



Office of the Administrative Director of the Courts — THE JUDICIARY • STATE OF HAWAII
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JUDICIARY COMM. NO. 3

Rodney A. Maile
ADMINISTRATIVE DIRECTOR

Iris T. Murayama
DEPUTY ADMINISTRATIVE DIRECTOR

December 19, 2016

The Honorable Ronald D. Kouchi
President of the Senate
State Capitol, Room 409
Honolulu, HI 96813

The Honorable Joseph M. Souki
Speaker of the House of Representatives
State Capitol, Room 431
Honolulu, HI 96813

Dear Mr. President and Mr. Speaker:

Please find enclosed the following annual and legislatively-mandated reports from the Hawai'i State Judiciary:

- *The Judiciary's Multi-Year Program and Financial Plan (2017-2023), Biennium Budget (2017-2019), and Variance Report (2015-2017)*, pursuant to Act 159, Session Laws of Hawai'i 1974 and Chapter 37, Hawai'i Revised Statutes (HRS);
- *The Judiciary's 2016 Annual Report Statistical Supplement*, pursuant to Section 601-3, HRS;
- *The Judiciary's Center for Alternative Dispute Resolution 2016 Annual Report*, pursuant to Section 613-4, HRS; and
- *The Judiciary's King Kamehameha V Judiciary History Center 2016 Annual Report*, pursuant to Section 6F-6, HRS;

In addition, the following reports to the Twenty-ninth Legislature submitted by the Administrative Director of the Courts are included in a single volume:

- *Report on the Spouse and Child Abuse Special Account*, pursuant to Section 601-3.6, HRS;
- *Report on the Parent Education Special Fund*, pursuant to Section 607-5.6, HRS;
- *Report on Parental Preferences in Government Contracts*, pursuant to Section 577-7.5, HRS;
- *Report on Statewide Substance Abuse Treatment Monitoring Program*, pursuant to Section 601-21, HRS;

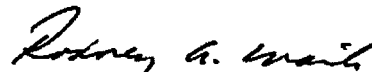
- *Report on Complaints against Court-Appointed Child Custody Evaluators*, pursuant to Section 571-46.4, HRS;
- *Report on Fiscal Year 2016 Purchase of Service Contracts*, pursuant to Act 138, Session Laws of Hawai'i 2015;
- *Report on Fiscal Year 2016 Non-General Funds*, pursuant to Act 166, Session Laws of Hawai'i 2016; and
- *Report on Fiscal Year 2016 Repair and Maintenance in Judiciary-owned Facilities*, pursuant to Act 233, Session Laws of Hawai'i 2016.

In accordance with Section 93-16, HRS, we are also transmitting a copy of this report to the Legislative Reference Bureau Library.

The public may view an electronic copy of this report on the Judiciary's website at the following link: http://www.courts.state.hi.us/news_and_reports/reports/reports.html.

Should you have any questions regarding any of these reports, please feel free to contact Karen Takahashi of the Judiciary's Legislative Coordinating Office at 539-4896, or via e-mail at Karen.T.Takahashi@courts.hawaii.gov.

Sincerely,



Rodney A. Maile
Administrative Director of the Courts

Enclosures

c: Legislative Reference Bureau Library

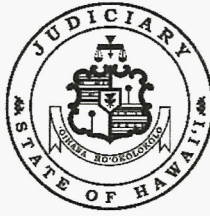
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JUDICIARY COMM. NO. 3

The Judiciary
State of Hawai'i

**The Multi-Year Program
and Financial Plan
(2017-2023)
Biennium Budget
(2017-2019)
and
Variance Report
(2015-2017)**

Submitted to the
Twenty-Ninth State Legislature

December 2016



**To the Twenty Ninth State Legislature of Hawai'i
Regular Session of 2017**

As Chief Justice of the Hawai'i Supreme Court and Administrative Head of the Judiciary, it is my pleasure to transmit to the Hawai'i State Legislature the Judiciary's FB 2017-19 Biennium Budget and Variance Report. This document was prepared in accordance with the provisions of Act 159, Session Laws of Hawai'i, 1974, and Chapter 37 of the Hawai'i Revised Statutes, as amended.

Hawaii's courts provide an independent and accessible forum to fairly resolve disputes and administer justice according to the law. Consistent with this principle, the courts seek to make justice available without undue cost, inconvenience, or delay.

The Hawai'i economy continues to be strong and the overall economic outlook is relatively stable at the moment. However, the Hawai'i Council on Revenues at its most recent meeting expressed some uncertainty about the future, had concerns that the economy may have reached the end of its current expansionary cycle, and indicated that the construction cycle may have peaked. Further, we are very cognizant that there are many competing priorities and that we are in the midst of collective bargaining negotiations with all 14 bargaining units, and that various state and legislative officials have stated that funds will continue to be tight this next biennium. Accordingly, in our biennium budget request, the Judiciary has focused only on its most pressing needs, primarily in the areas of essential staffing for court operations and client services.

Overall, the Judiciary is requesting 34 new permanent positions and additional funding of \$2.3 million for FY 2018, and 37 positions and \$3.2 million for FY 2019. Eight of these positions are no-cost conversions of temporary to permanent positions as funding has previously been provided by the Legislature. The need for additional essential staffing is a major concern for the Judiciary, especially as workload continues to increase and becomes more detailed and complex, and as additional demands and requirements are placed on judges and staff. This concern especially relates to Courts of Appeal which is requesting an additional Staff Attorney position; to First Circuit which is requesting funding for an already authorized Family Court Judge and three support staff positions; and to Second and Fifth Circuits which are requesting positions and funding for a District Court Judge and a District Family Judge, respectively, as well as related support staff. Also important is a Courts of Appeal request for a no-cost conversion of a temporary Fiscal Account Clerk position in its two person Fiscal Office to ensure service level continuity in the event the incumbent Fiscal Officer retires, resigns, or is on extended leave of absence for any reason.

For client services, special management emphasis has been placed on those clients with mental health issues, veterans, those affected by domestic violence, and other clients of our specialty courts. Regarding mental health, both First and Fifth Circuits are requesting Social Worker positions to provide services to conditional release clients and others with severe mental illness and, for First Circuit, to also establish a Mental Health Unit to work with the Mental Health Court in expanding clientele and services. Two requests relate to veterans who served our country and now need our help, that is, purchase of service residential treatment and temporary housing funding for Veterans Treatment Court (VTC) clients in the First Circuit, and

three Social Worker positions for the VTC in the Third Circuit to continue services and expand the number of clients served as federal grant funds end. Three other requests are related to specialty courts and programs, of which two are for funding and positions needed to sustain our Driving While Impaired and Hawai'i Zero to Three Courts currently funded by soon to expire grants, and the third for a no-cost conversion of seven temporary to permanent positions for the Girls Court. The last two requests in the client services area are by First and Second Circuits who each want three additional positions and related funding – First Circuit to address greatly expanded hours and coverage for the intake and processing of temporary restraining orders (TROs) in domestic violence cases for the TRO Unit in Kapolei and Honolulu, and Second Circuit to restore lost positions and significantly reduce individual probation officer workload in its Domestic Violence Unit, Special Services Unit, and Pre-Sentence Investigation Unit to a more manageable size.

Lastly, the Judiciary is requesting three Facilities related positions and funding for its new Kona Judiciary Complex in the Third Circuit; and funding to upgrade its state-wide PeopleSoft system and to provide pay increases for the judges and the Administrative and Deputy Administrative Director of the Courts. People would be hired to fill the Facilities positions six months in advance of the scheduled opening of the new Judiciary Complex in September/October 2019 so that they can familiarize themselves with the building and its new operating and mechanical systems and be trained while the vendors are installing these systems and are still there. PeopleSoft is the Judiciary's Human Resource Management System; without the upgrade, the Judiciary will not be able to receive and have any security and operating system patches and updates that are needed to maintain critical and required functionality. The judges' and Administrative/Deputy Administrative Directors' pay increases are based on the 2013 Commission on Salaries recommendation and on a bill passed during the 2014 legislative session, respectively.

Capital Improvement Project (CIP) requirements remain a major item of concern as the Judiciary's infrastructure continues to age and deteriorate, and as the population served and services provided by the Judiciary keep expanding. CIP funds totaling \$15.4 million in FY 2018 and \$18.8 million in FY 2019 are being requested to address certain critical needs, some of which relate to the health and safety of Judiciary employees and the public. Specifically, for FY 2018, the Judiciary is requesting funds to make improvements to the parking structure and enhance security at Hoapili Hale in Second Circuit; reroof and repair leaks and damages at Pu'uhoonua Kaulike in the Fifth Circuit; provide for separate storm drain and sanitary systems for our Honolulu Kapuāiwa Building; and to upgrade and modernize fire alarm systems and elevators at Ka'ahumanu Hale in First Circuit, both of which are more than 30 years old and which continue to malfunction with greater frequency. The fire alarm systems within Ka'ahumanu Hale do not function at full capacity nor comply with current fire codes, and elevator codes now require that all fire alarm systems be updated to current levels so that all systems are compatible with each other thereby necessitating that these projects be tied together. For FY 2019, the Judiciary is requesting funds to continue forward with these projects, and additionally, for furniture, fixtures, and equipment for the new Kona Judiciary Complex. For each of these years, we are also requesting needed and important lump sum funding so that we can address both continuing and emergent building issues.

The Judiciary recognizes that there are many competing initiatives and difficult choices to be made regarding limited available general fund and general obligation bond fund resources.

We believe that our approach to our biennium budget request reflects consideration of these concerns yet still provides a great opportunity to serve some of those clients most in need of court and client services.

I know that the Legislature shares the Judiciary's commitment to preserving a fair and effective judicial system for Hawai'i. On behalf of the Judiciary, I extend my heartfelt appreciation for your continued support and consideration.

Sincerely,

A handwritten signature in cursive script that reads "Mark E. Recktenwald".

MARK E. RECKTENWALD
Chief Justice
December 19, 2016

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PART I



Introduction

INTRODUCTION

The mission of the Judiciary as an independent branch of government is to administer justice in an impartial, efficient, and accessible manner in accordance with the law.

Judiciary Programs

The major program categories of the Judiciary are court operations and support services. Programs in the court operations category serve to safeguard the rights and interests of persons by assuring an equitable and expeditious judicial process. Programs in the support services category enhance the effectiveness and efficiency of the judicial system by providing the various courts with administrative services such as fiscal control and direction of operations and personnel.

The following is a display of the program structure of the Judiciary:

Program Structure Number	Program Level			Program I.D.
	I	II	III	
01	The Judicial System			
01 01	Court Operations			
01 01 01	Courts of Appeal			JUD 101
01 01 02	First Circuit			JUD 310
01 01 03	Second Circuit			JUD 320
01 01 04	Third Circuit			JUD 330
01 01 05	Fifth Circuit			JUD 350
01 02	Support Services			
01 02 01	Judicial Selection Commission			JUD 501
01 02 02	Administration			JUD 601

Contents of Document

The MULTI-YEAR PROGRAM AND FINANCIAL PLAN presents the objectives of the Judiciary programs, describes the programs recommended to implement the objectives, and shows the fiscal implications of the recommended programs for the next six fiscal years. The BIENNIUM BUDGET displays for each program the recommended expenditures for the ensuing fiscal biennium by cost category, cost element, and means of financing (MOF). The VARIANCE REPORT reports on program performance for the last completed fiscal year and the fiscal year in progress. An explanation of the sections contained in this document is as follows:

Operating Program Summaries

The summaries in this section present data at the total judicial system level and at the court operations and support services levels.

Operating Program Plan Details

The Financial Plan and Budget is presented by major program area. Each program area includes a financial summary, followed by narratives on the program objectives, activities, policies, relationships, and types of revenues collected; major external trends; and various other information and data about the program.

Capital Improvements Appropriations and Details

This section provides capital improvements cost information by project, cost element, and MOF over the 6-year planning period.

Variance Report

This section provides information on the estimated and actual expenditures, positions, measures of effectiveness, and program size indicators for major program areas within the Judiciary.

The Budget

The recommended levels of operating expenditures and staffing for FYs 2017-18 and 2018-19 by major programs are as follows:

Operating Expenditures (In \$ Thousands)

Major Program	MOF	2017-18	2018-19	Total
Courts of Appeal	A	6,981	7,073	14,054
First Circuit	A	85,364	85,934	171,298
	B	4,304	4,304	8,608
Second Circuit	A	17,166	17,396	34,562
Third Circuit	A	20,177	20,346	40,523
Fifth Circuit	A	7,984	8,200	16,184
Judicial Selection Commission	A	99	99	198
Administration	A	27,512	27,167	54,679
	B	7,994	7,994	15,988
	W	<u>343</u>	<u>343</u>	<u>686</u>
Total	A	165,283	166,215	331,498
	B	12,298	12,298	24,596
	W	<u>343</u>	<u>343</u>	<u>686</u>

Revenues

The projected revenues (all sources) for FYs 2018 and 2019 by major programs are as follows:

Revenues (In \$ Thousands)

Major Program	2017-18	2018-19	Total
Courts of Appeal	221	220	441
First Circuit	37,428	38,157	75,585
Second Circuit	4,028	4,028	8,056
Third Circuit	4,842	4,932	9,774
Fifth Circuit	1,854	1,860	3,714
Administration	<u>249</u>	<u>249</u>	<u>498</u>
Total	<u>48,622</u>	<u>49,446</u>	<u>98,068</u>

Cost Categories, Cost Elements, and MOF

“**Cost categories**” identifies the major types of costs and includes operating and capital investment.

“**Cost elements**” identifies the major subdivisions of a cost category. The category “operating” includes personal services, other current expenses, and equipment. The category “capital investment” includes plans, land acquisition, design, construction, and equipment.

“**MOF**” identifies the various sources from which funds are made available and includes general funds (A), federal funds (N), special funds (B), revolving funds (W), and general obligation bond funds (C).

This document has been prepared by the Office of the Administrative Director with assistance from the Judiciary staff. It is being submitted to the Twenty-Ninth State Legislature in accordance with the provisions of Chapter 37, Hawai‘i Revised Statutes.

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PART II



Operating Program Summaries

JUDICIARY

STATE OF HAWAII

PROGRAM TITLE:
THE JUDICIAL SYSTEM

PROGRAM STRUCTURE LEVEL NO. I

PROGRAM STRUCTURE NO. 01

POSITION IN PROGRAM STRUCTURE

Level	No.	Title
Level I	01	The Judicial System
Level II		
Level III		

MEASURES OF EFFECTIVENESS AND UNITS OF MEASURE

Data provided at Level III

PROGRAM EXPENDITURES

	EXPENDITURES IN DOLLARS							
	Actual	Estimated	Budget Period		Estimated Expenditures (\$000's)			
	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
Operating Costs								
Personal Services	114,062,469	123,439,044	124,746,086	126,117,344	126,119	126,119	126,119	126,119
Other Current Expenses	51,285,826	51,275,249	52,106,091	51,792,159	51,793	51,793	51,793	51,793
Lease/Purchase Agreements	0	0	0	0	0	0	0	0
Equipment	3,431,850	944,061	1,071,153	946,591	944	944	944	944
Motor Vehicles	72,820	0	0	0	0	0	0	0
Total Operation Costs	168,852,965	175,658,354	177,923,330	178,856,094	178,856	178,856	178,856	178,856
Capital & Investment Costs	55,000,000	0	15,365,000	18,750,000	24,475	14,970	7,700	3,400
Total Program Expenditures	223,852,965	175,658,354	193,288,330	197,606,094	203,331	193,826	186,556	182,256

REQUIREMENTS BY MEANS OF FINANCING

	Actual	Estimated	Budget Period		Estimated Expenditures (\$000's)			
	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
	1,910.50 *	1,910.50 *	1,944.50 *	1,947.50 *	1,947.50 *	1,947.50 *	1,947.50 *	1,947.50 *
	0.00 **	123.02 **	115.02 **	115.02 **	115.02 **	115.02 **	115.02 **	115.02 **
General Funds	157,945,792	163,017,707	165,282,683	166,215,447	166,216	166,216	166,216	166,216
	42.00 •	42.00 •	42.00 *	42.00 *	42.00 *	42.00 *	42.00 *	42.00 •
	0.00 **	9.00 **	9.00 **	9.00 **	9.00 **	9.00 **	9.00 **	9.00 **
Special Funds	10,894,022	12,297,386	12,297,386	12,297,386	12,297	12,297	12,297	12,297
	0.00 *	0.00 *	0.00 *	0.00 •	0.00 •	0.00 •	0.00 *	0.00 *
	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **
Revolving Funds	13,151	343,261	343,261	343,261	343	343	343	343
G.O. Bond Funds	55,000,000	0	15,365,000	18,750,000	24,475	14,970	7,700	3,400
	1,952.50 •	1,952.50 *	1,986.50 *	1,989.50 *	1,989.50 •	1,989.50 *	1,989.50 •	1,989.50 *
	0.00 **	132.02 **	124.02 **	124.02 **	124.02 **	124.02 **	124.02 **	124.02 **
Total Financing	223,852,965	175,658,354	193,288,330	197,606,094	203,331	193,826	186,556	182,256

*Permanent Position FTE

**Temporary Position FTE

JUDICIARY

STATE OF HAWAII

PROGRAM TITLE:
COURT OPERATIONS

PROGRAM STRUCTURE LEVEL NO. II

PROGRAM STRUCTURE NO. 01 01

POSITION IN PROGRAM STRUCTURE

Level	No.	Title
Level I	01	The Judicial System
Level II	01	Court Operations
Level III		

MEASURES OF EFFECTIVENESS AND UNITS OF MEASURE

Data provided at Level III

PROGRAM EXPENDITURES

	EXPENDITURES IN DOLLARS							
	Actual	Estimated	Budget Period		Estimated Expenditures (\$000's)			
	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
Operating Costs								
Personal Services	98,960,372	106,876,741	108,177,980	109,543,318	109,545	109,545	109,545	109,545
Other Current Expenses	34,676,103	33,190,161	33,707,071	33,707,071	33,708	33,708	33,708	33,708
Lease/Purchase Agreements	0	0	0	0	0	0	0	0
Equipment	1,965,986	0	89,895	2,530	0	0	0	0
Motor Vehicles	51,167	0	0	0	0	0	0	0
Total Operation Costs	135,653,628	140,066,902	141,974,946	143,252,919	143,253	143,253	143,253	143,253
Capital & Investment Costs	0	0	0	0	0	0	0	0
Total Program Expenditures	135,653,628	140,066,902	141,974,946	143,252,919	143,253	143,253	143,253	143,253

REQUIREMENTS BY MEANS OF FINANCING

	Actual	Estimated	Budget Period		Estimated Expenditures (\$000's)			
	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
	1,682.50 *	1,682.50 *	1,716.50 *	1,719.50 *	1,719.50 *	1,719.50 *	1,719.50 *	1,719.50 *
	0.00 **	112.54 **	104.54 **	104.54 **	104.54 **	104.54 **	104.54 **	104.54 **
General Funds	132,124,983	135,763,253	137,671,297	138,949,270	138,950	138,950	138,950	138,950
	41.00 *	41.00 *	41.00 *	41.00 *	41.00 *	41.00 *	41.00 *	41.00 *
	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **
Special Funds	3,528,645	4,303,649	4,303,649	4,303,649	4,303	4,303	4,303	4,303
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **
Revolving Funds	0	0	0	0	0	0	0	0
G.O. Bond Funds	0	0	0	0	0	0	0	0
	1,723.50 *	1,723.50 *	1,757.50 *	1,760.50 *	1,760.50 *	1,760.50 *	1,760.50 *	1,760.50 *
	0.00 **	112.54 **	104.54 **	104.54 **	104.54 **	104.54 **	104.54 **	104.54 **
Total Financing	135,653,628	140,066,902	141,974,946	143,252,919	143,253	143,253	143,253	143,253

*Permanent Position FTE

**Temporary Position FTE

JUDICIARY

STATE OF HAWAII

PROGRAM TITLE:
SUPPORT SERVICES

PROGRAM STRUCTURE LEVEL NO. II

PROGRAM STRUCTURE NO. 01 02

POSITION IN PROGRAM STRUCTURE

Level	No.	Title
Level I	01	The Judicial System
Level II	02	Support Services
Level III		

MEASURES OF EFFECTIVENESS AND UNITS OF MEASURE

Data provided at Level III

PROGRAM EXPENDITURES

	EXPENDITURES IN DOLLARS							
	Actual	Estimated	Budget Period		Estimated Expenditures (\$000's)			
	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
Operating Costs								
Personal Services	15,102,097	16,562,303	16,568,106	16,574,026	16,574	16,574	16,574	16,574
Other Current Expenses	16,609,723	18,085,088	18,399,020	18,085,088	18,085	18,085	18,085	18,085
Lease/Purchase Agreements	0	0	0	0	0	0	0	0
Equipment	1,465,864	944,061	981,258	944,061	944	944	944	944
Motor Vehicles	21,653	0	0	0	0	0	0	0
Total Operation Costs	33,199,337	35,591,452	35,948,384	35,603,175	35,603	35,603	35,603	35,603
Capital & Investment Costs	55,000,000	0	15,365,000	18,750,000	24,475	14,970	7,700	3,400
Total Program Expenditures	88,199,337	35,591,452	51,313,384	54,353,175	60,078	50,573	43,303	39,003

REQUIREMENTS BY MEANS OF FINANCING

	Actual	Estimated	Budget Period		Estimated Expenditures (\$000's)			
	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
		228.00 *	228.00 *	228.00 *	228.00 *	228.00 *	228.00 *	228.00 *
	0.00 **	10.48 **	10.48 **	10.48 **	10.48 **	10.48 **	10.48 **	10.48 **
General Funds	25,820,809	27,254,454	27,611,386	27,266,177	27,266	27,266	27,266	27,266
	1.00 *	1.00 *	1.00 *	1.00 *	1.00 *	1.00 *	1.00 *	1.00 *
	0.00 **	9.00 **	9.00 **	9.00 **	9.00 **	9.00 **	9.00 **	9.00 **
Special Funds	7,365,377	7,993,737	7,993,737	7,993,737	7,994	7,994	7,994	7,994
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **
Revolving Funds	13,151	343,261	343,261	343,261	343	343	343	343
G.O. Bond Funds	55,000,000	0	15,365,000	18,750,000	24,475	14,970	7,700	3,400
	229.00 *	229.00 *	229.00 *	229.00 *	229.00 *	229.00 *	229.00 *	229.00 *
	0.00 **	19.48 **	19.48 **	19.48 **	19.48 **	19.48 **	19.48 **	19.48 **
Total Financing	88,199,337	35,591,452	51,313,384	54,353,175	60,078	50,573	43,303	39,003

*Permanent Position FTE

**Temporary Position FTE

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PART III



Operating Program Plan Details

JUDICIARY

STATE OF HAWAII

PROGRAM TITLE:
COURTS OF APPEAL

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 01 01

POSITION IN PROGRAM STRUCTURE

Level	No.	Title
Level I	01	The Judicial System
Level II	01	Court Operations
Level III	01	Courts of Appeal

PROGRAM EXPENDITURES

EXPENDITURES IN DOLLARS

	Actual 2015-16	Estimated 2016-17	Budget Period		Estimated Expenditures (\$000's)			
			2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
Operating Costs								
Personal Services	6,208,602	6,484,648	6,580,690	6,677,608	6,678	6,678	6,678	6,678
Other Current Expenses	266,835	395,149	395,149	395,149	395	395	395	395
Lease/Purchase Agreements	0	0	0	0	0	0	0	0
Equipment	87,050	0	4,865	0	0	0	0	0
Motor Vehicles	0	0	0	0	0	0	0	0
Total Operation Costs	6,562,487	6,879,797	6,980,704	7,072,757	7,073	7,073	7,073	7,073
Capital & Investment Costs	0	0	0	0	0	0	0	0
Total Program Expenditures	6,562,487	6,879,797	6,980,704	7,072,757	7,073	7,073	7,073	7,073

REQUIREMENTS BY MEANS OF FINANCING

	Actual 2015-16	Estimated 2016-17	Budget Period		Estimated Expenditures (\$000's)			
			2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
	71.00 *	72.00 *	74.00 *	74.00 *	74.00 *	74.00 *	74.00 *	74.00 *
	0.00 **	2.00 **	1.00 **	1.00 **	1.00 **	1.00 **	1.00 **	1.00 **
General Funds	6,562,487	6,879,797	6,980,704	7,072,757	7,073	7,073	7,073	7,073
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **
Special Funds	0	0	0	0	0	0	0	0
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **
Revolving Funds	0	0	0	0	0	0	0	0
G.O. Bond Funds	0	0	0	0	0	0	0	0
	71.00 *	72.00 *	74.00 *	74.00 *	74.00 *	74.00 *	74.00 *	74.00 *
	0.00 **	2.00 **	1.00 **	1.00 **	1.00 **	1.00 **	1.00 **	1.00 **
Total Financing	6,562,487	6,879,797	6,980,704	7,072,757	7,073	7,073	7,073	7,073

*Permanent Position FTE

**Temporary Position FTE

JUDICIARY

STATE OF HAWAII

PROGRAM TITLE:
COURTS OF APPEALS

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 01 01

MEASURES OF EFFECTIVENESS AND UNITS OF MEASURE

Measures of Effectiveness	PLANNED LEVELS OF PROGRAM EFFECTIVENESS							
	Actual		Estimate		Budget Period		Estimate	
	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
Median Time to Decision, Criminal Appeal (Mo)	14	14	14	14	14	14	14	14
Median Time to Decision, Civil Appeal (Mo)	12	12	12	12	12	12	12	12
Median Time to Decision, Original Proc. (Mo)	1	1	1	1	1	1	1	1

PROGRAM SIZE INDICATORS (T=target group indicators; A=activity indicators)

Code No.	Program Size Indicators	Actual		Estimate		Budget Period		Estimate	
		2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
A01	Criminal Appeals Filed	267	260	259	259	258	258	257	257
A02	Civil Appeals Filed	479	470	465	465	464	464	463	463
A03	Original Proceedings Filed	86	100	99	99	98	98	97	97
A04	Appeals Disposed	744	740	735	735	734	734	733	733
A05	Motions Filed	2,817	2,820	2,822	2,822	2,824	2,824	2,825	2,825
A06	Motions Terminated	2,811	2,821	2,823	2,823	2,824	2,824	2,825	2,825

PROJECTED PROGRAM REVENUES, BY TYPE OF FUND TO WHICH DEPOSITED (in thousands of dollars)

Fund to Which Deposited	Actual		Estimate		Budget Period		Estimate	
	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
General Fund	85	84	85	84	84	84	84	84
Special Fund	136	136	136	136	136	136	136	136
Other Funds	0	0	0	0	0	0	0	0
Total Program Revenues	221	220	221	220	220	220	220	220

PROJECTED PROGRAM REVENUES, BY TYPE OF REVENUE (in thousands of dollars)

Type of Revenue	Actual		Estimate		Budget Period		Estimate	
	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
Revenues from Use of Money and Property	0	0	0	0	0	0	0	0
Revenues from Other Agencies	136	136	136	136	136	136	136	136
Charges for Current Services	85	84	85	84	84	84	84	84
Fines, Restitutions, Forfeits & Penalties	0	0	0	0	0	0	0	0
Nonrevenue Receipts	0	0	0	0	0	0	0	0
Total Program Revenues	221	220	221	220	220	220	220	220

**JUD 101 COURTS OF APPEAL
PROGRAM INFORMATION AND BUDGET REQUESTS**

Supreme Court

The mission of the Supreme Court is to provide timely disposition of cases, including resolution of particular disputes and explication of applicable law; to license and discipline attorneys; to discipline judges; and to make rules of practice and procedure for all Hawai'i courts.

Intermediate Court of Appeals (ICA)

The mission of the ICA is to provide timely disposition of appeals from trial courts and state agencies, including the resolution of the particular dispute and explication of the law for the benefit of the litigants, the bar, and the public.

A. PROGRAM OBJECTIVES

Supreme Court

- To hear and determine appeals and original proceedings that are properly brought before the court, including cases heard upon
 - applications for writs of certiorari
 - transfer from the ICA
 - reserved questions of law from the Circuit Courts, the Land Court, and the Tax Appeal Court
 - certified questions of law from federal courts
 - applications for writs directed to judges and other public officers
 - applications for other extraordinary writs
 - complaints regarding elections;
- To make rules of practice and procedure for all state courts;
- To license, regulate, and discipline attorneys; and
- To discipline judges.

Intermediate Court of Appeals

- To promptly hear and determine all appeals from the Circuit, Family, and District Courts and from any agency where appeals are allowed by law; and
- To entertain, at its discretion, any case submitted without suit when there is a question of law that could be the subject of a civil action or proceeding in the Circuit Court or Tax Appeal Court, and the parties agree to the facts upon which the controversy depends.

B. PROGRAM ACTIVITIES

Supreme Court

The Supreme Court is the State of Hawaii's court of last resort, and hears appeals on transfer from the ICA or on writs of certiorari to the ICA. The Supreme Court licenses and disciplines attorneys, disciplines judges, and exercises ultimate rule-making power for all courts in the State. The Supreme Court is empowered to issue all writs necessary and proper to carry out its functions.

Intermediate Court of Appeals

The ICA reviews, in the first instance, appeals from trial courts and from some agencies. The ICA is also authorized to entertain cases submitted without suit when there is a question of law that could be the subject of a civil suit in the Circuit Court or the Tax Appeal Court, and the parties agree upon the facts upon which the controversy depends.

C. KEY POLICIES

In the Supreme Court, priority is given to election contests, applications for certiorari involving direct appeals from incarcerated defendants, and applications for writs of certiorari involving the termination of parental rights.

In the ICA, direct appeals from incarcerated defendants and appeals from terminations of parental rights (in which children are awaiting a permanent placement) are accorded priority over other appeals.

D. IMPORTANT PROGRAM RELATIONSHIPS

Appeals are filed in the ICA, but (1) before disposition, may be transferred to the Supreme Court, or (2) after disposition, may be reviewed by the Supreme Court upon an application for a writ of certiorari.

The Supreme Court exercises supervisory authority over all state courts by reviewing cases in the appellate process, entertaining applications for writs directed to judges, and establishing uniform rules of practice and procedure.

E. MAJOR EXTERNAL TRENDS

Factors contributing to the number of appellate filings include:

- changes in population;
- availability and cost of alternative dispute resolution methods;
- perceptions of timeliness;
- perceptions of fairness in law and procedure;

- issues involving access to the courts; and
- complexity of law.

F. COSTS, EFFECTIVENESS, AND PROGRAM SIZE DATA

The Courts of Appeal have operated within the funding level appropriated.

Appeal filings directly affect the workload of the Courts of Appeal.

The Courts of Appeal's goal for Fiscal Biennium 2017-19 is to timely adjudicate the caseload to the degree possible within the available resources.

G. PROGRAM REVENUES

Revenues include filing fees, certification fees, and bar application fees. All revenues are deposited into the state general fund with the exception of amounts collected for deposit into the Computer System Special Fund, Indigent Legal Assistance Special Fund, and the Supreme Court Board of Examiner Trust Fund.

H. DESCRIPTION OF BUDGET REQUESTS

Justices' and Judges' Salary Differential: Funding of \$46,548 for FY 2018 and \$93,972 for FY 2019 is requested to pay justices' and judges' pay increases that were recommended by the Commissions on Salaries and authorized by the 2013 Legislature.

Convert Budgeted Temporary Position in the Supreme Court Fiscal Office to Permanent Status: This no-cost conversion request of one Account Clerk III position to permanent standing is to establish service level continuity in providing fiscal and administrative services to the Courts of Appeal.

Staff Attorney ICA: This request in funding of \$54,359 for FY 2018 and \$98,988 for FY 2019 for a staff attorney for the ICA will enhance the ICA's ability to handle its increased caseload and responsibilities under the restructured appellate system and improve the administration of law.

I. REASONS FOR BUDGET REQUESTS

Justices' and Judges' Salary Differential: Courts of Appeal is requesting \$46,548 for FY 2018 and \$93,972 for FY 2019 to fund justices' and judges' salaries at the legislatively mandated pay levels set by the 2013 Commissions on Salaries.

Convert Budgeted Temporary Position in the Supreme Court Fiscal Office to Permanent Status: The Courts of Appeal is requesting that one Account Clerk III position in the Supreme

Court Fiscal Office be converted from temporary to permanent status. This is a no-cost conversion request since funds were previously provided by the Legislature in 2013 for this temporary position.

Due to the State's economic downturn, the 2009 Legislature abolished 79 of the Judiciary's vacant positions which included the permanent Account Clerk IV position in the Supreme Court Fiscal Office. The incumbent for this position had retired in late 2008 and the timing of the vacancy resulted in the elimination of the position; consequently, the Fiscal Office was left with just one permanent position, that being the Supreme Court Fiscal Officer. With only the Supreme Court Fiscal Officer performing all fiscal and clerical functions, a temporary Account Clerk III position was created in 2011 which provided the Fiscal Office with the internal controls and separation of duties essential to maintaining a basic functional fiscal system. As mentioned above, the Legislature funded this temporary position in 2013. The Fiscal Office has only one permanent employee which is not sufficient to provide the necessary monitoring and oversight to handle a budget of over \$6 million dollars.

The Account Clerk III is responsible for the receivables for the Courts of Appeal, which includes auditing and verifying the daily cashier reports; preparing and depositing funds collected by the Supreme Court Clerk's Office; maintaining a daily bank balance worksheet and reconciling to the Judiciary Information Management System's case management financial reports; disbursing collections to the various funds; preparing Treasury Deposit Receipts (B-13s) to record collections by the correct financial source codes; preparing the monthly financial Statement of Receipts & Disbursements and Balance Sheet; and reconciling the various bank accounts.

The Account Clerk III is also responsible for the payables for the Courts of Appeal, which includes processing requisitions and issuing purchase orders; reviewing vendor invoices for proper signatures and supporting documentation; preparing summary warrant vouchers for payment processing; processing orders issued by the Supreme Court and ICA for approved attorney's fees and costs by issuing the appropriate purchase orders; preparing Payment Coding Input and Summary Warrant Voucher forms for payment processing; maintaining the petty cash fund; and following-up on any questions regarding payables.

Other responsibilities of the position include maintaining leave records for all the Supreme Court's and ICA's employees; auditing leave records and other related tasks designated by the Judiciary's Human Resources Department; assisting in processing P-Card transactions, inventory control, and records retention and disposal; and filing paper documents.

A permanent Account Clerk III position would provide needed stability to the Supreme Court Fiscal Office in the event that the incumbent Fiscal Officer, who occupies the lone permanent position in the Fiscal Office, retires, resigns, goes on extended leave of absence for any reason, etc. The lack of established service level continuity would be detrimental to the Courts of Appeal.

In summary, the no-cost request to convert the temporary Account Clerk III position to permanent status will allow the Supreme Court Fiscal Officer to: (1) depend on having a person on staff to assist with the many fiscal duties, clerical tasks, and ancillary responsibilities associated with the Supreme Court Fiscal Office; and (2) be able to concentrate more on serving

as the principal finance officer to monitor, oversee, develop, evaluate, and implement accounting processes and expenditure plans for the Courts of Appeal. More importantly, this position will permanently provide for the separation of duties and internal controls necessary for processing and recording financial transactions, and sustaining a financial system that generates reliable, dependable, and accurate information.

Staff Attorney for the ICA: This request of \$54,359 for FY 2018 and \$98,988 for FY 2019 is to add a staff attorney to the ICA to address its increased caseload and responsibilities under the 2006 restructuring of Hawaii's appellate court system, which will serve to enhance the administration of the law throughout the judicial system.

Effective July 1, 2006, the Legislature restructured Hawaii's appellate court system to increase the ICA's caseload and responsibilities. Prior to July 1, 2006, all appeals were filed with the Hawai'i Supreme Court, which then designated a portion of those appeals to the ICA for disposition. After July 1, 2006, with a few exceptions, all appeals are filed with the ICA and the ICA is responsible for rendering a decision on these appeals, with the ICA's decisions subject to discretionary review by the Supreme Court.

The restructuring of the appellate system has significantly increased the ICA's caseload. Shortly before the restructuring, the ICA was responsible for between 40 and 45 percent of the appeals resolved each year, whereas the ICA is currently responsible for over 70 percent of the appeals resolved. The ICA also has a greater number of complex cases. Under the restructured appellate system, the ICA is responsible for resolving over 2,500 procedural and substantive motions that formerly were handled by the Supreme Court. One of the primary functions of the ICA staff attorneys is to assist the court in deciding these motions.

When the new appellate system was instituted, the ICA was allotted four staff attorneys and a supervising staff attorney. The ICA filled all these positions by early 2008, and no additional positions have been allotted to the ICA since that time.

As an appellate court, the ICA's opinions establish law that is binding upon and provides guidance to trial courts and administrative agencies. Enhancing the ICA's ability to render well-reasoned decisions more expeditiously benefits the public and improves the administration of law throughout the judicial system. A new staff attorney position will enable the ICA to resolve more appeals. It will enable high priority matters, e.g., cases involving termination of parental rights, which is necessary for a child to be adopted, criminal cases where the defendant is in custody, and other cases given priority by statute, to be resolved more expeditiously. In addition, the staff attorneys will be able to provide more services to the appellate clerk and the Appellate Mediation Program, which will serve to enhance access to justice for parties with cases in the appellate system.

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**JUD 310 FIRST CIRCUIT, JUD 320 SECOND CIRCUIT,
JUD 330 THIRD CIRCUIT, AND JUD 350 FIFTH CIRCUIT
PROGRAM INFORMATION**

The mission of each of the four circuits is to expeditiously and fairly adjudicate or resolve all matters within its jurisdiction in accordance with law.

A. PROGRAM OBJECTIVES

- To assure a proper consideration of all competing interests and countervailing considerations intertwined in questions of law arising under the Constitutions of the State and the United States in order to safeguard individual rights and liberties and to protect the legitimate interest of the State and thereby ensure to the people of this State the highest standard of justice attainable under our system of government.
- To develop and maintain a sound management system which incorporates the most modern administrative practices and techniques to assure the uniform delivery of services of the highest possible quality, while providing for and promoting the effective, economical, and efficient utilization of public resources.
- To administer a system for the selection of qualified individuals to serve as jurors so as to ensure fair and impartial trials and thereby effectuate the constitutional guarantee of trial by jury.
- To provide for the fair and prompt resolution of all civil and criminal proceedings and traffic cases so as to ensure public safety and promote the general welfare of the people of the State, but with due consideration for safeguarding the constitutional rights of the accused.
- To conduct presentence and other predispositional investigations in a fair and prompt manner for the purpose of assisting the courts in rendering appropriate sentences and other dispositions with due consideration for all relevant facts and circumstances.
- To maintain accurate and complete court records as required by law and to permit immediate access to such records, where appropriate, by employing a records management system which minimizes storage and meets retention requirements.
- To supervise convicted and deferred law violators who are placed on probation or given deferments of guilty pleas by the courts to assist them toward socially acceptable behavior and thereby promote public safety.
- To safeguard the rights and interests of persons by assuring an effective, equitable, and expeditious resolution of civil and criminal cases properly brought to the courts, and by providing a proper legal remedy for legally recognized wrongs.

- To assist and protect children and families whose rights and well-being are jeopardized by securing such rights through action by the court, thereby promoting the community's legitimate interest in the unity and welfare of the family and the child.
- To administer, to the fullest extent permitted by law, the orders and decrees pronounced by the Family Courts so as to maintain the integrity of the judicial process.
- To supervise law violators who are placed on probation by the Family Courts and assist them toward socially acceptable behavior, thereby promoting public safety.
- To protect minors whose environment or behavior is injurious to themselves or others and to restore them to society as law-abiding citizens.
- To complement the strictly adjudicatory function of the Family Courts by providing services such as counseling, guidance, mediation, education, and other necessary and proper services for children and adults.
- To coordinate and administer a comprehensive traffic safety education program as a preventive and rehabilitative endeavor directed to both adult and juvenile traffic offenders in order to reduce the number of deaths and injuries resulting from collisions due to unsafe driving decisions and behavior.
- To develop a statewide drug court treatment and supervision model for non-violent adults and juveniles, adapted to meet the needs and resources of the individual jurisdictions they serve.
- To deliver services and attempt to resolve disputes in a balanced manner that provides attention to all participants in the justice system, including parties to a dispute, attorneys, witnesses, jurors, and other community members, embodying the principles of restorative justice.

Land Court/Tax Appeal Court

- To provide for an effective, equitable, and expeditious system for the adjudication and registration of title to land and easements and rights to land within the State.
- To assure an effective, efficient, and expeditious adjudication of all appeals between the tax assessor and the taxpayer with respect to all matters of taxation committed to its jurisdiction.
- To provide a guaranteed and absolute register of land titles which simplifies for landowners the method for conveying registered land.

