistic and kind-hearted. Judge Wilson is everything that the people of the State of Hawaii are looking for in terms of an Associate Justice of the Hawaii Supreme Court.

Thank you for your attention to my recommendation. Please let me know if you have any questions.

Sincerely,



Sherry P. Broder, Esq.

LAW OFFICES OF
STANLEY H. ROEHRIG
ATTORNEY AT LAW
A Law Corporation
101 AUPUNI STREET, SUITE 124
HILO, HAWAII 96720
TELEPHONE: (808) 969-1441
shroehrig@bsds.com

March 5, 2014

Senate Committee on Judiciary and Labor
Chairman Clayton Hee
Vice Chair Maile S.L. Shimabukuro

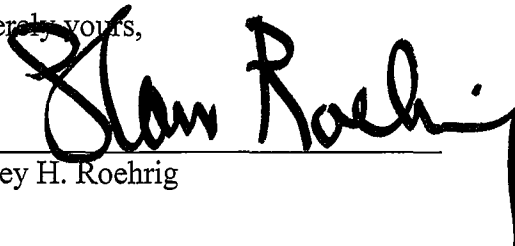
Dear Chairman Hee, Vice Chair Shimabukuro and Members of the Senate Committee on
Judiciary and Labor:

I endorse Judge Mike Wilson for the State Supreme Court. I met Mike in 1990 as my law firm started gearing up to sue Dupont and others for selling contaminated Benlate products in Hawaii. It was labeled as a fungicide for ornamental flowers and tomatoes. It was contaminated with herbicide. It killed over \$50 million dollars in farm products in Hawaii.

We formed a team of lawyers that included Judge Wilson. We worked hard together for almost a decade. This is what I learned about him:

He is honest, fearless, and sensible. He works hard and works well with a team. He has a great sense of humor. He is my dear friend. Please support him.

Sincerely yours,



Stanley H. Roehrig

HALLINAN & WINE
ATTORNEYS AT LAW
LAW CHAMBERS BUILDING
345 FRANKLIN STREET
SAN FRANCISCO, CALIFORNIA 94102

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(415) 621-2400 ext. 103
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email: lauren@hallinanwine.com

March 5, 2014

Hon. Clayton Hee, Chair Senate Judiciary and Labor Committee
Hon. Maile S.L. Shimabukuro, Vice Chair Judiciary and Labor Committee
c/o Hawaii State Capitol Room 407
Honolulu, Hawaii

VIA: hee2@capitol.hawaii.gov

Re: GM 580: In Support:
Confirmation of Hon. Michael D. Wilson as Associate Justice, Supreme Court of Hawai'i

Dear Mr. Hee, Ms. Shimaburkuro and Members:

It is my great pleasure to submit this letter in support of the Committee's recommendation for confirmation of Judge Michael D. Wilson as Associate Justice of the Supreme Court of Hawai'i.

I have known Michael Wilson as a colleague and wonderful friend for 32 years. He is a remarkable person whose intelligence, integrity, commitment to social and environmental justice, energy, and fair, calm yet engaged demeanor are the hallmarks of his character. He will bring to the Court a brilliant and rigorous mind to its deliberations along with remarkable collegiality. Your recommendation for confirmation of this distinguished jurist will support and enhance the cause of justice and thereby benefit all the people of Hawai'i.

I first met Michael Wilson in 1982 as a young associate defense co-counsel on a federal criminal matter we were trying in U.S. District Court in Honolulu before the great Judge Samuel King. During the many months of intense preparation and jury trial, I got to know him well. Even then he evinced all the qualities of character, demeanor, legal acuity, and unstinting work ethic, which characterize a fine attorney and eminent jurist. I was delighted and not surprised, when he was appointed to the Honolulu Circuit Court bench.

Over the years through our many conversations in Hawaii and California, I became aware of his consistent active involvement and achievements in helping to solve community and

environmental issues --both professionally and as a citizen. But I would like to highlight in particular his commitment to fairness to and support of victims of domestic violence.

From June, 1996 to January, 1997 I had the honor of serving the Legal Aid Society of Hawaii as consulting managing attorney of the Maui Office and consultant on the Oahu and Neighbor Island programs. Domestic violence was an ongoing and growing problem on Maui, but a very high incidence of victim recantations as well as lack of targeted civil legal assistance hindered safety and prosecutions.

At my home legal aid program in Marin County, we had developed a successful, grant-supported domestic violence collaborative effort to address, in particular, victim recantation with civil legal services for financial support, evictions, custody, dependency and other severe barriers to safety and criminal prosecution of domestic violence and harassment. I hoped to set up a similar program, tailored to the specific community ethos and needs of Maui.

Michael Wilson actively and generously supported our efforts in Maui by sharing his knowledge and insights and most effectively helping me connect with the director and staff of the Maui Prosecuting Attorney's Office of Victim Assistance and the domestic violence prosecution team as well as suggesting or putting me in touch with key activists in the domestic violence support and advocacy community, such as the police and community groups such as, Women Helping Women, and Child and Family Services. His support was meaningful to and enhanced LASH's domestic violence efforts and successful collaboration with the community.

