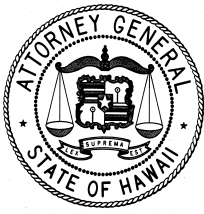


GM643



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
TWENTY-SEVENTH LEGISLATURE, 2014**

ON THE FOLLOWING MEASURE:

G.M. NO. 643, SUBMITTING FOR CONSIDERATION AND CONFIRMATION TO THE COMMISSION TO PROMOTE UNIFORM LEGISLATION, GUBERNATORIAL NOMINEE ELIZABETH KENT, FOR A TERM TO EXPIRE 06-30-2018.

BEFORE THE:

SENATE COMMITTEE ON JUDICIARY AND LABOR

DATE: Monday, April 14, 2014 **TIME:** 10:00 a.m.
LOCATION: State Capitol, Room 325
TESTIFIER(S): David M. Louie, Attorney General, or
Russell A. Suzuki, First Deputy Attorney General, or
Maurice S. Kato, Deputy Attorney General

Chair Hee and Members of the Committee:

The Attorney General strongly supports the reappointment of Elizabeth Kent to the Commission to Promote Uniform Legislation ("Commission") of the Department of the Attorney General.

The Commission is advisory to the Attorney General and to the Legislature on matters pertaining to uniform legislation. Members of the state Commission are Hawaii's representatives to the National Conference of Commissioners on Uniform State Laws. The National Conference requires that each appointed commissioner be a lawyer licensed to practice law and that each commissioner personally attend and participate in its annual meeting.

Commissioner Kent is a lawyer licensed to practice law in Hawaii. She has served as the Deputy Director of Human Services in the Executive Branch and is the retired Director of the Center for Alternative Dispute Resolution in the Judiciary. Commissioner Kent is committed to promoting uniform legislation and has attended and actively participated in the meetings of the Commission and of the National Conference since her initial appointment in 1998. Since her last appointment in 2010, Commissioner Kent has attended the annual meetings of the National Conference held during the summer in Vail, Colorado, in Nashville, Tennessee, and in Boston, Massachusetts.

Commissioner Kent served as a member of the National Conference's Standby Committee on a Uniform Collaborative Law Act, the Study Committee on Family Law Arbitration, the Study Committee on a Model Veterans Court Act, the Study Committee on Firearms Information, the Joint Study Committee on Harmonization of the Law of Canada, Caribbean Nations, and the United States Concerning Registration of Foreign Judgments, the Drafting Committee on Family Law Arbitration, and the Drafting Committee on a Home Foreclosure Procedures Act. She attended a meeting of the Drafting Committee on Family Law Arbitration in Chicago, Illinois, on October 25-26, 2013, and a meeting of the Drafting Committee on a Home Foreclosure Procedures Act in Washington, D.C., on November 15-16, 2013. Commissioner Kent did research and drafting on the Home Foreclosure Procedures Act, spent time researching, preparing for meetings, drafting letters, and making telephone calls regarding different uniform acts. She also wrote an article on the activities of the Commission to Promote Uniform Legislation for the Hawaii State Bar Association journal and generally assisted with promoting uniform state laws.

In view of her demonstrated commitment to the promotion of uniform legislation and her continuing participation in the activities of the National Conference of Commissioners on Uniform State Laws and of the Commission, Elizabeth Kent's continued service as a member of the Commission and of the National Conference will be beneficial to the State of Hawaii and the National Conference. Consequently, the Attorney General respectfully requests that this Committee recommend the confirmation of the reappointment of Elizabeth Kent to the Commission to Promote Uniform Legislation.

From: [Jim Duffy](#)
To: [JDLTestimony](#)
Subject: GM643-nomination of Elizabeth Kent
Date: Wednesday, April 09, 2014 2:18:37 PM

Senator Clayton Hee, Chair of the Committee On Judiciary And Labor, and Members of the Committee. I write in strong support of the nomination of Elizabeth Kent as a Uniform Laws Commissioner. I have known Elizabeth for over 25 years, and can attest to her abilities as a lawyer, mediator, arbitrator, facilitator, educator, and active community participant. Her prior work while a member while a member of the Uniform Laws Commission has earned her a reputation nationally and I am confident that she will continue to make Hawaii proud in her work in the future if confirmed. As a member of the Hawaii Supreme Court, I had the opportunity to work directly with Elizabeth when she was the Director of the Center For ADR, and her performance was exemplary. Please contact me if additional information is desired. Thank you. Jim Duffy

Governor's Message 643

**Confirmation of ELIZABETH KENT to the
Commission to Promote Uniform Legislation**

**Presented to the Senate Committee on Judiciary and Labor
Twenty-Seventh State Legislature, Regular Session of 2014**

Monday, April 14, 2014

Chair Hee and Members of the Committee:

My name is Ken Takayama, and I am a member of the Commission to Promote Uniform Legislation. Thank you for this **opportunity to testify in strong support** of the confirmation of Elizabeth Kent to the Commission to Promote Uniform Legislation for a term to expire on June 30, 2018.