B. PROGRAM ACTIVITIES

The Circuit Courts are trial courts of general jurisdiction. Circuit Courts have jurisdiction in most felony cases, and concurrent jurisdiction with the Family Courts for certain felonies related to domestic abuse, such as violations of temporary restraining orders involving family and household members. Circuit Courts have exclusive jurisdiction in probate, trust, and conservatorship (formerly “guardian of the property”) proceedings, and concurrent jurisdiction with the Family Courts over adult guardianship (formerly “guardian of the person”) proceedings. Circuit Courts have exclusive jurisdiction in civil cases involving amounts greater than \$40,000, and concurrent jurisdiction with District Courts in civil cases involving amounts between \$10,000 and \$40,000. Jury trials are conducted exclusively by Circuit Court judges. A party to a civil case triable by jury may demand a jury trial where the amount in controversy exceeds \$5,000. Circuit Courts have exclusive jurisdiction in mechanics lien cases and foreclosure cases, and jurisdiction as provided by law in appeals from other agencies (such as unemployment compensation appeals). Appeals from decisions of the Circuit Courts are made directly to the ICA, subject to transfer to or review by the Supreme Court. As courts of record, the Circuit Courts are responsible for the filing, docketing, and maintenance of court records. During the course of a case, numerous documents may be filed. Thus, document filing is an ongoing activity. In addition to the Legal Documents Branch, the Court Reporters’, Jury Pool, and Cashier’s Offices provide services critical to effective court operations.

The Chief Clerks of the Circuit Courts, with the assistance of Small Estates and Guardianship Program staff, serve as personal representatives in small estates cases and as conservators in small conservatorship cases.

Circuit Court judges refer criminal offenders to the Adult Client Services (probation) staff for presentence diagnostic evaluations. Offenders sentenced to some form of supervision are supervised by probation officers of the Adult Client Services Branch.

The Land Court and Tax Appeal Court are specialized statewide courts of record based in Honolulu. The Land Court hears and determines questions arising from applications for registration of title to fee simple land within the State, registers title to property, and determines disputes concerning land court property. The Tax Appeal Court resolves tax appeals and exercises jurisdiction in disputes between the tax assessor and taxpayer. Land Court and Tax Appeal Court matters are assigned to the appropriate judge or judges of the First Circuit Court. The Office of the Land Court and Tax Appeal Court maintains custody and control over papers and documents filed with the Land Court and Tax Appeal Court.

Circuit Court programs include alternatives to traditional dispute resolution methods. The Drug Court Programs aim to divert defendants from the traditional criminal justice path and incarceration, placing them in treatment programs under judicial supervision, rewarding good behavior, and imposing immediate sanctions for relapse into drug use. The Circuit Court’s Court Annexed Arbitration Program is designed to reduce the cost and delay of protracted civil litigation, requiring tort actions with a probable jury award value under \$150,000 to be submitted to the program and be subject to a determination of arbitrability and to arbitration under program rules.

The Family Courts, divisions of the Circuit Courts, are specialized courts of record designed to deal with family conflict and juvenile offenders. The Family Court complements its strictly adjudicatory functions by providing a number of counseling, guidance, detention, mediation, education, and supervisory programs for children and adults.

The Family Courts retain jurisdiction over children who, while under the age of 18, violate any law or ordinance, are neglected or abandoned, are beyond the control of their parents or other custodians, live in an environment injurious to their welfare, or behave in a manner injurious to their own or others' welfare. Activities are geared toward facilitating the determination of the court for appropriate and timely dispositions; preparing cases for detention, and for adjudicatory and dispositional hearings; conducting risks needs assessments and psychological evaluations; and supervising and treating juveniles under legal status with the court. Family Court activities also include providing Court Appointed Special Advocates.

The Family Court's jurisdiction also encompasses adults involved in offenses against other family members and household members; dissolution of marriages; disputed child custody and visitation issues; resolution of paternity issues; adoptions; and adults who are incapacitated and/or are in need of protection. The Family Courts provide services which include temporary restraining orders for protection; treatment of parties involved in domestic violence; supervision and monitoring of defendants in domestic abuse cases; and education programs for separating parents and children.

The District Courts, in civil matters, exercise jurisdiction where the amount in controversy does not exceed \$40,000. If the amount in controversy exceeds \$5,000, the parties may demand a jury trial, in which case the matter is committed to the Circuit Courts. The District Courts also have exclusive jurisdiction in all landlord-tenant cases and all small claims actions (suits in which the amount in controversy does not exceed \$5,000).

The civil divisions of the District Courts also handle temporary restraining orders and injunctions against harassment for non-household members.

In traffic matters, the District Courts exercise jurisdiction over civil infractions and criminal traffic violations of the Hawai'i Revised Statutes, county ordinances, and the rules and regulations of state and county regulatory agencies. Certain traffic matters, known as "decriminalized" traffic offenses, are handled on a civil standard within the traffic division. Those traffic matters which are not "decriminalized" are handled on a criminal standard.

In criminal matters, the jurisdiction of the District Courts is limited to petty misdemeanors, misdemeanors, traffic offenses, and cases filed for violations of county ordinances and the rules of the State's regulatory agencies. In felony cases where an arrest has been made, the District Courts are required to hold a preliminary hearing, unless such hearing is waived by the accused. All trials are conducted by judges. However, in criminal misdemeanor cases, the defendant may demand a jury trial, in which case the matter is committed to the Circuit Court for trial.

In the District Court of the First Circuit, the Community Service Sentencing Program provides placement and monitoring services for offenders sentenced to perform community work by the District, Circuit, Family, and Federal Courts.

The Driver Education and Training Program refers traffic offenders to substance abuse programs, administers traffic safety educational courses, and monitors offenders' compliance of court and Administrative Driver's License Revocation requirements for the counties of O'ahu, Maui, Hawai'i, and Kaua'i.

C. KEY POLICIES

The overall policy is to evaluate each case on an individual basis to ensure that an individual's constitutional rights are not violated. This includes directing continued emphasis on processing of criminal cases to assure that defendants are afforded the right to speedy trials.

Policies guiding the Circuit Courts are designed to ensure the efficient and effective operation of the court system and to adjudicate cases in a timely, fair, and impartial manner.

Policies guiding the Family Courts are designed to maintain and improve the expeditious, efficient, and equitable processing of all matters brought before the court.

Policies guiding the District Courts are designed to coordinate and evenly apply practices, procedures, and statutory interpretations.

D. IMPORTANT PROGRAM RELATIONSHIPS

Circuit Court decisions, when appealed, are referred to the ICA. Services rendered to the Family Courts include handling of support payments and filings, and processing of case documents in divorce actions, adoption, guardianship, and paternity cases.

The Family Courts utilize a number of community agencies that offer programs for positive behavioral change, emotional growth, and victim support. The Family Courts also coordinate related services provided by state agencies such as the Departments of Human Services, Education, and Health, and are in turn affected by changes in their procedures. The majority of children and domestic violence referrals originate with the police; consequently, there is a relationship between the number of police officers, the police policy regarding arrest or discharge of suspected offenders, and the number of Family Court referrals received.

The District Courts have operations that necessitate the Courts' interacting with various non-Judiciary departments. The Courts necessarily work with and are affected by the Department of Public Safety (both in the Sheriff's Division and Corrections), the various county police departments, the Offices of the Prosecuting Attorneys and Public Defenders, the Department of Motor Vehicles and Licensing, the Department of the Attorney General, the Department of Transportation, the Department of Land and Natural Resources, the Department of Agriculture, the Hawaiian Humane Society, and others.

Internally, the District Courts have administrative and/or adjudicative relationships with the Division of Driver Education, Community Service Sentencing Program, Traffic Violations Bureau, Administrative Driver's License Revocation Office, and others.

On an inter-court basis, the District Court has concurrent jurisdiction with the Family Court for juvenile traffic matters, holds felony preliminary hearings, processes referrals for criminal/civil jury demand cases, and also works on various processes on a daily basis with the Circuit Courts. Further, the Chief Justice may assign District Court judges on a temporary basis to the Circuit and Family Courts when the need arises.

E. MAJOR EXTERNAL TRENDS

Accessibility to the courts and timely processing of cases within the courts are affected by the interaction of a complex set of variables. Among these are demographic factors, economic conditions, size of the local bar, alternative dispute resolution trends, crime rates, law enforcement, and legislation. Specific factors include violent crime and drug-related case filings along with new federal laws, initiatives, and grant funds focusing on these issues.

The increase in public awareness and attention to domestic violence has prompted the police departments, and the Offices of the Prosecuting Attorneys and Public Defenders, to follow procedures which would bring all persons charged to court promptly. This continues to affect the number of cases being handled by the Family Courts.

Family violence and child abuse and neglect issues are being addressed by both community agencies and the Legislature. Police departments, the Office of the Public Defender, and the Department of the Attorney General cooperate in the prosecution of family violence offenders. This also affects the number of cases handled by the Courts.

Increases in the number of police officers or changes in their assignment or emphasis affect the workload of various divisions.

Legislative changes (creating new criminal, traffic, or civil causes of action; expanding the jurisdiction of the courts; or changing the penalty for existing offenses) can also affect the courts' workload.

F. COST, EFFECTIVENESS, AND PROGRAM SIZE DATA

The Judiciary's ability to provide court services to our citizens is directly affected by the level of appropriations authorized by the Legislature. Therefore, in light of significant cuts to our budget base that occurred during the economic downturn and the lack of any large increases in operating funding since then other than for collective bargaining and related payroll costs, the Judiciary's goal for the upcoming biennium is to continue to provide necessary services in an effective and expedient manner while operating within the limit of available resources. The Courts also continue to pursue alternatives that promote efficiency without increasing overall resource requirements. It should be noted that due to the dedicated work of Circuit, Family, and District

Court judges and staff, case disposition rates have remained at a relatively high level. However, it is becoming increasingly difficult to maintain this high performance level while continuing to absorb significant reductions in operating resources. It is hoped that the recent improvement in the economy and the positive economic and revenue growth will translate to restoration of a portion of the previous cuts to Judiciary funding.

G. PROGRAM REVENUES

Circuit Court revenues include fines; bail forfeitures; interest earned on deposits; filing fees; surcharges for indigent legal services and for administrative costs associated with civil filings (Computer System Special Fund); and fees to administer small estates, provide probation services, search records, retrieve records from storage, and prepare copies and certified copies of court documents. Except for collections deposited into the Probation Services Special Fund, the Computer System Special Fund, and the Indigent Legal Assistance Special Fund, all Circuit Court related revenues are deposited in the state general fund.

Family Court revenues include fines, fees for copies of documents, surcharges, and filing fees. All Family Court related revenues are deposited into the state general fund, with the exception of amounts collected for deposit to the Parent Education Special Fund established by Act 274/97, the Spouse and Child Abuse Special Account established by Act 232/94, the Computer System Special Fund, and the Indigent Legal Assistance Special Fund.

District Court revenues include fines, fees, forfeitures, and penalties. District Court related revenues are deposited in the state general fund, with the exception of amounts collected for deposit into the Driver Education and Training Special Fund, the Computer System Special Fund, and the Indigent Legal Assistance Special Fund.

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JUDICIARY

STATE OF HAWAII

PROGRAM TITLE:
FIRST CIRCUIT

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 01 02

POSITION IN PROGRAM STRUCTURE

Level	No.	Title
Level I	01	The Judicial System
Level II	01	Court Operations
Level III	02	First Circuit

PROGRAM EXPENDITURES

	EXPENDITURES IN DOLLARS							
	Actual 2015-16	Estimated 2016-17	Budget Period		Estimated Expenditures (\$000's)			
			2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
Operating Costs								
Personal Services	63,116,538	68,344,789	68,932,485	69,527,833	69,528	69,528	69,528	69,528
Other Current Expenses	21,525,672	20,313,365	20,710,275	20,710,275	20,710	20,710	20,710	20,710
Lease/Purchase Agreements	0	0	0	0	0	0	0	0
Equipment	1,021,323	0	25,020	0	0	0	0	0
Motor Vehicles	20,000	0	0	0	0	0	0	0
Total Operation Costs	85,683,533	88,658,154	89,667,780	90,238,108	90,238	90,238	90,238	90,238
Capital & Investment Costs	0	0	0	0	0	0	0	0
Total Program Expenditures	85,683,533	88,658,154	89,667,780	90,238,108	90,238	90,238	90,238	90,238

REQUIREMENTS BY MEANS OF FINANCING

	Actual 2015-16	Estimated 2016-17	Budget Period		Estimated Expenditures (\$000's)			
			2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
		1,077.50 *	1,076.50 *	1,092.50 *	1,092.50 *	1,092.50 *	1,092.50 *	1,092.50 *
	0.00 **	100.58 **	93.58 **	93.58 **	93.58 **	93.58 **	93.58 **	93.58 **
General Funds	82,154,888	84,354,505	85,364,131	85,934,459	85,935	85,935	85,935	85,935
	41.00 *	41.00 *	41.00 *	41.00 *	41.00 *	41.00 *	41.00 *	41.00 *
	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **
Special Funds	3,528,645	4,303,649	4,303,649	4,303,649	4,303	4,303	4,303	4,303
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **
Revolving Funds	0	0	0	0	0	0	0	0
G.O. Bond Funds	0	0	0	0	0	0	0	0
	1,118.50 *	1,117.50 *	1,133.50 *	1,133.50 *	1,133.50 *	1,133.50 *	1,133.50 *	1,133.50 *
	0.00 **	100.58 **	93.58 **	93.58 **	93.58 **	93.58 **	93.58 **	93.58 **
Total Financing	85,683,533	88,658,154	89,667,780	90,238,108	90,238	90,238	90,238	90,238

*Permanent Position FTE

**Temporary Position FTE

JUDICIARY

STATE OF HAWAII

PROGRAM TITLE:
FIRST CIRCUIT

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 01 02

MEASURES OF EFFECTIVENESS AND UNITS OF MEASURE

Measures of Effectiveness	PLANNED LEVELS OF PROGRAM EFFECTIVENESS							
	Actual	Estimate	Budget Period			Estimate		
	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
Med. Time to Dispo., Circt. Ct. Crim. Act. (Days)	391	380	378	376	374	372	370	368
Med. Time to Dispo., Circt. Ct. Civil Act. (Days)	571	561	553	545	537	529	521	513

PROGRAM SIZE INDICATORS (T=target group indicators; A=activity indicators)

Code No.	Program Size Indicators	Actual	Estimate	Budget Period			Estimate		
		2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
T01	Civil Actions, Circuit Court	10,045	10,059	10,073	10,087	10,101	10,115	10,129	10,143
T02	Marital Actions	7,329	7,342	7,355	7,368	7,381	7,394	7,407	7,420
T03	Adoption Proceedings	647	650	653	656	659	662	665	668
T04	Parental Proceedings	2,664	2,660	2,664	2,668	2,672	2,676	2,680	2,684
A01	Civil Actions Filed, Circuit Court	2,455	2,461	2,466	2,471	2,476	2,481	2,486	2,491
A02	Criminal Actions Filed, Circuit Court	2,163	2,166	2,169	2,172	2,175	2,177	2,179	2,181
A03	Marital Actions Filed	3,781	3,791	3,801	3,811	3,820	3,829	3,838	3,847
A04	Traffic - New Filings (thousands)	322	323	324	325	326	327	328	329
A05	Traffic - Terminated (thousands)	362	350	350	350	351	351	351	351

PROJECTED PROGRAM REVENUES, BY TYPE OF FUND TO WHICH DEPOSITED (in thousands of dollars)

Fund to Which Deposited	Actual	Estimate	Budget Period			Estimate		
	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
General Fund	26,927	27,489	28,039	28,600	29,172	29,755	30,351	30,958
Special Fund	9,156	9,225	9,389	9,557	9,728	9,902	10,081	10,262
Other Funds	0	0	0	0	0	0	0	0
Total Program Revenues	36,083	36,714	37,428	38,157	38,900	39,657	40,432	41,220

PROJECTED PROGRAM REVENUES, BY TYPE OF REVENUE (in thousands of dollars)

Type of Revenue	Actual	Estimate	Budget Period			Estimate		
	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
Revenues from Use of Money and Property	135	138	140	143	146	149	152	155
Revenues from Other Agencies	1,125	1,034	1,034	1,035	1,036	1,036	1,037	1,038
Charges for Current Services	18,003	18,386	18,753	19,128	19,511	19,902	20,299	20,705
Fines, Restitutions, Forfeits & Penalties	16,820	17,156	17,501	17,851	18,207	18,570	18,944	19,322
Nonrevenue Receipts	0	0	0	0	0	0	0	0
Total Program Revenues	36,083	36,714	37,428	38,157	38,900	39,657	40,432	41,220

JUD 310 FIRST CIRCUIT BUDGET REQUESTS

A. DESCRIPTION OF BUDGET REQUESTS

Judges' Salary Differential: Funding of \$204,746 in FY 2018 and \$413,352 in FY 2019 is requested to fund Judges' salaries at the legislatively mandated pay levels set by the 2013 Commission on Salaries.

Funding for a District Family Judge and Court Support Staff for the Family Court of the First Circuit: In 2007, the Legislature authorized eight positions for two District Family Judges and six related court support staff with no funding. In 2012, the Judiciary received funding for four of these positions: one Judge and three court support staff. This request is to fund the other previously authorized District Family Judge and three court support staff positions costing \$160,606 in FY 2018 and \$315,684 in FY 2019. These positions are necessary to address the heavy Family Court calendars and backlog issues, as well as the continual increase and complexities of familial cases heard before the court which impact the public's access to justice and safety.

Establish Specialty Court Coordinator and Social Worker IV Positions and Funding for the Driving While Impaired (DWI) Court Program: The DWI Court Program is growing in client population and is currently in its sixth and final year of federal grant funding awarded by the National Highway Traffic Safety Administration (NHTSA). The NHTSA grant terminates September 30, 2017. This request is to permanently establish this beneficial and nationally recognized program that targets the persistent problem of impaired driving in Hawai'i and focuses on the hard core, repeat offenders. To do that, positions and related funding for a full-time Specialty Court Coordinator and Social Worker IV DWI Court Case Manager are needed. The First Circuit is requesting \$61,348 in FY 2018 and \$117,636 in FY 2019 to fund these positions. Another \$77,550 is needed annually for program supplies and equipment, electronic monitoring, incentives, and treatment services for the offenders.

Establish Social Worker IV (Case Manager) Position for Hawai'i Zero to Three (HZTT) Program: The HZTT program in the Family Court provides services that focus on the well-being of infants and toddlers who have been removed from parental custody due to abuse and/or neglect. This request is for \$27,116 in FY 2018 and \$50,772 in FY 2019 to fund a HZTT Case Manager position that is currently funded through Substance Abuse and Mental Health Services Administration (SAMSHA) grant funds that will expire in July, 2017, with no further extensions. Such funding will allow this program to achieve permanency within the Judiciary and continuation of these valuable services to those extremely young children that cannot protect themselves.

Purchase of Service (POS) funding for the Veteran's Treatment Court (VTC): The First Circuit is requesting funding of \$244,360 in each year of the fiscal biennium to procure POS contracts to provide VTC veterans, who are on probation, with housing, and with residential substance abuse and mental health treatment that is not funded by the Veterans Administration (VA).

Establish Three Social Worker Positions to create a Mental Health Unit (MHU) within the First Circuit, plus funding for Mental Health Assessments and Client Services: This request is to create a MHU within the First Circuit Court, Adult Client Services Branch (ACSB) that would encompass and provide services to not only Mental Health Court (MHC) clients and court-ordered conditional release (CR) clients with persistent and severe mental illness (SMI), but also others in the general population that are dual diagnosed with drug addiction and mental health issues. To do this, First Circuit is requesting \$162,998 in FY 2018 and \$227,316 in FY 2019 for three Social Worker IV positions, mental health assessments, client services/needs such as emergency housing and medical/dental care, and furniture and equipment (FY 2018 only). The overall goals are to bring more stability to our partnerships with other agencies involved in this area; increase our client referrals and population served, whether it be MHC, CR, or general population clients that are not necessarily diagnosed with SMI; reduce recidivism and increase public safety; decrease tax dollars spent on incarceration and hospitalization; and improve the overall operations, success, and efficiency of the MHC.

Convert Seven Budgeted Temporary Positions in the Hawai'i Girls Court Program to Permanent Status: Since September 2004, the Hawai'i Girls Court has continued to demonstrate success in providing a gender-specific forum designed to address the needs of female juvenile offenders and their families. To sustain this program's success, permanent positions are crucial to the Judiciary's effort in the recruitment process and to retain current staffing. Therefore, this request asks for a no-cost conversion of seven budgeted temporary positions to permanent status: one Social Worker V (Coordinator), four Social Worker IVs, one Social Service Aide, and one Clerk. Funding these positions will allow the program to achieve permanency and to build upon its established success in significantly reducing recidivism, building stronger families, and effectively serving female offenders. It will also strengthen and prevent their further involvement in the justice system as offenders, as mothers in child protective cases, and as victims in domestic violence cases. As of September 2016, the Girls Court program is providing service to 41 girls and their family members.

Establish Two Social Worker IV positions and One Judicial Clerk Position for Temporary Restraining Order (TRO) Unit, Family Court: To keep up with public demand to obtain a TRO, three permanent positions and related funding totaling \$70,902 in FY 2018 and \$133,284 in FY 2019 are requested for the Family Court TRO Unit. Two Social Workers positions and one Judicial Clerk position will help increase public accessibility to the Family Court system to acquire domestic violence "intimate partner" protective orders; expedite processing of "time sensitive" court documents; and assist the involved parties in subsequent mandated court hearings.

B. REASON FOR BUDGET REQUESTS

Judges' Salary Differential: First Circuit is requesting \$204,746 in FY 2018 and \$413,352 in FY 2019 to fund judges' salaries at the legislatively mandated pay levels set by the 2013 Commission on Salaries. The role of the Salary Commission is to fulfill Article XVI, section 3.5 of the Constitution which reads as follows: There shall be a commission on salaries for the justices, judges of all state courts, members of the legislature, department heads or executive

officers of the executive departments and the deputies or assistants to department heads of the executive departments as provided by law, excluding the University of Hawai'i and the Department of Education (DOE).

Funding for a District Family Judge and Court Support Staff for the Family Court of the First Circuit: In 2007, the First Circuit Family Court requested the creation and funding for two additional District Family Judges and six court support staff positions. In 2012, the Legislature approved funding for one District Family Judge and three court support staff positions. This request seeks funding for the remaining four positions which are a District Family Judge, two Court Clerks, and one Court Bailiff costing \$160,606 in FY 2018 and \$315,684 in FY 2019.

Presently, the Family Court Judges do not have enough time to give to individual litigants and cases. This problem has continued to grow as the number of cases and the complexities of these cases increase. Rather than request additional resources and despite staff shortages, the Family Court Judges and staff have worked to maximize their efforts to meet the increasing demand. However, working at such a pace and overtaxing of staff for so long have come at a very high cost. The increase in caseload has resulted in delays in scheduling and hearing cases, increases in the number of ex-parte motions requesting expedited hearings, and delays in the timely processing of documents. All of this contributes to the frustration of the judges, staff, and the public, in addition to impacting the public's access to justice and safety.

The total caseload numbers do not accurately reflect the number of hearings per case, the length and complexity of these cases, the impact of the large number of self-representing litigants, and the changes in state and federal laws and regulations.

The Family Court of the First Circuit is divided into four divisions - Domestic, Special, Juvenile, and Adult Criminal. The Domestic Division deals with divorces, civil union divorces, and interstate child custody cases that involve pre-divorce decree, divorce trial, and post-decree issues. The Special Division deals with cases involving paternities, TROs/Orders for Protection, guardianship of minors and of incapacitated adults, involuntary and emergency mental health commitments, assisted community treatment, and adult hospitalizations. The Juvenile Division hears cases involving juvenile law violations, status offenses, and child abuse and neglect. The Adult Criminal Division deals with Abuse of Family Household Member charges and violations of TROs and Orders for Protection.

Domestic Division

Currently, there are three District Family Judges assigned to this division.

The Domestic Division handles hearings involving issues of child custody and visitation, custody evaluations, child support, tax dependency, alimony, occupancy of home, property and real property division (including business valuations and divisions), division of retirement benefits, inheritance, division of stocks, division of financial accounts, payment of debts, awarding of vehicles, provision of health/dental insurance coverage for children and/or spouses, uncovered medical/dental expenses, extra-curricular activity expenses, private school expenses, post high school educational expenses, payment of taxes, need for firearms prohibition, and federal and

military benefits. However, this is not an exhaustive list. On any given calendar, each judge has to decide any combination of these issues, all of which involve evidentiary hearings.

Motion to Set Calendar

One example of the backlog in the Domestic Division is with the Motion to Set calendar. Motions to Set are settlement conferences and/or trial setting conferences. When a Motion to Set is filed, litigants currently have to wait approximately three to four months for a hearing date, then an additional five to six months for a trial date.

Pre/Post Divorce Decree Motions Calendar

Another example of the backlogs affecting litigants is on the Wednesday Pre/Post Divorce Decree calendar. In presiding over these calendars, the Domestic Division Judges decide any combination of issues mentioned in the previous paragraphs.

On the morning calendar, each judge hears approximately 7 to 10 cases. On the afternoon calendar, each judge hears approximately 10 to 12 cases. This means that each Domestic Division Judge is presiding over anywhere from 17 to 22 evidentiary hearings on any given Wednesday.

Another factor to consider on the Pre/Post Divorce Decree calendars is that of the litigants who appear before the Domestic Division Judges on the Wednesday morning and afternoon calendars, over 50% of the cases involve at least one pro se litigant. Pro se litigants take up a considerable amount of court time. Due to the sheer volume of cases on calendar for that day, judges either run court overtime, which exhausts court staff, or rush through cases to complete their calendars in a timely manner.

Special Division

Currently, there are three District Family Judges assigned to this division.

Uncontested Adoptions

One example of the backlog is with the Uncontested Adoption calendar. The petitions related to adoption in Family Court are unique because these are the only documents which are screened completely from start to finish by Family Court staff. Currently, there are about 40 to 50 petitions waiting to be screened before they can be set for hearing. Adoption cases are becoming increasingly complex with having to confirm that the requirements of the Indian Child Welfare Act and the Hague Convention are met, consents are properly obtained from biological/birth parents in surrogacy cases, and proper documentation has been obtained in foreign adoption cases.

The lack of dedicated court time for these uncontested adoption petitions contributes to the backlog as well. Because adoptions are only one of the many cases that Special Division Judges hear, adoption hearings are only held one afternoon each week because of a lack of calendaring time and lack of judges. Families wanting to adopt children are forced to wait many months to have their adoptions granted.

Paternity Calendar

Another example of the backlog is with the Paternity calendar. These cases involve issues of legal and physical custody, child support, visitation, medical/dental health insurance coverage, the tax dependency exemption, payment of uncovered medical/dental expenses, child care costs, private school tuition, and extra-curricular activity expenses. However, this list is not exhaustive as well.

Like the Divorce calendar, over 50% of the litigants who appear before the Special Division Judges are pro se litigants. Like the Domestic Division Judges, the Special Division Judges spend a majority of their court time with the pro se parties.

Previously, when a paternity petition was filed, litigants had to wait approximately 10 months for a hearing date. To help alleviate this backlog, the Special Division Judges, with the help of the Senior Judge and Per Diem Judges, added additional calendars on Wednesday, Thursday, and Friday afternoons to hear paternity cases.

Now, litigants have to wait approximately two months for a hearing date. However, this is still a long time to wait for litigants who need child support or medical coverage for their children, or who have not been able to see or visit with their children for weeks or months prior to coming to Court. While this is a temporary fix, like every other calendar in Family Court, the backlog will continue to build again.

TRO/Order for Protection Calendar

Special Division Judges hear TRO/Order for Protection cases on Mondays, Tuesdays, and Wednesdays. Even when the judges are not in court, they are also reviewing and deciding on ex-parte (non-hearing) TRO petitions daily. If an ex-parte TRO petition is granted, then a hearing is set. Due to the sheer amount of cases needing a hearing, Special Division Judges may go overtime and/or may rush through the cases to complete their heavy calendars while balancing the extremely real safety concerns, domestic violence dynamics, and other concerns posed in these cases.

Like the other calendars in Family Court, a majority of the litigants who appear on the TRO calendar are pro se litigants which require additional court time by the Special Division Judges.

Juvenile Division

Currently, there are four District Family Judges assigned to this division.

Child Abuse and Neglect Cases (“CPS Cases”)

Child Protective Services (CPS) Review cases are heard during the morning calendar, which equates to approximately a three and half hour time span Monday through Friday, which further breaks down to approximately only 15 minutes per case.

These cases involve issues including, but not limited to, child abuse and neglect, domestic violence, safety, substance abuse, mental health, and termination of parental rights.

Given the gravity of the situation and very real safety issues involved, Juvenile Division Judges balance the volume of the caseload and the seriousness of the issues while trying to build a working dynamic with the parties involved for the best interest of the children.

Law Violators and Status Offenders (“Juvenile Offender”)

These cases involve juveniles who break the law or commit an offense that brings them under the jurisdiction of Family Court based solely on their status as a minor such as skipping school, breaking curfew, etc. Currently, the wait for trial for a juvenile offender case is approximately three months.

Additionally, these Juvenile Division Judges also preside over our Specialty Courts: Juvenile Drug Court, Zero to Three Court, Girls Court, Family Drug Court, and Permanency Court. A Juvenile Judge is also presiding over the Imua Kakou Court (Voluntary Care to age 21), which was legislatively mandated, and our newest project, Truancy Court.

Other Factors Affecting Family Court Judges

Family Court Litigant Demographics

Family Court has a self-help desk called the Ho‘okele Help Desk. There are Help Desk stations located in the Ronald T.Y. Moon Kapolei Courthouse and the Ka‘ahumanu Courthouse in Honolulu. In 2015, Family Court Help Desk employees assisted 57,169 litigants, and during the first six months of 2016, serviced approximately 42,000 litigants. Assuming this same rate of assistance continues the rest of the year, the service to Family Court litigants could increase by more than 26% in 2016 as compared to 2015. A majority of the phone calls and in-person help are for pro se litigants. The number of pro se litigants in need of assistance will continue to grow because of the complexity of Family Court cases.

These numbers illustrate the overwhelming volume of pro se litigants that pass through the Family Court doors on a daily basis. Over 50% of the cases involve at least one pro se litigant. Many of the cases have double pro se parties, which mean both parties choose to, or due to financial constraints are forced to, represent themselves through a Court process that is unfamiliar, intimidating, and extremely overwhelming. As a result, Family Court Judges spend a considerable amount of court time interacting with the pro se litigants in court to help them resolve their issues.

Family Court Hearings are Evidentiary Hearings

Unlike any other court, the majority of the hearings held in Family Court are evidentiary hearings which involve the taking of testimony from the parties and any other necessary witnesses, and which also may involve the introduction of exhibits. These hearings are extremely time consuming and require the full attention of the judge because they involve issues directly affecting families and children.

Sometimes, as a result of the calendar, each party is allotted only 15 minutes to present his or her case. This creates an access to justice issue as Family Court litigants are not fully afforded adequate time for their respective cases.

Not only do the litigants feel “rushed”, which impedes settlement and clogs the court calendar, but more importantly, litigants are often not satisfied with their Family Court experience as the presiding judge is compelled to quickly make a decision that affects their everyday lives.

Conclusion

All of these hearings held in the Domestic, Special and Juvenile Divisions involve issues that are sensitive in nature and highly emotional, and involve issues that are extremely important to the parties who appear before the Family Court Judges.

More often than not, the cases cross over among Divisions. It is not uncommon for a paternity case to have a related restraining order case and related child welfare case.

Ultimately, the cases that are heard in Family Court are unique in the sense that they involve fundamental issues that affect and are at the center of people’s everyday lives – the safety and well-being of their children and families.

In conclusion, Family Court needs the additional judgeship and court staff positions to be funded in order to meet the needs of our community.

We are requesting funding for one permanent full-time Judge to preside over Family Court hearings and for court staff, specifically, two permanent full-time Circuit Court Clerk II positions and one permanent full-time Court Bailiff II position, to assist the judge in performing his/her duties in court and outside of court. The Circuit Court Clerk positions are extremely important and essential to the Family Court Judge, not only to assist the Judge, but also to maintain efficient and consistent court operations.

The Court Clerks take minutes of court proceedings that become part of the court record, receive and file documents and exhibits, schedule hearings, and handle inquiries and concerns from attorneys, parties, and the public. While one Court Clerk is in court with the judge, the other Court Clerk will be in chambers, preparing documents and files for upcoming hearings, processing documents, entering minutes into the court’s data base systems of HAJIS, JUSTIS, ICAL or other data base systems, and answering telephone calls from attorneys and the public. The Court Clerks also manage and complete the daily tasks that are essential to ensure court mandates are fulfilled timely and forthwith as ordered by the court.

The Court Bailiff keeps order during court proceedings and facilitates the movement of cases being heard by the judges. The Court Bailiff also assists in directing the attorneys and parties to the correct courtroom or program, keeps order in the hallways by keeping parties to restraining order cases separate while they wait for their hearing to be called, and handles the phone calls from attorneys and parties who have permission to appear by phone for their hearing.

Our Kapolei Courthouse already has a courtroom, chambers, and office space available for the additional judge and staff.

According to the Judiciary's yearly caseload statistics, during FY 2015, the three judges in the Domestic Division handled 3,822 new cases plus the carryover of 3,535 cases from the prior fiscal year for a total caseload of 7,357 cases. During FY 2016, the Domestic Division handled 3,791 new cases plus the carryover of 3,557 cases from the prior fiscal year for a total caseload of 7,348 cases. The Domestic Division also handles Civil Union Actions and Proceedings which are included in the total number of cases per fiscal year. As such, each of the three Domestic Division Judges presides over trials and also has hearings to help parties reach an agreement and avoid court battles. Pre-trial and post-trial hearings are full evidentiary hearings, similar to the civil division, but without sufficient support staff and law clerks, and with no juries making dispositive decisions.

In FY 2015, the four Juvenile Division Judges handled 4,628 new juvenile cases and 1,109 new "children on status" cases ("children on status" cases are defined primarily as probation, protective supervision, family supervision, foster custody, and permanent custody cases.) Adding 2,545 carry-over juvenile cases and 2,191 carry-over "children on status" cases from FY 2014, the Juvenile Division Judges handled a total of 10,473 cases in FY 2015. During FY 2016, the Juvenile Division Judges handled 4,483 new juvenile cases plus the carry-over of 2,698 cases from the prior fiscal year for a total caseload of 7,181 juvenile cases. The Juvenile Division Judges also handled 1,254 new "children on status" cases plus the carry-over of 2,166 cases from the prior fiscal year for a total of 3,420 "children on status" cases. Altogether, the Juvenile Division Judges handled 10,601 cases in FY 2016. Again, the total number of cases does not reflect that number of actual hearings held in each case. Besides the initial hearings and trial, adjudicated cases require many subsequent hearings over a number of years. Additionally, these Juvenile Division Judges also preside over our Specialty Courts. The judges are also presiding over the Imua Kakou Court (Voluntary Care to 21), which the Legislature mandated; and our newest project, Truancy Court.

In FY 2015, the three Special Division Judges handled 6,379 new restraining order, paternity, adoption, involuntary commitment, and guardianship cases, plus the carryover of 2,535 cases from the prior fiscal year, for a total caseload of 8,914 cases. In FY 2016, the Special Division Judges handled 5,919 new restraining order, paternity, adoption, involuntary commitment, and guardianship cases, plus the carryover of 3,303 cases, for a total caseload of 9,222 cases. Although not every hearing is a trial, every hearing represents a family with all the complexities found in any family, except these families have the additional burdens that require court actions, such as domestic violence.

Additionally, Family Court Judges rotate monthly being on call 24 hours a day, 7 days a week, for emergency hospitalizations and mental health commitment determinations. The judges and staff also work with the community to create solutions for problems facing our children; speak at schools; and volunteer their time, after-hours, for mock trials, moot courts, task force meetings, and other community or school efforts and activities. The circuit is divided geographically with each Family Court Judge assigned a geographic area and the judges are expected to become familiar with their area's schools, community needs, community leaders, and services.

All of the statistics do not account for a very important part of the duties of a judge, which is, preparing for cases. The judges must review and research the motions and other documents in the case file and related case files as well as draft orders, decisions, and findings of fact and conclusions of law (Family Court Judges are without Law Clerks to assist them). Other responsibilities assigned to Family Court Judges include: conducting status conferences, discovery conferences, pre-trial conferences, and case management activities; conducting settlement and trial setting conferences; and participating in various community and other agency activities (e.g., attending school meetings with parents and students).

As a decision maker, the Family Court Judge must focus on the “best interest” of the child standard, render timely decisions, hear testimony and conduct other court activities, manage cases, and perform administrative duties. As a leader, the Family Court Judge collaborates with and convenes agencies and community stake-holder groups, works to improve the justice system, enforces accountability among stake-holders, trains and educates community participants, and improves and establishes service provisions for children and families. As a student, the Family Court Judge reviews relevant case materials; keeps current with professional journals and research articles; seeks new resources for more comprehensive servicing of children and families; meets with court personnel, other judges, and community groups/leaders; and attends judicial conferences and training workshops/sessions.

Over the last five years, Family Court, First Circuit has seen an increase in the use of per diem judges. The table below shows the cost of per diem judge coverage since FY 2012:

Fiscal Year	No. of Days	Cost
2012	587	\$299,209
2013	657	334,485
2014	696	483,421
2015	769	544,821
2016	815	588,976

With the additional judge, the total cost for per diem judges will reduce slightly, but the demand for per diem judge coverage will still exist because of the need for judges to recuse themselves due to case conflicts, attend meetings/provide services to various organizations and committees (both within the Judiciary and in the community), and to attend training classes. Per Diem judges also get temporarily assigned to handle Circuit Court cases and are needed when additional calendars are scheduled because of the demand for Family Court hearings. Presently, a per diem judge has been assigned to hear divorce cases every Wednesday in the Domestic Division since July, 2013.

Funding for the last District Family Judge and court support staff positions was provided in 2012. Due to the selection and confirmation process, the new judge did not begin his term until February, 2013. Family Court again became short staffed when one of its judges was confirmed

to fill a Circuit Court Judge position in late 2014. A new District Family Judge began serving in that position in July 2015.

The justification for the two new District Family Judge and Court Support staff positions was set forth in the Judiciary's 2007-2009 Biennium requests. It included the following:

"Family Courts throughout the country, ours being no exception, have been compared to hospital emergency rooms as people who show up there are in crises and misery, and are often at their worst. Because our Family Court hears every kind of family problem, our judges see every family emergency imaginable. Children, sometimes as young as 11 years old, are arrested and brought to Family Court for having made poor choices, and our judges must decide if the children should be sent to the Hawai'i Youth Correctional Facility, to a treatment program, or released back into the community.

What does the judge do when the parents of a 14 year old runaway girl, who is pregnant, addicted to methamphetamine and in love with her pimp, look to the court for help? Parents are also brought to Family Court for harming their children and our judges must decide whether or not to terminate their parental rights, sometimes for as long as 16 or 17 years, depending on the age of the child.

What does the judge do when an infant has been severely hurt, but no one can say for sure if either parent did it? Family members (spouses, grandparents, siblings, and grandchildren), boyfriends, and girlfriends come to our Family Court seeking orders prohibiting other family members from contacting them. What does the judge do when a wife says that yes, her husband did constantly beat her up and threaten her all the time, but he's been very nice since the TRO was issued and now she is adamant that he is not dangerous anymore? Our Family Court Judges are routinely asked to decide which parent gets to have the kids, inevitably altering forever the lives of not just the children, but of the parents as well.

What does a judge do when a divorcing parent decides to move to the mainland for a better job opportunity and wants to take the children with them, while the other parent wants to stay in Hawai'i with the children? These are gut-wrenching decisions, involving some of the most personal, emotional, and dangerous issues that exist. Yet, the painful reality, which has existed for some time now, is that the sheer volume of cases in Family Court makes it impossible to give the parties the time they want, need, and deserve, and to give the judges the time demanded by these complex and emotionally charged issues.

On any given morning (morning only, not a full day), a Family Court Judge handles between 10 and 20 Child Protective Services cases. These are cases where the judge must decide if the parents harmed their child and if so, whether to take the child from the parents. Looking at 15 cases in a morning, our Family Court Judges spend an average of just under 15 minutes per case, assuming that there are no delays that morning. Is 15 minutes a sufficient amount of time for a child?

In another real-life example, in one morning (morning only, not a full day), a Family Court Judge handles on average 12 to 15 TRO cases. These are cases where a judge must decide whether to restrain (keep away) fathers from mothers, grandchildren from grandparents, and so

forth, and if so, for how long and under what conditions. Looking at 12 cases in a morning, our Family Court Judges spend between 17 and 18 minutes per TRO case. Again, this time-frame assumes no delays. Would someone so fearful of a relative that they sought a restraining order, or someone accused by a family member of needing to be restrained, feel that 17 to 18 minutes was enough time for the entire case to be presented and decided?

In one final example, it is very common for Family Court Judges to have only one day of trial to decide which divorcing parent gets custody of the children. This unbelievably short time-frame is a by-product of high caseload volume and few Family Court Judges. Further, devoting more than one day to trial would further delay other cases.

Finally, one can only imagine the pressure our judges are under knowing that they have to make such life-altering decisions in minutes. The implications of their decisions can be severe. If a child is returned home too soon, the child might be killed. If a TRO is denied, a grandmother or mother might die. If a child is not sent to the best home possible, the child's development may be impeded forever. Add to this is the reality that many of these cases include issues of chronic drug addiction, severe domestic violence, longstanding mental illness, poverty, and homelessness."