Later, when Judge Wilson served on the domestic violence docket of the Family Court, we had many conversations in which he expressed his commitment to fairness and victim safety in challenging cases that appeared before him.

I urge your unanimous recommendation confirmation of the eminent and highly qualified Michael D. Wilson to the full Senate.

Respectfully submitted,

Ss/Lauren P. Hallinan

from the desk of Jonathan Starr

March 5, 2014

Dear Senators,

I wish to offer my strong support of the appointment of the Honorable Michael Wilson for service on the Hawaii State Supreme Court.

I was very pleased to hear that our superb Circuit Court Judge Mike Wilson was appointed by Governor Abercrombie to replace retiring Justice Simeon Acoba. This was a most excellent selection, and I sincerely hope that you will unanimously support his nomination through the process of Senatorial consideration and consent.

I have a fairly long personal experience with Judge Wilson. I consider him to be one Hawaii's greatest legal arbiters; an impeccable, honorable man who cares as deeply about the future of our Hawaii and it's future generations as he does about the deep, compelling questions of our past and future jurisprudence.

As Chair of DLNR, as a Circuit Court Judge, as a community member and in other capacities, Mike Wilson set the highest standard in serving our Hawaii community and aina, and fulfilling Constitutional, legal and stewardship roles. Indeed, Justice Wilson has served repeatedly as the role model for many of us in various walks of life deeply interested in Hawaii's public trust constitutional mandate, for performing right action under difficult administrative and political conditions.

We are fortunate to have the service of occasional rare, truly great thinkers and public servants of Judge Wilson's caliber. On the Bench he is fair, innovative, deep, and a true leader and problem solver. I am convinced that his selection would serve future generations very well.

With Aloha,

A handwritten signature in black ink that reads "Jonathan Starr". The signature is written in a cursive, flowing style.

Jonathan Starr
kalepa@maui.net
(808) 283-1183
Kalepa, Kaupo, Maui

SUSAN L. ARNETT
1019 Maunaihi Pl. #304
Honolulu, Hawaii 96822

March 6, 2014

RE: GM 580: Nomination of Michael D. Wilson to the Supreme Court of the State of Hawaii

Senator Hee and members of the Committee:

I write in strong support of the nomination of Michael D. Wilson as an Associate Justice of our State Supreme Court. I've known Judge Wilson for over fifteen years, having first met him when he was working in the Executive branch. I've appeared before him during the time he has served as a Circuit Court judge and have also served on various committees with him so have had the opportunity to work with him both as a presiding judge as well as in an administrative capacity dealing with policy questions that affect the entire Judiciary.

Judge Wilson has proved himself to be an informed, compassionate jurist with an excellent judicial demeanor. Parties and clients are treated respectfully in his court at all times. He will give people chances to succeed; if they fail, he does not take it personally and he does not demean the individual before him. He simply makes clear his disappointment and explains the consequence they are now facing.

Judge Wilson's varied background will be a strong asset in serving on the appellate court. His experience on the civil and criminal sides will serve the job well. He has both presided over the Hawaii Drug Court and continued to champion its purpose. His experience with alternative methods within the Judiciary is another asset he brings with him.

I have great respect for Justice Acoba and regret very much that he was forced to leave the bench. I believe Judge Wilson is qualified to fill the vacancy created by his departure. He has demonstrated commitment to our constitutional protections and the rule of law.

Thank you for the opportunity to comment on this nomination.

From: [craig.nagamine](#)
To: [JDLTestimony](#)
Subject: Testimony of Craig S. Nagamine re GM 580 Appointment of Michael Wilson to the Hawaii Supreme Court
Date: Wednesday, March 05, 2014 10:31:37 AM

Aloha,

I am writing in support of Michael Wilson's appointment to the Hawaii Supreme Court. I am a licensed attorney and have been practicing law since 1998. For the majority of that time, I have had the pleasure of appearing before Judge Michael Wilson. Judge Wilson has handled some of my most difficult cases and clients. Throughout my time with him, Judge Wilson has handled my clients and their legal matters with a level of humanity and aloha that is a credit to both the Bench and the BAR.

I have had multiple clients who came from broken or dysfunctional families and were committed to HYCF as juveniles. At the time that Judge Wilson entered the picture, these young men were well on their way to becoming serious adult felony offenders. Judge Wilson took an interest in these young men and supported and guided them using the power of his office. Today these young men are out of the criminal justice system and working to support their families. A great portion of the credit, for that, goes to Judge Wilson's patience and willingness to see them through that process.

Thank you for allowing me to provide my testimony.

