

STAND. COM. REP. NO. 3709

Honolulu, Hawaii

APR 26 2016

RE: JUD. COM. NO. 8

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred Judiciary Communication No. 8, submitting for study and consideration the appointment of:

DISTRICT COURT OF THE THIRD CIRCUIT

J.C. No. 8 DARIEN W.L. CHING NAGATA,
for a term to expire in 6 years,

begs leave to report as follows:

Your Committee has reviewed the resume and statements submitted by the appointee and finds Darien W.L. Ching Nagata to possess the requisite qualifications to be appointed to the District Court of the Third Circuit, State of Hawaii.

Testimony in support of the appointment of Ms. Nagata was submitted by the Office of the Prosecuting Attorney, County of Hawai'i; Department of the Prosecuting Attorney, County of Maui; Office of the Prosecuting Attorney, County of Kaua'i; Retired Judge Riki May Amano, Circuit Court of the Third Circuit; and twenty-nine individuals. Comments regarding the appointee were submitted by the Hawaii State Bar Association.

The Hawaii State Bar Association (HSBA) Board of Directors found the appointee to be qualified for the position of District Court Judge, Third Circuit, based on all categories of the HSBA criteria that include: integrity, diligence, legal knowledge and ability, professional experience, temperament, financial responsibility, public service, health, and ability to fulfill the responsibilities and duties of the position.

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Ms. Nagata earned her Bachelor of Science degree in Commerce from Santa Clara University where she was a member of the Women's Division I Tennis Team. After studying abroad in Shanghai and Singapore, she obtained her Doctorate of Jurisprudence from the William S. Richardson School of Law at the University of Hawaii at Manoa where she served as the President of the Student Bar Association and Student Representative for the American Bar Association.

Ms. Nagata currently serves as a Deputy Prosecuting Attorney at the Office of the Prosecuting Attorney of the County of Hawai'i where she is the District and Family Court Unit Supervising Attorney and Litigator who is in charge of supervising the District Court and Family Court (Domestic Violence and Juvenile) Units. She was also cross deputized to serve as a Special Assistant United States Attorney for the United States Attorney's Office to assist with Project Safe Neighborhood. Prior to joining the Office of the Prosecuting Attorney, she was an Associate at Yoshida & Ching where she concentrated on the litigation of personal injury, criminal, and family law cases.

Ms. Nagata is licensed to practice law in Hawaii and is an active participant in the legal community. She serves as the Neighbor Island Representative on the Hawaii Access to Justice Commission Committee on Increasing Pro Bono Services, a member of the Committee on the Delivery of Legal Services to the Public, the HSBA (Big Island) Bench Bar East Side Coordinator, and an Arbitrator for the Court Annexed Arbitration Program for the Circuit Court of the Third Circuit. She previously served in a variety of roles with the Hawaii Access to Justice Commission and HSBA, and most notably, as the President of the Hawaii County Bar Association. She also served as the Vice President of Kamehameha Schools Hawai'i Kula Ha'aha'a Keiki Choir and serves as a Board Member of the Hilo Jr. Tennis Club Board.

Testimony in support of Ms. Nagata's appointment indicate that she is patient, open-minded, courteous, firm, and compassionate. She deals with people calmly and is willing to hear and consider the views of all sides of the case. She has the reputation for being a person of integrity who treats everyone equally and fairly and has the ability to relate to and is respectful toward everyone, which are attributes that are important at the District Court level where most of the public comes into contact with the court system. Furthermore, her



experience as a Deputy Prosecuting Attorney will assist her in executing her duties and responsibilities as a District Court Judge.

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, after full consideration of the background, experience, and qualifications of the appointee, has found the appointee to be qualified for the position to which appointed and recommends that the Senate consent to the appointment.

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


GILBERT S.C. KEITH-AGARAN, Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL
Consent

| | | | | |
|--|-----------------------------------|---------------------------|-----|----------|
| Gov. Msg./Jud. Comm. No.:* JC 8 | Committee Referral: JDL | Date: 4/25/2016 | | |
| <input type="checkbox"/> The Committee is reconsidering its decision | | | | |
| The Recommendation is: | | | | |
| <input checked="" type="checkbox"/> Consent 2347 <input type="checkbox"/> Not Consent 2349 | | | | |
| Members | Aye | Aye (WR) | Nay | Excused |
| KEITH-AGARAN, Gilbert S.C. (C) | ✓ | | | |
| SHIMABUKURO, Maile S.L. (VC) | | | | ✓ |
| GABBARD, Mike | | | | ✓ |
| KAHELE, Kaiali'i | ✓ | | | |
| KIM, Donna Mercado | ✓ | | | |
| THIELEN, Laura H. | ✓ | | | |
| SLOM, Sam | | | | ✓ |
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| TOTAL | 4 | | | 3 |
| Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | | | | |
| Chair's or Designee's Signature: | | | | |
| Distribution: Original File with Committee Report Yellow Clerk's Office Pink Drafting Agency Goldenrod Committee File Copy | | | | |

*Only one Message/Communication per Record of Votes