The additional Family Court Judge is critically needed to help families truly have their day in court. Authorization to fund the remaining Family Court Judgeship and three Court Support staff positions are therefore requested to ensure that our judges have the collective resources to devote sufficient time to litigants and that justice is properly administered in Family Court cases.

Establish Specialty Court Coordinator and Social Worker IV Positions and Funding for the DWI Court Program: The First Circuit is requesting funding of approximately \$139,000 in FY 2018 and \$195,000 in FY 2019 to permanently establish the DWI Court Program. The funds will cover the cost of a permanent full-time Specialty Court Coordinator and Social Worker IV DWI Court Case Manager. Funding is also requested for other miscellaneous supplies, equipment, and software, as well as for electronic monitoring, incentives, and treatment services to help manage the offenders.

The DWI Court Program was established in April 2012 and has been operational since January 2013, with initial federal funding for the program coming from the NHTSA through a grant administered by the State Department of Transportation. NHTSA recently awarded the DWI Court program a sixth and final year of grant monies which will expire on September 30, 2017. No additional extensions are possible. The DWI Court Program confronts the persistent problem of impaired driving in Hawai'i and seeks to reduce recidivism among repeat and high-risk offenders by addressing the underlying cause of impaired driving, which is alcohol and substance abuse. Without intervention, this population of chronic impaired drivers will continue to reoffend, congest court dockets, and endanger public safety on our roadways.

According to the NHTSA Fatality Analysis Reporting System, more than 30,000 people were killed in motor vehicle crashes nationwide in both 2013 and 2014. Alcohol impaired driving accounted for more than 9,000 or 30% of these motor vehicle traffic fatalities each year. In both of these years, about 100 people were killed in motor vehicle crashes in Hawai'i with some 33%

of these fatalities resulting from alcohol-related crashes involving drivers whose blood alcohol concentration (BAC) was higher than 0.08%.

The DWI Court Program's target population is the hardcore, repeat offender, high BAC percent, impaired drivers who are overrepresented in these fatal crashes. Research indicates that this particular type of offender is not impacted by the same general deterrence methods that might affect other offenders, such as public awareness campaigns or traditional sanctions, such as incarceration or large fines.

While the penalties for a first offense of Operating a Vehicle Under the Influence of an Intoxicant (OVUII) are minimal, repeat offenders are subject to increasing amounts of jail time if convicted of multiple offenses. When offenders have already been convicted of OVUII three or more times within a 10 year period, they can be charged with habitually operating a vehicle under the influence of an intoxicant pursuant to HRS 291E-61.5. This felony charge carries either an indeterminate term of imprisonment of five years or five years of probation that would prove more costly to the taxpayer.

The cost to house inmates in Hawaii's Correctional Facilities is \$140 per day which equates to an annual cost per inmate convicted of OVUII of \$51,100. The annual cost per individual enrolled in the DWI Court Program, which includes case management services and alcohol monitoring, is approximately \$4,600 per participant. Therefore, the potential annual cost savings of an individual participating in the DWI Court Program as an alternative to a jail sentence is close to \$46,000 annually. The cost of treatment services are primarily paid for through the participant's health insurance carrier or by the participant in order to keep them invested in their own recovery. When a participant is indigent and unable to pay for necessary treatment services, the program will pay for the treatment to ensure the same quality of care for everyone.

As of August 2016, 253 offenders have been referred to the DWI Court Program since inception. Of those referred, 241 offenders (95%) were deemed eligible for the program. Of those deemed eligible, 84 offenders (35%) were interested in the program, 57 (68%) petitioned to enter the program, and 45 (79%) chose to enroll in the program.

The DWI Court Program currently has 10 active participants and 33 successful graduates with a zero (0%) recidivism rate for subsequent drunk driving arrests. In comparison, there is a 28% recidivism rate for subsequent drunk driving arrests among those offenders who declined participation in the program.

The goal of the DWI Court Program is for participants to maintain sobriety through a comprehensive, court-regulated treatment plan that requires accountability and provides intervention support for non-violent offenders.

The anticipated results for establishing a DWI Court Program as a permanent program in the District Court of the First Circuit is that over time, there will be a reduction in recidivism in this population of repeat and high-risk offenders. This would ultimately save taxpayer money, reduce court caseload, and improve public safety on our roadways.

Research of similar programs in other states show success in reducing recidivism rates. The Pacific Institute for Research and Evaluation and NHTSA study of three Georgia DWI Courts found that:

- Repeat DWI offenders graduating from the DWI Courts were up to 65% less likely to be re-arrested for a new DWI offense.
- All DWI Court participants had a recidivism rate of 15%, whether or not they graduated or terminated; conversely, there was a rate of up to 35% for those not in DWI Court.
- The three DWI Courts prevented between 47 and 112 repeat DWI arrests.
- The DWI Courts saved a substantial amount of taxpayer money that would have been needed for incarceration, court time, and probation supervision.

A Wisconsin evaluation found that recidivism rates were significantly lower for its DWI Court participants than for a comparison sample of non-DWI offenders.

A Michigan study that evaluated DWI Courts in three counties found that nearly all of the comparisons favored better outcomes for DWI Court participants. In one county, the DWI Court participants were up to 19 times less likely to reoffend. The study also found that the DWI Courts saved the criminal justice system time and money when compared to a traditional court.

In March 2015, the Hawai'i DWI Court was honored with the NHTSA's top national award for public service at the Lifesavers Conference. The plaque citation reads: "In recognition of the collaborative efforts to reduce traffic fatalities due to alcohol impaired driving by creating Hawaii's first DWI Court Program for repeat offenders."

By establishing the DWI Court Program as a permanent program within the District Court of the First Circuit, we will be able to continue the success of the initial pilot program and provide active monitoring of the treatment and recovery process for these repeat and high-risk offenders.

Establish Social Worker IV (Case Manager) Position for the HZTT Program: This vital program addresses the basic needs of infants and toddlers which are the largest single group of children in foster care in the United States and have the highest rates of victimization across all age groups. According to Department of Human Services (DHS) data in 2011, which is the latest research available, infants under one year of age constitute the largest age group in Hawai'i in foster care.

The HZTT Court began operation in 2008 through funding from Zero to Three, a national non-profit organization based in Washington, D.C. Zero to Three hired and employed a full-time community coordinator to work with the Hawai'i court program to perform the duties of a program coordinator. In November 2012, the funding source for the Coordinator position ended. Despite the loss of that funding, the HZTT program was able to obtain grant funding and has continued to work closely with the national Zero to Three Organization which provides technical assistance and data evaluation.

Recently, the First Circuit established a temporary full-time Coordinator position for the HZTT program which is presently in recruitment. The temporary Coordinator position was established

to provide stability to this vital program, and render quality service to the at-risk infants and toddlers in our communities. At present, the HZTT program is administered by the Family Drug Court Coordinator who manages the caseload and ensures the viability of the program. However, it is extremely important that the Family Drug Court Coordinator focus full attention on the Drug Court Program that the incumbent was hired to oversee and not have to manage and be responsible for two disparate type programs, that is, HZTT and Family Drug Court. Hence, First Circuit management decided to establish an unbudgeted temporary full-time position to meet the vital needs of the most defenseless and vulnerable members of our society; that is, our children.

HZTT is currently funded through a grant received from SAMSHA. The grant will end on July 31, 2017, and no further extensions are possible. Therefore, the HZTT program is requesting funding of \$27,116 in FY 2018 and \$50,772 in FY 2019 for a HZTT Case Manager position. A permanent Case Manager position is critical to providing quality specialized case management while fostering the coordinated team approach to ensure appropriate early intervention services are provided to infants, toddlers and their families to effectuate unification. The staffing shortages at DHS/Child Welfare Services (DHS/CWS) can compromise the intensive, prompt and specialized services infant and toddlers need to overcome the serious medical and developmental consequences, attachment disorders, and overall well-being which are commonly exacerbated in the foster care system due to infrequent visitation, multiple placement changes, and delays in achieving permanence. The HZTT Social Worker has been the key to holding the DHS/CWS Social Workers, service providers, and Guardian ad Litema responsible by identifying gaps in cases and keeping everyone accountable, including parents/caretakers. The HZTT Social Worker is the glue to keeping cases on the right track and through the collaborative and coordinated team approach, the DHS/CWS Social Workers receive the support and assistance to do their job more efficiently and effectively.

The Hawaii’s Children 2015 report published by the Child Welfare League of America) organization in Washington D.C. states, “The federal Child and Family Service Reviews clearly demonstrated that the more time a caseworker spends with a child and family, the better outcomes for those children and families”. Thus, the data provided in the January 2014 State of Hawai‘i DHS Data Book is quite alarming, that is, in Hawai‘i in 2013, there were a total of 1,361 confirmed cases of abuse and/or neglect, and 695 victims (51.1%) were children in the age range from 0 – 5 years. The soon to be published Data Book for FY 2015 reports 1,090 or 46% of all children in the foster care system are 0 – 5 years of age. The table below shows the steady increase over the past four years of foster children, ages 0 – 5 years, compared to the total number of foster children in the State of Hawai‘i.

2015	46%
2014	43%
2013	41%
2012	35%

Foster care is for children with the most serious needs, whereby other forms of child protection intervention such as Family Supervision, and differential response, such as Voluntary Case Management and Family Strengthening Services, are not appropriate.

According to the National Zero to Three, which provides on-going technical assistance to the HZTT program, there is a national movement to expand the ZTT programs to five years of age, which the HZTT specialty court hopes to accomplish in the near future.

A study released in February 2012 by the Center for Disease Control and Prevention, “.....found that the lifetime cost for each victim of child maltreatment who survived was \$210,012: \$32,648 in childhood health care costs; \$10,530 in adult medical costs; \$144,360 in productivity losses; \$7,728 in child welfare costs; \$6,747 in criminal justice costs; and \$7,999 in special education costs.”

Research suggests that children who experience child abuse and neglect are 59% more likely to be arrested as a juvenile, 28% more likely to be arrested as an adult, and 30% more likely to commit violent crime.

Thus far, the national Zero to Three’s Safe Babies Court Teams have undergone two evaluations. The first, completed by James Bell Associates, looked at evidence of system change, knowledge among Court Teams stakeholders regarding the impact of maltreatment on early development, and short-term outcomes for infants and toddlers monitored by the Safe Babies Court Teams. The second, completed by Kimberly McCombs-Thornton, PhD, looked at the effect of Safe Babies Court Teams on time to permanency and how children exit the foster care system. It also examined how program components or client characteristics affected time to permanency.

Both evaluations used data from the oldest four Safe Babies Court Team sites: Des Moines, Iowa; New Orleans, Louisiana; Fort Bend County, Texas; and Hattiesburg, Mississippi. Results from both evaluations were overwhelmingly positive. Key findings from the evaluations include:

- 99.05% of the 186 infant and toddler cases examined were protected from further maltreatment while under court supervision. (James Bell Associates, 2009)
- 97% of the 186 children received needed services. (JBA, 2009)
- Children monitored by the Safe Babies Court Teams Project reached permanency 2.67 times faster than the national comparison group ($p=.000$). (McCombs-Thornton, 2011)

While the Evaluation Report for the Hawai‘i Zero to Three Program dated July 31, 2016, by David Leake, Ph.D. MPH, Center on Disabilities Studies, University of Hawai‘i at Mānoa, was an attempt to evaluate how well the HZTT is meeting its objectives, the various data systems relied upon were not “well suited” to make a clear determination. However; the report did note that “...through the addition of qualitative data from interviews with 8 clients and 8 personnel involved with HZTT, all of these interviewees stated positive views of HZTT overall, and the preponderance of their responses concerning each objective were clearly positive. We can thus conclude that HZTT has made observable progress in achieving each of its objectives: 1) reduction of alcohol or drug consequences; 2) improved reunification outcomes for families; 3) decrease in length of stay in foster care; 4) increase visitation; 5) timeliness of service procurement; and 6) increase access to services.”

The interviews pointed to the effectiveness of having frequent court hearings and contributing to meeting “...all 6 objectives by alerting HZTT Court Team members to client services needs in a

timely manner and ensuring that clients are aware of their requirements and maintain focus on meeting them. Another important factor is the quality of the HZTT Court Team members and their commitment to the cause of reunification. Several clients praised the HZTT Case Manager and their DHS Social Workers in particular, for effectively supporting them, but clients are also supported by a range of other Court Team members from other involved agencies.”

The recent evaluation on the HZTT is a testament to the benefits of having such a specialty court program and the positive impact it has upon the children and families it serves. With support from the national level and the community, the HZTT has the capacity to refine and expand, and improve outcomes for Hawaii’s most vulnerable population in the child protective system and their families. As the presiding Judge of the HZTT program stated in the evaluation in reference to HZTT being a specialty court program, “So it’s an attitude that I think makes the program strong, or stronger than most. Because, at the end of the day, and I’ve said this on other occasions, who doesn’t want to help a baby?”

Since its inception in 2008, the HZTT program has serviced 57 families and 93 infants and toddlers. Presently, the HZTT program is servicing 15 families and 32 children; 20 of the children are ages 0-3. The current placement of children in the HZTT program is 18 in foster custody, 13 in family supervision, and 1 in permanent custody waiting adoption. With a dedicated Case Manager, more families and children will be served and a more responsive and efficient program will be ensured. Staff will be able to commit their time and focus on achieving the goals of the HZTT program which include: developmentally appropriate services, securing a safe environment for the child, and eventually reunification with the parents, if possible. Babies and toddlers who are considered to be at-risk have a chance to experience positive, well-being outcomes because of programs such as the HZTT which provides early intervention and is designed to promote the best developmental outcomes for infants and toddlers who have been removed from parental custody due to abuse and/or neglect.

POS funding for VTC participants: First Circuit is requesting \$244,360 in each year of the fiscal biennium to fund POS contracts that will provide veterans participating in the VTC with the appropriate level of care, treatment, and housing needed to help restore them to a productive lifestyle.

The VTC project began operations in October, 2012 when the First Circuit was awarded a three year grant through the Bureau of Justice Assistance and SAMHSA. The original grant had a provision for \$190,000 in treatment funds. The one-year, no-cost extension terminated on September 30, 2016, and all grant funds have been expended. In 2013 and 2015 respectively, the Legislature authorized two permanent positions to staff the VTC: a Social Worker V (Supervisor) and a Social Worker IV (Probation Officer). At this time, the VTC is seeking funding for substance abuse and mental health treatment, along with funds for housing the VTC participants who need short or long-term residential treatment or those who do not qualify for Veterans Administration (VA) benefits due to type of military discharge or type of military service (e.g., National Guard or non-service connected substance use/mental health disorders).

While most VTC’s across the country are limiting their admissions to veterans with Honorable Discharges or those with combat-related injuries only, the First Circuit’s VTC has adopted the definition of a veteran as cited in Hawai‘i Revised Statute §363-1: “Veteran” means any person

who has served in any of the armed services of the United States, or any person who is now a citizen of the United States who has served in any of the armed services of any country which was an ally of the United States in any war or campaign in which the United States was also engaged.” This means the program has cast the “widest net” possible to provide court-based services to veterans regardless of their VA eligibility and deployment status.

To date, the VTC has admitted 38 veterans; 14 have graduated, and one was terminated for violating the terms of the VTC program. There are 16 veterans on the VTC wait list.

While the VA is primarily responsible for providing substance abuse and mental health treatment (in addition to general medical, dental, and other related services) to veterans, each veteran must apply to the VA for eligibility determination. During the three years of the grant implementation, the VTC has discovered:

- The VA does not fund residential treatment, short or long term, for any veteran.
- The VA does not provide services to veterans who have less than an Honorable Discharge unless the veteran has a service-related injury or disorder.
- National Guard participants are not eligible for VA services unless they have served in an actual “deployment” because they are not veterans. Once a National Guard member has been activated for deployment and redeployed home, they may qualify for VA services.
- Many veterans do not want to receive treatment services from the VA for various reasons. Some have already tried the VA outpatient programs and found that they need a higher level of care; others need a combination of residential substance abuse and mental health treatment, services which are not funded by the VA.

All of the 38 veterans admitted to the VTC live with mental health diagnoses that range from chronic and severe depression (with suicide ideation), post-traumatic stress disorder, multiple traumatic brain injury, substance use disorders, schizophrenia, and other cognitive issues such as short-term memory loss. Each veteran needs supportive housing and for those with schizophrenia and paranoia, individual housing (single-room occupancy) is essential. The VTC has not been successful in securing single-room occupancy situations for any of the veterans and they continue to struggle in communal clean and sober houses unable to qualify for or use vouchers through the Department of Housing and Urban Development-VA Supportive Housing program.

The VA does not provide veterans with residential treatment; therefore, funding of \$234,360 for short and long-term residential substance abuse and mental health treatment is requested to provide veterans with this level of care. Treatment at a long-term residential facility costs \$180 per day, \$5,580 per month, and generally is for five to six months, so six to seven veterans could receive treatment with the funds being requested. To the extent that the number of veterans needing long-term treatment can be reduced or the number of treatment days lessened, short-term (30 to 45 days) residential treatment can be provided to some veterans. However, such short-term residential treatment often does not provide sufficient time to stabilize the participants, and assess their mental health needs and substance abuse issues.

The VTC is also requesting funds of \$10,000 to house veterans for at least one month (\$450 rent, plus \$190 deposit). Veterans who need clean and sober housing, and do not qualify for housing

through the VA, will be placed into appropriate housing whether it communal (shared) living situations, or single-room occupancy for those whose mental illness makes living with others difficult.

If this request for residential treatment and housing funds is granted, at least some of the veterans assigned to the VTC will have access to residential substance abuse and mental health treatment as an appropriate level of care. That is, those veterans with the strongest addictions and most severe mental health problems will receive the treatment they need in the supportive and structured environment of a residential program.

Some VTC participants (and future applicants) do not qualify for VA benefits through no fault of their own. If their discharge from the military or participation in the National Guard (without an active deployment) excludes them from VA benefits, they have to rely on self-pay, private insurance (if they are able to find and maintain employment), other State funding, or possibly go without the appropriate level of care and treatment they need. Many of these individuals spend additional and costly days in jail waiting for placement in the VTC program; the cost to house one veteran in jail is \$140 per day or \$51,000 annually. At this time, due to the lack of funds to pay for treatment and housing, the VTC has limited the number of admissions to the program. If residential treatment and housing funds are granted, the 14 incarcerated veterans on the wait list can be admitted into the VTC program and more treatment slots can be made available.

POS funding will help stabilize this very successful and life changing program geared to rehabilitate and effectively address the needs of the veterans in the VTC. Substance abuse treatment, mental health treatment, and housing are an integral part of the veterans healing process and acclimation back into society. Permanent funding will allow for an increase in the number of veterans admitted to the program, improve public safety, and reduce recidivism and crime. The VTC also helps lessen incarceration costs by keeping clients out of prison. The Judiciary will also continue to work with the VA in a collaborative way, through the Veterans Justice Outreach initiative, to help expedite appointments at the various clinics for substance abuse, mental health issues, primary and dental care, and cognitive testing. The VTC provides special care and attention to the men and women of the Armed Forces who have given so much to their country, and at a pivotal time in their lives, gives them the opportunity to heal and live a full and productive life.

Establish Three Social Worker Positions to create a Mental Health Unit (MHU) within the First Circuit, plus funding for Mental Health Assessments and Client Services: The First Circuit's goal is to create a MHU to provide services and intensive supervision to not only MHC clients and CR clients with SMI, but also general population clients that are dual diagnosed with drug addiction and mental health issues. To do this, First Circuit is requesting \$162,998 in FY 2018 and \$227,316 in FY 2019 for three Social Worker IV positions, mental health assessments, client services/needs such as emergency housing and medical/dental care, and furniture and equipment (FY 2018 only). The overall goals are to bring more stability to our partnerships with other agencies involved in this area; increase our client referrals and population served, whether it be MHC, CR, or general population clients; reduce recidivism and increase public safety; decrease tax dollars spent on incarceration and hospitalization; and improve the overall operations, success, and efficiency of the MHC.

According to a Bureau of Justice “Statistic” report dated 2006, which is the most current report available, 64% of prison inmates have a mental health problem. It has been estimated that up to 40% of persons with SMI will come into contact with the criminal justice system at some point in their lives. Also, according to a report in the August 23, 2015 Honolulu Star Advertiser, approximately 51% of those arrested in Hawai‘i had SMI or severe substance intoxication, and 40% were homeless. These statistics demonstrate the severity and extent of the problems that probation officers have to deal with involving the homeless and mentally ill in our community.

The daily cost to house an inmate in Hawaii’s Correctional Facilities is \$140. As of September 30, 2016, First Circuit had 276 CR clients, that is, clients that have been placed on court ordered supervision following a judgment acquitting an offender of a criminal offense on the grounds of physical or mental disease, disorder, or defect. For these CR clients, non-compliance with their terms of supervision would result in hospitalization at the Hawai‘i State Hospital, not prison. Hospitalization costs approximately \$765 per day, which is a very costly alternative to providing the specialized supervision that a MHU would offer. If treatment and stabilization became available to the SMI population, including those clients on CR, it is anticipated that incarceration and hospitalization days would greatly decrease, public safety would increase, and such clients would have more successful outcomes.

In February 2004, the Judiciary received funding from the Byrne Memorial Grant to establish the MHC. When the grant initially funding the MHC expired in 2008, the Legislature appropriated \$250,000 in general funds to continue the program with funding for a Coordinator, two Probation Officers, and a 60-client caseload, that is 30 cases per Probation Officer. Unfortunately, MHC lost one Probation Officer during the economic downturn, and the caseload has had to remain at much less than the 60 envisioned. Currently, it has 36 clients, 9 approved for admission and waiting for an open slot, and 12 more in various stages of the referral and assessment process. Approximately one third of the clients in the MHC program are able to get their charges dismissed upon graduation, thus allowing them to avoid the issues that come from having a felony conviction. Since its inception, MHC has had 49 graduates, with only one incidence of recidivism.

Regarding the three Social Worker (Probation Officer) positions requested, one would be added to MHC to work with the current Coordinator and Probation Officer, and the other two would work with the CR and SMI population. The MHC goal remains constant – to work with their clients so that they do not reenter the criminal justice system once they graduate. The additional Probation Officers would also help to address clients on the waitlist and those in the referral process that may qualify for the program once the assessment process is completed.

Many of the mentally ill are arrested on warrants, largely for failing to appear in court or for technical violations that are directly attributed to their mental illness. Some mentally ill people end up spending more time in custody than a comparable felon, which is either a burden on the correctional system or contributory to the overcrowding at the Hawai‘i State Hospital because they are unfit to proceed with their criminal cases. For the homeless that are mentally ill, the added stress of not having an appropriate and stable residence exacerbates the underlying mental health problems and issues, which makes it difficult for probation officers and treatment providers to assist them.

Permanent funding is also needed for mental health assessments and client services. Mental health assessments are utilized to obtain an evaluation on the condition of the client. The evaluation includes the best treatment options and level of service necessary to manage the client needs. Client services include incentives, emergency housing, and medical and dental care for offenders. Incarceration and hospitalization days will be reduced with funding to provide housing. Clients incarcerated or institutionalized for longer than a month lose their medical and financial benefits and have no means for housing, food, and treatment upon release. Having support until they can get their government benefits back in place increases their chances of successfully reintegrating into the community.

The MHU Probation Officers will work in close partnership with defense counsel, prosecutor, community treatment professionals and other agencies to provide appropriate services to MHC and CR clients with SMI, and others in the general population that are not necessarily diagnosed with SMI that require intensive mental health services and treatment. The intent of the MHU is to focus on the offenders underlying problems that contribute to criminal behavior and to address those problems. MHU Probation Officers will be specially trained to supervise clients that are diagnosed with SMI and help facilitate behavioral changes to those who enter the criminal justice system. Also, the MHU Probation Officers will closely monitor client adherence to terms and conditions of their supervision, including compliance with mental health treatment; and take steps to lessen possible recidivism and hospitalization costs, and thereby improve public safety in communities.

Convert Seven Budgeted Temporary Positions in the Hawai'i Girls Court Program to Permanent Status: This request is to authorize a no-cost conversion of seven temporary budgeted positions (one Coordinator, four Social Workers, one Social Service Aide and one Clerk) to permanent status to staff the Hawai'i Girls Court Program. Since its inception as a pilot program on September 29, 2004, Girls Court has continued to demonstrate success in providing a gender-specific forum designed to address the needs of female juvenile offenders and their families. The Girls Court has operated with federal grant funds from March 2005 until October 2007. Since October 2007, the program has received state funds to continue operating.

To continue this program's success rate, permanent position authorization is crucial for recruitment and retention of staff. Temporary positions have made recruitment and retention a problem as candidates tend to seek the security of permanent positions. Throughout the years, constant turnover and lengthy vacancy periods in staff severely disrupted the efficiency of the program and negatively impacted the juvenile girls and their families. For a program built on the understanding that relationships based on consistency and trust are critical to the lives of adolescent girls, frequent turnover in staff is counterproductive.

In Hawai'i, girls account for 40% of all juvenile arrests, a proportionately higher rate than their national counterparts. As of October 2016, girls comprise 29% of cases on active legal status with the Family Court, First Circuit.

The 2006 Legislature passed Act 258 ("Parity for Female Offenders") that emphasized the need for parity for female offenders. The bill reads, in part, "Female offenders need gender responsive services that address substance abuse, family relationships, vocational education,

work, prior victimization and domestic violence.” The Hawai‘i Girls Court directly addresses the Legislature’s concerns.

In May 2006, a study by the Attorney General of the State of Hawai‘i on the “Female Juvenile Offender in Hawai‘i”, confirmed that girls have become a significant part of the juvenile offender population, nearly reaching parity with boys but being fundamentally different from their male counterparts in their pathways to delinquency and treatment needs. The female offender in Hawaii, versus her male counterpart, is more likely to:

- Have tried ice
- Have a history of victimization (prostitution, abuse, etc.)
- Have suicidal ideation and previous suicide attempts
- Experience depression/Post-Traumatic Stress Disorder
- Engage in self-injurious behavior
- Be arrested for status offenses, especially runaway

In an effort to combat these trends, Family Court of the First Circuit took groundbreaking steps with the initiation of a specialized Girls Court in September, 2004. Most existing criminal justice practices are based on male offender behavior and have been applied to female offenders. As such, existing practices and techniques are not gender-informed and not well suited to treat girls who follow these gendered pathways into the system.

Gender-specific programs reject a one-size fits all approach to supervision and services and are designed to target the unique risk factors girls face while also focusing on the development of protective factors. Current research suggests that this approach will significantly aid in the prevention of future delinquency and the continually increasing female adult caseloads in the Judiciary and elsewhere in the system.

A cornerstone component of the Girls Court program is mental health services. Girls Court strives to bring change in the way young female offenders are attended to in the Family Court. Through interagency and interdisciplinary collaborations, Girls Court provides a comprehensive continuum of gender-responsive services to address the areas of trauma assessment, mental health treatment, family strengthening, teen pregnancy prevention, and sexually transmitted diseases to name a few.

The Girls Court program continues to serve as a catalyst to establish an effective continuum of services to meet the gender-specific needs of female juvenile offenders and at-risk adolescent girls. Providing permanence to existing temporary positions will allow the program to build upon its established success in reducing recidivism, building stronger families, and effectively serving female offenders and their families.

Girls Court strives to bring change in the way young female offenders are served in the First Circuit. Through interagency and interdisciplinary collaborations, Girls Court provides a comprehensive continuum of gender-responsive services to address the following areas:

- Trauma Assessment
- Mental Health Treatment

- Family Strengthening
- Parent Support and Education
- Life-Skills Training
- Reengagement with academic education and planning for college
- Alternative Education & Vocational Training
- Domestic Violence Prevention
- Medical Services, Health Education
- Teen Pregnancy Prevention
- Sexually Transmitted Diseases Prevention Education
- Substance Abuse Detection and Treatment
- Mentoring
- Healthy Relationship Education
- Healthy Lifestyle Activities

The Girls Court convenes twice per month before the presiding Judge. Court sessions are held in an open court setting with the girls, their families, and Probation Officers present. These court sessions provide positive reinforcement as well as a method for imposing sanctions and creating accountability for the girls. The open court setting allows the girls to learn from and share each other's experiences, successes, and challenges. Some cases are set for closed hearings with the girl and her family appearing before the judge when highly sensitive issues arise that cannot be discussed in the open court setting.

The Girls Court includes parents as parties to the case, therefore legally requiring their active participation in the program. The entire household is strongly encouraged to participate in the family programming offered, including individual and family therapy, and multi-family group sessions.

Throughout the program year, the girls are required to attend group sessions developed with their needs in mind. These group sessions have included such topics as: teen pregnancy prevention, domestic violence prevention and intervention, suicide prevention, internet safety, various health related topics, substance abuse issues and problems, and escaping sexual exploitation. Gender responsive programming for girls includes an understanding that a girl's pathway into the justice system often includes victimization and trauma in the form of physical and/or sexual abuse. Part of the healing process involves giving girls a voice to share their stories when they are ready to do so, and thereby provide an environment of safety and therapeutic support. Group sessions promote self-esteem, build relationships, develop self-awareness, and the acquisition of life skills. In essence, the salient factors that correlate with the girl's involvement in delinquency and crime are addressed via the holistic nature of Girls Court.

Gender responsive programming is based on the relational model which holds that healthy development is strongly linked to positive relationships with others. All household members are invited to family group sessions where the core of the curriculum is healthy communication and

strengthening bonds. The adult caretakers of the girls not only include parent(s), but sometimes have also included grandparents and great grandparents who may be asked to attend a peer support group where they can gain support and problem solving skills.

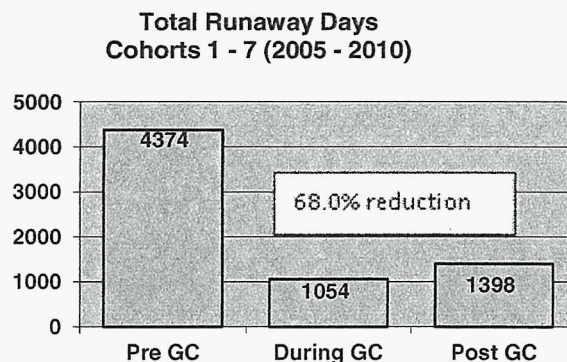
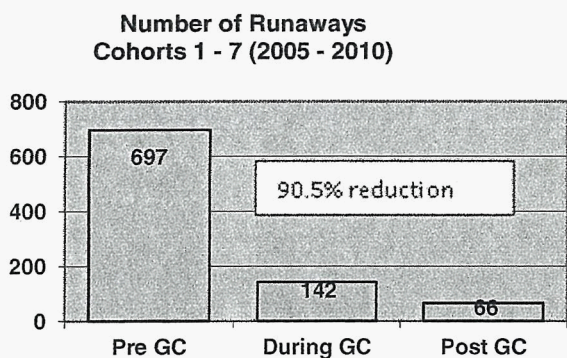
Services and activities are often provided beyond the traditional work day and include evenings and weekends in order to allow family members to participate while minimizing time-off from their employer.

Girls Court Caseload

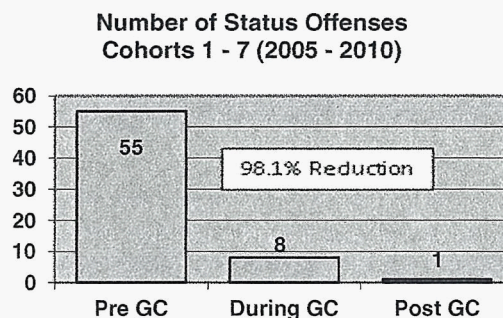
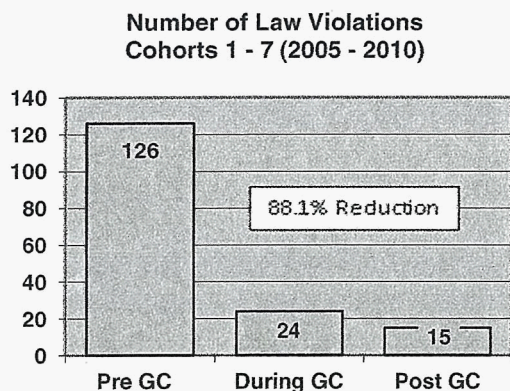
As of September 2016, the Girls Court program is providing service to 41 girls and their family members. The Girls Court Probation Officer is assigned a lower caseload of juvenile offenders as compared to Probation Officers that service the general population (juvenile intake and probation services). The Girls Court Probation Officer provides intensive supervision and support for their clients as well as for the parent(s)/guardian(s). Intensive supervision and support include meeting with the girl at least once a week or more depending on her circumstances and needs, and following up with her agency and service providers via telephone and in person which may include, but is not limited to: teachers, school counselors, school-based behavioral health providers, DOH Care Coordinators, family therapists, the Girls Court therapist, DHS Social Workers, Court Appointed Special Advocates, human trafficking interventionists, etc.

The intensive supervision and support allows for a more coordinated and meaningful provision of services to girls and their families. For the most part, girls who are involved with Family Court are also involved with other agencies like DOH, DHS, and the DOE. These agencies all come with an array of roles with different responsibilities, and it can be overwhelming and frustrating for the girls and their parents when trying to understand the difference between the DOE School Administrative Assistant and the Family Court - Court Appointed Special Advocate. The Girls Court Probation Officers' duty is to explain and help the girls and their parents understand the agencies roles and responsibilities so that they can make the most informed decision for themselves. An important part of gender responsive services for girls is the relational aspect, so the smaller caseload allows for the increased specialized attention and relationship building that is key for the girls and families to move from trauma to transformation. Additionally, the Girls Court Probation Officers participate in numerous activities throughout the year that are outside of the normal business hours. This includes providing supervision and support at court ordered pro-social activities on the weekends, evening Family Group sessions to accommodate the work schedules of the parents/guardians, and weekend community service events. In these ways, the responsibility of the Girls Court Probation Officers justifies the smaller caseload. Process and outcome evaluations of Girls Court by independent researchers have demonstrated positive benefits and outcomes related to this program. Research on the first five cohorts has established reduced levels of runaways and arrests. Especially noteworthy has been the overall reduction in runaways and time on the run when runaways did occur.

The following charts demonstrate statistically significant reductions from pre to post Girls Court in the instances of runaways (in total number and in days on the run), law violations, and other status offenses (besides runaways) for the first seven Girls Court cohorts.



Statistically significant reductions have also been measured in the number of arrests for law violations and status offenses from pre to post Girls Court:



While the quantitative results are positive, it is important to consider also qualitative evidence for the efficacy of the Girls Court model. Evaluation of Girls Court includes focus groups and interviews with both the girls and their parents.

In 2011, Dr. Janet Davidson, PhD prepared a program evaluation of the Hawai'i Girls Court Program. The following is an excerpt from Dr. Davidson's evaluation:

What do the Cohort Girls Think About Girls Court?

The girls interviewed from cohorts four and five were generally positive about their experience with Girls Court. As with past girls, these girls often used the term 'helpful' in describing their experience with Girls Court, the staff, and related activities. They generally felt that the judge, the Probation Officers, and the therapists were invested in their success and truly cared about their well-being. Although they did not always like this, they also stated that Girls Court did hold them accountable for their actions yet praised them for successes along the way as well.

Specifically, the girls were positive about the following:

- Girls Court staff, including the Judge, the Probation Officers, and the therapists who seem truly invested in them and their success.
- The activities and opportunities they gained via their tenure in Girls Court.
- The open-court and other settings that allowed them to realize a shared sense of being, and that other girls and families had similar problems as their own yet could still overcome the obstacles and be successful.
- Better problem-solving and communication skills that allowed them to have healthier relationships.

Some girls did express a desire for less contact and checking in, commensurate with their improvement in the program. However, they also understood why the staff felt the need to have frequent contacts with them.

What do the parents think about Girls Court?

Again, much like prior cohorts, the parents of the cohorts interviewed for this evaluation (cohorts 4, 5 and 6) were overwhelmingly positive about Girls Court and the related impact of this problem-solving court on their girls, their relationships with their girls, and their overall family functioning. The parents expressed that they learned a lot from the other families, most often as a result of the open-court format as well as the myriad activities (therapy, group, community service, etc.) that they were required to attend. They also mentioned that while Girls Court was work for both the girl and her parents, they were nonetheless grateful for their experiences in the court and the consistent attention they received. Parents appreciated that Girls Court held their girls accountable for their actions while praising them for their successes. They also believed that the Girls Court experience was directly responsible for better relationships with their girls, better behavior in the way of less truancy, less runaways, less (or no) drug use, and hope and goals for the future.

Specifically, parents were positive about the following:

- The help offered by Girls Court and the related positive behavior change in the girls.
- A compassionate and caring judge that nonetheless held the girls accountable for their actions.
- Probation Officers and therapists that had time and energy to devote to their girls' cases, including collateral contacts with school staff and others.
- The consistency of staff that allowed for deeper and more meaningful interventions.
- The collaboration between the therapist, the probation officer, and the families.
- The expectation of success (versus reaction to failure) by the Judge, the probation officer, and the therapist.
- The open and shared process of Girls Court, which allowed them to gain a sense of commonality.
- The activities in Girls Court which allowed their girls to develop greater levels of self-esteem.
- In the end, girls who were more goal-oriented, rational, and mature.

Control Group Data are also available through Dr. Davidson's evaluation reports. Girls Court girls fared well on a number of outcome measures, including substantially lower law violations and significantly fewer days on the run. Importantly, Girls Court girls had statistically fewer admissions to and days in long-term confinement at the Hawai'i Youth Correctional Facility. This translates into significant cost savings, as the financial and social costs attached to incarcerating our youth in the Hawai'i Youth Correctional Facility are considerable.

If Girls Court continues operation with temporary positions, staff retention will continue to be an issue and outcome measures would be expected to deteriorate. Girls Court trains its professional staff to specialize in serving the female youthful offender. Current staff persons are specially trained to facilitate girls support groups, are trauma informed, and have received in-service training through the DOH to work with this special population. Time, effort, and money have been spent to this end. Therefore, it is imperative to the Girls Court program that the seven staffing positions be converted to permanent status.

Another reason to convert the temporary positions to permanent status is that locally the Girls Court has built community collaborations and partnerships to effectively serve this population. The program continues to receive national attention and recognition, and the founding judge has been included in national groups working on this important issue alongside other experts in the field of gender responsive services for female offenders. By actively seeking and establishing partnerships with other government agencies and the private sector, Girls Court has provided a wide array of therapeutic and family strengthening services to program participants with no added cost to the Judiciary.

In 2005, the first cohort of girls and families participated and completed the Girls Court program. Today, this nationally recognized program has provided 458 girls and their family members with support, care, and guidance, along with educating these individuals through a wide variety of gender responsive programs for girls.

The Judiciary's goal is to sustain the Girls Court. The no-cost conversion of seven temporary budgeted positions to permanent status will tremendously help to retain the current staff hired to serve the participants in this viable program that focuses on the female youth in our communities through counsel and support, while encouraging them to become successful citizens in our society.

Establish Two Social Worker IV positions and One Judicial Clerk Position for the TRO Unit, Family Court: The Family Court TRO Unit's mission is to prevent and deter the occurrence and re-occurrence of domestic violence in the community, and ensure individual and public safety through court intervention and education. The Unit's objective is to ensure public accessibility to the Family Court system to obtain domestic violence "intimate partner" protective orders without having to retain legal representation. To accomplish this, the First Circuit is requesting funding for three permanent positions (two Social Workers and one Judicial Clerk) totaling \$70,902 in FY 2018 and \$133,284 in FY 2019 for the TRO Unit to help increase public accessibility to the Family Court system to acquire domestic violence "intimate partner" protective orders; expedite processing of "time sensitive" court documents; and assist involved parties in subsequent mandated court hearings.

Since 2011, the TRO Unit and Family Court judge have reviewed and filed approximately 3,000 TROs annually. Because of the high number of TROs processed over the past several years and to increase public access to the courts, another TRO Unit besides the one in Kapolei was established at Ka'ahumanu Hale in Honolulu to assist individuals with the application process. Initially, the Honolulu office opened part-time, three days a week, to service the public. In November 2015, the TRO Unit received a directive from the Senior Family Court Judge, instructing the TRO staff to provide all day coverage, five days a week, to assist with TRO intake and processing services at Kapolei and Honolulu worksites to ensure that all applicants/petitioners receive the proper court orders and related documents within the same day they process their application. Consequently, there were a number of occasions that resulted in the TRO staff having to work overtime to meet every individual's need for court assistance. Given this extended work responsibility, and with the current number of staff dedicated to the TRO Unit, there has been and is very little leeway in terms of staff availability to cover duties and responsibilities at two worksites. On several occasions, walk-in applicants/petitioners were re-directed to a private non-profit program for assistance, as no TRO staff was available to cover the morning office hours at the Honolulu worksite due to staff shortages (unexpected illness, training, or approved leave of absence). The danger of re-directing applicants/petitioners to another agency, especially those who are ambivalent, is that they may change their mind with regard to seeking assistance, which in turn defeats the mission and objective of the Family Court TRO Unit to deter domestic violence in the community, and ensure public safety through court intervention and education.