Craig S. Nagamine

From: [Judith A. Pavey](#)
To: [JDLTestimony](#)
Cc: [Florence Pajardo](#)
Subject: RE: Judy Pavey's testimony in support of Judge Michael Wilson's confirmation to the Hawaii Supreme Court
Date: Wednesday, March 05, 2014 10:49:46 AM

Dear Senator Hee and your fellow Senators:

I understand that Chris Godwin has written an accusation regarding an illegal rental at the Kawela Bay beach house in which Mike Wilson has a one fourth interest.

Mike had nothing to do with that situation. Prior to the situation coming to light we owners understood that a former partner had obtained the TA permit and I (managing partner in effect) had been paying the GET and TA taxes as required from the start of our renting the place.

We were all shocked to discover that we had no permit and I immediately began working with DPP (as I recall) to make sure we were in compliance going forward.

I am no longer a part owner but as of the time I sold my interest the rental situation was long resolved to the satisfaction of the City.

I should also say that I obtained a 3 year TRO against Chris Godwin for his menacing and unstable behavior on our property. He actually turned off the water to our home when one of the owners was there! The Court ruled that he was not to come within so many feet of our property, etc. Mike also wasn't involved in that situation and I have never before or since had to obtain a TRO against anyone.

Judy Pavey

From: Judith A. Pavey
Sent: Monday, March 03, 2014 12:37 PM
To: 'JDLtestimony@capitol.hawaii.gov'
Cc: Florence Pajardo
Subject: Judy Pavey's testimony in support of Judge Michael Wilson's confirmation to the Hawaii Supreme Court

Dear Senator Hee and your fellow Senators:

I'm submitting this testimony in support of Judge Michael Wilson's nomination and hopefully confirmation as an Associate Justice of the Hawaii Supreme Court. I have known Mike for over 35 years. He was my boyfriend for about 8 years, then we were law partners for many years until he was appointed to head the DLNR, after which he became a full-time public servant, including as a Circuit Court Judge. We have remained close friends over the years. I know him and his family well and am also aware of his fine reputation in our community.

I have seen first- hand his very real and working respect for people of all backgrounds and

from all walks of life, from our staff at our law firm to a neighbor to our families and friends to opponents in lawsuits to the prisoners in the Drug Court. I have never seen Mike even raise his voice in anger or impatience in situations where the average person (including me) would have done so. He is remarkably calm and judicious. He brings out the best in other people. He is a kind, generous, intellectually energetic and optimistic person. His appreciation of divergent viewpoints is genuine. I've never known anyone with a better ability to bring people together to achieve common consensus. His integrity is unimpeachable and he has never been driven by a desire for power or personal aggrandizement.

In his public positions there have been those rare situations where someone who for their own personal reasons sought, unfairly, to damage his reputation in order to undermine him but he has never stooped to their level. He has a good, solid moral core. He has never shied away from controversy in his work, some of which was necessarily contentious, so there are those who have disagreed with his positions, but there has never been a legitimate question about his honesty or integrity. There would never be a concern that his decision making was subject to political or other improper influence. He has a deep and abiding respect for the law and the judiciary's limited but important role in our democracy. He loves being a Judge. He is humbled by the responsibility and takes his job very seriously. Even when Mike isn't on the bench or at the office he's working because the law is not a chore to him. Being a lawyer and a Judge is who and what Mike is. I'm sure you know other such dedicated public servants but they are rare and, to me, inspiring...Mike is in that category. I don't believe there could be a better nominee for this position.

I have practiced law in Hawaii since 1977. I have always been a litigator, primarily plaintiffs' personal injury law but also as a prosecutor intern in law school, criminal defense during my first 10 years of practice and limited commercial and other litigation during the past 5 years or so. As a litigator representing primarily individuals in our judicial system my interest in the integrity and quality of our trial and appellate judges could not be more serious. It is essential to my clients that they have access to a level playing field in Court with the certainty that Hawaii law will be fairly and equitably applied by Judges who are knowledgeable, well-prepared, and who are free of political or other improper personal bias. Mike fits that description. He would never succumb to improper influence and is dedicated to preserving constitutional and other legal rights as established by the Legislature. He is an avid legal scholar, is an excellent legal writer, and recognizes the importance of precedent to the stability of our society and, on a micro level, to our advice as lawyers to our clients.

I also believe that a real world understanding of the broader impact on society of appellate decisions is critical to the development of our case law. Of all the candidates who made the list for this important position, Mike stood head and shoulders above in terms of the breadth of his experience in both the public and private sectors and that range of experience is invaluable at the appellate court level. He was a law clerk for Federal Judge Samuel King and Intermediate Court of Appeals Judge Frank Padgett and a well-respected litigator on important consumer and individual rights cases. He worked on legislation to preserve the rights of victims of sexual harassment. He has been a Circuit Court Judge with various assignments including presiding over the Drug Court and substituting on the Hawaii Supreme Court. He served as the consumer advocate, worked with community groups to preserve the Kaiwi Coastline and Kawainui Marsh, and his commitment to and respect for the Hawaiian culture and Hawaiian rights has always been a force in both his public and private work. Mike has also contributed time to various non-profits over the years, most recently working with disadvantaged youths. That wide range of experience and public service would be a

invaluable contribution to the Hawaii Supreme Court.