I have had the pleasure of serving with Elizabeth on the state commission for the past sixteen years. I can say without reservation that she has been a hard working, conscientious, and dedicated member during that entire time. Her intellectual acumen and personable demeanor make her highly effective in accomplishing the goals of both the state commission as well as the national Uniform Law Commission. This has been demonstrated through her participation in drafting committees, interaction with commissioners from other states and members of the local bar, as well as the commission's legislative efforts. In short, she is everything that we could want in a commissioner.

Thank you very much for this opportunity to testify.

Ken H. Takayama
Commissioner
Commission to Promote Uniform Legislation
5567 Pia Street
Honolulu, HI 96821

TO: Senator Clayton Hee, Chair
Senator Maile S. L. Shimabukuro, Vice Chair
And Members, Senate Committee on Judiciary and Labor

FROM: Lani L. Ewart, Chair and Member,
Commission to Promote Uniform Legislation

RE: Testimony in support of **GM 643**, submitting for consideration and confirmation to the Commission to Promote Uniform Legislation, Gubernatorial Nominee, ELIZABETH KENT, for a term to expire 6-30-2018

HEARING: Monday, April 14, 2014, 10:00 a.m., Conference Room 325

I am pleased to support the nomination of ELIZABETH KENT to serve another term on Hawaii's Commission to Promote Uniform Legislation ("CPUL").

All of the commissioners on the CPUL serve as commissioners to the Uniform Law Commission ("ULC"), which is a body of attorneys from all States who spend countless hours, without pay, to develop proposed laws to be enacted in all States. ULC's goal is to provide uniformity in the laws among the States without sacrificing control to the federal government. The best known products of ULC include the Uniform Commercial Code, the Uniform Probate Code, the Uniform Transfers to Minors Act and the Uniform Partnership Act, all of which have been adopted in Hawaii; these and other uniform laws affect the lives of residents of Hawaii and other States every single day.

A commissioner's duties are two-fold: First, the commissioner needs to participate in the drafting of uniform laws, including the careful review and consideration of their provisions on a line-by-line, and sometimes, word-by-word, basis. Secondly, the commissioner needs to work with the legislature of his or her State to get uniform laws enacted.

Elizabeth Kent has fulfilled the duties of a commissioner in both the drafting and legislative roles. Working with Elizabeth on the CPUL, I have observed first hand her active participation in all phases of the long and detailed process of preparing a uniform act for enactment – (1) working on drafting committees at meetings during the year to discuss

and draft new acts for presentation to all the ULC commissioners at the annual summer meetings, (2) attending the annual meetings to consider and finalize the products of all drafting committees, and (3) preparing testimony and testifying in support of the uniform acts at the legislature. Elizabeth also takes additional initiative to seek input from those who might have interests in proposed uniform acts, so that as many views as possible are considered in the drafting process.

I support the nomination of Elizabeth Kent for an additional term on the CPUL without reservation. Elizabeth has been and will continue to be an outstanding commissioner on the CPUL and an outstanding representative of Hawaii to the ULC. I strongly urge you to recommend that the Senate confirm her nomination.

The Honorable Clayton Hee, Chair
The Honorable Maile S.L. Shimabukuro, Vice Chair
Members of the Senate Committee on Judiciary and Labor

RE: Governor's Message 643

Submitting for consideration and confirmation to the Commission to Promote Uniform Legislation, Gubernatorial Nominee, ELIZABETH KENT, for a term to expire 6-30-2018
Monday, April 14, 2014
10a.m. Rm 325, State Capitol

My testimony is in strong support of the confirmation of Elizabeth Kent to the Commission to Promote Uniform Legislation.

I have known Ms. Kent both personally and professionally for more than 15 years. She is uniquely qualified to serve on the Commission because of her character, her background, and her past and present service as a Commissioner. Ms. Kent has worked tirelessly on many committees related to the Commission. She brings with her the institutional knowledge of her past Commission service and the special skills that she developed as the Director of the Hawaii State Judiciary's Center for Alternative Dispute Resolution.

I know Ms. Kent to be thoughtful, fair, and extremely hard-working. I hope you will confirm her appointment for another four years on the Commission to Promote Uniform Legislation.

Thank you for the opportunity to testify on this measure.

Eileen Madigan

April 11, 2014

Honorable Clayton Hee, Chair
Honorable Maile S. L. Shimabukuro, Vice-Chair
Committee on Judiciary and Labor
The Senate
State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Re: GM 643 Submitting for consideration and confirmation to the
Commission to Promote Uniform Legislation, Gubernatorial Nominee,
ELIZABETH KENT, for a term to expire 6-30-2018.