With this in mind, the addition of two Social Workers and a Judicial Clerk will ensure ample, all day staff coverage at Ka'ahumanu Hale in Honolulu and the Ronald T.Y. Moon Judiciary Complex in Kapolei to allow greater public access to TRO services. Applicants and petitioners will receive assistance and court orders and related documents timely, will not have to be referred to another agency for help, and access to justice will be served to individuals who are vulnerable to domestic violence in our community.

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JUDICIARY

STATE OF HAWAII

PROGRAM TITLE:
SECOND CIRCUIT

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 01 03

POSITION IN PROGRAM STRUCTURE

Level	No.	Title
Level I	01	The Judicial System
Level II	01	Court Operations
Level III	03	Second Circuit

PROGRAM EXPENDITURES

	EXPENDITURES IN DOLLARS							
	Actual	Estimated	Budget Period		Estimated Expenditures (\$000's)			
	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
Operating Costs								
Personal Services	11,584,789	12,430,208	12,696,638	12,967,599	12,967	12,967	12,967	12,967
Other Current Expenses	4,501,426	4,428,653	4,428,653	4,428,653	4,429	4,429	4,429	4,429
Lease/Purchase Agreements	0	0	0	0	0	0	0	0
Equipment	332,726	0	40,340	0	0	0	0	0
Motor Vehicles	0	0	0	0	0	0	0	0
Total Operation Costs	16,418,941	16,858,861	17,165,631	17,396,252	17,396	17,396	17,396	17,396
Capital & Investment Costs	0	0	0	0	0	0	0	0
Total Program Expenditures	16,418,941	16,858,861	17,165,631	17,396,252	17,396	17,396	17,396	17,396

REQUIREMENTS BY MEANS OF FINANCING

	Actual	Estimated	Budget Period		Estimated Expenditures (\$000's)			
	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
	207.00 *	207.00 *	214.00 *	214.00 *	214.00 *	214.00 *	214.00 *	214.00 *
	0.00 **	1.68 **	1.68 **	1.68 **	1.68 **	1.68 **	1.68 **	1.68 **
General Funds	16,418,941	16,858,861	17,165,631	17,396,252	17,396	17,396	17,396	17,396
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **
Special Funds	0	0	0	0	0	0	0	0
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **
Revolving Funds	0	0	0	0	0	0	0	0
G.O. Bond Funds	0	0	0	0	0	0	0	0
	207.00 *	207.00 *	214.00 *	214.00 *	214.00 *	214.00 *	214.00 *	214.00 *
	0.00 **	1.68 **	1.68 **	1.68 **	1.68 **	1.68 **	1.68 **	1.68 **
Total Financing	16,418,941	16,858,861	17,165,631	17,396,252	17,396	17,396	17,396	17,396

*Permanent Position FTE

**Temporary Position FTE

JUDICIARY

STATE OF HAWAII

PROGRAM TITLE:
SECOND CIRCUIT

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 01 03

MEASURES OF EFFECTIVENESS AND UNITS OF MEASURE

Measures of Effectiveness	PLANNED LEVELS OF PROGRAM EFFECTIVENESS							
	Actual	Estimate	Budget Period			Estimate		
	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
Med. Time to Dispo., Circt. Ct. Crim. Act. (Days)	255	255	254	254	253	253	253	252
Med. Time to Dispo., Circt. Ct. Civil Act. (Days)	495	475	470	470	469	469	469	468

PROGRAM SIZE INDICATORS (T=target group indicators; A=activity indicators)

Code No.	Program Size Indicators	Actual	Estimate	Budget Period			Estimate		
		2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
T01	Civil Actions, Circuit Court	2,005	2,020	2,030	2,039	2,047	2,054	2,060	2,065
T02	Marital Actions	915	921	926	931	936	941	946	951
T03	Adoption Proceedings	75	75	76	76	76	76	76	76
T04	Parental Proceedings	385	400	414	428	441	454	467	479
A01	Civil Actions Filed, Circuit Court	667	677	687	697	708	719	730	741
A02	Criminal Actions Filed, Circuit Court	1,166	1,168	1,170	1,172	1,173	1,174	1,175	1,176
A03	Marital Actions Filed	532	538	544	549	554	559	563	567
A04	Traffic - New Filings (thousands)	39	38	38	38	39	39	39	39
A05	Traffic - Terminated (thousands)	40	39	39	39	40	40	40	40

PROJECTED PROGRAM REVENUES, BY TYPE OF FUND TO WHICH DEPOSITED (in thousands of dollars)

Fund to Which Deposited	Actual	Estimate	Budget Period			Estimate		
	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
General Fund	2,996	3,152	3,152	3,152	3,152	3,152	3,152	3,152
Special Fund	855	876	876	876	911	911	911	911
Other Funds	0	0	0	0	0	0	0	0
Total Program Revenues	3,851	4,028	4,028	4,028	4,063	4,063	4,063	4,063

PROJECTED PROGRAM REVENUES, BY TYPE OF REVENUE (in thousands of dollars)

Type of Revenue	Actual	Estimate	Budget Period			Estimate		
	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
Revenues from Use of Money and Property	0	0	0	0	0	0	0	0
Revenues from Other Agencies	16	15	15	15	15	15	15	15
Charges for Current Services	1,710	1,838	1,838	1,838	1,862	1,862	1,862	1,862
Fines, Restitutions, Forfeits & Penalties	2,125	2,175	2,175	2,175	2,186	2,186	2,186	2,186
Nonrevenue Receipts	0	0	0	0	0	0	0	0
Total Program Revenues	3,851	4,028	4,028	4,028	4,063	4,063	4,063	4,063

JUD 320 SECOND CIRCUIT BUDGET REQUESTS

A. DESCRIPTION OF BUDGET REQUESTS

Judges' Salary Differential: Funding of \$39,102 in FY 2018 and \$78,943 in FY 2019 is requested to fund Judges' salaries at the legislatively mandated pay levels set by the 2013 Commission on Salaries.

District Court Judgeship and Support Staff: Funding of \$177,120 for FY 2018 and \$306,132 for FY 2019 is requested for a District Court Judge and related support staff to assist with increases in caseload.

Positions for Client Services: The Second Circuit is requesting \$90,548 in FY 2018 and \$152,316 in FY 2019 for three positions to assist with the workload in the Adult Client Services Branch (ACSB).

B. REASON FOR BUDGET REQUESTS

Judges' Salary Differential: Second Circuit is requesting \$39,102 in FY 2018 and \$78,943 in FY 2019 to fund judges' salaries at the legislatively mandated pay levels set by the 2013 Commission on Salaries. The role of the Salary Commission is to fulfill Article XVI, section 3.5 of the Constitution which reads as follows: There shall be a commission on salaries for the justices, judges of all state courts, members of the legislature, department heads or executive officers of the executive departments and the deputies or assistants to department heads of the executive departments as provided by law, excluding the University of Hawai'i and the DOE.

District Court Judgeship and Support Staff: The Second Circuit is requesting \$177,120 in FY 2018 and \$306,132 in FY 2019 for a District Court Judgeship and related staff support. The last Second Circuit District Court Judgeship was legislatively authorized in 1982 and that increased the number of District Court judge positions from two to three. Since then, the Maui County population has more than doubled from 76,970 in 1982 to 164,637 in 2015.

In conjunction with the population growth, there has been a significant increase in criminal and traffic filings that have resulted in court calendars often taking all day to complete. For example, just from FY 2011 to FY 2016, new criminal filings have increased by 50 percent, from 2,859 to 4,307, and traffic filings by 27 percent, from 21,694 to 27,496. This leaves District Court Judges unable to attend to other judicial duties such as requests for finding of probable cause for extended restraint of liberty of warrantless arrestees; requests for review and approval of charging by felony information packet; requests for orders pertaining to bail; requests for execution of search warrants; requests for orders to show cause; requests for approval of TROs and protective orders;

review of civil traffic written statements; review of traffic notices of discrepancies; and review and action on ex-parte and non-hearing motions.

The District Court convenes in Hāna and Lāna‘i only once a month and on Moloka‘i twice a month. These calendars are insufficient to keep up with the growing number of cases being filed in the rural and off-island courts. On Maui, court congestion is exacerbated by the fact that nearly all District Court civil, criminal, and traffic cases in the Second Circuit fall within the venue of the Division of Wailuku, and are heard in Hoapili Hale in Wailuku.

It is expected that the additional judge and staff would be housed at the Lahaina District Court. This will allow for increasing the Lahaina District Court from a three day a week court calendar to a full five day a week rural court. It will also allow the Second Circuit to utilize the other three District Court judges for additional court calendars in Wailuku, as well as for the Hāna, Moloka‘i, and Lāna‘i rural courts.

The additional judge will not only help address the growing caseload in criminal and traffic filings while permitting the courts to accommodate the needs of its growing rural communities that are underserved at present, but will also enable the judges to attend to other judicial duties in a timelier manner.

Social Workers for Client Services: The Second Circuit Client Services Division is requesting \$90,548 in FY 2018 and \$152,316 in FY 2019 for three Social Worker IVs due to continued increases in workload.

In 2009, two Social Worker IV positions in the ACSB were lost due to budget reductions during the economic recession. In January 2016, research conducted by Janet Davidson, PhD, Principal Investigator on behalf of the ACSBs statewide, identified the need for additional Probation Officers in the State of Hawai‘i. The published report, titled “Adult Probation Officer Workload Study-Hawai‘i,” concluded that a minimum of four Probation Officer positions were needed within the ACSB, Second Circuit, in order to better assess offenders, to change offender behavior, and to address violations with effective interventions other than incarceration.

In addition, in 2012, the Hawai‘i Justice Reinvestment Initiative (JRI) identified contributing factors that have negatively impacted the overall effectiveness of probation in Hawai‘i such as “95 percent of felony probationers in Hawai‘i are ordered to terms of more than three years versus 83 percent in the largest US counties.” The JRI also showed that “probation cases had been on supervision an average of 61 months in FY 2011 as compared to 49 months for FY 2006, a 25 percent increase in the length of supervision.”

The overall workload of the ACSB has continued to increase over the past five fiscal years both in the number of supervision cases being managed by the Branch as well as the number of investigations being completed.

The ACSB works directly with high risk populations. Specific high risk groups such as individuals with mental illness as well as those who are experiencing homelessness

present additional dynamic risks and needs that contribute to the overall workload of the Branch. Probation staff faces significant challenges when working with these high risk groups.

Factors that have contributed to the increase in workload have come from various aspects of the Criminal Justice system. Information from the Maui County Department of the Prosecuting Attorney shows a continued increase in the number of felony level cases received and charged for the last five fiscal years:

Table 1: Felony Cases Received, Charged, Information Charged, Department of the Prosecuting Attorney - Second Circuit

<u>FY</u>	<u>Felony Cases Received</u>	<u>Felony Cases Charged*</u>	<u>Felony Cases Information Charged**</u>
2011	1,115	585	468
2012	1,443	672	554
2013	1,584	800	634
2014	1,787	907	742
2015	1,783	927	760

*Prosecutor Charges via Grand Jury

**No Grand Jury; Directly to Preliminary Hearing

The Judiciary's Annual Statistical Supplement also reflects this increase in workload as shown in the number of Second Circuit disposed criminal cases below:

Table 2: Disposed Criminal Cases, Circuit Court Proper – Second Circuit

<u>FY</u>	<u>Disposed Criminal Cases, Circuit Court Proper – Second Circuit</u>
2012	731
2013	624
2014	835
2015	918
2016	1,096

Increases in the overall workload of the Branch are reflected by increases in the number of supervision cases being managed and investigations being completed:

Table 3: Number of Supervisions Managed – Second Circuit

<u>FY</u>	<u>Number of Supervisions Managed</u>
2012	3,299
2013	3,557
2014	3,586
2015	3,726
2016	3,990

Table 4: Number of Investigations Completed – Second Circuit

<u>FY</u>	<u>Number of Investigations Completed</u>
2012	962
2013	829
2014	985
2015	1,062
2016	1,110

Legislative mandates have also contributed to the increase in workload in the ACSB. For example, Act 161, passed in 2002, amended HRS 706-622.5 and required that first time non-violent drug offenders be sentenced to undergo and complete drug treatment rather than incarceration. This HRS section was further revised in 2006 when Act 230 allowed for first time non-violent C felony property offenders to be sentenced to probation, and again in 2012 when Act 140 allowed a sentence of probation for certain second time drug offenses.

The following chart shows the impacts of sentencing under HRS 706-622.5 in terms of referring offenders to probation since FY 2004:

<u>FY</u>	<u>Number Referred to Probation for Sentencing:</u>
2005	19
2006	47
2007	38
2008	73
2009	74
2010	94
2011	42
2012	42
2013	34

<u>FY</u>	<u>Number Referred to Probation for Sentencing:</u>
2014	39
2015	27
2016	<u>31</u>
Total	<u>560</u>

The impacts of sentencing under HRS 706-622.5 are felt at both the Intake and Supervision levels. Specifically, Intake Officers must ensure that statutory requirements are met in order to determine eligibility at the time of sentence. This involves reviewing case histories to ensure eligibility, making referrals to service providers, collecting completed assessments, and forwarding the applicable information to the sentencing courts. Supervision Officers are impacted by having to secure treatment as recommended, ensuring compliance, providing updates to the courts as required, and ensuring that statutory requirements are met should non-compliance become an issue.

Recidivism is defined as any re-arrest or revocation, within three years of onset of supervision. Ongoing research conducted by the Interagency Council on Intermediate Sanctions regarding recidivism rates have reflected the following regarding the ACSB, Second Circuit.

Table 5: Recidivism Rates

<u>Time Period Covered by the Study:</u>	<u>Recidivism rate – Maui County:</u>
FY 2005	40.5 %, at that time the lowest in the State of Hawai‘i
FY 2012	52.6%, second highest rate of recidivism in the State of Hawai‘i

It is of considerable concern that the rate of recidivism has escalated in Maui county. It could be that the Judiciary’s decrease in resources and increasing workload demands have played a part in this documented trend.

U.S. Department of Justice and SAMHSA surveys have found that at least nine percent of individuals on probation have a serious mental illness, and that individuals who have a serious mental illness and are on community supervision are significantly more likely to have their probation or parole suspended or revoked.

According to a State of Hawai‘i Homeless Point-in-Time Count 2015 study conducted by the DHS, there were 7,620 documented homeless individuals statewide, of which 1,137 were in Maui County.

The ACSB provides direct services to individuals who have various degrees of mental illness and homelessness. A review of caseloads on Maui reflect that:

- 464 offenders are currently being managed and are experiencing some degree of mental illness; and
- 202 offenders are currently experiencing some degree of homelessness, which is about 18 percent of the total homeless population of Maui County.

Probation Officers work directly with these high risk populations and face many uphill challenges that include:

- Limited community resources,
- Systems that are not responsive to the needs of the client,
- Community professionals who choose to not work with court mandated clients, and
- Inability by offenders to fulfill court ordered obligations due to these challenges.

This request for three Social Worker IV positions include one for the Pre-Sentence Investigation Unit, one for the Domestic Violence Unit, and one for the Special Services Unit.

Previous efforts by ACSB to address workload growth included a Branch re-organization in 2006. This re-organization maximized existing resources and allowed the Branch to create a unit to manage higher risk populations (i.e., sex offenders, HRS 706-622.5 cases for first time non-violent substance abusers, and conditional release cases). The Special Services Unit which utilizes the HOPE Probation strategies of immediate sanctions was created using existing resources. In 2006, the Second Circuit anticipated average caseload sizes for the Special Services Unit and two other units to be:

Anticipated Caseload Per Probation Officer FY 2006

General Supervision Unit	13 officers	140 cases
Domestic Violence Unit	4 officers	120 cases
Special Services Unit	5 officers	75 cases

Actual Average Caseload Per Probation Officer -- FY 2015

General Supervision Unit	13 officers	150 cases
Domestic Violence Unit	4 officers	202 cases
Special Services Unit	5 officers	133 cases
Pre-Sentence Investigation Unit	6 officers	183 investigations/per officer

With the three additional positions being requested, we anticipate the following caseload sizes:

Anticipated Average Caseload Size Per Probation Officer

Domestic Violence Unit	5 officers	162 cases
Special Services Unit	6 officers	110 cases
Pre-Sentence Investigation Unit	7 officers	157 investigations

The Second Circuit anticipates that with additional Probation Officers, the recidivism rates will begin to decrease to levels that were experienced prior to losing two Social Worker IV positions in 2009. Staff should have more time to implement Evidenced Based Practices such as Motivational Interviewing and Cognitive Behavioral Restructuring, two critical practices that have been shown to reduce recidivism. The additional staff should also bring about improved case management to individuals sentenced to a term of probation for a domestic violence related matter. Smaller caseload sizes will allow probation staff more time to interact with victims of domestic violence to improve their overall safety and to hold offenders accountable.

Probation Officers have already received training in proven cognitive behavioral techniques that allow them to focus on changing the offenders' thinking and belief structure, targeting specific behavior needs through effective assessment, and matching services to meet specific identified needs. If these positions are funded, staff will have more opportunities to effectively implement these techniques. Intervention and service levels can be delivered in a more efficient and effective manner to the probation population. Retention in treatment and recidivism outcomes could be improved as offenders would be targeted for specific behavior changes without unnecessary risk to the public.

Current evidence based research is clear that in order to influence offenders, Probation Officers must spend time with the offender to build a working alliance. The most recent Workload Study revealed many issues and stressed the importance of "getting caseloads and workloads to manageable levels such that officers are able to perform their direct offender related tasks effectively". Lower caseloads would allow for the effective use of Evidence Based Practices on higher risk individuals, thus reducing rates of recidivism and improving public safety.

The combined reduction in allocated resources, the increase in charged and disposed cases in the circuit, the documented longer stays on probation, and the challenges faced working with specific high risk populations and various legislative mandates have contributed to increases in the overall workload of the Branch, which demonstrates the need to replace the resources lost in 2009.

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JUDICIARY

STATE OF HAWAII

PROGRAM TITLE:
THIRD CIRCUIT

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 01 04

POSITION IN PROGRAM STRUCTURE

Level	No.	Title
Level I	01	The Judicial System
Level II	01	Court Operations
Level III	04	Third Circuit

PROGRAM EXPENDITURES

EXPENDITURES IN DOLLARS

	Actual 2015-16	Estimated 2016-17	Budget Period		Estimated Expenditures (\$000's)			
			2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
Operating Costs								
Personal Services	12,693,032	13,797,385	13,924,302	14,098,138	14,100	14,100	14,100	14,100
Other Current Expenses	6,358,980	6,125,091	6,245,091	6,245,091	6,246	6,246	6,246	6,246
Lease/Purchase Agreements	0	0	0	0	0	0	0	0
Equipment	323,154	0	7,290	2,530	0	0	0	0
Motor Vehicles	31,167	0	0	0	0	0	0	0
Total Operation Costs	19,406,333	19,922,476	20,176,683	20,345,759	20,346	20,346	20,346	20,346
Capital & Investment Costs	0	0	0	0	0	0	0	0
Total Program Expenditures	19,406,333	19,922,476	20,176,683	20,345,759	20,346	20,346	20,346	20,346

REQUIREMENTS BY MEANS OF FINANCING

	Actual 2015-16	Estimated 2016-17	Budget Period		Estimated Expenditures (\$000's)			
			2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
	228.00 *	228.00 *	231.00 *	234.00 *	234.00 *	234.00 *	234.00 *	234.00 *
	0.00 **	5.68 **	5.68 **	5.68 **	5.68 **	5.68 **	5.68 **	5.68 **
General Funds	19,406,333	19,922,476	20,176,683	20,345,759	20,346	20,346	20,346	20,346
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **
Special Funds	0	0	0	0	0	0	0	0
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **
Revolving Funds	0	0	0	0	0	0	0	0
G.O. Bond Funds	0	0	0	0	0	0	0	0
	228.00 *	228.00 *	231.00 *	234.00 *	234.00 *	234.00 *	234.00 *	234.00 *
	0.00 **	5.68 **	5.68 **	5.68 **	5.68 **	5.68 **	5.68 **	5.68 **
Total Financing	19,406,333	19,922,476	20,176,683	20,345,759	20,346	20,346	20,346	20,346

*Permanent Position FTE

**Temporary Position FTE

JUDICIARY

STATE OF HAWAII

PROGRAM TITLE:
THIRD CIRCUIT

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 01 04

MEASURES OF EFFECTIVENESS AND UNITS OF MEASURE

Measures of Effectiveness	PLANNED LEVELS OF PROGRAM EFFECTIVENESS							
	Actual	Estimate	Budget Period				Estimate	
	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
Med. Time to Dispo., Circt. Ct. Crim. Act. (Days)	311	310	309	308	308	307	307	306
Med. Time to Dispo., Circt. Ct. Civil Act. (Days)	501	499	497	495	493	491	489	487

PROGRAM SIZE INDICATORS (T=target group indicators; A=activity indicators)

Code No.	Program Size Indicators	Actual	Estimate	Budget Period				Estimate	
		2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
T01	Civil Actions, Circuit Court	3,037	3,057	3,076	3,094	3,111	3,127	3,142	3,156
T02	Marital Actions	1,510	1,520	1,531	1,541	1,551	1,562	1,572	1,582
T03	Adoption Proceedings	101	96	96	96	97	97	97	97
T04	Parental Proceedings	1,371	1,362	1,375	1,380	1,384	1,387	1,389	1,390
A01	Civil Actions Filed, Circuit Court	865	872	878	883	887	890	892	893
A02	Criminal Actions Filed, Circuit Court	892	901	909	916	922	927	931	934
A03	Marital Actions Filed	584	587	590	593	596	599	602	605
A04	Traffic - New Filings (thousands)	42	43	43	43	44	44	44	44
A05	Traffic - Terminated (thousands)	48	44	44	44	45	45	45	45

PROJECTED PROGRAM REVENUES, BY TYPE OF FUND TO WHICH DEPOSITED (in thousands of dollars)

Fund to Which Deposited	Actual	Estimate	Budget Period				Estimate	
	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
General Fund	3,490	3,578	3,669	3,760	3,760	3,760	3,760	3,760
Special Fund	1,166	1,173	1,173	1,172	1,192	1,192	1,192	1,192
Other Funds	0	0	0	0	0	0	0	0
Total Program Revenues	4,656	4,751	4,842	4,932	4,952	4,952	4,952	4,952

PROJECTED PROGRAM REVENUES, BY TYPE OF REVENUE (in thousands of dollars)

Type of Revenue	Actual	Estimate	Budget Period				Estimate	
	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
Revenues from Use of Money and Property	0	0	0	0	0	0	0	0
Revenues from Other Agencies	112	113	113	113	113	113	113	113
Charges for Current Services	2,079	2,115	2,149	2,179	2,195	2,195	2,195	2,195
Fines, Restitutions, Forfeits & Penalties	2,465	2,523	2,580	2,640	2,644	2,644	2,644	2,644
Nonrevenue Receipts	0	0	0	0	0	0	0	0
Total Program Revenues	4,656	4,751	4,842	4,932	4,952	4,952	4,952	4,952

JUD 330 THIRD CIRCUIT BUDGET REQUESTS

A. DESCRIPTION OF BUDGET REQUESTS

Judges' Salary Differential: Funding of \$47,561 for FY 2018 and \$96,025 for FY 2019 is requested for judges' pay increases that were recommended by the Commissions on Salaries and authorized by the 2013 Legislature.

Positions for Big Island VTC/Drug Court: Third Circuit is requesting three Social Worker positions and related funding of \$206,646 in FY 2018 and \$278,712 in FY 2019 to continue and expand operations as grant funding comes to an end for the Big Island VTC.

Positions for Kona Courthouse: The Third Circuit is requesting \$48,546 in FY 2019 for three positions in preparation for the opening of the Kona Judiciary Complex in September/October 2019. The positions are needed to help ensure that the new Kona Judiciary Complex is operational and that qualified and trained facilities staff are on board when the building opens.

B. REASON FOR BUDGET REQUESTS

Judges' Salary Differential: Third Circuit is requesting \$47,561 in FY 2018 and \$96,025 in FY 2019 to fund judges' salaries at the legislatively mandated pay levels set by the 2013 Commission on Salaries. The role of the Salary Commission is to fulfill Article XVI, section 3.5 of the Constitution which reads as follows: There shall be a commission on salaries for the justices, judges of all state courts, members of the legislature, department heads or executive officers of the executive departments and the deputies or assistants to department heads of the executive departments as provided by law, excluding the University of Hawai'i and the DOE.

Positions for Big Island Veterans' Treatment Court (VTC)/Drug Court: Third Circuit is requesting three Social Worker positions and related funding of \$206,646 in FY 2018 and \$278,712 in FY 2019 to continue and expand operations as grant funding comes to an end for the Big Island VTC.

In 2006, one in four veterans aged 18 to 25, met the standardized criteria for substance abuse. The Bureau of Justice Assistance found that 81 percent of all veterans involved in the justice system had a substance abuse problem prior to incarceration, 35 percent were identified as suffering from alcohol dependency, 23 percent had been homeless in the prior year, and 25 percent were identified as mentally ill. The underlying causes for the incarceration of many of these veterans was often Post Traumatic Brain Disorder, Traumatic Brain Injury, and/or a substance use disorder. The VA estimates that there are

approximately 117,000 veterans in the State of Hawai'i, of which more than 15,000 reside on the Big Island.

Veterans may be apprehensive about communicating the need for help with non-veterans, and may need extra assistance in pursuing eligibility for VA services. In addition, most treatment services are designed to serve the general public and not veterans. Until recently, veterans had few options and none could offer the combination of high level supervision, mentoring, verification and monitoring of VA services, incentives, consequences, and veteran specific treatment planning that the Big Island VTC is able to provide.

The Third Circuit is currently in its third and final year of a federal grant that awarded funds to implement a Big Island VTC. Through this grant, the Big Island launched its VTC in November 2014 and currently has 16 participants and one graduate. The goal is to have 24 participants by the end of September 2017. Unfortunately, the federal grant will expire at the end of September 2017, therefore, this request addresses the need for additional funds to continue this worthy program. Currently, there is only one position assigned to the VTC. This request is to convert this position into a permanent Social Worker IV to remain situated on the Kona side. In addition, a second Social Worker IV position is being requested and would be located in Hilo. Together, these positions would enable a total maximum caseload of 40 participants, 20 in Hilo and 20 in Kona. The Social Workers (Probation Officers) would act as case managers for these veterans and assist them in seeking services such as housing, financial assistance, advocacy, mental health and chemical dependency counseling and treatment, employment and skills training assistance, and other referral services.

In addition, a Social Worker V position is needed to provide supervision to the Big Island Drug Court and the Big Island VTC in West Hawai'i. Presently, there is one Social Worker V supervisory position who oversees the Big Island Drug Court and VTC in the Hilo area. The requested West Hawai'i Social Worker V will serve as a working supervisor who will provide direct supervision to three (possibly four, if approved) Probation Officers and one clerk, which is consistent with Hilo's operations. The Social Worker V will not only provide immediate supervision, but will also assist with handling cases. The funding for this position will help ensure that the programs are delivered at a high quality level by making sure that participants are compliant with their probation.

Positions for Kona Courthouse: The Third Circuit is requesting \$48,546 in FY 2019 for three positions in preparation for the opening of the Kona Judiciary Complex in September/October 2019. The positions are needed to help ensure that the new Kona Judiciary Complex is operational and that qualified and trained facilities staff are on board when the building opens.

The Kona Judiciary Complex is scheduled to be completed in September/October 2019. It will consist of three stories, with a total square footage of 143,000 square feet. The ground level will house the sheriffs for courtroom security, holding cells for adults and juveniles awaiting court appearances, client services (adult probation, juvenile probation, drug court, driver education), and secured parking for judges. The second and third

floors will house the courtrooms and support staff for the District, Family, and Circuit Courts.

This request is for the positions for court maintenance/facilities personnel which are needed to be on staff prior to the opening of the building and are also needed once the building is in full operation. Staff consisting of one Facilities Manager, one Building Maintenance Worker, and one Janitor will be required when the building is turned over to the Judiciary, approximately six months prior to the opening of the courthouse. It is important to have these positions on staff during the transitional period, at the end of the construction project, but prior to the building being taken over by the Judiciary. This will allow them to become familiar with the project and receive direct training by specialized contractors on the operations of the elevators, security systems, fire suppression systems, mechanical plant, and other critical systems, as well as any other areas involving facilities maintenance and repair. They will also be able to assist with the procurement and stocking of essential consumable supplies and small tools that will be required for daily maintenance and custodial support, with the coordination and implementation of moves from disparate existing locations to the consolidated new location, and with the planning and implementation for the demobilization from existing facilities including activities involving disposal of worn or broken furnishings and equipment and cleaning and turnover of leased facilities.

To ensure that the new Kona Judiciary Complex is fully operational on day one, it is imperative to have qualified and trained facilities staff on board when the building is open. The remainder of the necessary facilities crew will be requested in the next biennium.

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JUDICIARY

STATE OF HAWAII

PROGRAM TITLE:
FIFTH CIRCUIT

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 01 05

POSITION IN PROGRAM STRUCTURE

Level	No.	Title
Level I	01	The Judicial System
Level II	01	Court Operations
Level III	05	Fifth Circuit

PROGRAM EXPENDITURES

EXPENDITURES IN DOLLARS

	Actual 2015-16	Estimated 2016-17	Budget Period		Estimated Expenditures (\$000's)			
			2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
Operating Costs								
Personal Services	5,357,411	5,819,711	6,043,865	6,272,140	6,272	6,272	6,272	6,272
Other Current Expenses	2,023,190	1,927,903	1,927,903	1,927,903	1,928	1,928	1,928	1,928
Lease/Purchase Agreements	0	0	0	0	0	0	0	0
Equipment	201,733	0	12,380	0	0	0	0	0
Motor Vehicles	0	0	0	0	0	0	0	0
Total Operation Costs	7,582,334	7,747,614	7,984,148	8,200,043	8,200	8,200	8,200	8,200
Capital & Investment Costs	0	0	0	0	0	0	0	0
Total Program Expenditures	7,582,334	7,747,614	7,984,148	8,200,043	8,200	8,200	8,200	8,200

REQUIREMENTS BY MEANS OF FINANCING

	Actual 2015-16	Estimated 2016-17	Budget Period		Estimated Expenditures (\$000's)			
			2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
	99.00 *	99.00 *	105.00 *	105.00 *	105.00 *	105.00 *	105.00 *	105.00 *
	0.00 **	2.60 **	2.60 **	2.60 **	2.60 **	2.60 **	2.60 **	2.60 **
General Funds	7,582,334	7,747,614	7,984,148	8,200,043	8,200	8,200	8,200	8,200
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **
Special Funds	0	0	0	0	0	0	0	0
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **
Revolving Funds	0	0	0	0	0	0	0	0
G.O. Bond Funds	0	0	0	0	0	0	0	0
	99.00 *	99.00 *	105.00 *	105.00 *	105.00 *	105.00 *	105.00 *	105.00 *
	0.00 **	2.60 **	2.60 **	2.60 **	2.60 **	2.60 **	2.60 **	2.60 **
Total Financing	7,582,334	7,747,614	7,984,148	8,200,043	8,200	8,200	8,200	8,200

*Permanent Position FTE

**Temporary Position FTE

JUDICIARY

STATE OF HAWAII

PROGRAM TITLE:
FIFTH CIRCUIT

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 01 05

MEASURES OF EFFECTIVENESS AND UNITS OF MEASURE

Measures of Effectiveness	PLANNED LEVELS OF PROGRAM EFFECTIVENESS							
	Actual	Estimate	Budget Period			Estimate		
	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
Med. Time to Dispo., Circt. Ct. Crim. Act. (Days)	327	326	325	325	325	324	324	324
Med. Time to Dispo., Circt. Ct. Civil Act. (Days)	606	450	440	431	422	415	409	404

PROGRAM SIZE INDICATORS (T=target group indicators; A=activity indicators)

Code No.	Program Size Indicators	Actual	Estimate	Budget Period			Estimate		
		2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
T01	Civil Actions, Circuit Court	1,176	1,185	1,194	1,203	1,212	1,221	1,230	1,239
T02	Marital Actions	682	693	704	715	726	737	748	759
T03	Adoption Proceedings	55	58	61	64	67	70	73	76
T04	Parental Proceedings	474	483	492	501	510	519	528	537
A01	Civil Actions Filed, Circuit Court	194	203	212	221	230	239	248	257
A02	Criminal Actions Filed, Circuit Court	481	485	489	493	497	501	505	509
A03	Marital Actions Filed	212	215	218	221	224	227	230	233
A04	Traffic - New Filings (thousands)	11	12	12	12	12	13	13	13
A05	Traffic - Terminated (thousands)	15	15	15	14	14	14	14	14

PROJECTED PROGRAM REVENUES, BY TYPE OF FUND TO WHICH DEPOSITED (in thousands of dollars)

Fund to Which Deposited	Actual	Estimate	Budget Period			Estimate		
	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
General Fund	1,464	1,466	1,479	1,478	1,479	1,478	1,479	1,479
Special Fund	375	375	375	382	382	384	382	382
Other Funds	0	0	0	0	0	0	0	0
Total Program Revenues	1,839	1,841	1,854	1,860	1,861	1,862	1,861	1,861

PROJECTED PROGRAM REVENUES, BY TYPE OF REVENUE (in thousands of dollars)

Type of Revenue	Actual	Estimate	Budget Period			Estimate		
	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
Revenues from Use of Money and Property	0	0	0	0	0	0	0	0
Revenues from Other Agencies	0	0	0	0	0	0	0	0
Charges for Current Services	728	720	723	728	729	730	729	729
Fines, Restitutions, Forfeits & Penalties	1,111	1,121	1,131	1,132	1,132	1,132	1,132	1,132
Nonrevenue Receipts	0	0	0	0	0	0	0	0
Total Program Revenues	1,839	1,841	1,854	1,860	1,861	1,862	1,861	1,861

JUD 350 FIFTH CIRCUIT BUDGET REQUESTS

A. DESCRIPTION OF BUDGET REQUESTS

Judges' Salary Differential: Funding of \$17,436 for FY 2018 and \$35,201 for FY 2019 is requested for judges' pay increases that were recommended by the Commissions on Salaries and authorized by the 2013 Legislature.

Additional Judgeship and support staff: This request for \$164,866 in FY 2018 and \$315,684 in FY 2019 is for an additional Family Court Judge and staff. Workload issues have prompted a need for an additional judgeship in the Fifth Circuit.

Establish Social Worker Positions to Assist with Defendants with Mental Health Conditions: This request for \$54,232 in FY 2018 and \$101,544 in FY 2019 is for two Social Worker IV positions in the Adult Client Probation Services Branch to assist with defendants with mental health conditions.

B. REASON FOR BUDGET REQUESTS

Judges' Salary Differential: Fifth Circuit is requesting \$17,436 for FY 2018 and \$35,201 for FY 2019 to fund judges' salaries at the legislatively mandated pay levels set by the 2013 Commissions on Salaries.

Additional Judgeship and support staff: The Fifth Circuit is requesting \$164,866 in FY 2018 and \$315,684 in FY 2019 for an additional Family Court Judge and staff. The additional judgeship is needed to address the continuing increase in complexity of cases and the time required to schedule and hear cases on the court calendars, and to improve public service and safety.

Presently, the Fifth Circuit has only one Family Court Judge to handle its entire caseload of Family Court proceedings. The nature of Family Court civil proceedings, often involving complicated disputes regarding the best interests of the child or children, is such that it is difficult to push such cases or place arbitrary limits on time allotments for hearings and trials. For example, there has been a recent upward trend in the number of TRO filings. Currently, only one afternoon each week is used to schedule a return on a petition for protective order (respondent appears in court and is given the opportunity to agree to the protective order or contest the allegations). The return on petition is usually set within 15 days of the granting of the TRO. If the matter is contested, the hearing could last from 45 minutes to two hours depending on the number of witnesses who are called to testify. Sometimes a hearing cannot be completed in the time allotted so it has to be continued to another day. Because of Family Court's trial schedule, hearings often cannot be continued the same week and must be scheduled a number of weeks away.

Such delays are not in the best interests of the child, especially considering issues that may arise regarding temporary child custody, visitation, and more importantly the safety of all individuals involved. Also, part of one afternoon is spent on the adult domestic violence criminal calendar for proceedings which include proof of compliance, sentencing, entry of pleas, and arraignment and pleas. The domestic violence criminal trials are scheduled for only one day per month due to space and time limitations on the weekly Family Court calendar.

The Family Court implemented a revised weekly schedule in December 2014, and has made further revisions since, to help address their overcrowded court calendar. The Family Court schedule dedicates most of one calendar day to address approximately 5 to 10 DHS Child Protective Service (CPS) cases. Contested hearings are held in the afternoon and can last two to four hours depending on the amount of evidence being presented. Often, there are recorded interviews from the Children's Justice Center, as well as testimony from experts, social workers, and the parents. There are time constraints for these hearings so sometimes hearings have to be continued at a later date. Because the calendar is only one day a week, it is very difficult to reschedule hearings or find continued dates for hearings. Many of the attorneys involved in these cases also specialize in other areas of the law which requires them to be in other courtrooms at the same time. This makes scheduling even more difficult. In a recent review of Family Court dependency cases, one of the areas of concern was the ability to schedule hearings in a timely manner. Return hearings have to be scheduled within 15 days from when a child is placed into temporary foster custody, which has been a challenge due to the limited days available to do these hearings. Achieving permanency (termination of parental rights) is supposed to be reached within a reasonable period of time. Like TRO hearings, it is not in the best interests of all the involved parties to have such hearings postponed for any lengthy period.

Due to the number of domestic cases, proceedings are spread over two calendar days. On one of the days, usually two trials are scheduled. In addition to the trials scheduled, the morning calendar usually consists of about 10 new actions and about 5 status hearing cases. Because so many cases are already scheduled, a party generally has to wait about a month to have a matter placed on the domestic calendar. If a party is requesting a trial, the trial dates are being scheduled approximately three to four months from the date of the parties' first appearance depending on the amount of time expected to complete the trial. But sometimes it takes even longer due to continuances, rescheduling(s) due to conflicts, and the overloaded court calendar. Providing more timely court dates would have a positive effect on reducing tension and conflict for the children who are caught in the middle of the adult disputes between parents. To alleviate the court calendar, the parties are often required to participate in an alternative dispute resolution program before the matter is set for trial. On the second calendar day used for domestic cases, civil post-decree and pre-decree motions and other miscellaneous civil motions or petitions are scheduled in the morning for two hours. There are approximately 5 to 10 cases heard during this time.

One day of the Family Court calendar is dedicated to juvenile delinquency type cases. These include law violations, status offenses, DOE truancy petitions, and the Juvenile

Drug Court. The normal caseload is between 30 and 50 cases per day. The large number of cases each day does not allow much court time for each case to be heard. Again, due to space and time limitations on the weekly Family Court calendar, juvenile delinquency trials are only scheduled for one day per month.

Finally, one and one half calendar days are used to schedule civil trials for cases from any of the calendars. Often, the whole day is consumed by one trial due to the large number of witnesses called.

On any given day, calendars could be delayed due to special hearings scheduled at 1:00 p.m. each day (block of court time set aside as needed). The special hearings include special criminal arraignments or preliminary hearings, juvenile detention hearings, and involuntary commitment hearings.

While the Fifth Circuit has operated with only one dedicated Family Court Judge since 1999, the Second and Third Circuits have three and four Family Court Judges, respectively. In comparison to the Second and Third Circuit's Family Courts, the Family Court Judge for the Fifth Circuit has a much greater caseload (pending cases at the beginning of the year plus new filings) on a per judge basis. For example, in FY 2016, the Fifth Circuit's Family Court Judge had a total caseload of 6,428 cases in comparison to the Second and Third Circuits whose Family Court Judges' caseload averaged 2,343 and 2,834 cases, respectively. FY's 2015 and 2014 were similar as Fifth Circuit's Family Court Judge's caseload averaged 7,200 cases annually, as compared to Second and Third Circuit's Family Court Judges whose caseload averaged 2,500 and 2,800 cases, respectively.

A comparison of Fifth Circuit Family Court with the First Circuit Family Court revealed results similar to the disparity noted with neighbor island caseloads. The First Circuit's Family Court's Juvenile Division hears CPS cases that include, but are not limited to, issues involving child abuse and neglect, domestic violence, safety, substance abuse, mental health, and termination of parental rights. Four judges are assigned to the Juvenile Division. In FY 2016, the average caseload per Juvenile Division Judge was 1,795 juvenile and 855 children on status cases (these include probation, protective supervision, family supervision, foster custody, and permanent custody cases). In comparison, the Fifth Circuit Family Court Judge's caseload was 3,215 juvenile and 669 children on status cases. In FY 2015, the average caseload for each First Circuit Juvenile Division Judge was 1,793 juvenile and 825 children on status cases as compared to the Fifth Circuit Family Court Judge's caseload of 3,300 juvenile and 638 children on status cases. FY 2014 comparison numbers were similar to those for FY 2015.