Mike is one of the finest people I have ever known. He has a deep aloha for Hawaii. His appointment and confirmation would serve Hawaii well. Please feel free to contact me if you have any questions. I will also be at the hearing and available to respond to questions.

Aloha,

Judy Pavey

Judith A. Pavey
Attorney at Law

Starn O'Toole Marcus & Fisher
A Law Corporation
Pacific Guardian Center, Makai Tower
733 Bishop Street, Suite 1900
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From: [Timothy E. Johns](#)
To: [JDLTestimony](#)
Subject: GM 580--Testimony IN SUPPORT of the nomination of MICHAEL D. WILSON
Date: Wednesday, March 05, 2014 11:24:13 AM

Aloha, Chair Hee, Vice-Chair Shimabukuro, and Members of the Committee:

I am honored to submit this testimony in strong SUPPORT of the nomination of Michael D. Wilson as Associate Justice of the Hawaii Supreme Court.

I have known Judge Wilson quite well for nearly 30 years. We first met when we collaborated as lawyers on public interest land use matters in the 1980s. I then worked with him on various other community initiatives. During the Cayetano Administration I worked directly for Judge Wilson as one of his Deputies when he was the Director of the Department of Land and Natural Resources. We have since stayed in close contact during his tenure as the State of Hawaii Consumer Advocate and his time serving on the bench. Accordingly, I have had the opportunity to observe him in a wide variety of circumstances.

Judge Wilson was an accomplished trial lawyer when he was in private practice--a lawyer who was utterly unafraid of taking on the "big boys" when he saw an injustice. His legal skills are highly developed, but more importantly, his sense of fairness and his commitment to improving our community permeated his every decision. This has carried over into his time on the bench. Judge Wilson is extremely passionate about making Hawaii a better place and he truly understands how our judicial system can achieve this. I can think of no better person to serve on our Supreme Court. Please view his nomination favorably.

If you should have any questions at all, or if you would like me elaborate on any of my testimony, please do hesitate to contact me. Mahalo.

Sent from my iPad

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc: patti.j.cheong@courts.hawaii.gov
Subject: Submitted testimony for GM580 on Mar 6, 2014 10:00AM
Date: Wednesday, March 05, 2014 12:51:38 PM

GM580

Submitted on: 3/5/2014

Testimony for JDL on Mar 6, 2014 10:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Patti	Individual	Support	No

Comments: Date: March 5, 2014 To: Judiciary Committee Fr: Patti J. Cheong Senior Probation Officer with Mental Health Court of the First Circuit RE: SUPPORT for Michael D. Wilson I am writing to SUPPORT Governor Abercrombie's nomination of the Honorable Michael D. Wilson, to the Hawaii Supreme Court. I have worked directly with the Honorable Wilson for the past five (5) years, as a probation officer with the Mental Health Court Program. Judge Wilson has proven to be a TRUE leader, while at the same time, maintaining his place as a TEAM PLAYER. He has maintained a positive attitude with the clients, while at the same time enforcing the Orders set by your Honor. Our clients respect Judge Wilson for his fairness and his caring attitude. I respect Judge Wilson for his ability and willingness to learn the venue of "mental health" and to educate himself on how to appropriately deal with a population that many are confused about. Judge Wilson has "grown" in his thinking and this is reflected in his rulings and his ability to work as a "member" of the Mental Health Court Team. I appreciate the work that Judge Wilson has given to the Mental Health Court. Though I will miss having the continued opportunity to work directly with Judge Wilson, I am proud to say that I had the pleasure to work with someone so knowledgeable, understanding, and caring. By confirming Judge Wilson to the Hawaii Supreme Court, as an Associate Justice to the Supreme Court, you will be maintaining the integrity of the Hawaii Supreme Court. Judge Wilson has proven himself "worthy" of such a position. Thank you for taking the time to peruse this Testimony. It is greatly appreciated. Patti J. Cheong

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

hee2 - Lora Lee

From: BILL HUNT <whunt@ahfi.com>
Sent: Wednesday, March 05, 2014 1:22 PM
To: hee2 - Lora Lee
Subject: Re: GM 580-31 - Appointment of Michael Wilson to the Hawaii Supreme Court - set for hearing March 6, 2014

Dear Senator Hee - I am writing to express my support for the nomination of Michael Wilson, Esq. to the Supreme Court. I have known Mike for over 30 years, we first met when he worked as a law clerk in a firm I was associated with in the late 1970's. I have followed Mike's career both as a private attorney and then as a Circuit court judge as well as seeing him on occasion at various social functions. I have always considered Mike to be a very thoughtful and intelligent advocate who exercised excellent judgment as well as having a demeanor that was an example of the right way to behave as an attorney. Since then, although I never had the opportunity to appear before him as a judge, I have heard nothing but great reports concerning his judicial temperament and capabilities.