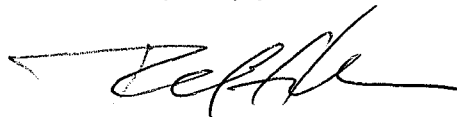
Dear Chair Hee, Vice-Chair Shimabukuro and Committee Members:

I would like to express my strong support for the nomination of ELIZABETH KENT, GM No. 643, to continue to serve as a member of the State of Hawai'i Commission to Promote Uniform Legislation ("Commission").

During the past nine years, I have served with Commissioner Kent on the Commission and have had the opportunity to observe her strong commitment to representing the State of Hawaii as a member of the Commission. Her background in the alternative dispute resolution area is especially valuable for considering measures involving this area. Commissioner Kent has dedicated many hours of service to the Commission's work at both the national and state levels.

For the foregoing reasons, I hope that you will favorably consider Commissioner Kent's nomination for reappointment to the Commission.

Very truly yours,



Peter J. Hamasaki

P.O. Box 2800
Honolulu, Hawaii 96803-2800

Monique G. Drew
3144 N. G Street #125-133
Merced, CA 95340

April 13, 2014

Senator Clayton Hee, Chair
Senator Maile S.L. Shimabukuro, Vice Chair
Senate Committee on Judiciary and Labor
415 South Beretania Street
Honolulu, HI 96813

RE: Governor's Message No. 643

Dear Senator Hee and Senator Shimabukuro:

I am writing to submit testimony in strong support of the Governor's nomination of Elizabeth Kent to the Commission to Promote Uniform Legislation. I began working with Elizabeth in 2010 at the Hawaii State Judiciary, where I worked as a Law Clerk, and then Special Assistant and Staff Attorney. Beginning in 2011, I also worked with Elizabeth during my three-year term on the Board of Advisors for the Center for Alternative Dispute Resolution, where Elizabeth served as Director until her retirement last year. I am submitting this testimony in my personal capacity.

The members of the Commission to Promote Uniform Legislation serve as Hawaii's representatives to the Uniform Law Commission, which has as its purpose service to state government and improvement of state law. Elizabeth is perfectly suited to serve in this capacity, as demonstrated by her impressive career in public service. In addition, I can attest from having worked with her that Elizabeth feels passionately about these issues, and that her dedication to public service represents a deep and genuine commitment to the people of Hawaii.

During my time at the Judiciary, I had the opportunity to work closely with Elizabeth on numerous projects. Many of these projects, such as the Judiciary's recent Strategic Planning effort, were in addition to Elizabeth's regular job duties and required an extraordinary dedication of time, energy, and expertise on her part. Elizabeth's willingness to contribute was critical to the success of these projects. This is because Elizabeth is both an accomplished lawyer and a consummate colleague. She is uniquely skilled at bringing together people of diverse backgrounds, making sure that each person feels heard, and working toward a collaborative and workable solution to the issues presented.

Finally, Elizabeth has a warm heart and is a wonderful friend. It is a pleasure to work with her, particularly under challenging or stressful circumstances.

Hawaii will benefit from her continued service to the Uniform Law Commission, and I strongly support her confirmation to the Commission to Promote Uniform Legislation. Please contact me if I can provide any further information in support of her nomination.

Sincerely,

Monique G. Drew

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc: vested_interest_hi@yahoo.com
Subject: Submitted testimony for GM643 on Apr 14, 2014 10:00AM
Date: Tuesday, April 08, 2014 8:13:34 AM

GM643

Submitted on: 4/8/2014

Testimony for JDL on Apr 14, 2014 10:00AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Elizabeth Kent	Individual	Support	Yes

Comments: Chair Hee and Committee Members: It has been an honor to be part of Hawaii's Uniform Law Commission team, and I hope the Committee will allow me to continue with this work. Hawaii's commissioners come from diverse backgrounds and experiences; I have the utmost respect for my colleagues and the work that they do. Together, I think we are able to collaboratively and efficiently work on different bills that benefit the State of Hawaii. Two bills I am currently working on stand out as particularly satisfying and are examples of the kind of work that I hope to continue if my nomination is confirmed. I am actively involved on the home foreclosure drafting committee, specifically working on a dispute resolution section. And, I am on a drafting committee to create a uniform act for family law arbitration. Both of these use my experience in alternative dispute resolution. Also, I bring a unique perspective to both committees because of my 20 years of experience in the Judicial and Executive branches of state government. I am committed to the uniform law process because I believe that non-partisan and well drafted uniform acts bring clarity to people from different states and promotes commerce and stability. The drafting process is very involved and time consuming and many different voices and opinions are expressed. Through this diversity of opinion we are able to craft laws that provide guidance and may help people in difficult times during their lives. Thank you for your consideration of my nomination. Yours truly, Elizabeth Kent

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