It should also be noted that due to its large population base on O'ahu, the First Circuit has three more Family Court divisions, which are the Domestic, Special, and Adult Criminal Divisions. Each division has its own set of judges. The Domestic Division handles cases involving, but not limited to, divorces and civil union divorces. The Special Division deals with cases such as paternity, TROs and orders for protection, guardianship, and involuntary mental health commitments. The Adult Criminal Division handles cases involving abuse of family household members, and violations of TROs and orders for

protection. The Fifth Circuit's lone Family Court Judge handles all matters dealing with the Family Court, not just specific types of Family Court cases.

Due to the limitations and delays in obtaining court time for contested hearings, the Family Court has noticed that attorneys are increasingly applying for Ex Parte orders. Ex Parte orders are orders issued without the benefit of a contested or evidentiary hearing and can deprive opposing litigants of the opportunity to present their positions or evidence prior to an order from the Court. Consequently, the Court is placed in the difficult position of having to rule on matters with only one side being presented to the Court. Preferably, opposing parties should be able to fully litigate contested issues prior to an order being issued. However, given the delay between the filing of the motion and obtaining an available hearing date, attorneys have no option but to seek Ex Parte orders to address issues that need to be quickly resolved. For every week that passes where a child is denied the right to see one of their parents based on nothing more than allegations raised in a court filing, that child (and that parent) suffers irreversible harm and the loss of time that cannot be recovered.

The Fifth Circuit's Judges have met with Kaua'i attorneys to discuss issues or concerns that they believed were important to their practice of law on Kaua'i. Many of the responses revolved around the need of an additional judge position to address Family Court matters. While the Fifth Circuit does utilize per diem judges to keep the court operating when the Family Court Judge has conflicts with the case or times or otherwise is unable to be in court, they serve only part-time and their availability is sometimes limited since many are attorneys with their own practices.

The Family Court Judge is in court every day for most of the day. Additionally, the Judge is involved with several judicial committees and represents the Judiciary in some local organizations, convenes stakeholder meetings, prepares court orders when both parties are self-represented, does his own legal research, holds pre-trial conferences, reviews TRO orders, and reviews uncontested divorce actions. He also reviews Judicial Determination of Probable Cause and requests for arrest warrant packets submitted by the Kaua'i Police Department, and is on call 24 hours a day/7 days a week in the event there is a request for involuntary commitment of an individual due to mental illness. The Family Court Judge's out-of-court responsibilities have to fit in between court hearings. However, if the need arises due to time constraints, the Family Court tries its best to accommodate the parties by deviating from the court schedule.

The Judiciary's mission is to dispense justice. Unreasonable delay due to court congestion and the unavailability of courtroom time does a great disservice to our clients, the users of the court. It cannot be stressed enough that the civil litigants in contested Family Court matters include those who most need our assistance such as victims of domestic violence, children dealing with the breakdown of a family unit or who are without adequate child support, and abused or neglected children. It is strongly believed that more must be done for these individuals and an additional Family Court Judge and support staff would permit the Fifth Circuit to be more effective in this regard. The requested court staff would be able to provide the administrative support to handle the resulting workload generated by the additional judge.

More courtroom time is needed to accommodate the current Family Court civil caseload. An additional judge and support staff would permit the Family Court to handle expedited hearings, evidential hearings could be scheduled sooner, and more actual court time could be provided for contested matters including TRO and DHS/CPS hearings. Additionally, it would be possible to require and hold settlement conferences in all contested cases if another judge, other than the trial judge, was available.

Establish Social Worker Positions to assist with Defendants with Mental Health Conditions: The Fifth Circuit is requesting \$54,232 in FY 2018 and \$101,544 in FY 2019 for two Social Worker IV positions in the Adult Client Probation Services (ACPS) Branch. Over the years, the ACPS Branch has been experiencing a growing number of defendants with mental health conditions. In order to manage these defendants with dignity, compassion, and consistency, Social Worker IV positions with mental health backgrounds are needed in the Pre-Sentence Investigations (PSI) Section and in the Specialized Services Unit (SSU) Section.

According to a Bureau of Justice “Statistic” report dated 2006, 64% of prison inmates have a mental health problem. It has been estimated that up to 40% of persons with SMI will come into contact with the criminal justice system at some point in their lives. Also, according to a report in the August 23, 2015 Honolulu Star Advertiser, approximately 51% of those arrested in Hawai‘i had SMI or severe substance intoxication, and 40% were homeless. These statistics demonstrate the severity and extent of the problems that Probation Officers have to deal with involving the homeless and mentally ill in our community.

PSI Section

Section 704-400 (1), HRS provides “A person is not responsible, under this code, for conduct if at the time of the conduct as a result of physical or mental disease, disorder, or defect, the person lacks substantial capacity either to appreciate the wrongfulness of the person’s conduct or to conform the person’s conduct to the requirements of law.” “Section 704” defendants are referred to the PSI Section by the courts to gather background information about the defendant. The information is presented to an examination panel and is used in its review to determine whether the defendant is fit to stand trial. The Social Workers (also referred to as Probation Officers) in the PSI Section do not have a background in mental health and are currently performing their duties literally with knowledge obtained “on the job.”

The Social Worker’s responsibilities for defendants with mental health problems are time intensive and time sensitive as the mental examination panel is required to make a decision within 30 to 60 days. The Social Worker’s duties include interviewing the defendant to determine the defendant’s medical, substance abuse, psychiatric, rehabilitative, educational, and correctional history. Extremely crucial to this process is locating the defendant and obtaining the consent for release of information. The PSI Section has also experienced defendants with mental health conditions not wanting to provide the consent for release of information for various reasons including not

understanding what is being requested, not trusting the Social Worker, and for fear of being harmed by others including the Social Worker. In addition, the defendant may not even know that a mental health condition exists, which makes dealing with the individual more difficult. If the defendant is homeless or is no longer at the last listed address, the Social Worker tries his/her best to locate the defendant, which in itself can be a daunting task. Without the consent for release of information, the records on the defendant's background cannot be released to the Social Worker.

As a standard practice, information is solicited from the State Courts, Public Safety Department's Corrections Division, DOH's Adult Mental Health Division, and Mahelona Hospital on Kaua'i. Information from all other service providers identified during the interview process must also be solicited. All the information gathered by the Social Worker is put in a diagnostic report and is used by the examination panel to determine whether the defendant is fit to stand trial. Again, the PSI Section is under extreme time constraints to gather all the information about "Section 704" defendants and such demands are disruptive to all the other duties which include other pre-sentence investigations, courtesy supervision investigations, formal and instant record checks, and restitution investigations that service the Circuit, District, and Family Courts on Kaua'i. In FY 2011, the PSI Section conducted 56 mental health examinations, while between FY's 2012 and 2016, the average number of mental health examinations per year was 143, a 255% increase.

Having a Social Worker with a background and training in mental health issues, would provide a better mechanism to maneuver through the difficulties facing the PSI Section when working with "Section 704" defendants because such a Social Worker would be trained specifically in how to deal with individuals with mental health conditions.

SSU Section

The ACPS's SSU Section is responsible for supervising all defendants placed on court ordered CR supervision following a judgment acquitting an offender of an offense on the grounds of physical or mental disease, disorder, or defect. Similar to the PSI Section, the number of defendants with mental health conditions placed on supervision with the SSU Section has increased over the years. The SSU Section Social Worker is responsible to read the court ordered release conditions to the defendant, which both will sign; meet with the defendant on a monthly basis; attend court and review hearings (as necessary); and work with the mental health treatment service providers to insure that defendant is in compliance with release conditions.

The DOH's Adult Mental Health Division is the primary contact for the SSU Section, which coordinates all treatment services for the defendant on conditional release. The Social Worker works with forensic coordinators, case managers, psychiatrists, social workers, and various other parties that may be involved with the defendant's treatment. The situation can become more complicated if the defendant is also battling a substance abuse problem (dual diagnosis). The difficulty in part is due to not being able to prescribe medication for the mental health condition while the individual has a substance abuse problem. The individual would also have to be treated for the substance abuse

problem as well. This dual diagnosis condition takes more time and effort by all those involved with the treatment and supervision of the defendant.

If the defendant is not in compliance with the release conditions, the Social Worker initiates the documents necessary for the defendant to be apprehended and/or placed into custody. The daily cost to house an inmate in Hawaii's Correctional Facilities is \$140. For these conditional release defendants, non-compliance with their terms of supervision would result in hospitalization at the Hawai'i State Hospital, not prison. Hospitalization costs approximately \$765 per day, which is a very costly alternative to providing the specialized supervision that a Social Worker with a mental health background would offer. With proper supervision provided by the SSU Section working together with the team of treatment and stabilization services, it is anticipated that incarceration and hospitalization days would greatly decrease, public safety would increase, and such clients would have more successful outcomes.

In FY 2011, the SSU Section had 59 defendants under CR supervision; between FY 2012 and FY 2016, the number of defendants under CR supervision increased by some 34 % to an average 80 per year. Overall, the SSU Section had 1,240 defendants under supervision in FY 2011, while between FY 2012 and FY 2016, an average 1,485 per year, an increase of about 20%. In general, defendants with mental health issues under CR supervision are increasing at a greater rate than the overall population of supervised defendants.

Although the Social Worker does not provide treatment services to the defendant, an individual with background and training in mental health issues would be in a better position to assist the defendant's treatment providers and to alert them when there is evidence of mental health changes or deterioration.

In summary, the PSI and SSU Sections of the ACPS Branch are in need of Social Workers with a background and training in mental health and related issues. This extensive training provides the Social Worker with much better understanding, compassion, and necessary techniques and strategies to use when working with and supervising individuals afflicted with mental health problems; and would offer more consistency to the defendants, the courts, and the mental examiners. The number of defendants with mental health problems being referred has been increasing over the years. The requested Social Workers would be better equipped to serve, gain the trust, and allow these individuals to receive the mental health treatment that they need and provide them with a better chance of staying out of the costly incarceration or mental health institution systems.

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JUDICIARY

STATE OF HAWAII

PROGRAM TITLE:
JUDICIAL SELECTION COMMISSION

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 02 01

POSITION IN PROGRAM STRUCTURE

Level	No.	Title
Level I	01	The Judicial System
Level II	02	Support Services
Level III	01	Judicial Selection Commission

PROGRAM EXPENDITURES

	EXPENDITURES IN DOLLARS							
	Actual 2015-16	Estimated 2016-17	Budget Period		Estimated Expenditures (\$000's)			
			2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
Operating Costs								
Personal Services	64,668	66,973	66,973	66,973	67	67	67	67
Other Current Expenses	50,800	31,817	31,817	31,817	32	32	32	32
Lease/Purchase Agreements	0	0	0	0	0	0	0	0
Equipment	1,729	0	0	0	0	0	0	0
Motor Vehicles	0	0	0	0	0	0	0	0
Total Operation Costs	117,197	98,790	98,790	98,790	99	99	99	99
Capital & Investment Costs	0	0	0	0	0	0	0	0
Total Program Expenditures	117,197	98,790	98,790	98,790	99	99	99	99

REQUIREMENTS BY MEANS OF FINANCING

	Actual 2015-16	Estimated 2016-17	Budget Period		Estimated Expenditures (\$000's)			
			2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
	1.00 *	1.00 *	1.00 *	1.00 *	1.00 *	1.00 *	1.00 *	1.00 *
	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **
General Funds	117,197	98,790	98,790	98,790	99	99	99	99
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **
Special Funds	0	0	0	0	0	0	0	0
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **
Revolving Funds	0	0	0	0	0	0	0	0
G.O. Bond Funds	0	0	0	0	0	0	0	0
	1.00 *	1.00 *	1.00 *	1.00 *	1.00 *	1.00 *	1.00 *	1.00 *
	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **
Total Financing	117,197	98,790	98,790	98,790	99	99	99	99

*Permanent Position FTE

**Temporary Position FTE

JUDICIARY

STATE OF HAWAII

PROGRAM TITLE:
JUDICIAL SELECTION COMMISSION

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 02 01

MEASURES OF EFFECTIVENESS AND UNITS OF MEASURE

PLANNED LEVELS OF PROGRAM EFFECTIVENESS

Measures of Effectiveness	Actual	Estimate	Budget Period			Estimate		
	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23

N/A

PROGRAM SIZE INDICATORS (T=target group indicators; A=activity indicators)

Code No.	Program Size Indicators	Actual	Estimate	Budget Period			Estimate		
		2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23

N/A

PROJECTED PROGRAM REVENUES, BY TYPE OF FUND TO WHICH DEPOSITED (in thousands of dollars)

Fund to Which Deposited	Actual	Estimate	Budget Period			Estimate		
	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23

N/A

PROJECTED PROGRAM REVENUES, BY TYPE OF REVENUE (in thousands of dollars)

Type of Revenue	Actual	Estimate	Budget Period			Estimate		
	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23

N/A

JUD 501 JUDICIAL SELECTION COMMISSION PROGRAM INFORMATION

A. PROGRAM OBJECTIVES

- To screen and submit nominees for judicial vacancies, and to conduct hearings for retention of justices or judges.

B. PROGRAM ACTIVITIES

The Judicial Selection Commission is responsible for reviewing applicants for judgeships in Hawai'i courts and submitting a list of six nominees to the appointing authority for each vacancy. The Governor, with the consent of the Senate, appoints justices to the Supreme Court and judges to the Intermediate Court of Appeals and Circuit Court. The Chief Justice appoints and the Senate confirms District Court and District Family Court judges. The Commission has sole authority to act on reappointments to judicial office.

The Judicial Selection Commission is attached to the Judiciary for administrative purposes only.

C. KEY POLICIES

The Judicial Selection Commission strives to effectively and efficiently oversee the activities relating to judicial vacancies and justices'/judges' retention.

D. IMPORTANT PROGRAM RELATIONSHIPS

None

E. MAJOR EXTERNAL TRENDS

None.

F. COST, EFFECTIVENESS, AND PROGRAM SIZE DATA

There is no significant discrepancy between the program size and cost variables in the Judicial Selection Commission.

G. PROGRAM REVENUES

None.

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JUDICIARY

STATE OF HAWAII

PROGRAM TITLE:
ADMINISTRATION

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 02 02

POSITION IN PROGRAM STRUCTURE

Level	No.	Title
Level I	01	The Judicial System
Level II	02	Support Services
Level III	02	Administration

PROGRAM EXPENDITURES

	EXPENDITURES IN DOLLARS							
	Actual	Estimated	Budget Period		Estimated Expenditures (\$000's)			
	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
Operating Costs								
Personal Services	15,037,429	16,495,330	16,501,133	16,507,053	16,507	16,507	16,507	16,507
Other Current Expenses	16,558,923	18,053,271	18,367,203	18,053,271	18,053	18,053	18,053	18,053
Lease/Purchase Agreements	0	0	0	0	0	0	0	0
Equipment	1,464,135	944,061	981,258	944,061	944	944	944	944
Motor Vehicles	21,653	0	0	0	0	0	0	0
Total Operation Costs	33,082,140	35,492,662	35,849,594	35,504,385	35,504	35,504	35,504	35,504
Capital & Investment Costs	55,000,000	0	15,365,000	18,750,000	24,475	14,970	7,700	3,400
Total Program Expenditures	88,082,140	35,492,662	51,214,594	54,254,385	59,979	50,474	43,204	38,904

REQUIREMENTS BY MEANS OF FINANCING

	Actual	Estimated	Budget Period		Estimated Expenditures (\$000's)			
	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
		227.00 *	227.00 *	227.00 *	227.00 *	227.00 *	227.00 *	227.00 *
	0.00 **	10.48 **	10.48 **	10.48 **	10.48 **	10.48 **	10.48 **	10.48 **
General Funds	25,703,612	27,155,664	27,512,596	27,167,387	27,167	27,167	27,167	27,167
	1.00 *	1.00 *	1.00 *	1.00 *	1.00 *	1.00 *	1.00 *	1.00 *
	0.00 **	9.00 **	9.00 **	9.00 **	9.00 **	9.00 **	9.00 **	9.00 **
Special Funds	7,365,377	7,993,737	7,993,737	7,993,737	7,994	7,994	7,994	7,994
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **	0.00 **
Revolving Funds	13,151	343,261	343,261	343,261	343	343	343	343
G.O. Bond Funds	55,000,000	0	15,365,000	18,750,000	24,475	14,970	7,700	3,400
	228.00 *	228.00 *	228.00 *	228.00 *	228.00 *	228.00 *	228.00 *	228.00 *
	0.00 **	19.48 **	19.48 **	19.48 **	19.48 **	19.48 **	19.48 **	19.48 **
Total Financing	88,082,140	35,492,662	51,214,594	54,254,385	59,979	50,474	43,204	38,904

*Permanent Position FTE

**Temporary Position FTE

JUDICIARY

STATE OF HAWAII

PROGRAM TITLE:
ADMINISTRATION

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 02 02

MEASURES OF EFFECTIVENESS AND UNITS OF MEASURE

Measures of Effectiveness	PLANNED LEVELS OF PROGRAM EFFECTIVENESS							
	Actual	Estimate	Budget Period			Estimate		
	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
Avg Time to Process JUDHR001 Form (Days)	5	5	5	5	5	5	5	5
Avg Time to Process Payment Document (Days)	5	5	5	5	5	5	5	5

PROGRAM SIZE INDICATORS (T=target group indicators; A=activity indicators)

Code No.	Program Size Indicators	Actual	Estimate	Budget Period			Estimate		
		2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
A01	Number of Payment Documents Processed	34,346	34,346	34,346	34,346	34,346	34,346	34,346	34,346
A02	Number of Recruitment Announcements	880	749	880	880	880	880	880	880
A03	Number of JUDHR001 Forms Processed	5,679	4,400	4,000	4,000	4,000	4,000	4,000	4,000
A04	Library-Size of Collection (000's)	284	284	284	285	285	285	286	286
A05	Library-Circulation & Reference Use (000's)	31	31	31	31	31	31	31	31
A06	Library-Patrons Served (000's)	7	7	7	7	7	7	7	7

PROJECTED PROGRAM REVENUES, BY TYPE OF FUND TO WHICH DEPOSITED (in thousands of dollars)

Fund to Which Deposited	Actual	Estimate	Budget Period			Estimate		
	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
General Fund	120	108	108	108	108	108	108	108
Special Fund	141	141	141	141	143	143	143	143
Other Funds	0	0	0	0	0	0	0	0
Total Program Revenues	261	249	249	249	251	251	251	251

PROJECTED PROGRAM REVENUES, BY TYPE OF REVENUE (in thousands of dollars)

Type of Revenue	Actual	Estimate	Budget Period			Estimate		
	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
Revenues from use of Money and Property	21	21	21	21	22	22	22	22
Revenues from Other Agencies	76	76	76	76	76	76	76	76
Charges for Current Services	164	152	152	152	153	153	153	153
Fines, Restitutions, Forfeits & Penalties	0	0	0	0	0	0	0	0
Nonrevenue Receipts	0	0	0	0	0	0	0	0
Total Program Revenues	261	249	249	249	251	251	251	251

JUD 601 ADMINISTRATION PROGRAM INFORMATION AND BUDGET REQUESTS

The Office of the Administrative Director is responsible for the provision of efficient and effective administrative support to the Chief Justice, the courts, and Judiciary programs, and to promote, facilitate, and enhance the mission of the Judiciary.

A. PROGRAM OBJECTIVES

Overall Program Objective

- To enhance the effectiveness and efficiency of judicial programs by providing executive direction, program coordination, policy development, resource allocation, fiscal control, and administrative services.

Policy and Planning

- To develop and maintain an effective and comprehensive planning capability within the Judiciary to provide the statewide organization with overall guidance and long-range direction in meeting the community's demands for judicial service.
- To establish and maintain a budgeting system that will serve as the mechanism by which the required resources to achieve the objectives of the Judiciary will be identified and articulated to top-level management.
- To develop and maintain a uniform statistical information system for the statewide Judiciary which identifies what data is needed as well as how the data will be collected, tabulated, analyzed, and interpreted so as to permit the periodic reporting of statistics of court cases to the principal decision-makers of the Judiciary and thereby facilitate evaluation of influential factors or variables affecting court workload and efficiency.
- To administer a judiciary-wide audit program to ensure compliance with laws, rules and regulations, and policies of the Judiciary, the State and, where applicable, the federal government.
- To conduct investigations and audits of accounting, reporting, and internal control systems established and maintained in the Judiciary, and to suggest and recommend improvements to accounting methods and procedures.
- To maintain oversight and coordination of the Judiciary's capital improvement projects to ensure compliance with the Judiciary's policies and applicable State and Federal rules and regulations.

- To coordinate the Judiciary's legislative activities and special projects.
- To provide advice and technical assistance to the Judiciary to ensure compliance with equal employment opportunity (EEO) laws, legislation, and policies.
- To provide training to judges, administrators, and staff on current EEO issues; to develop and review EEO policies and procedures; and to investigate complaints of discrimination.

Financial Services

- To provide current, accurate, and complete financial and accounting data in a form useful to decision-makers.
- To ensure adequate and reasonable accounting control over assets, liabilities, revenues, and expenditures in accordance with generally accepted accounting principles, laws, policies, rules, and regulations of the State and the Judiciary.
- To provide a fair and expeditious administrative process for revoking the driver licenses and motor vehicle registrations of alcohol or drug impaired offenders who have shown themselves to be safety hazards by driving or boating under the influence of intoxicants or who refused chemical testing.

Information Technology and Systems

- To plan, organize, direct, and coordinate the Judiciary's statewide telecommunications and information processing program, resources, and services by providing advice, guidance, and assistance to all Judiciary courts and administrative units relating to the concepts, methods, and use of telecommunication and information processing technologies and equipment.
- To plan, direct, and manage a centralized court records management system which includes reproduction, retention, control, storage, and destruction.
- To maintain accurate and complete court records, render technical assistance, and provide information and reference services from court records to court personnel, attorneys, and the general public.
- To provide cost effective printing, form development, and related services, statewide.

Intergovernmental and Community Relations

- To promote public awareness and understanding of the Judiciary by disseminating information through various print, broadcast, and electronic means; the news media;

and direct dealings with the general public and other audiences concerning the role of the Judiciary and the services that it provides.

- To acquaint the Legislature with the program and policies of the Judiciary in order to convey the ongoing needs and importance of its role as an independent branch of government.
- To advise Judiciary officials on public perception of particular issues relating to the Judiciary.
- To design and implement projects that promote access to the courts for all persons, including those with special needs.
- To promote, through research and educational programs, fair treatment in adjudication of cases and provision of services to the public.
- To inform and provide learning opportunities to the public about the judicial process and Hawaii's legal history from pre contact to present. The Judiciary History Center generates knowledge by conducting and encouraging research, disseminating information, and collecting, preserving, and displaying materials.
- To provide an impartial professional process for addressing reports of felony child abuse that will facilitate access to the justice system for child victims and witnesses.
- To maintain a continuing liaison with agencies and departments dealing with child abuse to foster cooperation within the legal system to improve and coordinate activities for the effective overall administration of justice.
- To investigate, design, and implement alternative dispute resolution processes for the judicial, legislative, and executive branches of government that will assist these three branches of government in resolving their disputes. Emphasis is on developing systems for use by the Judiciary in the various courts, mediating/facilitating public policy issues, and building skills capacity within all branches of government.
- To provide and coordinate the Judiciary's statewide guardianship services for mentally incapacitated adults.
- To provide information, referral, and technical assistance to guardians and to the courts on the roles and responsibilities of a guardian.
- To effectively utilize volunteer citizen participants from a cross-section of the community in formalized volunteer positions based on the needs of the Judiciary and the skills, talents, and interests of the volunteers.

- To collect, organize, and disseminate information and materials relating to legal research and judicial administration in order to enhance the effectiveness of the judicial process.

Human Resources

- To manage a central recruitment and examination system that will attract the most capable persons and provide a selection system that will ensure the highest caliber employee, without regard to race, color, religion, sex, sexual orientation, national origin, ancestry, age, physical disability, marital status, or political affiliation.
- To develop, enhance, and manage a Judiciary compensation program consistent with merit principles, recognized job evaluation principles and methodologies, and labor market trends, and to attract and retain a competent and skilled workforce.
- To develop and implement an ongoing comprehensive continuing legal education program for judges to support them in their judicial roles and in the performance of their duties and responsibilities and programs of continuing education and development for staff in support of the judges and the mission of the Judiciary.
- To administer a Judiciary-wide workers' compensation program designed to provide claims management, cost containment, and vocational rehabilitation services to all echelons of the Judiciary.

Commission on Judicial Conduct

- To investigate and conduct hearings concerning allegations of misconduct or disability of justices or judges.
- To make recommendations to the Supreme Court concerning the reprimand, discipline, suspension, retirement, or removal of any justice or judge.
- To provide advisory opinions concerning proper interpretations of the Revised Code of Judicial Conduct.

B. PROGRAM ACTIVITIES

The Office of the Administrative Director of the Courts serves as the administrative arm of the Judiciary. It is headed by an Administrative Director who is appointed by the Chief Justice with the approval of the Supreme Court. The Administrative Director is assisted by a Deputy Administrative Director of the Courts in fulfilling the duties and responsibilities assigned to the office. The Director's Office is comprised of a number of staff and specific programs, including the Administration Fiscal Office and the Judiciary Security & Emergency Management Office.

The planning, statistical data management, program evaluation, budgeting, capital improvement, audit, and legislative coordination functions are carried out by the Policy and Planning Department.

The financial, purchasing, and administrative driver's license revocation functions are performed by the Financial Services Department.

The data processing, reprographics, telecommunications, and records management functions are performed within the Information Technology and Systems Department.

The Human Resources Department manages centralized programs of recruitment, compensation, record keeping, employee and labor relations, employee benefits, disability claims, and continuing education.

The Intergovernmental and Community Relations Department provides legal services, public relations, and information services for the Judiciary; coordinates citizen volunteer services and investigative processes in cases of intrafamilial and extrafamilial child sex abuse; researches, plans, and develops alternate dispute resolution procedures and programs; and provides educational programs using a variety of interpretive media that promote understanding and appreciation of the history of Hawaii's Judiciary. This department is also concerned with providing public guardianship for incapacitated adults, promoting equality and accessibility in the State's justice system, and providing legal reference resources and services to the courts, the legal community, and the public.

The Commission on Judicial Conduct, which is attached to the Judiciary for administrative purposes only, is responsible for investigating allegations of judicial misconduct and disability. Rules of the court require that three licensed attorneys and four non-attorney citizens be appointed to this Commission. An additional function allows the Commission to issue advisory opinions to aid judges in the interpretation of the Code of Judicial Conduct.

C. KEY POLICIES

The Judiciary's Administration strives to improve and streamline procedures to attain maximum productivity from available resources, promote uniformity in statewide court operations, and prevent duplication of effort from circuit to circuit.

D. IMPORTANT PROGRAM RELATIONSHIPS

As one of the three branches of state government, the Judiciary works closely with and cooperates with the executive and legislative branches. Executive agencies with which the Judiciary has frequent contact include the Departments of Health, Education, and Human Services. The Department of the Attorney General is regularly consulted regarding the interpretation of laws governing the Judiciary. Other executive agencies which provide services or consultations to the Judiciary are the Departments of Budget and Finance, Accounting and

General Services, Human Resources Development, and Public Safety. Because any new legislation potentially affects the courts, the Judiciary's interaction with the legislative branch is also of critical importance.

E. MAJOR EXTERNAL TRENDS

Increasing population and urbanization, dynamic economic conditions, changing social values, expansion of the rights of criminal defendants and consumers, the creation of new classes of civil and criminal actions, and the increasing tendency for litigants to exercise their right to a review of trial court decisions all contribute to the rising workload of the courts, and impact the activities of the Office of the Administrative Director.

F. COST, EFFECTIVENESS, AND PROGRAM SIZE DATA

There is no significant discrepancy between the program size and cost variables in the Administrative Director's Program.

The major focus of this program for the upcoming biennium period is to continue providing quality administrative support and direction to the rest of the Judiciary, and enhancing efficiency within the current fiscal constraints.

G. PROGRAM REVENUES

Revenues are collected from movie production companies, photographers, and others that use Judiciary facilities for their work, and are deposited into the state general fund.

In accordance with section 601-3.5, HRS, revenues from library fines, other charges for late, lost, or damaged books, and for photocopying services are deposited into the Supreme Court Law Library Revolving Fund.

H. DESCRIPTION OF BUDGET REQUEST

Administrative Director and Deputy Administrative Director Salary Differential: Funding of \$5,803 in FY 2018 and \$11,723 in FY 2019 is requested for the Judiciary's Administrative Director's and Deputy Administrative Director's pay increases authorized by the 2014 Legislature.

Human Resource Management System (HRMS) Upgrade: Funding of \$351,129 in FY 2018 is requested to transition from PeopleSoft HRMS 9.1 to HCM 9.2.

I. REASON FOR BUDGET REQUESTS

Administrative Director and Deputy Administrative Director Salary Differential: Funding of \$5,803 in FY 2018 and \$11,723 in FY 2019 is being requested for the Judiciary's Administrative Director's and Deputy Administrative Director's pay adjustments authorized by the Legislature in Act 180, 2014 SLH.

Prior to the passage of Act 180, the Judiciary's Administrative Director and the Deputy Administrative Director did not have a mechanism to set their salaries. Act 180 established that mechanism by providing that the salary for the Judiciary's Administrative Director be equal to the Administrative Director of the State; and for the Judiciary's Deputy Administrative Director to be equal to 95% of the salary of the Judiciary's Administrative Director, effective July 1, 2014.

HRMS Upgrade: Funding of \$351,129 in FY 2018 is being requested to upgrade the Judiciary's HRMS PeopleSoft HRMS 9.1 to HCM 9.2 (PeopleSoft) due the vendor's suspension of its extended support in January 2018.

Oracle's extended support for the Judiciary's current PeopleSoft HRMS 9.1 version ends in January of 2018. If the Judiciary does not upgrade to the latest HCM 9.2 version of the product, the vendor will continue to provide only sustaining support which allows the system to operate status-quo, but will not provide any security and operating systems patches and updates that are needed to maintain critical and required functionality.

PeopleSoft is relied upon to maintain and process Judiciary personnel and payroll data in a secure manner, as well as generate a multitude of reports on employee data, including position data for vacancy reports.

The extended support provided by the vendor will allow the Judiciary to ensure that the latest security and operating system patches and updates will be made available to alleviate data integrity issues.

The vendor expects to support HCM 9.2 through December 2027 on an extended support basis, which would provide all patches for the software.

As an aside, the Executive Branch completed their upgrade to PeopleSoft 9.2 on January 20, 2015.

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PART IV



Capital Improvements Appropriations and Details

JUDICIARY
STATE OF HAWAII

**REQUIRED CAPITAL APPROPRIATIONS - BY COST ELEMENTS
BY CAPITAL PROJECT
IN THOUSANDS OF DOLLARS**

PROGRAM PLAN TITLE: Judiciary
PROGRAM STRUCTURE NO: 01

DESCRIPTION	Cost Element	Project Total	Prior Years Total	FY2016	FY2017	Recommended		Fiscal Year Estimates			
						2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
JUDICIARY	Plans	2,480	780	0	0	50	50	550	550	50	450
TOTAL	Land	4,550	4,550	0	0	0	0	0	0	0	0
	Design	18,351	9,506	0	0	1,315	450	1,815	595	4,370	300
	Constr	161,582	39,367	55,000	0	13,975	11,475	22,085	13,800	3,255	2,625
	Equip	6,901	1	0	0	25	6,775	25	25	25	25
	Total	193,864	54,204	55,000	0	15,365	18,750	24,475	14,970	7,700	3,400
	G.O. Bonds	193,864	54,204	55,000	0	15,365	18,750	24,475	14,970	7,700	3,400

REQUIRED CAPITAL APPROPRIATIONS - BY COST ELEMENTS
BY CAPITAL PROJECT
IN THOUSANDS OF DOLLARS

PROGRAM PLAN TITLE: Administration
PROGRAM STRUCTURE NO: 01 02 02

DESCRIPTION	Cost Element	Project Total	Prior Years Total	Recommended		Fiscal Year Estimates						
				FY2016	FY2017	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	
Hoapili Hale	Plans	0										
Building Exterior	Land	0										
Remedial	Design	470	470									
Improvements,	Constr	1,630	1,630									
Maui	Equip	0										
	Total	2,100	2,100	0	0	0	0	0	0	0	0	0
	G.O. Bonds	2,100	2,100	0	0	0	0	0	0	0	0	0
Hoapili Hale	Plans	0										
Exhaust Monitoring	Land	0										
and Ventilation	Design	125	125									
Systems Upgrade,	Constr	550	550									
Maui	Equip	0										
	Total	675	675	0	0	0	0	0	0	0	0	0
	G.O. Bonds	675	675	0	0	0	0	0	0	0	0	0
Kapuaiwa Building	Plans	0										
Separate Storm Drain	Land	0										
and Sanitary Sewer	Design	125				125						
Systems,	Constr	550				550						
O'ahu	Equip	0										
	Total	675	0	0	0	675	0	0	0	0	0	0
	G.O. Bonds	675	0	0	0	675	0	0	0	0	0	0
Kapuaiwa Building	Plans	0										
Roof Replacement,	Land	0										
O'ahu	Design	100							100			
	Constr	1,000							1,000			
	Equip	0										
	Total	1,100	0	0	0	0	0	0	1,100	0	0	0
	G.O. Bonds	1,100	0	0	0	0	0	0	1,100	0	0	0
Hoapili Hale	Plans	0										
Parking Structure	Land	0										
Sewer, Storm Drain,	Design	150						150				
AC and Fire Sprinkler	Constr	2,750						2,750				
Piping Improvements,	Equip	0										
Maui	Total	2,900	0	0	0	0	0	2,900	0	0	0	0
	G.O. Bonds	2,900	0	0	0	0	0	2,900	0	0	0	0
Hoapili Hale	Plans	0										
Legal Documents	Land	0										
Reorganization and	Design	95							95			
Upgrades,	Constr	2,725							2,725			
Maui	Equip	0										
	Total	2,820	0	0	0	0	0	0	2,820	0	0	0
	G.O. Bonds	2,820	0	0	0	0	0	0	2,820	0	0	0

REQUIRED CAPITAL APPROPRIATIONS - BY COST ELEMENTS
BY CAPITAL PROJECT
IN THOUSANDS OF DOLLARS

PROGRAM PLAN TITLE: Administration
PROGRAM STRUCTURE NO: 01 02 02

DESCRIPTION	Cost Element	Project Total	Prior Years Total	FY		Recommended		Fiscal Year Estimates				
				FY2016	FY2017	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	
Ka'ahumanu Hale Repair Basement Leaks and Damages, O'ahu	Plans	0										
	Land	0										
	Design	350						350				
	Constr	3,550						3,550				
	Equip	0										
Total		3,900	0	0	0	0	0	3,900	0	0	0	0
G.O. Bonds		3,900	0	0	0	0	0	3,900	0	0	0	0
Ka'ahumanu Hale Security and Access Improvements and Upgrades to Atrium Lobby, O'ahu	Plans	0										
	Land	0										
	Design	200						200				
	Constr	1,800						1,800				
	Equip	0										
Total		2,000	0	0	0	0	0	2,000	0	0	0	0
G.O. Bonds		2,000	0	0	0	0	0	2,000	0	0	0	0
Kauikeaouli Hale Main Data Center Fire Suppression System, O'ahu	Plans	0										
	Land	0										
	Design	0										
	Constr	700						700				
	Equip	0										
Total		700	0	0	0	0	0	700	0	0	0	0
G.O. Bonds		700	0	0	0	0	0	700	0	0	0	0
Kauikeaouli Hale Relocate Sheriff Station, O'ahu	Plans	0										
	Land	0										
	Design	25						25				
	Constr	450						450				
	Equip	0										
Total		475	0	0	0	0	0	475	0	0	0	0
G.O. Bonds		475	0	0	0	0	0	475	0	0	0	0
Kauikeaouli Hale Transaction Counter Improvements, O'ahu	Plans	0										
	Land	0										
	Design	25						25				
	Constr	400						400				
	Equip	0										
Total		425	0	0	0	0	0	425	0	0	0	0
G.O. Bonds		425	0	0	0	0	0	425	0	0	0	0
Ka'ahumanu Hale Reorganization, O'ahu	Plans	0										
	Land	0										
	Design	4,000								4,000		
	Constr	0										
	Equip	0										
Total		4,000	0	0	0	0	0	0	0	4,000	0	0
G.O. Bonds		4,000	0	0	0	0	0	0	0	4,000	0	0

REQUIRED CAPITAL APPROPRIATIONS - BY COST ELEMENTS
BY CAPITAL PROJECT
IN THOUSANDS OF DOLLARS

PROGRAM PLAN TITLE: Administration
PROGRAM STRUCTURE NO: 01 02 02

DESCRIPTION	Cost Element	Project Total	Prior Years Total	FY2016	FY2017	Recommended		Fiscal Year Estimates				
						2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	
Kauikeaouli Hale Reorganization, O'ahu	Plans	400										400
	Land	0										
	Design	0										
	Constr	0										
	Equip	0										
	Total	400	0	0	0	0	0	0	0	0	0	0
G.O. Bonds	400	0	0	0	0	0	0	0	0	0	0	400
Judiciary Total (Active Projects within FB 2017-2019)	Plans	2,480	780	0	0	50	50	550	550	50	450	
	Land	4,550	4,550	0	0	0	0	0	0	0	0	
	Design	18,351	9,506	0	0	1,315	450	1,815	595	4,370	300	
	Constr	161,582	39,367	55,000	0	13,975	11,475	22,085	13,800	3,255	2,625	
	Equip	6,901	1	0	0	25	6,775	25	25	25	25	
	Total	193,864	54,204	55,000	0	15,365	18,750	24,475	14,970	7,700	7,700	3,400
G.O. Bonds	193,864	54,204	55,000	0	15,365	18,750	24,475	14,970	7,700	7,700	3,400	

PART V



Variance Report

VARIANCE REPORT

INTRODUCTION

The Variance Report presents for each program the absolute and percentage differences in expenditures, positions, measures of effectiveness, and program size indicators. Significant differences between the planned and the actual levels for the last completed fiscal year and the current fiscal year are explained in narrative form.

In general, the reasons for the variance tend to fall into one or more of the following four categories:

A. FORECASTING AND DATA COLLECTION METHODS

At present, the forecasting techniques used are largely bivariate regression. This methodology is then further refined by smoothing and by normative trend/event analysis. In order to obtain more accurate projections, sophisticated and expensive modeling techniques would have to be employed to fully take into account the numerous factors that affect the courts. Such techniques are beyond the financial resources of the courts.

As to the variances reported, the initial estimate may have been inaccurate due to difficulties in forecasting. These situations have occurred most notably where data was limited or unavailable. On a more specific empirical level, a change in data collection methods may have caused further difficulties in forecasting estimated levels. However, these are generally temporary conditions which can be overcome as a larger database develops and as clear statistical patterns emerge over time.

B. EXTERNAL TRENDS AND EVENTS

There are cases where the forecasts, given historical trends, would have been accurate but for unforeseen trends or events, external to the Judiciary, which might have caused the actual magnitude to change. These events or trends include, among others: (1) new laws enacted by the Legislature; (2) social, economic, and/or technological change on a global, national, state, or local level; (3) fluctuations in public and institutional attitudes toward litigation and crime; and (4) reductions in resources available to the court programs as a result of the current economic conditions of the State.

C. OTHER FACTORS

In a few cases, it is difficult to ascertain, with any degree of exactitude, the precise cause of the variance. This ambiguity in causality happens as a result of a multitude of contributing factors that may come into play. Such factors as staff shortages, a redirection of court resources, policy changes on the part of other criminal justice agencies, or other factors that are as yet undefined all contribute in differing degrees to a variation between the actual and planned levels.

By comparing the actual and the planned, the analyst, the manager, and the decision-maker are forced to constantly reevaluate the system and thereby gain valuable information as to the activities of the system under study.