I believe Mike will be an excellent Supreme Court Justice and I give him my wholehearted recommendation and support of his nomination. Thank you, William Hunt



William S. Hunt
Director

Alston Hunt Floyd & Ing
1001 Bishop Street, Suite 1800
Honolulu, HI 96813
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*Donna Wong
1525 Uluhāo Street
Kāiua, Hawai`i 96734*

March 6, 2014

GM 580 Consideration and confirmation of Michael D. Wilson as
Associate Justice to the Hawai`i Supreme Court

Chair Hee and Committee Members:

I am writing in support of confirming Mike Wilson as Associate Justice to the Hawai`i Supreme Court.

I have known Mike for many years. I worked with him when he was chair of the Department of Land and Natural Resources, where he learned all to well the value of our islands natural and cultural resources, open spaces, and along side him as a community volunteer.

Mike demonstrated his belief that we are stewards of the `aina when he stood with fellow citizens in the successful groundbreaking effort to prevent inappropriate development along Ka Iwi Coastline.

Growing up in Kailua Mount Olomana was a prominent symbol of his home and when development threatened its unblemished slopes Mike joined with his community to ensure that the vista of his childhood remained for future generations.

Whether as a public servant or as a private citizen Mike has always demonstrated integrity, irreproachable conduct, moral courage, fairness, patience, respect for the law, sound judgment and an understanding of people and society.

These are qualities that in Mike's words are needed to be "the voice of the public conscience." With unquestioned knowledge of the law and a strong balanced social awareness, Mike Wilson is a credit to Hawai`i and an excellent nominee to the Court.

THE TWENTY-SEVENTH LEGISLATURE

Thursday, March 06, 2014
10:00 am
Conference Room 016
State Capitol
415 South Beretania Street

GOVERNOR'S MESSAGE No. 580

SUBMITTING FOR CONSIDERATION AND CONFIRMATION AS ASSOCIATE
JUSTICE TO THE HAWAII SUPREME COURT, GUBERNATORIAL NOMINEE
MICHAEL D. WILSON, FOR A TERM TO EXPIRE IN TEN YEARS

SENATE COMMITTEE ON JUDICIARY AND LABOR

Dear Chair Hee, Vice Chair Shimabukuro, and Committee Members,

It is a distinct pleasure to offer this testimony in support of Judge Michael D. Wilson's confirmation to the Supreme Court of the State of Hawaii.

I have known Judge Wilson for many years, and have been privileged to share thoughts and personal reflections with him over an extended period. Even in private informal settings, I have found him to be a man of deep integrity and noble character. He is level-headed in his thinking, and brings with him a love of the law and sense of dignity that will be a credit to the court and our state.

We are fortunate to have a man of his stature at this juncture.

Thank you for the opportunity to testify on Judge Wilson's behalf.

Sincerely,

Ford Fuchigami

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

March 5, 2014

Aloha mai kakou.

I write in strong support of Judge Michael D. Wilson's confirmation as Associate Justice to the Hawai'i Supreme Court.

For the past 3 years, I've had the good fortune of volunteering with Mike Wison at Nakamakai - an ocean based clinic for keiki ages 2-18. Mike is a humble servant to the program. He helps with canoe paddling in the double hulled canoes, and while on the canoe he shares his mana'o about the importance of coral to the keiki.

Judge Wilson also has the heart to take time off from his busy schedule and speak during career day at Niu Valley Middle. He ran a mock trial for students ages 10-13. Students were delighted to play the different roles in the courtroom and I, as an observing teacher, was impressed of how Judge Wilson addressed every student by their first name throughout the entire 1 hour activity.

I also know that Mike Wilson has kindly paid the fees for underprivileged keiki to attend intensive summer programs at the Boys and Girls club in Kailua, and at times has driven from town to pick up at-promise keiki from Nanakuli driven them to back to town for a church event, and then driven them back to the Westside at night. This is not a high profile activity that will likely get him confirmed to the Supreme Court, however, it's selfless actions like these that confirms his commitment to the future of these children.

Finally, I'm forever grateful to Judge Wilson who recruited me to mentor a 7 year old little girl via Keiki o ka Aina's SFAI program(supporting families affected by incarceration). The SFAI program partners up adult mentors with children who have at least 1 parent incarcerated. This darling of a girl from Waimanalo was eager to learn how to swim, but no one had taught her. And so he asked if I would teach her how to swim. this little girl eventually asked me if I could be her mentor and well, I could not say no. And so, it's been 3 years now with me mentoring her, or sometimes is it that her resilience mentors me. She has been a blessing in my life and once again I thank Mike Wilson for ushering her my way. I know that Mike Wilson has diplomacy, intelligence and heart to make important decisions affecting the people of the State of Hawaii.

Mahalo for your time,
Lisa Lehuanani Chang
Niu Valley Middle School teacher. National Board Certified Teacher.
J.D. UCLA Law
CASA volunteer

Committee on Judiciary and Labor
Hearing
Thursday, March 06, 2014, 10:00 a.m., Room 016

Senator Clayton Hee, Chair
Senator Maile S.L. Shimabukuro, Vice Chair

GM 580 Michael D. Wilson

Dear Chair Hee, Vice Chair Shimabukuro, and Members of the Committee:

This testimony is in support of the confirmation of Michael D. Wilson as an Associate Justice to the Hawaii Supreme Court. I am Lynn McCrory and served as the Kauai Board Member to the Board of Land and Natural Resources during the term that Mike was the Chair of the Department.

Mike has over many years held passionate and understandable positions on many issues. He is fair in his consideration of the many aspects and positions that people held when coming in front of the Board of Land and Natural Resources. He has carried this basis through in his terms as a Circuit Court Judge.

I humbly ask that you favorably support his nomination to the Hawaii Supreme Court position of Associate Justice. Mahalo!

Lynn P. McCrory
60 N. Beretania Street #3606
Honolulu, HI 96817

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc: lynnehi@aol.com
Subject: Submitted testimony for GM580 on Mar 6, 2014 10:00AM
Date: Wednesday, March 05, 2014 9:52:55 PM

GM580

Submitted on: 3/5/2014

Testimony for JDL on Mar 6, 2014 10:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
lynne matusow	Individual	Support	No

Comments: This letter is in strong support of Mike Wilson to be named a justice of the Supreme Court of Hawai'i. I have known Mike for more than 20 years. He is a man of integrity, compassion, intellect, even tempered, and will be an asset. Judge Wilson has served the state for years, in the judicial and executive branches. Once, I was in the jury pool for a case he was hearing, but my number did not come up. I urge you to move his nomination forward. In fact, when the names were submitted to the governor for his consideration, I was going to write the governor to ask him to appoint Judge Wilson, but he made the announcement before I got a chance. I was so happy. Lynne Matusow, 60 N. Beretania, #1804, Honolulu 96817

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March 5, 2014

GM580

Dear Chair Hee, Vice-Chair Shimabukuro, and members of the Judiciary and Labor Committee:

I write in strong support of the nomination of Judge Michael Wilson for the position of Associate Justice, Hawaii Supreme Court.

I have known Judge Wilson for almost thirty-five years, dating to when we both worked for the late Judge Samuel P. King.

I believe Judge Wilson to be well-qualified for the position of Associate Justice of the Hawaii Supreme Court.

I believe Judge Wilson to be a man of excellent character, integrity, wisdom, legal knowledge, legal ethics, and conscience.

I believe Judge Wilson--who has been in private practice, served at a high level in government, and been a judge--would bring exceptionally broad-based knowledge to the Hawaii Supreme Court.

I also believe that litigants (whether individuals, entities, or government bodies) would correctly believe that Judge Wilson would fairly decide their cases--according to the law and the evidence.

I, therefore, respectfully ask you to vote to recommend the confirmation of Judge Wilson to the full Senate.

A handwritten signature in cursive script that reads "Mark J. Bennett". The signature is written in black ink and is positioned above the printed name.

Mark J. Bennett

HALLINAN & WINE
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LAW CHAMBERS BUILDING
345 FRANKLIN STREET
SAN FRANCISCO, CALIFORNIA 94102

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Fax: (415) 575-9930

March 5, 2014

Hon. Clayton Hee, Chair Senate Judiciary and Labor Committee
Hon. Maile S.L. Shimabukuro, Vice Chair Judiciary and Labor Committee
c/o Hawaii State Capitol Room 407
Honolulu, Hawaii

VIA: hee2@capitol.hawaii.gov

Re: GM 580: In Support:
Confirmation of Hon. Michael D. Wilson as Associate Justice, Supreme Court of Hawai'i

Dear Mr. Hee, Ms. Shimaburkuro and Members:

What a happy event for the people of the Hawaiian Islands and its justice system. I have known Michael Wilson for over 30 years. I have practiced law with him, tried cases with him and discussed the esoterica of our profession with him. He is just an excellent attorney and jurist.

Michael, above all, has a compassion and fairness that will bring decency and respect to the bench he sits on. He will be an outstanding appointment to the Supreme Court of Hawai'i.

Respectfully submitted,

Ss/ Patrick S. Hallinan

Date: March 5, 2014 at 8:32:24 PM HST
To: Stephen Jones <SteveJones@NLJLAW.COM>
Subject: RE: Judge Michael Wilson

From: Stephen Jones [SteveJones@NLJLAW.COM]
Sent: Wednesday, March 05, 2014 5:36 PM
To: Sen. Clayton Hee
Subject: FW: Judge Michael Wilson
From: Stephen Jones
Sent: Wednesday, March 05, 2014 5:34 PM
To: 'senhee@capitol.hawaii.gov'
Cc: 'sguttman@kdub.com'
Subject: Judge Michael Wilson
Senator Hee:

I write in support of Judge Micheal Wilson's nomination for the Hawaii Supreme

Court. In view of the breadth and quality of his legal experience, his longstanding and energetic participation in governmental and community affairs, and his dedication to his judicial role, I believe that Judge Wilson is eminently qualified to serve on the Hawaii Supreme Court and that he would serve with real distinction on that Court.