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STATE OF HAWAII

PROGRAM TITLE: Courts of Appeal

Program Plan ID: JUD 101

Program Structure No. 01 01 01

PART I -- VARIANCES IN EXPENDITURES AND POSITIONS

COST (Expenditures in \$1,000's)		Fiscal Year 2016					Three Months Ended 9-30-16					Nine Months Ended 6-30-17				
		A Budgeted	B Actual	Change From A TO B		A Budgeted	B Estimated	Change From A TO B		A Budgeted	B Estimated	Change From A TO B				
				Amount	+/-			%	Amount			+/-	%	Amount	+/-	%
Research and Development	Positions															
	Expenditures															
Operating	Positions	71.0	70.0	1.0	-	1	72.0	71.0	1.0	-	1	72.0	71.0	1.0	-	1
	Expenditures	6,564	6,562	2	-	0	1,678	1,527	151	-	9	5,035	5,353	318	+	6
Totals	Positions	71.0	70.0	1.0	-	1	72.0	69.0	3.0	-	4	72.0	71.0	1.0	-	1
	Expenditures	6,564	6,562	2	-	0	1,678	1,527	151	-	9	5,035	5,353	318	+	6

PART II VARIANCES IN MEASURES OF EFFECTIVENESS

Item No.	MEASURES OF EFFECTIVENESS	Fiscal Year 2016					Fiscal Year 2017				
		A Estimated	B Actual	Change From A TO B		A Planned	B Estimated	Change From A TO B			
				Amount	+/-	%	Amount	+/-	%		
1.	Median Time to Decision, Criminal Appeal (Mo)	16	14	2	-	13	14	14	0	+	0
2.	Median Time to Decision, Civil Appeal (Mo)	12	12	0	+	0	12	12	0	+	0
3.	Median Time to Decision, Original Proc. (Mo)	1	1	0	+	0	1	1	0	+	0

PART III VARIANCES IN PROGRAM SIZE INDICATORS (For Lowest Level Programs Only)

Item No.	PROGRAM SIZE INDICATORS	Fiscal Year 2016					Fiscal Year 2017				
		A Estimated	B Actual	Change From A TO B		A Planned	B Estimated	Change From A TO B			
				Amount	+/-	%	Amount	+/-	%		
1.	A01 Criminal Appeals Filed	220	267	47	+	21	222	260	38	+	17
2.	A02 Civil Appeals Filed	405	479	74	+	18	412	470	58	+	14
3.	A03 Original Proceedings Filed	105	86	19	-	18	120	100	20	-	17
4.	A04 Appeals Disposed	650	744	94	+	14	665	740	75	+	11
5.	A05 Motions Filed	3,025	2,817	208	-	7	3,040	2,820	220	-	7
6.	A06 Motions Terminated	3,030	2,811	219	-	7	3,045	2,821	224	-	7

JUD 101 COURTS OF APPEAL

PART I. VARIANCES IN EXPENDITURES AND POSITIONS

In FY 2016, the variance in positions was due to normal employee turnover and there was no significant expenditure variance.

In the first quarter of FY 2017, there were no significant position and expenditure variance. For the remainder of the fiscal year, estimated expenditures are expected to reflect normal procurement and operational practices and collective bargaining augmentation.

PART II. VARIANCES IN MEASURES OF EFFECTIVENESS

None

PART III. VARIANCES IN PROGRAM SIZE INDICATORS

Item 1, Criminal Appeals Filed, was 21% over the estimated level in FY 2016 due to an under projection based in part on actual filings that were lower in prior years – 235 in FY 2013, 208 in FY 2014 and 206 in FY 2015.

JUDICIARY

STATE OF HAWAII
PROGRAM TITLE: First Circuit

VARIANCE DETAILS

Program Plan ID: JUD 310

Program Structure No. 01 01 02

PART I – VARIANCES IN EXPENDITURES AND POSITIONS

COST (Expenditures in \$1,000's)		Fiscal Year 2016									
		A Budgeted	B Actual	Change From A TO B Amount +/- %							
Research and Development	Positions										
	Expenditures										
Operating	Positions	1,118.5	1,061.5	57.0	-	5					
	Expenditures	84,856	85,684	828	+	1					
Totals	Positions	1,118.5	1,061.5	57.0	-	5					
	Expenditures	84,856	85,684	828	+	1					

COST (Expenditures in \$1,000's)		Three Months Ended 9-30-16					Nine Months Ended 6-30-17				
		A Budgeted	B Actual	Change From A TO B Amount +/- %			A Budgeted	B Estimated	Change From A TO B Amount +/- %		
Research and Development	Positions										
	Expenditures										
Operating	Positions	1117.5	1049.5	68.0	-	6	1117.5	1061.5	56.0	-	5
	Expenditures	21,582	17,916	3,666	-	17	64,747	70,743	5,996	+	9
Totals	Positions	1117.5	1049.5	68.0	-	6	1117.5	1061.5	56.0	-	5
	Expenditures	21,582	17,916	3,666	-	17	64,747	70,743	5,996	+	9

PART II VARIANCES IN MEASURES OF EFFECTIVENESS

Item No. MEASURES OF EFFECTIVENESS		Fiscal Year 2016					Fiscal Year 2017				
		A Estimated	B Actual	Change From A TO B Amount +/- %			A Planned	B Estimated	Change From A TO B Amount +/- %		
1.	Med. Time to Dispo., Circt. Ct. Crim. Act. (Days)	310	391	81	+	26	298	380	82	+	28
2.	Med. Time to Dispo., Circt. Ct. Civil Act. (Days)	466	571	105	+	23	398	561	163	+	41

PART III VARIANCES IN PROGRAM SIZE INDICATORS (For Lowest Level Programs Only)

Item No. PROGRAM SIZE INDICATORS		Fiscal Year 2016					Fiscal Year 2017				
		A Estimated	B Actual	Change From A TO B Amount +/- %			A Planned	B Estimated	Change From A TO B Amount +/- %		
1.	T01 Civil Actions, Circuit Court	10,500	10,045	455	-	4	10,700	10,059	641	-	6
2.	T02 Marital Actions	7,320	7,329	9	+	0	7,040	7,342	302	+	4
3.	T03 Adoption Proceedings	525	647	122	+	23	450	650	200	+	44
4.	T04 Parental Proceedings	2,520	2,664	144	+	6	2,530	2,660	130	+	5
5.	A01 Civil Actions Filed, Circuit Court	3,006	2,455	551	-	18	3,316	2,461	855	-	26
6.	A02 Criminal Actions Filed, Circuit Court	2,110	2,163	53	+	3	2,220	2,166	54	-	2
7.	A03 Marital Actions Filed	3,883	3,781	102	-	3	4,023	3,791	232	-	6
8.	A04 Traffic - New Filings (thousands)	330	322	8	-	2	290	323	33	+	11
9.	A05 Traffic - Terminated (thousands)	330	362	32	+	10	289	350	61	+	21

JUD 310 FIRST CIRCUIT

PART I. VARIANCES IN EXPENDITURES AND POSITIONS

In FY 2016, position variances were the result of normal employee turnover as well as recruitment time factors. All position vacancies are carefully screened as part of the ongoing process to ensure that new hires are necessary to continue vital court services.

In FY 2016, First Circuit expenditures were slightly higher than budgeted largely due to collective bargaining increases and Judges' salary increase recommended by the Commission on Salaries and approved by the Legislature.

In the first quarter of FY 2017, the variance in the number of filled authorized positions is again reflective of employee turnover, recruitment time factors, and the necessary continuation of conservative hiring practices. Expenditure variances in the first quarter are largely due to the timing of actual payroll disbursements, conservative hiring practices, and normal procurement and operational practices.

For the balance of FY 2017, estimated expenditures are expected to reflect the combined effect of additional payroll expenses (as essential position vacancies are filled and payroll earned in FY 2017 by new employees subject to a 20-day pay lag is disbursed), and payments made for court ordered services. Action to fill important vacancies and recruitment time factors should result in the maintenance of normal position variances through the final nine months of the year. Estimated expenditures are also expected to increase due to collective bargaining cost items appropriated and enacted by the Legislature.

PART II. VARIANCES IN MEASURES OF EFFECTIVENESS

Item 1, Median Time to Disposition, Circuit Court Criminal Actions, was 26% greater than the actual number of days due to an under projection of the estimated level for FY 2016, as Circuit Court continues to clean up and dispose of older cases.

Item 2, Median Time to Disposition, Circuit Court Civil Actions, was 23% greater than the actual number of days due to an under projection of the estimated level for FY 2016, and because of the unexpected length of time required to resolve and close foreclosure cases.

PART III. VARIANCES IN PROGRAM SIZE INDICATORS

Item 3, Adoption Proceedings, was 23% over the estimated level due to an under projection of the estimated level for FY 2016. This occurred because of a significant drop in the number of adoption proceedings terminated in FY 2015 which, in turn, increased the pending number of cases at the beginning of FY 2016.

JUDICIARY

STATE OF HAWAII
PROGRAM TITLE: Second Circuit

Program Plan ID: JUD 320

VARIANCE DETAILS
Program Structure No. 01 01 03

PART I -- VARIANCES IN EXPENDITURES AND POSITIONS

		Fiscal Year 2016									
COST (Expenditures in \$1,000's)		A	B	Change From A TO B							
		Budgeted	Actual	Amount	+/-	%					
Research and Development	Positions										
	Expenditures										
Operating	Positions	207.0	206.0	1.0	-	0					
	Expenditures	16,145	16,419	274	+	2					
Totals	Positions	207.0	206.0	1.0	-	0					
	Expenditures	16,145	16,419	274	+	2					
		Three Months Ended 9-30-16					Nine Months Ended 6-30-17				
COST (Expenditures in \$1,000's)		A	B	Change From A TO B			A	B	Change From A TO B		
		Budgeted	Actual	Amount	+/-	%	Budgeted	Estimated	Amount	+/-	%
Research and Development	Positions										
	Expenditures										
Operating	Positions	207.0	203.0	4.0	-	2	207.0	201.0	6.0	-	3
	Expenditures	4,104	3,970	134	-	3	12,311	12,889	578	+	5
Totals	Positions	207.0	203.0	4.0	-	2	207.0	201.0	6.0	-	3
	Expenditures	4,104	3,970	134	-	3	12,311	12,889	578	+	5

PART II VARIANCES IN MEASURES OF EFFECTIVENESS

		Fiscal Year 2016					Fiscal Year 2017				
Item No.	MEASURES OF EFFECTIVENESS	A	B	Change From A TO B			A	B	Change From A TO B		
		Estimated	Actual	Amount	+/-	%	Planned	Estimated	Amount	+/-	%
1.	Med. Time to Dispo., Circt. Ct. Crim. Act. (Days)	252	255	3	+	1	247	255	8	+	3
2.	Med. Time to Dispo., Circt. Ct. Civil Act. (Days)	483	495	12	+	2	340	475	135	+	40

PART III VARIANCES IN PROGRAM SIZE INDICATORS (For Lowest Level Programs Only)

		Fiscal Year 2016					Fiscal Year 2017				
Item No.	PROGRAM SIZE INDICATORS	A	B	Change From A TO B			A	B	Change From A TO B		
		Estimated	Actual	Amount	+/-	%	Planned	Estimated	Amount	+/-	%
1.	T01 Civil Actions, Circuit Court	2,800	2,005	795	-	28	2,950	2,020	930	-	32
2.	T02 Marital Actions	985	915	70	-	7	1,002	921	81	-	8
3.	T03 Adoption Proceedings	76	75	1	-	1	79	75	4	-	5
4.	T04 Parental Proceedings	560	385	175	-	31	670	400	270	-	40
5.	A01 Civil Actions Filed, Circuit Court	775	667	108	-	14	923	677	246	-	27
6.	A02 Criminal Actions Filed, Circuit Court	984	1,166	182	+	18	916	1,168	252	+	28
7.	A03 Marital Actions Filed	551	532	19	-	3	600	538	62	-	10
8.	A04 Traffic - New Filings (thousands)	34	39	5	+	15	29	38	9	+	31
9.	A05 Traffic - Terminated (thousands)	34	40	6	+	18	29	39	10	+	34

JUD 320 SECOND CIRCUIT

PART I. VARIANCES IN EXPENDITURES AND POSITIONS

In FY 2016, position variances were the result of normal employee turnover as well as recruitment time factors. Actual expenditures were slightly higher than budgeted due to collective bargaining increases that were appropriated via a separate bill.

In the first quarter of FY 2017, the variance in the number of filled authorized positions is minimal and a result of normal employee turnover. Expenditure variances are a result of position vacancies and normal procurement and operational practices.

For the balance of FY 2017, estimated expenditures are expected to be slightly higher than budgeted due to the liquidation of first quarter billings and collective bargaining increases that were appropriated in a separate bill. There should be normal position vacancies through the remainder of the year.

PART II. VARIANCES IN MEASURES OF EFFECTIVENESS

None.

PART III. VARIANCES IN PROGRAM SIZE INDICATORS

Item 1, Civil Actions, Circuit Court, was 28% under the estimated FY 2016 level, primarily due to a steady decrease in filings, especially new foreclosure filings on which the estimate was partly based (i.e., in FY 2012, new foreclosure filings totaled 905; in FY 2016, they totaled 329).

Item 4, Parental Proceedings, was 31% under the estimated FY 2016 level due to a drop in filings, increased terminations, and estimates based on significantly higher caseloads during the last three fiscal years. Further, there has been an increased effort by the court to dispose of and close old cases on file.

JUDICIARY

STATE OF HAWAII

PROGRAM TITLE: Third Circuit

Program Plan ID: JUD 330

Program Structure No. 01 01 04

VARIANCE DETAILS

PART I -- VARIANCES IN EXPENDITURES AND POSITIONS

COST (Expenditures in \$1,000's)		Fiscal Year 2016					Fiscal Year 2017						
		A		B		Change From A TO B		A		B		Change From A TO B	
		Budgeted	Actual	Amount	+/-	%	Budgeted	Estimated	Amount	+/-	%		
Research and Development	Positions												
	Expenditures												
Operating	Positions	228.0	222.0	6.0	-	3	228.0	222.0	6.0	-	3		
	Expenditures	19,145	19,406	261	+	1	14,571	11,342	3,229	-	22		
Totals	Positions	228.0	222.0	6.0	-	3	228.0	222.0	6.0	-	3		
	Expenditures	19,145	19,406	261	+	1	14,571	11,342	3,229	-	22		

PART II VARIANCES IN MEASURES OF EFFECTIVENESS

Item No. MEASURES OF EFFECTIVENESS		Fiscal Year 2016					Fiscal Year 2017						
		A		B		Change From A TO B		A		B		Change From A TO B	
		Estimated	Actual	Amount	+/-	%	Planned	Estimated	Amount	+/-	%		
1.	Med. Time to Dispo., Circ. Ct. Crim. Act. (Days)	370	311	59	-	16	260	310	50	+	19		
2.	Med. Time to Dispo., Circ. Ct. Civil Act. (Days)	420	501	81	+	19	360	499	139	+	39		

PART III VARIANCES IN PROGRAM SIZE INDICATORS (For Lowest Level Programs Only)

Item No. PROGRAM SIZE INDICATORS		Fiscal Year 2016					Fiscal Year 2017						
		A		B		Change From A TO B		A		B		Change From A TO B	
		Estimated	Actual	Amount	+/-	%	Planned	Estimated	Amount	+/-	%		
1.	T01 Civil Actions, Circuit Court	3,630	3,037	593	-	16	3,770	3,057	713	-	19		
2.	T02 Marital Actions	1,580	1,510	70	-	4	1,588	1,520	68	-	4		
3.	T03 Adoption Proceedings	80	101	21	+	26	79	96	17	+	22		
4.	T04 Parental Proceedings	1,250	1,371	121	+	10	1,246	1,362	116	+	9		
5.	A01 Civil Actions Filed, Circuit Court	959	865	94	-	10	1,059	872	187	-	18		
6.	A02 Criminal Actions Filed, Circuit Court	935	892	43	-	5	909	901	8	-	1		
7.	A03 Marital Actions Filed	615	584	31	-	5	636	587	49	-	8		
8.	A04 Traffic - New Filings (thousands)	39	42	3	+	8	37	43	6	+	16		
9.	A05 Traffic - Terminated (thousands)	40	48	8	+	20	41	44	3	+	7		

JUD 330 THIRD CIRCUIT

PART I. VARIANCES IN EXPENDITURES AND POSITIONS

In FY 2016, position variances were the result of normal employee turnover as well as recruitment time factors. Actual expenditures were slightly higher than budgeted due to collective bargaining increases that were appropriated via a separate bill.

In the first quarter of FY 2017, the variance in the number of filled authorized positions is a carryover from the previous year and a result of normal employee turnover. Expenditures are greater than budgeted in the first quarter due to the majority of recurring expenses (utilities, contracts, rentals, service on a fee, purchase of service) being encumbered up front for the fiscal year. Estimated expenditures are expected to be lower than budgeted amounts for the balance of FY 2017 because of this. The remainder of the fiscal year should result in normal position variances.

PART II. VARIANCES IN MEASURES OF EFFECTIVENESS

None.

PART III. VARIANCES IN PROGRAM SIZE INDICATORS

Item 3, Adoption Proceedings, was 26% over estimated amounts due to an increase in filings, and estimates being based on the lower caseloads (i.e., proceedings) in FYs 2014 (75) and 2015 (82).

Item 9, Traffic - Terminated, was 20% over the estimated most likely due to a change in previous reporting from Entry of Judgement to Terminated and too low estimated levels.

JUDICIARY

STATE OF HAWAII
PROGRAM TITLE: Fifth Circuit

Program Plan ID: JUD 350

VARIANCE DETAILS
Program Structure No. 01 01 05

PART I -- VARIANCES IN EXPENDITURES AND POSITIONS

COST (Expenditures in \$1,000's)		Fiscal Year 2016					Fiscal Year 2017				
		A Budgeted	B Actual	Change From A TO B		A Budgeted	B Estimated	Change From A TO B			
				Amount	+/-	%			Amount	+/-	%
Research and Development	Positions										
	Expenditures										
Operating	Positions	99.0	94.0	5.0	-	5	99.0	95.0	4.0	-	4
	Expenditures	7,380	7,582	202	+	3	5,635	5,867	232	+	4
Totals	Positions	99.0	94.0	5.0	-	5	99.0	95.0	4.0	-	4
	Expenditures	7,380	7,582	202	+	3	5,635	5,867	232	+	4

PART II VARIANCES IN MEASURES OF EFFECTIVENESS

Item No. MEASURES OF EFFECTIVENESS		Fiscal Year 2016					Fiscal Year 2017				
		A Estimated	B Actual	Change From A TO B		A Planned	B Estimated	Change From A TO B			
				Amount	+/-	%			Amount	+/-	%
1.	Med. Time to Dispo., Circl. Ct. Crim. Act. (Days)	320	327	7	+	2	304	326	22	+	7
2.	Med. Time to Dispo., Circl. Ct. Civil Act. (Days)	400	606	206	+	52	340	450	110	+	32

PART III VARIANCES IN PROGRAM SIZE INDICATORS (For Lowest Level Programs Only)

Item No. PROGRAM SIZE INDICATORS		Fiscal Year 2016					Fiscal Year 2017				
		A Estimated	B Actual	Change From A TO B		A Planned	B Estimated	Change From A TO B			
				Amount	+/-	%			Amount	+/-	%
1.	TO1 Civil Actions, Circuit Court	1,310	1,176	134	-	10	1,310	1,185	125	-	10
2.	TO2 Marital Actions	800	682	118	-	15	820	693	127	-	15
3.	TO3 Adoption Proceedings	50	55	5	+	10	125	58	67	-	54
4.	TO4 Parental Proceedings	600	474	126	-	21	540	483	57	-	11
5.	A01 Civil Actions Filed, Circuit Court	287	194	93	-	32	306	203	103	-	34
6.	A02 Criminal Actions Filed, Circuit Court	440	481	41	+	9	435	485	50	+	11
7.	A03 Marital Actions Filed	230	212	18	-	8	234	215	19	-	8
8.	A04 Traffic - New Filings (thousands)	14	11	3	-	21	13	12	1	-	8
9.	A05 Traffic - Terminated (thousands)	15	15	0	+	0	13	15	2	+	15

JUD 350 FIFTH CIRCUIT

PART I. VARIANCES IN EXPENDITURES AND POSITIONS

In FY 2016, the variance in positions was due to normal employee turnover. The expenditure variance was primarily due to collective bargaining augmentation.

In the first quarter of FY 2017, there were no significant position and expenditure variances. For the remainder of the fiscal year, estimated expenditures are expected to reflect normal procurement and operational practices and collective bargaining augmentation.

PART II. VARIANCES IN MEASURES OF EFFECTIVENESS

Item 2, Medium Time to Disposition, Circuit Court Civil Actions, was 52% over the estimated level due to an increased effort to dispose of and close old cases sitting on the court's records.

PART III. VARIANCES IN PROGRAM SIZE INDICATORS

Item 4, Parental Proceedings, was 21% lower than the estimated level due to an increased effort by the court to dispose of and close old cases on file.

Item 5, Civil Actions Filed, Circuit Court, was 32% lower than the estimated level primarily due to a decreasing trend in mortgage foreclosure cases filed relative to the prior year on which the estimate was partly based.

Item 8, Traffic – New Filings, was 21% lower than estimated due to a significant decrease in new filings as compared to 14,000 in both FYs 2014 and 2015, on which the estimates are partly based.

JUDICIARY

VARIANCE DETAILS

STATE OF HAWAII

PROGRAM TITLE: Judicial Selection Commission

Program Plan ID: JUD 501

Program Structure No. 01 02 01

PART I -- VARIANCES IN EXPENDITURES AND POSITIONS

		Fiscal Year 2016									
COST (Expenditures in \$1,000's)		A	B	Change From A TO B							
		Budgeted	Actual	Amount	+/-	%					
Research and Development	Positions										
	Expenditures										
Operating	Positions	1.0	1.0	0.0	+	0					
	Expenditures	93	117	24	+	26					
Totals	Positions	1.0	1.0	0.0	+	0					
	Expenditures	93	117	24	+	26					

		Three Months Ended 9-30-16					Nine Months Ended 6-30-17				
COST (Expenditures in \$1,000's)		A	B	Change From A TO B			A	B	Change From A TO B		
		Budgeted	Actual	Amount	+/-	%	Budgeted	Estimated	Amount	+/-	%
Research and Development	Positions										
	Expenditures										
Operating	Positions	1.0	1.0	0.0	+	0	1.0	1.0	0.0	+	0
	Expenditures	23	22	1	-	4	70	77	7	+	10
Totals	Positions	1.0	1.0	0.0	+	0	1.0	1.0	0.0	+	0
	Expenditures	23	22	1	-	4	70	77	7	+	10

PART II VARIANCES IN MEASURES OF EFFECTIVENESS

		Fiscal Year 2016					Fiscal Year 2017				
Item No.	MEASURES OF EFFECTIVENESS	A	B	Change From A TO B			A	B	Change From A TO B		
		Estimated	Actual	Amount	+/-	%	Planned	Estimated	Amount	+/-	%
N/A											

PART III VARIANCES IN PROGRAM SIZE INDICATORS (For Lowest Level Programs Only)

		Fiscal Year 2016					Fiscal Year 2017				
Item No.	PROGRAM SIZE INDICATORS	A	B	Change From A TO B			A	B	Change From A TO B		
		Estimated	Actual	Amount	+/-	%	Planned	Estimated	Amount	+/-	%
N/A											

JUD 501 JUDICIAL SELECTION COMMISSION

PART I. VARIANCES IN EXPENDITURES AND POSITIONS

The Judicial Selection Commission (JSC) reflects no position variance for FY 2016 as the sole position was filled throughout the year. The operating expenditures variance for the fiscal year is attributed to an increase in the number of judicial selections reviewed by the JSC in FY 2016.

In FY 2016, the Judiciary (JUD-601-Administration) transferred \$23,000 to the JSC to support its budget shortfall.

The first quarter of FY 2017 remains consistent with FY 2016's cautious spending strategy. However, JSC anticipates a budget shortfall in FY 2017, again due the increased number of judicial selections projected for FY 2017.

PART II. VARIANCES IN MEASURES OF EFFECTIVENESS

N/A.

PART III. VARIANCES IN PROGRAM SIZE INDICATORS

N/A.

JUDICIARY

STATE OF HAWAII
PROGRAM TITLE: Administration

Program Plan ID: JUD 601

VARIANCE DETAILS
Program Structure No. 01 02 02

PART I -- VARIANCES IN EXPENDITURES AND POSITIONS

		Fiscal Year 2016									
COST (Expenditures in \$1,000's)		A	B	Change From A TO B							
		Budgeted	Actual	Amount	+/-	%					
Research and Development	Positions										
	Expenditures										
Operating	Positions	228.0	216.0	12.0	-	5					
	Expenditures	34,347	33,082	1,265	-	4					
Totals	Positions	228.0	216.0	12.0	-	5					
	Expenditures	34,347	33,082	1,265	-	4					
		Three Months Ended 9-30-16					Nine Months Ended 6-30-17				
COST (Expenditures in \$1,000's)		A	B	Change From A TO B			A	B	Change From A TO B		
		Budgeted	Actual	Amount	+/-	%	Budgeted	Estimated	Amount	+/-	%
Research and Development	Positions										
	Expenditures										
Operating	Positions	228.0	216.0	12.0	-	5	228.0	228.0	0.0	+	0
	Expenditures	8,544	17,061	8,517	+	100	25,631	18,432	7,199	-	28
Totals	Positions	228.0	216.0	12.0	-	5	228.0	228.0	0.0	+	0
	Expenditures	8,544	17,061	8,517	+	100	25,631	18,432	7,199	-	28

PART II VARIANCES IN MEASURES OF EFFECTIVENESS

		Fiscal Year 2016					Fiscal Year 2017				
Item No.	MEASURES OF EFFECTIVENESS	A	B	Change From A TO B			A	B	Change From A TO B		
		Estimated	Actual	Amount	+/-	%	Planned	Estimated	Amount	+/-	%
1.	Average Time to Process JUDHR001 Form (days)	5	5	0	+	0	5	5	0	+	0
2.	Average Time to Process Payment Document (days)	5	5	0	+	0	5	5	0	+	0

PART III VARIANCES IN PROGRAM SIZE INDICATORS (For Lowest Level Programs Only)

		Fiscal Year 2016					Fiscal Year 2017				
Item No.	PROGRAM SIZE INDICATORS	A	B	Change From A TO B			A	B	Change From A TO B		
		Estimated	Actual	Amount	+/-	%	Planned	Estimated	Amount	+/-	%
1.	A01 Number of Payment Documents Processed	32,328	34,346	2,018	+	6	34,346	34,346	0	+	0
2.	A02 Number of Recruitment Announcements	749	880	131	+	17	880	880	0	+	0
3.	A03 Number of JUDHR001 Forms Processed	3,500	5,679	2,179	+	62	4,400	4,400	0	+	0
4.	A04 Library-Size of Collections (000's)	284	284	0	+	0	284	284	0	+	0
5.	A05 Library-Circulation, Transaction & Reference Use (000's)	50	31	19	-	38	31	31	0	+	0
6.	A06 Library-Patrons Served (000's)	7	7	0	+	0	7	7	0	+	0

JUD 601 ADMINISTRATION

PART I. VARIANCES IN EXPENDITURES AND POSITIONS

In FY 2016, the variance in positions was due primarily to normal employee turnover and recruitment delays combined with an increased number of employee retirements. The corresponding expenditure variance for the fiscal year is attributed to continued conservative spending practices.

In the first quarter of FY 2017, the variance in positions remained relatively stable as the programs continued their recruiting efforts.

Expenditures reported for the first quarter of FY 2017 reflected full-year funding encumbered to support various contracts and operating expenses. In particular, \$2.6 million in utility expenditures and nearly \$4.5 million for IT-related support contracts were encumbered in the first quarter. This fiscal practice results in the proportionately lower level of operating expenses projected for the remaining three quarters of FY 2017 which are offset somewhat by collective bargaining augmentation.

PART II. VARIANCES IN MEASURES OF EFFECTIVENESS

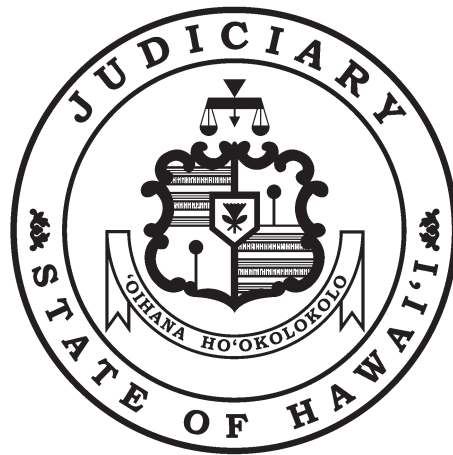
There are no variances identified.

PART III. VARIANCES IN PROGRAM SIZE INDICATORS

The variance reflected in the HRD-JUDHR001 Forms Processed was 62% more than the estimated level in FY 2016 due to a higher number of staff transfers, separations, and hires. In addition, the Judiciary has noticed an increase of Leave Without Pay over the past two years.

The variance reflected in the Library – Circulation, Transaction & Ref Use was 38% less than the estimated level in FY 2016, partly due to a change in software used to gather such information.

The Judiciary State of Hawai‘i




2016
Annual Report
Statistical Supplement

*To the Honorable
Members of
the Twenty-ninth
Legislature
and the Public:*

In accordance with Section 601-3 of the Hawai'i Revised Statutes, the State of Hawai'i Judiciary transmits this Statistical Supplement of its 2016 Annual Report covering the period of July 1, 2015, to June 30, 2016.

The Statistical Supplement, compiled by the Judiciary's Policy and Planning Department, is the result of input from all areas of the court system. Besides providing information to the public, the statistics serve as a foundation for the courts' immediate and future planning efforts.

Sincerely,

A handwritten signature in black ink that reads "Mark E. Recktenwald". The signature is written in a cursive style with a large, stylized initial 'M'.

Mark E. Recktenwald
Chief Justice
Hawai'i Supreme Court

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*Excluding traffic and parking cases

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TABLE 1 ***Courts of Appeal Caseload Activity, FY 2015–16**

	CASELOAD ACTIVITY					TYPE OF TERMINATION							
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Published Opinion	Memorandum Opinion	Summary Disposition Order	Motion to Dismiss Granted	Dismissed by Court Order	Withdrawn or Discontinued	Transferred	Other
PRIMARY CASES													
Applications for Transfer													
Civil	2	17	19	16	3					7		9	
Criminal	1	4	5	5						3		2	
Family Court		2	2	2						1		1	
Other													
Total Applications for Transfer	3	23	26	23	3					11		12	
Appeals													
Civil	320	375	695	343	352	51	38	65	19	121	38	9	2
Criminal	313	267	580	301	279	20	23	164	9	67	10	2	6
Family Court	89	83	172	76	96	6	11	36	1	16	5	1	
Other	28	21	49	24	25	8	5	3	1	3	4		
Total Appeals	750	746	1,496	744	752	85	77	268	30	207	57	12	8
Original Proceedings	24	86	110	91	19	1				46			44
TOTAL PRIMARY CASES	777	855	1,632	858	774	86	77	268	30	264	57	24	52
SUPPLEMENTAL PROCEEDINGS													
Motions	56	2,817	2,873	2,811	62								2,811
Motions for Reconsideration	2	66	68	66	2								66
TOTAL SUPPLEMENTAL PROCEEDINGS	58	2,883	2,941	2,877	64								2,877
TOTAL CASELOAD ACTIVITY	835	3,738	4,573	3,735	838	86	77	268	30	264	57	24	2,929

* Revised to provide greater details in the applications for transfer and appeals therefrom.

The caseload activity of the Courts of Appeal, comprised of the Supreme Court and the Intermediate Court of Appeals, reflects the combined workload of the two courts.

Primary Cases are original cases filed in the Office of the Chief Clerk of the Supreme Court. Appeals and original proceedings are classified as primary cases.

Supplemental Proceedings arise out of primary cases. During the fiscal year, of the 2,883 supplemental proceedings filed, 197 were filed in the Supreme Court and 2,686 were filed in the Intermediate Court of Appeals.

TABLE 1A *

Supreme Court Caseload Activity, FY 2015–16

CASELOAD ACTIVITY						TYPE OF TERMINATION							
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Published Opinion @	Memorandum Opinion	Summary Disposition Order	Motion to Dismiss Granted	Dismissed by Court Order	Withdrawn or Discontinued	Transferred	Other
PRIMARY CASES													
Applications for Transfer													
Civil	2	17	19	16	3					7		9	
Criminal	1	4	5	5						3		2	
Family Court		2	2	2						1		1	
Other													
Total Applications for Transfer	3	23	26	23	3					11		12	
Appeals #													
Civil	13	9	22	7	15	5	1	1					
Criminal	2	2	4	1	3		1						
Family Court		1	1		1								
Other													
Applications for Certiorari													
Civil	28	76	104	73	31	20				50	1		2
Criminal	39	84	123	97	26	12		27		52			6
Family Court	10	16	26	17	9	4		1		12			
Other	5	7	12	6	6	5				1			
Total Appeals	97	195	292	201	91	46	2	29		115	1		8
Original Proceedings	24	86	110	91	19	1				46			44
TOTAL PRIMARY CASES	124	304	428	315	113	47	2	29		172	1	12	52
SUPPLEMENTAL PROCEEDINGS													
Motions	15	178	193	171	22								171
Motions for Reconsideration	1	19	20	18	2								18
TOTAL SUPPLEMENTAL PROCEEDINGS	16	197	213	189	24								189
TOTAL CASELOAD ACTIVITY	140	501	641	504	137	47	2	29		172	1	12	241

* Revised to provide greater details in the applications for transfer and appeals therefrom.

These appeals were the subject of applications for transfer that were accepted and subsequently transferred to the Supreme Court from the Intermediate Court of Appeals for disposition on the merits. The number of appeals filed refers to the number of appeals transferred to the Supreme Court during the fiscal year.

@ Due to case consolidations and cross appeals, 46 appeals were terminated with 44 published opinions.

TABLE 1B

Intermediate Courts of Appeal Caseload Activity, FY 2015–16

	CASELOAD ACTIVITY					TYPE OF TERMINATION							
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Published Opinion	Memorandum Opinion	Summary Disposition Order	Motion to Dismiss Granted	Dismissed by Court Order	Withdrawn or Discontinued	Transferred	Other
PRIMARY CASES													
Appeals													
Civil	279	290	569	263	306	26	37	64	19	71	37	9	
Criminal	272	181	453	203	250	8	22	137	9	15	10	2	
Family Court	79	66	145	59	86	2	11	35	1	4	5	1	
Other	23	14	37	18	19	3	5	3	1	2	4		
Total Appeals	653	551	1,204	543	661	39	75	239	30	92	56	12	
Original Proceedings													
TOTAL PRIMARY CASES	653	551	1,204	543	661	39	75	239	30	92	56	12	
SUPPLEMENTAL PROCEEDINGS													
Motions	41	2,639	2,680	2,640	40								2,640
Motions for Reconsideration	1	47	48	48									48
TOTAL SUPPLEMENTAL PROCEEDINGS	42	2,686	2,728	2,688	40								2,688
TOTAL CASELOAD ACTIVITY	695	3,237	3,932	3,231	701	39	75	239	30	92	56	12	2,688

TABLE 2

Courts of Appeal Changes, FY 2014–15 to FY 2015–16 A Comparative Summary of Primary and Supplemental Proceedings

	FY 2014-15		FY 2015-16		CHANGE IN 2015-16		CHANGE FROM 2010-11					
	Number	Percent	Number	Percent	Number	Percent	Number	Percent				
TOTAL FILINGS												
Both Courts	3,590	100.0	3,738	100.0	+	148	+	4.1	+	298	+	8.7
Primary	675	18.8	855	22.9	+	180	+	26.7	+	131	+	18.1
Supplemental	2,915	81.2	2,883	77.1	-	32	-	1.1	+	167	+	6.1
Supreme Court	523	100.0	501	100.0	-	22	-	4.2	+	17	+	3.5
Primary	169	32.3	304	60.7	+	135	+	79.9	+	138	+	83.1
Supplemental	354	67.7	197	39.3	-	157	-	44.4	-	121	-	38.1
Intermediate Court of Appeals	3,067	100.0	3,237	100.0	+	170	+	5.5	+	281	+	9.5
Primary	506	16.5	551	17.0	+	45	+	8.9	-	7	-	1.3
Supplemental	2,561	83.5	2,686	83.0	+	125	+	4.9	+	288	+	12.0
TOTAL BACKLOGS												
Both Courts	824	100.0	838	100.0	+	14	+	1.7	+	4	+	0.5
Primary	750	91.0	774	92.4	+	24	+	3.2	+	7	+	0.9
Supplemental	74	9.0	64	7.6	-	10	-	13.5	-	3	-	4.5
Supreme Court	129	100.0	137	100.0	+	8	+	6.2	+	82	+	149.1
Primary	97	75.2	113	82.5	+	16	+	16.5	+	84	+	289.7
Supplemental	32	24.8	24	17.5	-	8	-	25.0	-	2	-	7.7
Intermediate Court of Appeals	695	100.0	701	100.0	+	6	+	0.9	-	78	-	10.0
Primary	653	94.0	661	94.3	+	8	+	1.2	-	77	-	10.4
Supplemental	42	6.0	40	5.7	-	2	-	4.8	-	1	-	2.4
PUBLISHED OPINIONS, MEMORANDUM OPINIONS, AND SUMMARY DISPOSITION ORDERS	425		489		+	64	+	15.1	+	122	+	33.2
Decisions on the Merits	398		432		+	34	+	8.5	+	95	+	28.2
Appeals	398	100.0	424	100.0	+	26	+	6.5	+	90	+	26.9
Reversals (including remands)	94	23.6	154	36.3	+	60	+	63.8	+	69	+	81.2
Affirmances (including reversed in part & modified & affirmed)	297	74.6	262	61.8	-	35	-	11.8	+	16	+	6.5
Other Dispositions	7	1.8	8	1.9	+	1	+	14.3	+	5	+	166.7
Additional (Concurring/Dissenting Opinions)	27		57		+	30	+	111.1	+	27	+	90.0
SUPREME COURT	57		117		+	60	+	105.3	+	78	+	200.0
Decisions on the Merits	49		79		+	30	+	61.2	+	54	+	216.0
Appeals	49	100.0	71	100.0	+	22	+	44.9	+	49	+	222.7
Reversals (including remands)	25	51.0	53	74.6	+	28	+	112.0	+	40	+	307.7
Affirmances (including reversed in part & modified & affirmed)	22	44.9	18	25.4	-	4	-	18.2	+	9	+	100.0
Other Dispositions	2	4.1			-	2	-	100.0				
Additional (Concurring/Dissenting Opinions)	8		38		+	30	+	375.0	+	24	+	171.4
INTERMEDIATE COURT OF APPEALS	368		372		+	4	+	1.1	+	44	+	13.4
Decisions on the Merits	349		353		+	4	+	1.1	+	41	+	13.1
Appeals	349	100.0	353	100.0	+	4	+	1.1	+	41	+	13.1
Reversals (including remands)	69	19.8	101	28.6	+	32	+	46.4	+	29	+	40.3
Affirmances (including reversed in part & modified & affirmed)	275	78.8	244	69.1	-	31	-	11.3	+	7	+	3.0
Other Dispositions	5	1.4	8	2.3	+	3	+	60.0	+	5	+	166.7
Additional (Concurring/Dissenting Opinions)	19		19		+	3	+	60.0	+	3	+	18.8

TABLE 4**Supervision of Felons and Misdemeanants, FY 2015–16, Adult Probation**

	Pending at Start	New Placements	Total Caseload	Terminated	Pending at End	Max. Exp. Date	New Conviction	Technical Violation	Good Adjustment	Death	Other
ALL CIRCUITS	19,498	5,926	25,424	4,949	20,475	2,999	260	618	568	65	439
First Circuit	11,192	3,157	14,349	2,936	11,413	1,866	179	367	291	32	201
Second Circuit	2,989	1,001	3,990	647	3,343	435	23	89	49	12	39
Third Circuit	4,212	1,285	5,497	1,010	4,487	476	48	112	184	17	173
Fifth Circuit	1,105	483	1,588	356	1,232	222	10	50	44	4	26

One body is reported as an adult probation case. Hence, a defendant with multiple offenses is represented by one case.

TABLE 5**Felony and Misdemeanor Investigations, FY 2015–16, Adult Probation**

	Pre Sentence	Post Sentence	Out-of-Town Inquiry	Courtesy Supervision	Other	Total
ALL CIRCUITS	3,118	64	20	253		3,455
First Circuit	1,983	62		173		2,218
Second Circuit	811	2		44		857
Third Circuit	150		20	22		192
Fifth Circuit	174			14		188

One investigation is reported as an adult probation case. Hence, a defendant with multiple investigations is represented by several cases.