Please do not hesitate to contact me if I can provide further information that would assist the Committee in this matter.

Steve Jones
Ning, Lilly & Jones
707 Richards St., Suite 700
Honolulu, HI 96813-4623
Work: 808-528-1100
Fax: 808-531-2415
Web: nljlaw.com

From: "Sen. Clayton Hee"
Date: March 5, 2014 at 8:38:03 PM HST
To: "Trevor A. Brown" <TBrown@starnlaw.com>
Subject: RE: Judge Michael Wilson is Qualified to Be On the Hawaii Supreme Court

From: Trevor A. Brown [TBrown@starnlaw.com]
Sent: Wednesday, March 05, 2014 4:25 PM
To: Sen. Clayton Hee
Subject: Judge Michael Wilson is Qualified to Be On the Hawaii Supreme Court
Dear Senator Hee:

I understand that the HSBA has indicated the Judge Michael Wilson is not qualified to sit on the

Hawaii Supreme Court. I do not support the HSBA's opinion.
I have interacted with Judge Wilson in a number of situations and believe he would be well qualified to be on the Hawaii Supreme Court. He is fair, thoughtful, and has a humble and kind demeanor.

Thanks for considering my input.

Trevor A. Brown
Attorney at Law
Starn O'Toole Marcus & Fisher
A Law Corporation
Pacific Guardian Center, Makai Tower
733 Bishop Street, Suite 1900
Honolulu, HI 96813
Email: TBrown@starnlaw.com<<mailto:TBrown@starnlaw.com>>
Telephone: (808) 537-6100
Facsimile: (808) 537-5434
Website: www.starnlaw.com<<http://www.starnlaw.com>>

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From: [Tim Lui-Kwan](#)
To: [JDLTestimony](#)
Subject: GM 580 - Testimony in Support of the Confirmation of Michael D. Wilson as Associate Justice of the Hawaii Supreme Court
Date: Thursday, March 06, 2014 9:22:43 AM

Chair Hee, Vice-Chair Shimabukuro and Committee Members:

I have known Judge Wilson over 25 years; I also know many individuals who have either been represented by him as a private attorney or who have appeared before him as party or legal counsel in his courtroom. In my view and that of many others, Judge Wilson is a wise, intelligent and compassionate jurist – always prepared for the case at hand, respectful to the parties and their counsel before him, thoughtful in his questions, mindful and considerate of those individuals that find themselves disadvantaged or disenfranchised due to their physical, social, financial or ethnic condition, but always prudent, courageous and honest in his decisions. I can think of no better appointment to the State’s high court than Michael D. Wilson as he has demonstrated the judicial temperament, legal ability and experience, compassion and intellect needed to serve as Associate Justice of the Hawai’i Supreme Court. I respectfully and strongly support the confirmation of Michael D. Wilson and appreciate your favorable consideration of this important appointment. Thank you, Tim Lui-Kwan

Timothy J. Lui-Kwan
Partner | [Carlsmith Ball LLP](#)

ASB TOWER 1001 BISHOP STREET, SUITE 2200, HONOLULU, HI 96813
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Daphne Barbee-Wooten
Treasurer

March 6, 2014

Senator Clayton Hee
Chair, Judiciary Committee
Judiciary Committee Members
State Capital Building
415 S. Beretania Street
Honolulu, HI 96813

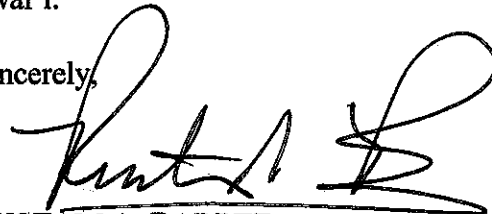
Dear Senator Hee and Judiciary Committee Members:

The Afro- American Lawyers Association of Hawaii writes in support of confirming Circuit Judge Michael D. Wilson as Associate Justice of the Hawai'i Supreme Court.

Judge Wilson is a highly esteemed and respected jurist, having served on bench as First Circuit Judge for 14 years. Judge Wilson has demonstrated fairness, judicial comportsment, wisdom and legal acumen throughout his tenure on the bench. Moreover, he is highly respected by our members who have appeared in cases before him. In addition to the strengths mentioned above, Judge Wilson will also bring a trial judge's perspective to the Supreme Court due to his intimate knowledge of the day to day needs and practices at Circuit Court.

Our Association wholeheartedly endorses confirmation of Michael D. Wilson as Associate Justice of the Supreme Court of Hawai'i.