TABLE 6**Active Pending Criminal Actions On 6/30/2016, Circuit Courts Proper**

OFFENSE CHARGED	First Circuit	Second Circuit	Third Circuit	Fifth Circuit	Total
TOTAL CASES	2,685	961	972	1,221	5,839
Part I	1,454	469	412	449	2,784
Murder & Non-Negligent Manslaughter	54	22	16	18	110
Negligent Homicide	6	2	1	7	16
Forcible Rape	17	1	2	14	34
Robbery	164	23	18	19	224
Aggravated Assault	329	89	84	113	615
Burglary	245	89	87	80	501
Larceny-Theft	470	205	152	173	1,000
Auto Theft	169	38	52	25	284
Part II	1,231	492	560	772	3,055
Other Assaults	56	21	44	38	159
Arson	28	8	9	6	51
Forgery and Counterfeiting	70	6	8	15	99
Fraud	20	15	6	19	60
Embezzlement					
Stolen Property	4		2	3	9
Vandalism	21	7	14	17	59
Weapons	35	19	21	43	118
Prostitution	4				4
Sex Offenses	76	14	14	44	148
Narcotic Drug Laws	456	257	211	254	1,178
Gambling	2	1			3
Offenses Against Family & Children	16	6	17	63	102
Driving Under the Influence	48	4	6	5	63
Liquor Laws			1		1
Disorderly Conduct	3	9	5	2	19
All Other Offenses (Except Traffic)	351	102	155	217	825
Traffic Offenses	41	23	47	46	157

TABLE 9

Caseload Activity, FY 2015–16, Circuit Courts Proper – Second Circuit

TYPE OF ACTION	CASELOAD ACTIVITY					TYPE OF TERMINATION										
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	DISMISSAL			NON-JURY		JURY		HEARINGS		Others	
						No Service	No Answer	No Pretrial Statement	Notice of	Stipulation for	By Judge	Trial Trial Not Completed	Verdict Trial Not Completed	No Trial Held		Contested Uncontested
TOTAL CASES	6,463	2,210	8,673	1,948	6,725	14	3	62	118	195	49	34	7	1,016	450	
Civil Actions	1,338	667	2,005	725	1,280	14	3	62	118	195		4		291	38	
Contract	106	51	157	55	102	4		3	13	19				11	5	
Motor Vehicle Tort	95	57	152	64	88	1			31	28				1	3	
Assault & Battery		2	2	1	1				1							
Construction Defect	3		3	1	2				1	1						
Medical Malpractice	11	4	15	1	14				1							
Legal Malpractice	4	1	5	2	3					2						
Product Liability	6	3	9	4	5					2						
Other Non-Vehicle Tort	131	60	191	65	126	1	1	3	8	42				3	7	
Condemnation	2		2		2											
Environment																
Foreclosure	774	329	1,103	437	666	4	2	46	51	72		1		250	11	
Agency Appeal	14	12	26	4	22							1		2	1	
Declaratory Judgment	30	17	47	14	33				2	7				3	2	
Agreement of Sale Foreclosure																
Other Civil Action	162	131	293	77	216	4		10	11	22		2		20	8	
Probate Proceedings	1,779	212	1,991	79	1,912										79	
Probate Intestate	97	6	103	1	102										1	
Probate Testate	140	10	150		150											
Special Administration	662	63	725	6	719										6	
Small Estate	19	15	34	11	23										11	
Informal Will	555	34	589	1	588										1	
Other	306	84	390	60	330										60	
Conservatorship/ Guardianship Proceedings	717	25	742	4	738										4	
Conservatorship/Guardianship	53	8	61		61											
Conservatorship	265	17	282		282											
Guardianship	399		399	4	395										4	
Trust Proceedings	156	11	167		167											
Miscellaneous Proceedings	483	129	612	44	568										44	
Mechanic's and Materialman's Lien	32	6	38	8	30										8	
Other Special Proceedings	451	123	574	36	538										36	
Criminal Actions *	1,990	1,166	3,156	1,096	2,060						49	30	7	725	285	
Part I	926	483	1,409	458	951						29	21	7	344	57	
Murder & Non-Negligent Manslaughter	25	15	40	10	30						1		3	6		
Negligent Homicide	6	2	8	5	3									5		
Forcible Rape	5	1	6	2	4									1	1	
Robbery	27	22	49	22	27									22		
Aggravated Assault	151	88	239	82	157					6	3	4		58	11	
Burglary	194	90	284	92	192					3	10			65	14	
Larceny-Theft	429	203	632	175	457					16	8			135	16	
Auto Theft	89	62	151	70	81					3				52	15	
Part II	1,064	683	1,747	638	1,109						20	9		381	228	
Other Assaults	20	31	51	21	30									3	18	
Arson	8	9	17	7	10					1				4	2	
Forgery and Counterfeiting	61	9	70	14	56					1	1			10	2	
Fraud	109	18	127	20	107					1	1			15	3	
Embezzlement	2		2		2											
Stolen Property	6		6		6											
Vandalism	24	7	31	7	24									3	4	
Weapons	49	14	63	15	48						2			7	6	
Prostitution																
Sex Offenses	29	13	42	16	26									14	2	
Narcotic Drug Laws	503	325	828	301	527					10	7			227	57	
Gambling	4	4	8	5	3									1	4	
Offenses Against Family & Children	15	8	23	15	8									11	4	
Driving Under the Influence	8	7	15	5	10									3	2	
Liquor Laws	1		1		1											
Disorderly Conduct	2	27	29	19	10										19	
All Other Offenses (Except Traffic)	200	161	361	156	205						5			79	72	
Traffic Offenses	23	50	73	37	36									4	33	

* Number of active, inactive, and deferred cases pending on 7/1/2015: 730, 1,018, and 242, respectively.
 Number of active, inactive, and deferred cases pending on 6/30/2016: 961, 805, and 294, respectively. See Table 6 for details of active pending cases on 6/30/2016.

TABLE 10

Caseload Activity, FY 2015–16, Circuit Courts Proper – Third Circuit

TYPE OF ACTION	CASELOAD ACTIVITY					TYPE OF TERMINATION											
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	DISMISSAL			NON-JURY		JURY		HEARINGS		Others		
						No Service	No Answer	No Pretrial Statement	Notice of	Stipulation for By Judge	Trial Trial Not Completed	Verdict Trial Not Completed	No Trial Held	Contested		Uncontested	
TOTAL CASES	7,280	2,321	9,601	2,019	7,582	149	45	84	182	212	113	4	4	2	757	3	464
Civil Actions	2,172	865	3,037	769	2,268	26	45	84	182	212		1	3		183		33
Contract	147	38	185	47	138	6		3	5	15			1		13		4
Motor Vehicle Tort	128	78	206	90	116	3	1	2	21	57			1		4		2
Assault & Battery	7	3	10	2	8					1					1		
Construction Defect	2	1	3	1	2					1							
Medical Malpractice	22	5	27	3	24					3							
Legal Malpractice	2		2	1	1					1							
Product Liability	7		7	3	4				1	2							
Other Non-Vehicle Tort	141	67	208	48	160			1	7	31					3		6
Condemnation	11	4	15	2	13					2							
Environment		1	1		1												
Foreclosure	1,411	517	1,928	469	1,459	15	40	72	128	68			1		131		14
Agency Appeal	40	12	52	13	39				1						10		2
Declaratory Judgment	50	30	80	24	56			2	4	7					10		1
Agreement of Sale Foreclosure																	
Other Civil Action	204	109	313	66	247	2	2	6	15	24		1	1		11		4
Probate Proceedings	1,522	417	1,939	285	1,654												285
Probate Intestate	61	1	62	6	56												6
Probate Testate	73	40	113	11	102												11
Special Administration	826	60	886	73	813												73
Small Estate	28	23	51	26	25												26
Informal Will	318	57	375	39	336												39
Other	216	236	452	130	322												130
Conservatorship/ Guardianship Proceedings	808	35	843	9	834												9
Conservatorship/Guardianship	61	8	69	1	68												1
Conservatorship	251	27	278	7	271												7
Guardianship	496		496	1	495												1
Trust Proceedings	91	18	109	7	102												7
Miscellaneous Proceedings	477	94	571	51	520											3	48
Mechanic's and Materialman's Lien	62	5	67	9	58												9
Other Special Proceedings	415	89	504	42	462											3	39
Criminal Actions *	2,210	892	3,102	898	2,204	123				113	3	1	2		574		82
Part I	920	376	1,296	366	930	44				49	2	1	1		240		29
Murder & Non-Negligent Manslaughter	21	13	34	5	29	1									4		
Negligent Homicide	5	2	7	2	5										2		
Forcible Rape	6	2	8		8												
Robbery	32	12	44	12	32	1				1					10		
Aggravated Assault	197	76	273	82	191	9				11	1	1	1		53		6
Burglary	170	69	239	71	168	7				6					53		5
Larceny-Theft	411	148	559	145	414	17				28	1				86		13
Auto Theft	78	54	132	49	83	9				3					32		5
Part II	1,290	516	1,806	532	1,274	79				64	1		1		334		53
Other Assaults	52	31	83	29	54	6				7					14		2
Arson	16	7	23	8	15	1				1	1				4		1
Forgery and Counterfeiting	34	2	36	11	25	2				3					6		
Fraud	51	11	62	21	41	4				4					12		1
Embezzlement																	
Stolen Property	8	8	16	10	6	1				1					8		
Vandalism	43	15	58	15	43	4				4					6		1
Weapons	64	25	89	23	66	5				3					14		1
Prostitution																	
Sex Offenses	28	10	38	8	30	1									6		1
Narcotic Drug Laws	529	210	739	213	526	24				25					148		16
Gambling																	
Offenses Against Family & Children	50	11	61	20	41	1									17		2
Driving Under the Influence	17	6	23	6	17	2									3		1
Liquor Laws		2	2	1	1												1
Disorderly Conduct	4	7	11	5	6					1					3		1
All Other Offenses (Except Traffic)	340	146	486	147	339	24				15					85		23
Traffic Offenses	54	25	79	15	64	4							1		8		2

* Number of active, inactive, and deferred cases pending on 7/1/2015: 941, 744, and 525, respectively. Number of active, inactive, and deferred cases pending on 6/30/2016: 972, 691, and 541, respectively. See Table 6 for details of active pending cases on 6/30/2016.

TABLE 11

Caseload Activity, FY 2015–16, Circuit Courts Proper – Fifth Circuit

TYPE OF ACTION	CASELOAD ACTIVITY					TYPE OF TERMINATION										
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	DISMISSAL			NON-JURY		JURY		HEARINGS		Others	
						No Service	No Answer	No Pretrial Statement	Notice of	Stipulation for	By Judge	Trial Trial Not Completed	Verdict Trial Not Completed	No Trial Held		Contested Uncontested
TOTAL CASES	4,420	814	5,234	655	4,579	1	1	41	53	65	2	4	361	5	122	
Civil Actions	982	194	1,176	180	996	1	1	41	53		2		71		11	
Contract	176	15	191	12	179			5					5		2	
Motor Vehicle Tort	57	15	72	13	59			5	6						2	
Assault & Battery	5		5	1	4				1							
Construction Defect	2		2		2											
Medical Malpractice	3	4	7		7											
Legal Malpractice	2		2		2											
Product Liability	1		1	1				1								
Other Non-Vehicle Tort	83	28	111	16	95			6	8						2	
Condemnation	3		3		3											
Environment																
Foreclosure	443	91	534	106	428			20	27				57		2	
Agency Appeal	29	1	30	1	29					1						
Declaratory Judgment	33	6	39	3	36			1					2			
Agreement of Sale Foreclosure																
Other Civil Action	145	34	179	27	152	1	1	3	11		1		7		3	
Probate Proceedings	857	106	963	38	925										38	
Probate Intestate	66		66	1	65										1	
Probate Testate	149	17	166	4	162										4	
Special Administration	242	27	269	6	263										6	
Small Estate	9	14	23	11	12										11	
Informal Will	120	20	140	2	138										2	
Other	271	28	299	14	285										14	
Conservatorship/ Guardianship Proceedings	341	7	348	8	340										8	
Conservatorship/Guardianship	33	2	35		35											
Conservatorship	83	5	88	5	83										5	
Guardianship	225		225	3	222										3	
Trust Proceedings	41	6	47	2	45										2	
Miscellaneous Proceedings	713	20	733	6	727									5	1	
Mechanic's and Materialman's Lien	32	9	41	6	35									5	1	
Other Special Proceedings	681	11	692		692											
Criminal Actions *	1,486	481	1,967	421	1,546					65		4	290		62	
Part I	547	174	721	148	573					22			110		16	
Murder & Non-Negligent Manslaughter	17	4	21	3	18								3			
Negligent Homicide	5	6	11	2	9					1			1			
Forcible Rape	17		17	1	16											
Robbery	22	5	27	5	22					1			2		2	
Aggravated Assault	135	40	175	32	143					7			23		2	
Burglary	98	32	130	25	105					3			18		4	
Larceny-Theft	222	77	299	72	227					8			59		5	
Auto Theft	31	10	41	8	33					2			4		2	
Part II	939	307	1,246	273	973					43		4	180		46	
Other Assaults	45	12	57	15	42					1			10		4	
Arson	12	1	13	4	9								3		1	
Forgery and Counterfeiting	26	5	31	8	23					3			5			
Fraud	30	9	39	6	33					1			3		2	
Embezzlement																
Stolen Property	4		4	1	3										1	
Vandalism	17	11	28	5	23								4		1	
Weapons	59	12	71	13	58					3			8		2	
Prostitution																
Sex Offenses	49	12	61	10	51					2			7		1	
Narcotic Drug Laws	326	90	416	69	347					13		2	41		13	
Gambling																
Offenses Against Family & Children	64	41	105	36	69					5			23		8	
Driving Under the Influence	5	1	6		6											
Liquor Laws																
Disorderly Conduct	3	2	5	3	2								3			
All Other Offenses (Except Traffic)	244	89	333	73	260					11		1	49		12	
Traffic Offenses	55	22	77	30	47					4		1	24		1	

* Number of active, inactive, and deferred cases pending on 7/1/2015: 1,168, 144, and 174, respectively.
 Number of active, inactive, and deferred cases pending on 6/30/2016: 1,221, 145, and 180, respectively. See Table 6 for details of active pending cases on 6/30/2016.

TABLE 12

Disposition of Criminal Cases¹, FY 2015–16, Circuit Courts Proper – All Circuits

OFFENSE CHARGED ²	Dismissed ³	Acquitted ⁴	Sentence Suspended ⁵	Fine ⁶	Incarceration ⁷	Probation ⁸	Community Service ⁹	Other Disposition ¹⁰	Transferred ¹¹	Remanded ¹²	Total
TOTAL CASES DISPOSED	1,015	48		39	2,498	226	2	357		140	4,325
PART I	396	27		14	1,189	122		155		6	1,909
Murder & Non-Negligent Manslaughter	4	3			22	2		5			36
Negligent Homicide	1				10	1					12
Forcible Rape	4	2			8			2			16
Robbery	17	4			103	5		10			139
Aggravated Assault	92	12		3	214	20		37		2	380
Burglary	71	1			232	21		22			347
Larceny-Theft	172	3		10	419	56		62		4	726
Auto Theft	35	2		1	181	17		17			253
PART II	619	21		25	1,309	104	2	202		134	2,416
Other Assaults	73	4		2	53	3		21		17	173
Arson	5	2			18	2		2		1	30
Forgery & Counterfeiting	24				38	7		7			76
Fraud	24			1	34			5			64
Embezzlement											
Stolen Property	1				4			5		1	11
Vandalism	14			3	21	4		6		4	52
Weapons	25			2	37	1		11		3	79
Prostitution								1			1
Sex Offenses	20	7			59	1	1	3		4	95
Narcotic Drug Laws	206	3		2	578	54		53		2	898
Gambling	2				1			1		3	7
Offenses Against Family & Children	15	1			58	5		4		1	84
Driving Under the Influence	5			1	22	1	1	3			33
Liquor Laws	2			1				1		1	5
Disorderly Conduct	15			2	4			1		11	33
All Other Offenses (Except Traffic)	167	4		7	341	23		65		45	652
Traffic Offenses	21			4	41	3		13		41	123

TABLE 13

Disposition of Criminal Cases¹, FY 2015–15, Circuit Courts Proper – First Circuit

OFFENSE CHARGED ²	Dismissed ³	Acquitted ⁴	Sentence Suspended ⁵	Fine ⁶	Incarceration ⁷	Probation ⁸	Community Service ⁹	Other Disposition ¹⁰	Transferred ¹¹	Remanded ¹²	Total
TOTAL CASES DISPOSED	515	41		14	974	150	1	174		41	1,910
PART I	227	22		6	510	89		82		1	937
Murder & Non-Negligent Manslaughter	2	2			10	1		3			18
Negligent Homicide					2	1					3
Forcible Rape	3	2			6			2			13
Robbery	13	4			70	4		9			100
Aggravated Assault	53	9		1	84	16		21			184
Burglary	42	1			89	18		9			159
Larceny-Theft	100	2		4	161	34		32		1	334
Auto Theft	14	2		1	88	15		6			126
PART II	288	19		8	464	61	1	92		40	973
Other Assaults	53	4			32			13		6	108
Arson	1	2			7	1					11
Forgery & Counterfeiting	15				20	3		5			43
Fraud	13				3			1			17
Embezzlement											
Stolen Property											
Vandalism	8			1	10	3		2		1	25
Weapons	10			1	11			5		1	28
Prostitution								1			1
Sex Offenses	14	7			33	1		2		4	61
Narcotic Drug Laws	80	3			176	32		24			315
Gambling	1							1			2
Offenses Against Family & Children					7	3		3			13
Driving Under the Influence	3			1	15	1	1	1			22
Liquor Laws	2			1				1			4
Disorderly Conduct	2									4	6
All Other Offenses (Except Traffic)	77	3			142	16		26		12	276
Traffic Offenses	9			4	8	1		7		12	41

Footnotes are listed after Table 16.

TABLE 14**Disposition of Criminal Cases¹, FY 2015–16, Circuit Courts Proper – Second Circuit**

OFFENSE CHARGED ²	Dismissed ³	Acquitted ⁴	Sentence Suspended ⁵	Fine ⁶	Incarceration ⁷	Probation ⁸	Community Service ⁹	Other Disposition ¹⁰	Transferred ¹¹	Remanded ¹²	Total
TOTAL CASES DISPOSED	245	2		4	703	40		10		92	1,096
PART I	75	2		1	346	20		9		5	458
Murder & Non-Negligent Manslaughter	2				6	1		1			10
Negligent Homicide					5						5
Forcible Rape	1				1						2
Robbery					21	1					22
Aggravated Assault	15	2			57	3		3		2	82
Burglary	14				75			3			92
Larceny-Theft	29			1	127	14		1		3	175
Auto Theft	14				54	1		1			70
PART II	170			3	357	20		1		87	638
Other Assaults	8				2					11	21
Arson	2				4					1	7
Forgery & Counterfeiting	3				9	2					14
Fraud	4			1	15						20
Embezzlement											
Stolen Property											
Vandalism	1				3	1				2	7
Weapons	6				6			1		2	15
Prostitution											
Sex Offenses	2				14						16
Narcotic Drug Laws	74			2	208	15				2	301
Gambling	1				1					3	5
Offenses Against Family & Children	2				12					1	15
Driving Under the Influence	2				3						5
Liquor Laws											
Disorderly Conduct	12									7	19
All Other Offenses (Except Traffic)	47				77	2				30	156
Traffic Offenses	6				3					28	37

TABLE 15**Disposition of Criminal Cases¹, FY 2015–16, Circuit Courts Proper – Third Circuit**

OFFENSE CHARGED ²	Dismissed ³	Acquitted ⁴	Sentence Suspended ⁵	Fine ⁶	Incarceration ⁷	Probation ⁸	Community Service ⁹	Other Disposition ¹⁰	Transferred ¹¹	Remanded ¹²	Total
TOTAL CASES DISPOSED	129	1		10	598	7		150		3	898
PART I	54	1		2	252	2		55			366
Murder & Non-Negligent Manslaughter					4			1			5
Negligent Homicide					2						2
Forcible Rape											
Robbery	1				10			1			12
Aggravated Assault	13	1			55	1		12			82
Burglary	8				54	1		8			71
Larceny-Theft	29			2	91			23			145
Auto Theft	3				36			10			49
PART II	75			8	346	5		95		3	532
Other Assaults	7			1	12	1		8			29
Arson	1				5			2			8
Forgery & Counterfeiting	3				6			2			11
Fraud	4				13			4			21
Embezzlement											
Stolen Property	1				4			5			10
Vandalism	4			1	5			4		1	15
Weapons	3				15			5			23
Prostitution											
Sex Offenses	1				6			1			8
Narcotic Drug Laws	27				156	2		28			213
Gambling											
Offenses Against Family & Children					19			1			20
Driving Under the Influence					4			2			6
Liquor Laws										1	1
Disorderly Conduct	1			1	3						5
All Other Offenses (Except Traffic)	23			5	88	2		28		1	147
Traffic Offenses					10			5			15

Footnotes are listed after Table 16.

TABLE 16

Disposition of Criminal Cases¹, FY 2015–16, Circuit Courts Proper – Fifth Circuit

OFFENSE CHARGED ²	Dismissed ³	Acquitted ⁴	Sentence Suspended ⁵	Fine ⁶	Incarceration ⁷	Probation ⁸	Community Service ⁹	Other Disposition ¹⁰	Transferred ¹¹	Remanded ¹²	Total
TOTAL CASES DISPOSED	126	4		11	223	29	1	23		4	421
PART I	40	2		5	81	11		9			148
Murder & Non-Negligent Manslaughter		1			2						3
Negligent Homicide	1				1						2
Forcible Rape					1						1
Robbery	3				2						5
Aggravated Assault	11			2	18			1			32
Burglary	7				14	2		2			25
Larceny-Theft	14	1		3	40	8		6			72
Auto Theft	4				3	1					8
PART II	86	2		6	142	18	1	14		4	273
Other Assaults	5			1	7	2					15
Arson	1				2	1					4
Forgery & Counterfeiting	3				3	2					8
Fraud	3				3						6
Embezzlement											
Stolen Property										1	1
Vandalism	1			1	3						5
Weapons	6			1	5	1					13
Prostitution											
Sex Offenses	3				6		1				10
Narcotic Drug Laws	25				38	5		1			69
Gambling											
Offenses Against Family & Children	13	1			20	2					36
Driving Under the Influence											
Liquor Laws											
Disorderly Conduct				1	1			1			3
All Other Offenses (Except Traffic)	20	1		2	34	3		11		2	73
Traffic Offenses	6				20	2		1		1	30

1. Criminal cases filed in the Circuit Court Proper are felonies and misdemeanors. The latter type of case generally is transferred from the District Court when a jury trial is demanded by the defendant. Excluded are juvenile and adult cases which are under the jurisdiction of the Family Court. The data reflects only those criminal cases which were reported as disposed during the fiscal year and excludes those which are still pending disposition such as cases which are awaiting trial, cases which are awaiting sentencing, and cases on Deferred Acceptance of Guilty Plea status. A case represents a defendant in a criminal case. Thus, if a criminal case which was initiated by an indictment names three defendants, for case counting purposes, this is reported as three criminal cases. When multiple offenses are involved, the most serious offense is selected and utilized for classification purposes.

2. **Offense Charged** represents the original offense named on the complaint or indictment. An offense may be amended by the prosecutor during progress of cases. Upon disposition of the case, the final offense may be the same as the offense charged, a lesser included offense, or one of the other offenses named on a complaint or indictment. The categories presented are those utilized by the Federal Bureau of Investigation (F.B.I.) in their annual series: **Uniform Crime Reports**.

For illustrative purposes, following are some examples of sentences meted out by the courts:

A defendant convicted of two counts of burglary in the first degree was sentenced to (1) commitment in a correctional facility for a period of ten years and (2) a suspended sentence. The statistical reporting clerk selects "incarceration" as the sentence.

A defendant was acquitted of a charge of murder, but convicted of failure to register firearm and sentenced to probation for a period of five years.

The clerk selects the probation sentence.

Sentences given to convicted defendants are authorized by statute. (HRS Section 706-605)

3. Criminal cases are **dismissed** for various reasons: the witness for the prosecution left the jurisdiction and thus was unavailable to testify, or the defendant was not given a speedy trial, or the defendant had successfully fulfilled the terms and conditions of the Deferred Acceptance of Guilty Plea, etc.

4. Defendants are **acquitted** by the jury or the judge after trial.

5. The judge may sentence a convicted defendant by suspending imposition of sentence. This sentence may or may not include payment of a fine or restitution.

6. A sentence of **fine** may also include restitution, but excludes cases where the defendant is also sentenced to incarceration or probation.

7. A sentence of **incarceration** in the case of a defendant convicted of a felony offense is confinement in a community correctional facility (prison) for a period of five years or longer. This sentence may include payment of a fine or restitution. If a defendant is convicted of a misdemeanor offense, he/she is sentenced to confinement in a community correctional facility for a period up to one year.

8. **Probation** as a sentence may include payment of a fine, or restitution, or community service. In addition, a person sentenced to probation may also be ordered to serve up to one year in a correctional facility as a condition of probation for a felony offense and up to six months for a misdemeanor offense.

9. **Community Service** is an alternative provided by statute. The court shall not sentence a person only to perform community service unless "it is of the opinion that such services alone suffice for the protection of the public."

10. **Other disposition** includes a sentence other than sentence suspended, fine, incarceration, probation, or community service.

11. **Transferred** is not a final disposition. This disposition occurs if a defendant requests and is granted a change of venue. Proceedings are then transferred to another judicial circuit.

12. **Remanded** cases are those where the defendants initially requested jury trial. The cases were subsequently referred back to the District Court for action and disposition.

TABLE 17

Caseload Activity, FY 2015–16, Family Courts – All Circuits

TYPE OF ACTION	CASELOAD ACTIVITY					TYPE OF TERMINATION										
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Nolle Prosequi	Dismissal	NON-JURY		JURY		HEARINGS			Counseling Service	Others
								Trial Trial Not Completed	Verdict Trial Not Completed	No Trial Held	Contested	Uncontested				
TOTAL CASES	24,174	27,067	51,241	25,425	25,816	119	1,706	405	126	41	1	1,498	87	7,437	5,005	9,000
Marital Actions and Proceedings	5,327	5,109	10,436	4,597	5,839								77	2,930		1,590
Divorce	5,276	5,080	10,356	4,576	5,780								77	2,919		1,580
Annulment	20	15	35	13	22									9		4
Separation	31	14	45	8	37									2		6
Civil Union Actions and Proceedings	14	14	28	16	12									10		6
Uniform Interstate Family Support	532	353	885	260	625											260
Adoption Proceedings	498	380	878	297	581								1	270		26
Parental Proceedings	3,233	1,661	4,894	1,113	3,781			369	122			234				388
Domestic Abuse Protective Orders (Ch. 586)	727	5,433	6,160	5,190	970											5,190
Miscellaneous Proceedings	2,141	2,090	4,231	1,675	2,556			1					9	187		1,478
Hospital Admission	319	632	951	504	447			1					2	65		436
Habeas Corpus	1	1	2	1	1											1
Civil	831	898	1,729	809	920								7	8		794
Guardianship of the Person	933	552	1,485	360	1,125									113		247
Other Miscellaneous Proceedings	57	7	64	1	63									1		
Criminal Actions	3,659	2,855	6,514	3,232	3,282	119	1,706	35	4	41	1	1,264				62
Children's Referrals	8,043	9,172	17,215	9,045	8,170									4,040*	5,005	
Law Violation	2,475	3,092	5,567	3,205	2,362									2,401	804	
Traffic	429	233	662	250	412									235	15	
Status Offense	3,163	4,318	7,481	4,486	2,995									736	3,750	
Abuse and Neglect	1,797	1,080	2,877	643	2,234									641	2	
Other Children's Referral	179	449	628	461	167									27	434	
Children on Status #	4,794	2,545	7,339	2,327	5,012											2,327
Probation	1,529	290	1,819	454	1,365											454
Protective Supervision	701	225	926	246	680											246
Family Supervision	443	430	873	366	507											366
Foster Custody	1,169	731	1,900	549	1,351											549
Permanent Custody	236	180	416	176	240											176
Other Status	716	689	1,405	536	869											536

* Children's referrals terminated by Contested Hearings were combined with those terminated by Uncontested Hearings.

Children on status are not included in caseload totals.

TABLE 18

Caseload Activity, FY 2015–16, Family Courts – First Circuit

TYPE OF ACTION	CASELOAD ACTIVITY					TYPE OF TERMINATION										
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Nolle Prosequi	Dismissal	NON-JURY		JURY		HEARINGS			Counseling Service	Others
								Trial Trial Not Completed	Verdict Trial Not Completed	No Trial Held	Contested	Uncontested				
TOTAL CASES	11,066	15,382	26,448	14,440	12,008	22	1,058	352	95	37	436	70	4,185	2,720	5,465	
Marital Actions and Proceedings	3,548	3,781	7,329	3,055	4,274							62	1,983		1,010	
Divorce	3,516	3,758	7,274	3,042	4,232							62	1,973		1,007	
Annulment	17	12	29	12	17								9		3	
Separation	15	11	26	1	25								1			
Civil Union Actions and Proceedings	9	10	19	8	11								5		3	
Uniform Interstate Family Support	303	199	502	141	361										141	
Adoption Proceedings	394	253	647	196	451							1	185		10	
Parental Proceedings	1,591	1,073	2,664	666	1,998			329	93		91				153	
Domestic Abuse Protective Orders (Ch. 586)	6	2,918	2,924	2,921	3										2,921	
Miscellaneous Proceedings	1,009	1,476	2,485	1,284	1,201							7	67		1,210	
Hospital Admission	63	425	488	411	77								51		360	
Habeas Corpus	1	1	2	1	1										1	
Civil	373	672	1,045	633	412							7	1		625	
Guardianship of the Person	567	375	942	239	703								15		224	
Other Miscellaneous Proceedings	5	3	8		8											
Criminal Actions	1,508	1,189	2,697	1,504	1,193	22	1,058	23	2	37	345				17	
Children's Referrals	2,698	4,483	7,181	4,665	2,516								1,945*	2,720		
Law Violation	772	1,280	2,052	1,479	573								1,250	229		
Traffic	17	32	49	30	19								25	5		
Status Offense	1,178	2,204	3,382	2,303	1,079								225	2,078		
Abuse and Neglect	681	552	1,233	432	801								432			
Other Children's Referral	50	415	465	421	44								13	408		
Children on Status #	2,166	1,254	3,420	1,237	2,183										1,237	
Probation	830	149	979	268	711										268	
Protective Supervision	284	57	341	58	283										58	
Family Supervision	93	210	303	210	93										210	
Foster Custody	624	387	1,011	336	675										336	
Permanent Custody	62	119	181	126	55										126	
Other Status	273	332	605	239	366										239	

* Children's referrals terminated by Contested Hearings were combined with those terminated by Uncontested Hearings.

Children on status are not included in caseload totals.

TABLE 19

Caseload Activity, FY 2015–16, Family Courts – Second Circuit

TYPE OF ACTION	CASELOAD ACTIVITY					TYPE OF TERMINATION										
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Nolle Prosequi	Dismissal	NON-JURY		JURY		HEARINGS			Counseling Service	Others
								Trial Not Completed	Verdict	Trial Not Completed	No Trial Held	Contested	Uncontested			
TOTAL CASES	3,082	3,948	7,030	3,830	3,200	279		12	11	3		398	1,454	481	1,192	
Marital Actions and Proceedings	383	532	915	526	389								449		77	
Divorce	376	530	906	521	385								448		73	
Annulment	1		1		1											
Separation	6	2	8	5	3								1		4	
Civil Union Actions and Proceedings	2	1	3	2	1								1		1	
Uniform Interstate Family Support	3	60	63	59	4										59	
Adoption Proceedings	12	63	75	60	15								57		3	
Parental Proceedings	216	169	385	164	221			8	10			42			104	
Domestic Abuse Protective Orders (Ch. 586)	9	790	799	783	16										783	
Miscellaneous Proceedings	46	256	302	240	62			1					80		159	
Hospital Admission	3	74	77	60	17			1					11		48	
Habeas Corpus																
Civil	10	102	112	104	8								3		101	
Guardianship of the Person	33	80	113	76	37								66		10	
Other Miscellaneous Proceedings																
Criminal Actions	315	645	960	648	312	279		3	1	3		356			6	
Children's Referrals	2,096	1,432	3,528	1,348	2,180								867*	481		
Law Violation	936	543	1,479	465	1,014								401		64	
Traffic	226	98	324	96	228								95		1	
Status Offense	754	609	1,363	625	738								212		413	
Abuse and Neglect	155	172	327	153	174								153			
Other Children's Referral	25	10	35	9	26								6		3	
Children on Status #	582	501	1,083	480	603										480	
Probation	169	34	203	39	164										39	
Protective Supervision	144	65	209	72	137										72	
Family Supervision	69	121	190	96	94										96	
Foster Custody	142	110	252	108	144										108	
Permanent Custody	27	26	53	31	22										31	
Other Status	31	145	176	134	42										134	

* Children's referrals terminated by Contested Hearings were combined with those terminated by Uncontested Hearings.

Children on status are not included in caseload totals.

TABLE 20

Caseload Activity, FY 2015–16, Family Courts – Third Circuit

TYPE OF ACTION	CASELOAD ACTIVITY					TYPE OF TERMINATION										
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Nolle Prosequi	Dismissal	NON-JURY		JURY		HEARINGS			Counseling Service	Others
								Trial Trial Not Completed	Verdict Trial Not Completed	No Trial Held	Contested	Uncontested				
TOTAL CASES	5,610	5,725	11,335	5,361	5,974	97	250	30	9			534	9	1,261	1,296	1,875
Marital Actions and Proceedings	926	584	1,510	805	705								7	387		411
Divorce	918	581	1,499	804	695								7	387		410
Annulment	2	2	4	1	3											1
Separation	6	1	7		7											
Civil Union Actions and Proceedings	2	1	3	3										2		1
Uniform Interstate Family Support	137	74	211	41	170											41
Adoption Proceedings	56	45	101	30	71									27		3
Parental Proceedings	1,015	356	1,371	242	1,129			25	8			94				115
Domestic Abuse Protective Orders (Ch. 586)	500	1,437	1,937	1,245	692											1,245
Miscellaneous Proceedings	698	163	861	49	812								2	26		21
Hospital Admission	196	64	260	11	249								2	3		6
Habeas Corpus																
Civil	253	32	285	7	278									3		4
Guardianship of the Person	226	65	291	30	261									19		11
Other Miscellaneous Proceedings	23	2	25	1	24									1		
Criminal Actions	1,286	764	2,050	831	1,219	97	250	5	1			440				38
Children's Referrals	990	2,301	3,291	2,115	1,176									819*	1,296	
Law Violation	2	928	930	929	1									507	422	
Traffic	19	42	61	40	21									35	5	
Status Offense	76	1,019	1,095	1,083	12									237	846	
Abuse and Neglect	828	288	1,116	37	1,079									37		
Other Children's Referral	65	24	89	26	63									3	23	
Children on Status #	1,546	621	2,167	473	1,694											473
Probation	220	72	292	112	180											112
Protective Supervision	201	100	301	111	190											111
Family Supervision	266	89	355	40	315											40
Foster Custody	331	179	510	76	434											76
Permanent Custody	146	22	168	12	156											12
Other Status	382	159	541	122	419											122

* Children's referrals terminated by Contested Hearings were combined with those terminated by Uncontested Hearings.

Children on status are not included in caseload totals.

TABLE 21

Caseload Activity, FY 2015–16, Family Courts – Fifth Circuit

TYPE OF ACTION	CASELOAD ACTIVITY					TYPE OF TERMINATION										
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Nolle Prosequi	Dismissal	NON-JURY		JURY		HEARINGS		Counseling Service	Others	
								Trial Trial Not Completed	Verdict Trial Not Completed	No Trial Held	Contested	Uncontested				
TOTAL CASES	4,416	2,012	6,428	1,794	4,634		119	11	11	1	1	130	8	537	508	468
Marital Actions and Proceedings	470	212	682	211	471								8	111		92
Divorce	466	211	677	209	468								8	111		90
Annulment		1	1		1											
Separation	4		4	2	2											2
Civil Union Actions and Proceedings	1	2	3	3										2		1
Uniform Interstate Family Support	89	20	109	19	90											19
Adoption Proceedings	36	19	55	11	44									1		10
Parental Proceedings	411	63	474	41	433			7	11			7				16
Domestic Abuse Protective Orders (Ch. 586)	212	288	500	241	259											241
Miscellaneous Proceedings	388	195	583	102	481									14		88
Hospital Admission	57	69	126	22	104											22
Habeas Corpus																
Civil	195	92	287	65	222										1	64
Guardianship of the Person	107	32	139	15	124										13	2
Other Miscellaneous Proceedings	29	2	31		31											
Criminal Actions	550	257	807	249	558		119	4		1	1	123				1
Children's Referrals	2,259	956	3,215	917	2,298									409*	508	
Law Violation	765	341	1,106	332	774									243	89	
Traffic	167	61	228	84	144									80	4	
Status Offense	1,155	486	1,641	475	1,166									62	413	
Abuse and Neglect	133	68	201	21	180									19	2	
Other Children's Referral	39		39	5	34									5		
Children on Status #	500	169	669	137	532											137
Probation	310	35	345	35	310											35
Protective Supervision	72	3	75	5	70											5
Family Supervision	15	10	25	20	5											20
Foster Custody	72	55	127	29	98											29
Permanent Custody	1	13	14	7	7											7
Other Status	30	53	83	41	42											41

* Children's referrals terminated by Contested Hearings were combined with those terminated by Uncontested Hearings.

Children on status are not included in caseload totals.

TABLE 22 *

Caseload Activity, FY 2015–16, District Courts (Excluding Traffic) – All Circuits

CASELOAD ACTIVITY						TYPE OF TERMINATION				
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Discontinuance/Dismissal	Default/Confession	Bench Trial	Others	Commitment to Circuit Court Jury Trial Demanded
TOTAL CASES	61,187	54,535	115,722	50,000	65,722					
CIVIL ACTIONS	32,883	22,511	55,394	24,221	31,173	8,576	6	526	15,096	17
Regular Civil	29,203	16,067	45,270	17,681	27,589	6,956	6	45	10,658	16
Assumpsit	20,615	12,992	33,607	14,431	19,176	5,472	6	21	8,921	11
Summary Possession	7,224	2,217	9,441	2,463	6,978	1,187		20	1,256	
Pers Inj/Prop Damages	767	348	1,115	345	770	171		3	169	2
Replevin	89	33	122	45	77	27			16	2
Other	508	477	985	397	588	99		1	296	1
Small Claims	3,141	3,879	7,020	4,198	2,822	1,620		481	2,096	1
Assumpsit	2,626	3,481	6,107	3,763	2,344	1,417		414	1,931	1
Damages	92	40	132	49	83	24		3	22	
Tort	3		3		3					
Security Deposit	402	329	731	360	371	163		63	134	
Other	18	29	47	26	21	16		1	9	
TRO	516	2,520	3,036	2,312	724				2,312	
Special Proceedings	11	20	31	12	19				12	
Ignition Interlock	12	25	37	18	19				18	

CASELOAD ACTIVITY						TYPE OF TERMINATION						
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Misdemeanor				Felony		
						Discharge/Dismissal	Nolle Prosequi	Others	Commitment to Circuit Court Jury Trial Demanded	Conviction	Stricken or Discharged	Commitment to Grand Jury
CRIMINAL ACTIONS	28,304	32,024	60,328	25,779	34,549	7,159	795	173	369	15,726	922	635
Part I	5,054	5,553	10,607	4,987	5,620	953	113	44	89	2,917	474	397
Murder & Non-Negligent Manslaughter	36	44	80	43	37						30	13
Negligent Homicide	46	31	77	30	47	12	5	1	5	6	1	
Forcible Rape	78	23	101	23	78					2	18	3
Robbery	107	125	232	122	110					5	60	57
Aggravated Assault	861	529	1,390	550	840	107	15	9	35	127	116	141
Burglary	960	1,639	2,599	1,209	1,390	221	30	8	20	781	87	62
Larceny-Theft	2,759	2,960	5,719	2,818	2,901	599	60	25	27	1,953	80	74
Auto Theft	207	202	409	192	217	14	3	1	2	43	82	47
Part II	19,425	24,898	44,323	19,301	25,022	5,609	614	113	278	12,029	422	236
Other Assaults	2,241	1,713	3,954	1,510	2,444	607	94	38	132	638		1
Arson	14	23	37	21	16	1	1	1		6	7	5
Forgery and Counterfeiting	72	20	92	28	64	8	2		1	11	6	
Fraud	30	20	50	17	33	2					10	5
Stolen Property	16		16		16							
Vandalism	546	434	980	410	570	116	16	5	10	225	19	19
Weapons	162	188	350	155	195	54	8		6	56	21	10
Prostitution	247	138	385	148	237	65	11			72		
Sex Offenses	211	243	454	179	275	53	3	6	24	89	3	1
Narcotic Drug Laws	1,418	990	2,408	842	1,566	299	32	2	5	258	94	152
Gambling	97	18	115	20	95	5			2	13		
Offenses Against Family & Children	67	57	124	56	68	7	2		3	6	13	25
Liquor Laws	1,480	2,550	4,030	1,724	2,306	491	42	6	1	1,184		
Disorderly Conduct	2,385	4,034	6,419	3,094	3,325	1,074	121	25	65	1,753	52	4
All Other Offenses	10,439	14,470	24,909	11,097	13,812	2,827	282	30	29	7,718	197	14
Other Violations	3,825	1,573	5,398	1,491	3,907	597	68	16	2	780	26	2
Airport	64	204	268	76	192	42			2	29	3	
Animal Control #	3,097	740	3,837	743	3,094	285	45	7		381	23	2
Fish & Game	323	330	653	377	276	155	19	6		197		
Harbor Violations	341	299	640	295	345	115	4	3		173		

* Previously, "Other Violations" were reported under Civil Actions. In this, and future tables, "Other Violations" are reported under Criminal Actions.
 # Previously reported as Dog Leash.