Sincerely,



RUSTAM A. BARBEE
President, AALA

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc: thirr33@gmail.com
Subject: Submitted testimony for GM580 on Mar 6, 2014 10:00AM
Date: Thursday, March 06, 2014 10:28:32 AM

GM580

Submitted on: 3/6/2014

Testimony for JDL on Mar 6, 2014 10:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Arvid Tadao Youngquist	Sky Ohana	Support	Yes

Comments: Chair, Sen. Clayton Hee Vice Chair Sen. Maile Shimabukuro The Right Honorable Senate Committee on The Judiciary and Labor We support the confirmation of Justice Michael David Wilson to the position of Associate Justice of the Hawaii Supreme. Unfortunately, due to age (70 years of age), Associate Justice Simeon Acoba, must vacate his seat this month. Thus there is an urgency to this appointment. Barring a female qualified applicant recommended by the Commission, this Confirmation Process should be reported out with your recommendation of approval. If you have a strong gut "feeling" that you should vote on the side of the "benefit of the doubt", please vote simply yes for Justice Michael David Wilson, Esq. Mahalo, Arvid Tadao Youngquist, Administrator & Spokesman Voter, CD1 Congressional District Kalihi Valley

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From: [Chris Bouslog](#)
To: [JDLTestimony](#)
Subject: GM580: Submitting for consideration and confirmation as Associate Justice to the Hawai'i Wupreme Court, Gubernatorial Nominee Michael Wilson for a term to expire in ten years
Date: Thursday, March 06, 2014 10:43:59 AM

Senator Clayton Hee, Chair
Senator Maile Shimabukuro, Vice Chair
Committee on Judiciary and Labor

I am writing in strong support of the nomination of Circuit Court Judge Mike Wilson as an Associate Justice of the Supreme Court. Mr. Wilson has an extraordinary background as an advocate for environmental protection, carefully planned development that is not destructive of our natural and cultural resources, civil rights and consumer protection. His law practice bridged both civil and criminal litigation with appellate appearances resulting in significant developments. He has extensive governmental administrative experience, serving in the State's executive branch and has been a highly respected Circuit Court judge.

We are fortunate to have a nominee who has a proven and outstandingly accomplished record in so many facets of government, law and public policy. There is no question that he is highly qualified for the position as an Associate Justice and I enthusiastically support his confirmation.

Respectfully,

Christopher S. Bouslog

From: Howard Glickstein [hglickstei@aol.com]

Sent: Wednesday, March 05, 2014 7:36 PM

To: Sen. Clayton Hee

Cc: Howard Glickstein

Subject: Judge Michael Wilson

Senator Hee,

I write because I was shocked to hear an hour ago (what may be a rumor) that the

HSBA has decided that Judge Wilson is unqualified to serve on the Hawaii Supreme Court.

I am a civil litigator, admitted to the Hawaii Bar in 1979. I met Michael Wilson in 1980, when we served as two of the first three law clerks on the newly formed ICA.

Between 1992 and 1994, we practiced law together as partners.

I have known him very well for more than 30 years.

I have never known ANYONE more qualified to be a Supreme Court Justice.

Judge Wilson has complete personal integrity, intellectual brilliance, a love of the land, perfect judicial temperament, a proven track record as a public servant, and a commitment to justice in the truest sense.

Because I am old and cynical now, I was actually surprised that the most qualified candidate was selected this time.

PLEASE support Judge Wilson's nomination.

Respectfully,

Howard Glickstein

Attorney at Law

Telephone:
(808) 536-1197

ROBERT R. TAYLOR
ATTORNEY AT LAW

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March 6, 2014

JDLtestimony@capitol.hawaii.gov

Senator Clayton Hee, Chair
Senator Maile S. L. Shimabukuro, Vice Chair
Committee on Judiciary and Labor

GM580: Submitting for consideration and confirmation as Associate Justice to the Hawai'i Supreme Court, Gubernatorial Nominee MICHAEL D. WILSON, for a term to expire in ten years.

SUPPORT FOR THE NOMINATION OF MICHAEL D. WILSON AS ASSOCIATE JUSTICE OF THE SUPREME COURT

As a member of HSBA for many years I support the nomination of Circuit Judge Michael D. Wilson to become an associate justice of the Supreme Court of Hawaii. His professional life and public service has been exemplary and demonstrated integrity, honesty and wisdom. He has helped to keep Hawaii an environmentally sound place and helped the cause of justice in Hawaii. I am frankly a bit appalled at the governing body of my HSBA which would seek to disqualify him from this position without citing any reasons, polling its members, or apparently conducting other investigation. The HSBA has demonstrated an unfortunate pattern in the past and, in my opinion, its rating should be disregarded by the Committee. The HSBA rating flies in the face of the fine ratings that Judge Wilson has achieved in his past judicial service.

Sincerely yours,



ROBERT R. TAYLOR