TABLE 23 *

Caseload Activity, FY 2015–16, District Courts (Excluding Traffic) – First Circuit

CASELOAD ACTIVITY	TYPE OF TERMINATION									
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Discontinuance/Dismissal	Default/Confession	Bench Trial	Others	Commitment to Circuit Court Jury Trial Demanded
TOTAL CASES	36,118	35,895	72,013	31,117	40,896					
CIVIL ACTIONS	23,866	13,923	37,789	15,169	22,620	4,724		233	10,198	14
Regular Civil	21,599	10,137	31,736	11,235	20,501	3,758		13	7,451	13
Assumpsit	14,520	8,044	22,564	8,978	13,586	2,972		3	5,994	9
Summary Possession	5,990	1,443	7,433	1,680	5,753	625		8	1,047	
Pers Inj/Prop Damages	630	246	876	230	646	93		2	133	2
Replevin	55	19	74	19	55	8			10	1
Other	404	385	789	328	461	60			267	1
Small Claims	2,183	2,497	4,680	2,723	1,957	966		220	1,536	1
Assumpsit	1,803	2,232	4,035	2,438	1,597	845		189	1,403	1
Damages	82	39	121	45	76	20		3	22	
Tort	2		2		2					
Security Deposit	281	200	481	215	266	86		27	102	
Other	15	26	41	25	16	15		1	9	
TRO	83	1,264	1,347	1,191	156				1,191	
Special Proceedings		8	8	4	4				4	
Ignition Interlock	1	17	18	16	2				16	

CASELOAD ACTIVITY	TYPE OF TERMINATION											
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Misdemeanor			Felony			
Discharge/Dismissal						Nolle Prosequi	Others	Commitment to Circuit Court Jury Trial Demanded	Conviction	Stricken or Discharged	Commitment to Grand Jury	Commitment to Circuit Court
CRIMINAL ACTIONS	12,252	21,972	34,224	15,948	18,276	4,584	284	123	162	10,244	386	165
Part I	2,264	3,372	5,636	2,893	2,743	604	17	30	31	1,960	123	128
Murder & Non-Negligent Manslaughter	21	17	38	16	22						16	
Negligent Homicide	19	8	27	9	18	4		1	1	3		
Forcible Rape	59	19	78	19	59						16	3
Robbery	70	80	150	77	73					4	39	34
Aggravated Assault	299	225	524	250	274	50		2	13	71	37	77
Burglary	398	1,051	1,449	682	767	130	7	6	7	511	11	10
Larceny-Theft	1,348	1,925	3,273	1,797	1,476	409	9	20	9	1,345	3	2
Auto Theft	50	47	97	43	54	11	1	1	1	26	1	2
Part II	8,751	17,833	26,584	12,458	14,126	3,720	251	83	129	7,979	259	37
Other Assaults	1,130	1,171	2,301	991	1,310	445	29	30	76	411		
Arson	9	6	15	7	8			1		3	3	
Forgery and Counterfeiting	17	9	26	6	20	5			1			
Fraud	7	3	10	2	8	2						
Stolen Property	11		11		11							
Vandalism	246	266	512	249	263	76	3	4	2	140	12	12
Weapons	63	118	181	95	86	42	4		5	38	6	
Prostitution	223	104	327	123	204	55	5			63		
Sex Offenses	121	183	304	123	181	41		4	15	61	2	
Narcotic Drug Laws	457	473	930	306	624	177	6	2	2	108	6	5
Gambling	13	1	14	3	11	2			1			
Offenses Against Family & Children	13	14	27	13	14	2						11
Liquor Laws	1,086	2,387	3,473	1,530	1,943	446	33	4	1	1,046		
Disorderly Conduct	998	3,106	4,104	2,088	2,016	841	54	12	24	1,117	40	
All Other Offenses	4,357	9,992	14,349	6,922	7,427	1,586	117	26	2	4,992	190	9
Other Violations	1,237	767	2,004	597	1,407	260	16	10	2	305	4	
Airport	39	183	222	61	161	30			2	29		
Animal Control #	879	303	1,182	213	969	104	7	4		94	4	
Fish & Game	132	118	250	132	118	57	7	5		63		
Harbor Violations	187	163	350	191	159	69	2	1		119		

* Previously, "Other Violations" were reported under Civil Actions. In this, and future tables, "Other Violations" are reported under Criminal Actions.
 # Previously reported as Dog Leash.

TABLE 24 *

Caseload Activity, FY 2015–16, District Courts (Excluding Traffic) – Second Circuit

CASELOAD ACTIVITY						TYPE OF TERMINATION				
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Discontinuance/Dismissal	Default/Confession	Bench Trial	Others	Commitment to Circuit Court Jury Trial Demanded
TOTAL CASES	9,344	7,891	17,235	7,935	9,300					
CIVIL ACTIONS	3,465	3,584	7,049	3,486	3,563	1,388		252	1,845	1
Regular Civil	3,041	2,744	5,785	2,659	3,126	1,201		12	1,445	1
Assumpsit	2,191	2,357	4,548	2,184	2,364	828		6	1,350	
Summary Possession	752	331	1,083	410	673	333		5	72	
Pers Inj/Prop Damages	51	26	77	32	45	19			13	
Replevin	13	6	19	14	5	11			2	1
Other	34	24	58	19	39	10		1	8	
Small Claims	331	476	807	526	281	187		240	99	
Assumpsit	267	416	683	458	225	157		208	93	
Damages	1		1		1					
Tort										
Security Deposit	62	59	121	68	53	30		32	6	
Other	1	1	2		2					
TRO	82	360	442	300	142				300	
Special Proceedings	2	1	3	1	2				1	
Ignition Interlock	9	3	12		12					

CASELOAD ACTIVITY						TYPE OF TERMINATION							
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Misdemeanor				Felony			
						Discharge/Dismissal	Nolle Prosequi	Others	Commitment to Circuit Court Jury Trial Demanded	Conviction	Stricken or Discharged	Commitment to Grand Jury	Commitment to Circuit Court
CRIMINAL ACTIONS	5,879	4,307	10,186	4,449	5,737	1,696		8	54	2,359	293		39
Part I	987	700	1,687	692	995	131		3	7	302	218		31
Murder & Non-Negligent Manslaughter	6	15	21	15	6						8		7
Negligent Homicide	13	3	16	4	12	3				1			
Forcible Rape	9		9		9								
Robbery	12	20	32	19	13						13		6
Aggravated Assault	180	90	270	100	170	17		3	4	13	46		17
Burglary	224	221	445	191	254	55			1	84	50		1
Larceny-Theft	495	297	792	309	483	55			2	200	52		
Auto Theft	48	54	102	54	48	1				4	49		
Part II	3,265	3,165	6,430	3,241	3,189	1,320		1	47	1,806	61		6
Other Assaults	320	107	427	128	299	48		1	15	64			
Arson	2	7	9	6	3	1				2	1		2
Forgery and Counterfeiting	16	3	19	5	14	2					3		
Fraud	8	8	16	8	8						8		
Stolen Property	2		2		2								
Vandalism	73	41	114	36	78	13				19	2		2
Weapons	38	18	56	23	33	6			1	10	6		
Prostitution	8	8	16	5	11	4				1			
Sex Offenses	21	20	41	18	23	5			4	9			
Narcotic Drug Laws	428	149	577	189	388	89			3	64	31		2
Gambling	76	17	93	16	77	2			1	13			
Offenses Against Family & Children	13	6	19	7	12					1	6		
Liquor Laws	119	23	142	40	102	21				19			
Disorderly Conduct	510	222	732	267	465	75			18	172	2		
All Other Offenses	1,631	2,536	4,167	2,493	1,674	1,054			5	1,432	2		
Other Violations	1,627	442	2,069	516	1,553	245		4		251	14		2
Airport	15	9	24	9	15	9							
Animal Control #	1,418	243	1,661	301	1,360	147		2		136	14		2
Fish & Game	97	125	222	154	68	59				95			
Harbor Violations	97	65	162	52	110	30		2		20			

* Previously, "Other Violations" were reported under Civil Actions. In this, and future tables, "Other Violations" are reported under Criminal Actions.
 # Previously reported as Dog Leash.

TABLE 25 *

Caseload Activity, FY 2015–16, District Courts (Excluding Traffic) – Third Circuit

CASELOAD ACTIVITY	TYPE OF TERMINATION									
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Discontinuance/Dismissal	Default/Confession	Bench Trial	Others	Commitment to Circuit Court Jury Trial Demanded
TOTAL CASES	7,326	7,809	15,135	8,209	6,926					
CIVIL ACTIONS	3,829	3,671	7,500	4,038	3,462	1,842	6	33	2,155	2
Regular Civil	3,129	2,365	5,494	2,791	2,703	1,509	6	14	1,260	2
Assumpsit	2,696	1,886	4,582	2,379	2,203	1,248	6	8	1,115	2
Summary Possession	297	346	643	293	350	183		6	104	
Pers Inj/Prop Damages	59	64	123	65	58	44			21	
Replevin	12	5	17	7	10	6			1	
Other	65	64	129	47	82	28			19	
Small Claims	404	597	1,001	616	385	333		19	264	
Assumpsit	358	543	901	556	345	293		15	248	
Damages	2	1	3	3		3				
Tort	1		1		1					
Security Deposit	42	51	93	56	37	36		4	16	
Other	1	2	3	1	2	1				
TRO	287	698	985	626	359				626	
Special Proceedings	7	6	13	3	10				3	
Ignition Interlock	2	5	7	2	5				2	

CASELOAD ACTIVITY	TYPE OF TERMINATION											
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Misdemeanor			Felony			
Discharge/Dismissal						Nolle Prosequi	Others	Commitment to Circuit Court Jury Trial Demanded	Conviction	Stricken or Discharged	Commitment to Grand Jury	Commitment to Circuit Court
CRIMINAL ACTIONS	3,497	4,138	7,635	4,171	3,464	659	511	37	98	2,293	186	387
Part I	905	1,177	2,082	1,169	913	184	96	9	38	530	105	207
Murder & Non-Negligent Manslaughter	7	10	17	11	6				38	530	6	5
Negligent Homicide	9	18	27	15	12	4	5		3	2	1	
Forcible Rape	5	2	7	2	5						2	
Robbery	20	18	38	21	17						8	13
Aggravated Assault	173	150	323	150	173	29	15	3	12	31	26	34
Burglary	159	307	466	294	172	33	23	2	11	160	17	48
Larceny-Theft	483	600	1,083	599	484	117	51	4	11	332	21	63
Auto Theft	49	72	121	77	44	1	2		1	5	24	44
Part II	2,285	2,678	4,963	2,707	2,256	400	363	27	60	1,599	78	180
Other Assaults	288	305	593	288	305	81	65	7	29	105		1
Arson	2	8	10	8	2		1			1	3	3
Forgery and Counterfeiting	18	2	20	14	6	1	2			10	1	
Fraud	5	5	10	4	6							4
Stolen Property												
Vandalism	77	82	159	95	64	23	13		5	44	5	5
Weapons	32	36	68	28	40	4	4			4	6	10
Prostitution	12	26	38	20	18	6	6			8		
Sex Offenses	36	23	59	22	37	3	3	2	2	11	1	
Narcotic Drug Laws	342	292	634	297	337	25	26			68	43	135
Gambling	1		1	1		1						
Offenses Against Family & Children	34	30	64	31	33	3	2		1	4	7	14
Liquor Laws	113	135	248	149	99	21	9	2		117		
Disorderly Conduct	519	568	1,087	613	474	132	67	13	20	370	8	3
All Other Offenses	806	1,166	1,972	1,137	835	100	165	3	3	857	4	5
Other Violations	307	283	590	295	295	75	52	1		164	3	
Airport	6	1	7	1	6	1						
Animal Control #	246	143	389	168	221	25	38			102	3	
Fish & Game	38	76	114	82	32	36	12	1		33		
Harbor Violations	17	63	80	44	36	13	2			29		

* Previously, "Other Violations" were reported under Civil Actions. In this, and future tables, "Other Violations" are reported under Criminal Actions.
 # Previously reported as Dog Leash.

TABLE 26 *

Caseload Activity, FY 2015–16, District Courts (Excluding Traffic) – Fifth Circuit

CASELOAD ACTIVITY						TYPE OF TERMINATION				
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Discontinuance/Dismissal	Default/Confession	Bench Trial	Others	Commitment to Circuit Court Jury Trial Demanded
TOTAL CASES	8,399	2,940	11,339	2,739	8,600					
CIVIL ACTIONS	1,723	1,333	3,056	1,528	1,528	622		8	898	
Regular Civil	1,434	821	2,255	996	1,259	488		6	502	
Assumpsit	1,208	705	1,913	890	1,023	424		4	462	
Summary Possession	185	97	282	80	202	46		1	33	
Pers Inj/Prop Damages	27	12	39	18	21	15		1	2	
Replevin	9	3	12	5	7	2			3	
Other	5	4	9	3	6	1			2	
Small Claims	223	309	532	333	199	134		2	197	
Assumpsit	198	290	488	311	177	122		2	187	
Damages	7		7	1	6	1				
Tort										
Security Deposit	17	19	36	21	15	11			10	
Other	1		1		1					
TRO	64	198	262	195	67				195	
Special Proceedings	2	5	7	4	3				4	
Ignition Interlock										

CASELOAD ACTIVITY						TYPE OF TERMINATION							
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Misdemeanor				Felony			
						Discharge/Dismissal	Nolle Prosequi	Others	Commitment to Circuit Court Jury Trial Demanded	Conviction	Stricken or Discharged	Commitment to Grand Jury	Commitment to Circuit Court
CRIMINAL ACTIONS	6,676	1,607	8,283	1,211	7,072	220		5	55	830	57		44
Part I	898	304	1,202	233	969	34		2	13	125	28		31
Murder & Non-Negligent Manslaughter	2	2	4	1	3								1
Negligent Homicide	5	2	7	2	5	1			1				
Forcible Rape	5	2	7	2	5					2			
Robbery	5	7	12	5	7					1			4
Aggravated Assault	209	64	273	50	223	11		1	6	12	7		13
Burglary	179	60	239	42	197	3			1	26	9		3
Larceny-Theft	433	138	571	113	458	18		1	5	76	4		9
Auto Theft	60	29	89	18	71	1				8	8		1
Part II	5,124	1,222	6,346	895	5,451	169		2	42	645	24		13
Other Assaults	503	130	633	103	530	33			12	58			
Arson	1	2	3		3								
Forgery and Counterfeiting	21	6	27	3	24					1	2		
Fraud	10	4	14	3	11						2		1
Stolen Property	3		3		3								
Vandalism	150	45	195	30	165	4		1	3	22			
Weapons	29	16	45	9	36	2				4	3		
Prostitution	4		4		4								
Sex Offenses	33	17	50	16	34	4			3	8			1
Narcotic Drug Laws	191	76	267	50	217	8				18	14		10
Gambling	7		7		7								
Offenses Against Family & Children	7	7	14	5	9	2			2	1			
Liquor Laws	162	5	167	5	162	3				2			
Disorderly Conduct	358	138	496	126	370	26			3	94	2		1
All Other Offenses	3,645	776	4,421	545	3,876	87		1	19	437	1		
Other Violations	654	81	735	83	652	17		1		60	5		
Airport	4	11	15	5	10	2					3		
Animal Control #	554	51	605	61	544	9		1		49	2		
Fish & Game	56	11	67	9	58	3				6			
Harbor Violations	40	8	48	8	40	3				5			

* Previously, "Other Violations" were reported under Civil Actions. In this, and future tables, "Other Violations" are reported under Criminal Actions.
 # Previously reported as Dog Leash.

TABLE 27 ***Traffic & Parking Cases - Caseload Summary Matrix FY 2015–16, District Courts – All Circuits**

CASELOAD ACTIVITY						TYPE OF TERMINATION				
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Discharge/Dismissal	Nolle Prosequi	Others	Commitment to Circuit Court Jury Trial Demanded	Conviction
ALL PROCEEDINGS	304,447	413,586	718,033	465,248	252,785					
TOTAL CASES	299,707	407,425	707,132	456,143	250,989	53,890	2,384	389	94	399,386
Felony Cases	41	13	54	11	43	6	1		3	1
Motor Vehicle- DUI	12	9	21	7	14	3	1		3	
Motor Vehicle - Other	29	4	33	4	29	3				1
Misdemeanor Cases	28,397	36,204	64,601	39,414	25,187	12,309	1,588	241	89	25,187
Motor Vehicle - DUI	6,737	6,452	13,189	8,805	4,384	3,278	191	202	23	5,111
Motor Vehicle - Reckless Driving	422	537	959	632	327	401	66	8		157
Motor Vehicle - Other	21,233	29,209	50,442	29,968	20,474	8,626	1,330	31	66	19,915
Other Misdemeanor	5	6	11	9	2	4	1			4
Other Cases	271,269	371,208	642,477	416,718	225,759	41,575	795	148	2	374,198
Non Criminal	142,064	224,211	366,275	257,365	108,910	32,596	745	118	2	223,904
Traffic Violations										
Parking Violations	127,870	145,786	273,656	157,747	115,909	8,639	14	27		149,067
Other Violations	1,335	1,211	2,546	1,606	940	340	36	3		1,227
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Affirmed	Guilty Verdict	Rescinded	Reversed	Sustained
Other Proceedings	4,740	6,161	10,901	9,105	1,796	2,438	20	531	1,314	4,802
Appeals	4	4	8	6	2	4			2	
Administrative Reviews	4,736	6,157	10,893	9,099	1,794	2,434	20	531	1,312	4,802

TABLE 28 ***Traffic & Parking Cases - Caseload Summary Matrix FY 2015–16, District Courts – First Circuit**

CASELOAD ACTIVITY						TYPE OF TERMINATION				
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Discharge/Dismissal	Nolle Prosequi	Others	Commitment to Circuit Court Jury Trial Demanded	Conviction
ALL PROCEEDINGS	237,604	322,120	559,724	362,090	197,634					
TOTAL CASES	232,864	315,959	548,823	352,985	195,838	41,371	820	295	27	310,472
Felony Cases	14		14	1	13	1				
Motor Vehicle- DUI	4		4		4					
Motor Vehicle - Other	10		10	1	9	1				
Misdemeanor Cases	16,627	23,597	40,224	24,967	15,257	10,264	517	214	26	13,946
Motor Vehicle - DUI	5,008	4,844	9,852	6,535	3,317	3,085	93	190	8	3,159
Motor Vehicle - Reckless Driving	190	334	524	378	146	282	28	5		63
Motor Vehicle - Other	11,426	18,415	29,841	18,048	11,793	6,894	395	19	18	10,722
Other Misdemeanor	3	4	7	6	1	3	1			2
Other Cases	216,223	292,362	508,585	328,017	180,568	31,106	303	81	1	296,526
Non Criminal	103,203	164,610	267,813	189,156	78,657	24,515	259	58	1	164,323
Traffic Violations										
Parking Violations	112,221	126,920	239,141	137,716	101,425	6,314	9	20		131,373
Other Violations	799	832	1,631	1,145	486	277	35	3		830
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Affirmed	Guilty Verdict	Rescinded	Reversed	Sustained
Other Proceedings	4,740	6,161	10,901	9,105	1,796	2,438	20	531	1,314	4,802
Appeals	4	4	8	6	2	4			2	
Administrative Reviews	4,736	6,157	10,893	9,099	1,794	2,434	20	531	1,312	4,802

* Revised to be consistent with other caseload reporting.

TABLE 29 ***Traffic & Parking Cases - Caseload Summary Matrix FY 2015–16, District Courts — Second Circuit**

	CASELOAD ACTIVITY					TYPE OF TERMINATION				
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Discharge/Dismissal	Nolle Prosequi	Others	Commitment to Circuit Court Jury Trial Demanded	Conviction
TOTAL CASES	14,143	38,626	52,769	39,654	13,115	4,639	8	37	30	34,940
Felony Cases	4	2	6	2	4	2				
Motor Vehicle- DUI	1	2	3	2	1	2				
Motor Vehicle - Other	3		3		3					
Misdemeanor Cases	2,689	4,208	6,897	4,831	2,066	1,238	6	15	30	3,542
Motor Vehicle - DUI	806	680	1,486	1,042	444	109	3	9	3	918
Motor Vehicle - Reckless Driving	50	55	105	79	26	55				24
Motor Vehicle - Other	1,833	3,471	5,304	3,709	1,595	1,073	3	6	27	2,600
Other Misdemeanor		2	2	1	1	1				
Other Cases	11,450	34,416	45,866	34,821	11,045	3,399	2	22		31,398
Non Criminal	7,832	23,141	30,973	23,617	7,356	2,631	2	16		20,968
Traffic Violations										
Parking Violations	3,513	11,130	14,643	11,005	3,638	742		6		10,257
Other Violations	105	145	250	199	51	26				173

TABLE 30 ***Traffic & Parking Cases - Caseload Summary Matrix FY 2015–16, District Courts — Third Circuit**

	CASELOAD ACTIVITY					TYPE OF TERMINATION				
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Discharge/Dismissal	Nolle Prosequi	Others	Commitment to Circuit Court Jury Trial Demanded	Conviction
TOTAL CASES	39,393	41,573	80,966	48,498	32,468	6,550	1,556	49	24	40,319
Felony Cases	15	10	25	7	18	2	1		3	1
Motor Vehicle- DUI	6	7	13	5	8	1	1		3	
Motor Vehicle - Other	9	3	12	2	10	1				1
Misdemeanor Cases	6,973	7,415	14,388	8,501	5,887	576	1,065	9	21	6,830
Motor Vehicle - DUI	677	753	1,430	1,047	383	49	95	2	12	889
Motor Vehicle - Reckless Driving	127	135	262	163	99	59	38	2		64
Motor Vehicle - Other	6,167	6,527	12,694	7,289	5,405	468	932	5	9	5,875
Other Misdemeanor	2		2	2						2
Other Cases	32,405	34,148	66,553	39,990	26,563	5,972	490	40		33,488
Non Criminal	24,012	29,053	53,065	34,082	18,983	4,533	484	40		29,025
Traffic Violations										
Parking Violations	8,150	4,942	13,092	5,707	7,385	1,410	5			4,292
Other Violations	243	153	396	201	195	29	1			171

* Revised to be consistent with other caseload reporting.

TABLE 31 *

Traffic & Parking Cases - Caseload Summary Matrix FY 2015–16, District Courts — Fifth Circuit

CASELOAD ACTIVITY	TYPE OF TERMINATION									
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Discharge/Dismissal	Nolle Prosequi	Others	Commitment to Circuit Court Jury Trial Demanded	Conviction
TOTAL CASES	13,307	11,267	24,574	15,006	9,568	1,330		8	13	13,655
Felony Cases	8	1	9	1	8	1				
Motor Vehicle- DUI	1		1		1					
Motor Vehicle - Other	7	1	8	1	7	1				
Misdemeanor Cases	2,108	984	3,092	1,115	1,977	231		3	12	869
Motor Vehicle - DUI	246	175	421	181	240	35		1		145
Motor Vehicle - Reckless Driving	55	13	68	12	56	5		1		6
Motor Vehicle - Other	1,807	796	2,603	922	1,681	191		1	12	718
Other Misdemeanor										
Other Cases	11,191	10,282	21,473	13,890	7,583	1,098		5	1	12,786
Non Criminal	7,017	7,407	14,424	10,510	3,914	917		4	1	9,588
Traffic Violations										
Parking Violations	3,986	2,794	6,780	3,319	3,461	173		1		3,145
Other Violations	188	81	269	61	208	8				53

* Revised to be consistent with other caseload reporting.

Center for Alternative Dispute Resolution

The Judiciary
State of Hawaii



Annual Report

Report Number 28

July 1, 2015 to June 30, 2016

*Presented to the
Twenty-Ninth Legislature*

*Pursuant to Hawaii
Revised Statutes §613-4*

Aloha,

The Center for Alternative Dispute Resolution (CADR) ensures that alternative dispute resolution is available in Hawaii. Alternative dispute resolution offers opportunities for early, party-driven, efficient, and fair solutions.

CADR:

- Designs and helps implement alternative dispute resolution programs for state and county government
- Mediates and facilitates public policy disputes referred by elected or appointed government officials
- Manages the purchase of services contract for mediation and related dispute resolution services
- Promotes alternative dispute resolution through training and education

This report summarizes the CADR's work during Fiscal Year 2016.

Sincerely,
Mark E. Recktenwald
Chief Justice

Highlights from Fiscal Year 2015 - 2016

Programs

CADR designs and helps implement alternative dispute resolution programs for state and county governments to help the public avoid unnecessary litigation and encourage early and fair conflict resolution. This past year, CADR:

- Administered the Hawaii Appellate Mediation Program. During the fiscal year, 20 appellate cases were settled.
- Assisted the Family Court, First Judicial Circuit, with the Volunteer Settlement Master Program, and the pilot project for on-site mediation of paternity cases.

Direct Services

CADR provides mediation, facilitation, and process design services for cases involving public policy. This past year, CADR:

- Provided assistance for the Judiciary's Strategic Planning process
- Assisted with developing a statewide Workplace Mediation Program for Judiciary employees
- Assisted with developing implicit bias training for Judiciary employees

Highlights from Fiscal Year 2015 - 2016

Training, Education, Research & Outreach

CADR promotes alternative dispute resolution through training, education, and outreach. CADR provided the following alternative dispute resolution-related classes to state and county employees:

- Better Meeting Management
- Handling Difficult Situations in the Workplace
- More on Handling Difficult Situations in the Workplace
- Negotiation Skills
- Working It Out: Skills for Dispute Resolution

CADR co-sponsored a Civil Rights Mediator Training at the Judiciary in collaboration with the Hawaii Civil Rights Commission, The Mediation Center of the Pacific, Inc., and the U.S. Department of Housing and Urban Development.

CADR assisted with the 29th Annual Statewide Peer Mediation Conference, "*What Do YOU Think?*" Students from public and private schools attended the conference held at the University of Hawaii - Manoa.

Highlights from Fiscal Year 2015 - 2016

Community Mediation Centers

CADR administers the Judiciary's purchase of services contract for mediation and related alternative dispute resolution services statewide. The contractor, Mediation Centers of Hawaii, Incorporated, is an umbrella organization for five community mediation centers throughout the state.

The following community mediation centers provide trained mediators for thousands of cases each year:

- **Kauai Economic Opportunity, Incorporated, Mediation Program**
Phone: (808-245-4077)
Website: www.keoinc.org
- **Kuikahi Mediation Center (Hilo)**
Phone: (808-935-7844)
Website: www.hawaii-mediation.org
- **Maui Mediation Services (Maui County)**
Phone: (808-244-5744)
Website: www.mauimediation.org
- **The Mediation Center of the Pacific, Incorporated (Oahu)**
Phone: (808-521-6767)
Website: www.mediatehawaii.org
- **West Hawaii Mediation Center (Kona)**
Phone: (808-885-5525)
Website: www.whmediation.org

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Judge Joel August (ret.)
Daniel Bent
Judge Karen Blondin (ret.)
Addison Bowman
Robin Campaniano
Louis Chang
Justice James Duffy (ret.)
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Judge Eden Hifo (ret.)
Kenneth Hipp
Judge Colleen Hirai (ret.)
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Mediation. It Works!



Mediation. It Works!

Hawaii State Judiciary
Center for Alternative Dispute Resolution
417 South King Street, Room 207
Honolulu, Hawaii, 96813
Phone: 808-539-4237; Fax: 808-539-4416
Email: cadr@courts.hawaii.gov
Website: www.courts.state.hi.us/cadr

King Kamehameha V
Judiciary History Center

2015-2016 Annual Report



View of Honolulu from Pūowaina, circa 1890

Hawai'i State Archives



Supreme Court — THE JUDICIARY • STATE OF HAWAII

417 SOUTH KING STREET • ALI'ĪOLANI HALE • HONOLULU, HAWAII 96813-2943 • TELEPHONE (808) 539-4700 • FAX (808) 539-4703

Mark E. Recktenwald
CHIEF JUSTICE

December 2016

To the Honorable Members of the Twenty-Ninth Legislature:

I am pleased to submit the 2016 Annual Report of the King Kamehameha V Judiciary History Center (the Center) as required by chapter 6F of the Hawai'i Revised Statutes.

Since 1989, the Center has been steadfast in its efforts to educate the public about Hawaii's unique legal history and the judicial process in general. From its home at Ali'iōlani Hale, the Center uses its exhibits, archives, public programs, school tours, mock trials, films, and publications to offer extensive learning opportunities for local residents and visitors from all over the world. This year, over 58,565 visitors took advantage of the Center's exhibits and education programs, including more than 16,900 students from schools and colleges throughout Hawai'i. Indeed, other states and foreign countries continue to view the Center as a model of judicial outreach.

We are excited about the success of our Courts in the Community program, under which Supreme Court arguments are periodically held in school settings. The program is part of the Judiciary's effort to educate students and the general public about the Judiciary's role in our government and its function in resolving disputes in a democratic society. Students participate in several civics-related lesson plans prepared by the Center prior to observing an official Supreme Court oral argument proceeding. This year, oral argument was held in October at President William McKinley High School on Oahu, which was attended by 470 students from nine different schools.

We thank you for your commitment to and support of this valuable educational institution. We would also like to encourage you, your constituents, and district schools to visit the Center to learn more about the exciting heritage of our branch of government.

Thank you for your steadfast support of the Center and its important work.

Sincerely,

A handwritten signature in black ink that reads "Mark E. Recktenwald".

MARK E. RECKTENWALD
Chief Justice



Office of the Administrative Director – King Kamehameha V – Judiciary History Center

THE JUDICIARY • STATE OF HAWAII' I • 417 SOUTH KING STREET, ROOM 102 • ALI' IÖLANI HALE
HONOLULU, HAWAII' I 96813-2943 • TELEPHONE (808) 539-4999 • FAX (808) 539-4996

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ADMINISTRATIVE DIRECTOR

Iris T. Murayama
DEPUTY ADMINISTRATIVE DIRECTOR

Susan Pang Gochros
INTERGOVERNMENTAL AND
COMMUNITY RELATIONS
DIRECTOR

Matt Mattice
KING KAMEHAMEHA V
JUDICIARY HISTORY CENTER
EXECUTIVE DIRECTOR

November 2016

To the Honorable Members of the Twenty-ninth Legislature:

I am pleased to present the King Kamehameha V Judiciary History Center's annual report for FY2016. Established by statute in 1990 to educate the public about Hawaii's legal history and the judicial process, the Center provides civic educational activities and materials including tours of Ali'iölani Hale and the First Circuit Court, public performances and lectures, statewide teacher workshops, curricula, publications, and films.

During FY2016, the Center embarked on the *James Madison Legacy Project*, a three-year teacher-training program funded by a federal grant to educate teachers about the U.S. Constitution, the Bill of Rights, and citizenship. Teachers with high needs student populations receive free training and class sets of curriculum. Generous funding from the Hawai'i State Bar Association financed three teacher workshops. *Courting Controversy: Homelessness in Hawai'i* examined homelessness in Hawai'i and public policy. *The U.S. Constitution: A Floor, Not a Ceiling* looked at tensions between national unity and state sovereignty. And *Law-Related Education in Hawai'i* was designed to showcase successful law-related education pedagogy. For a third year, the Center partnered with the United States District Court – District of Hawai'i and conducted *Aliens, Citizens, Equal Protection, and Due Process*, a workshop on citizenship, immigration, and the equal protection clause of the 14th Amendment.

The Center continued to play a pivotal role in the Judiciary's *Courts in the Community Program*, in which the Supreme Court convenes at schools to hear cases pending-before the court. High school students learn about the case beforehand, and argue it themselves at their schools. Next, they attend the actual oral argument. During FY 2016, a Supreme Court hearing was conducted at Wai'anae High School with 350 students from five high schools, along with members of the general public, in attendance.

I extend my appreciation to each of you for your continued support of the Center. Your encouragement and participation in our programs strengthens our resolve to improve our democracy by learning from our past. Mahalo for your belief in our important mission.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt Mattice".

Matt Mattice
Executive Director

King Kamehameha V

Lot Kapuāiwa, grandson of Kamehameha I, ascended the throne in 1863 and was the last Kamehameha to rule the Kingdom of Hawai‘i. As a national leader, Lot made foreign relations and the preservation of independence his primary objectives.

His advocacy for Hawaiians inspired a cultural renaissance which included the revival of hula and chant and licensing of medical *kāhuna* to practice their healing arts. During his reign, Lot commissioned a number of public works including the construction of Ali‘iōlani Hale.

In 2000, the Judiciary History Center was renamed to the King Kamehameha V Judiciary History Center in his honor.



History of Ali‘iōlani Hale

Historic Ali‘iōlani Hale provides the ideal environment for the Judiciary History Center. Initiated during the reign of Kamehameha V and completed during the reign of Kalākaua, Ali‘iōlani Hale opened its doors in 1874. The Legislature and the Supreme Court of the Kingdom of Hawai‘i were the original occupants of the building. After the overthrow of the Monarchy in 1893, the Legislature moved to ‘Iolani Palace. Ali‘iōlani Hale has remained the home of the Supreme Court for well over 100 years. The National Museum, the first museum in Hawai‘i, opened in Ali‘iōlani Hale in 1874. For many years, the National Museum occupied rooms on the second floor and welcomed visitors to view its fine collection of Hawaiian artifacts. In 1898, the Republic of Hawaii's government transferred ownership of the collection to the Bishop Museum.



Ali‘iōlani Hale (Hawai‘i State Archives)



Annual Report Fiscal Year 2015-2016

**King Kamehameha V
Judiciary History Center**
Ali'iōlani Hale
417 S. King Street
Honolulu, Hawai'i 96813
Phone (808) 539-4999
FAX (808) 539-4996
www.jhchawaii.net

What people are saying about the Judiciary History Center

“Been a resident of HI for 22 years but only set foot in this bldg today. This is an amazing place w lots of hist. Thank you for offering this place free to the public to explore & learn some Hawn history.”

Resident, Hawaii

“Great, helped to understand the law system in Hawaii.”

Visitor, France

“Interesting information about the history of laws in Hawaii. Enjoyed the experience w/my entire family.”

Visitor, Texas

“Very interesting considering I work in a law firm. Loved it all.”

Visitor, Canada

“Very interesting. Lovely bldg, friendly staff.”

Visitor, Scotland

“Very beautiful. Please keep this offer to the public. It has a lot of info you otherwise wouldn’t know about. Thank you..”

Visitor, Idaho

“A great place to visit.”

Visitor, Sri Lanka

“Have had a condo for 33 yrs. thought we had seen it all, but somehow missed this. Great history & movies. Will always bring visitors here, mahalo.”

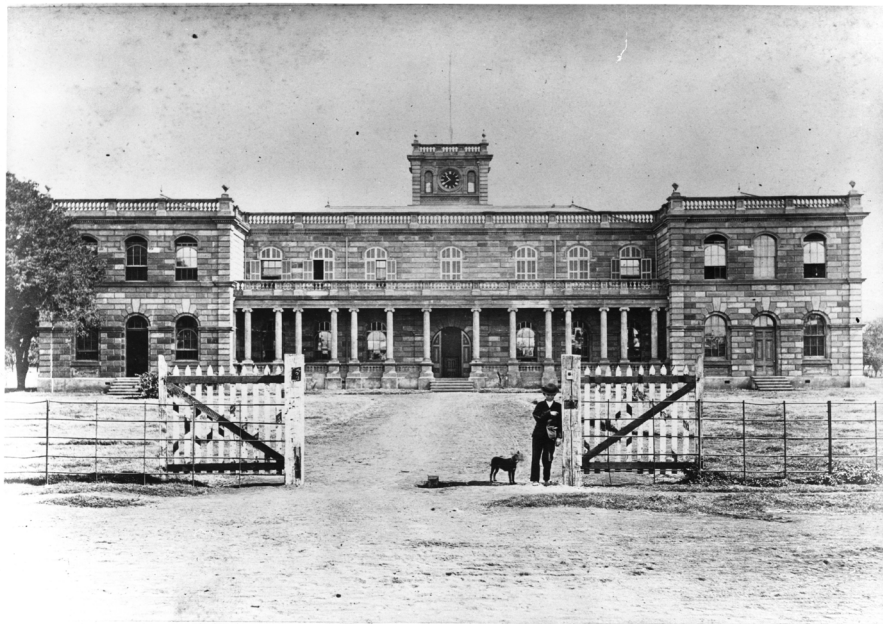
Visitor, California

“I really liked the courtroom. I pretended to be the judge.”

Visitor, Brazil

“Very informative & well thought out exhibit (flows nicely). This Honolulu gem should get more recognition & publicity. ”

Visitor, Massachusetts



Ali'iōlani Hale rear view, circa 1874 (Hawai'i State Archives)

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King Kamehameha V Judiciary History Center

- Purpose** The King Kamehameha V Judiciary History Center (the Center) is a permanent educational institution created to inform and provide learning opportunities about the judicial process and Hawaii's legal history from pre-contact to present. The Center, an administrative program of the Hawai'i State Judiciary, conducts and encourages research, disseminates information, and collects, preserves and displays materials. Interpreting over 200 years of dynamic legal history through audio visual presentations, exhibitions, and public programs, the Center serves as a bridge between the Judiciary and the community.
- Governance** Established by the Hawai'i State Legislature in 1990 through Act 211, the Center is governed by a five member executive board appointed by Hawaii's Chief Justice.
- Visitors** Since opening to the public in September 1989, the Center has become a popular educational resource. This fiscal year the Center welcomed over 58,000 visitors, including more than 16,000 students.
- History** The origins of the Center date back to the 1970s and the recommendations of a citizens committee advising Chief Justice William S. Richardson, on the renovation of Ali'i'ōlani Hale. The original idea was to develop an educational facility that would help citizens understand today's system of law by examining Hawaiian concepts of law and the development of Hawaii's judiciary. Given Ali'i'ōlani Hale's historic significance, the Center occupies a highly visible and ideal location in Honolulu's historic capitol district.
- Grants from the National Endowment for the Humanities to the Judiciary funded extensive research on Hawaii's court records. This research uncovered information used for the planning and development of the Center's permanent exhibits. Additional funding was provided by appropriations from the Hawai'i State Legislature, and contributions from the Friends of the Judiciary History Center.
- Formal dedication and opening ceremonies for the Center were held on September 12, 1989, with a message from Governor John Waihe'e, and a blessing by Reverend Abraham Akaka.
- Hours** The general public is welcome to take self-guided tours of the Center, located on the first floor of Ali'i'ōlani Hale, on Monday through Friday from 8 a.m. to 4 p.m. There is no admission fee. Visits by school and community groups with reservations are welcome on weekdays (excluding holidays).
- Website** Visit the Judiciary History Center's website at www.jhchawaii.net for information concerning the Center's tours, curriculum, publications, volunteer program, and historic Ali'i'ōlani Hale.

Collections



Archaeological specimens were donated by **T. S. Dye & Colleagues, Archaeologists, Inc.** The collections consists of a bottle, bottle and ceramic fragments and a rifle cartridge. The specimens were collected from excavations conducted in 2004 and 2007 around Ali‘iōlani Hale.

Exhibits

The Monarchy Court Gallery documents the 19th century transition from Hawaiian *kapu* to a western judicial system. Featuring a detailed model of Honolulu in the 1850s and artifacts from the first courthouse building, this exhibit has become the focal point of learning for adults and students.

The 1913 Courtroom, equipped with authentic furnishings, artifacts, and reproductions, is used for mock trials, reenactments, lectures, and dramatic performances. Students gain hands-on experience in the courtroom, reenacting historical court cases.

Who's Who in the Courtroom in the 1913 courtroom, interprets the court process and the players in a courtroom. Designed to identify courtroom personnel and their roles, this interactive exhibit helps to educate visitors, especially students, about the trial process.

Ali‘iōlani Hale, along the *makai* hall, traces the building's history through photographs, documents, and art work. The display also features the story of the Kamehameha Statue, a sentinel to Ali‘iōlani Hale for over one hundred years.

Hawai‘i Under Martial Law excites both school children and adults alike. Depicting the drastic changes caused by almost four years of martial law, the exhibit illustrates daily life in Hawai‘i under military rule.



Magna Carta exhibit in the rotunda.

Magna Carta, Enduring Legacy

In January 2016, the Center hosted a traveling exhibition commemorating the 800th anniversary of the Magna Carta. The Magna Carta has come to embody the simple but enduring truth: No one, no matter how powerful, is above the law. It has taken root as an international symbol of the rule of law and as an inspiration for many rights Americans hold dear today, including due process, habeas corpus, trial by jury, and right to travel.

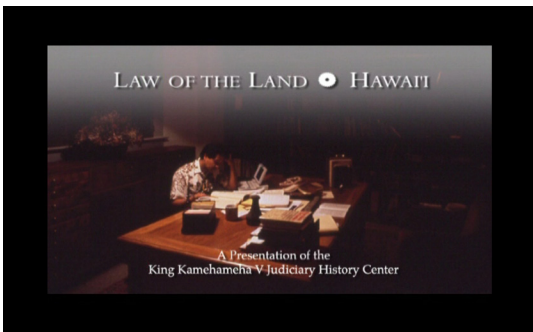
African-Americans in Hawai‘i

In February 2016, the Center partnered with the African-American Diversity Cultural Center Hawai‘i to showcase early African-American settlers to Hawai‘i. Biographical sketches of Anthony D. Allen, Betsey Stockton, Thomas McCants Stewart, William F. Crockett, Lineas Maples, Noelle R. Smith, Helene Hale, Charles Campbell and David H. Crowell were a few of the people featured.

Films

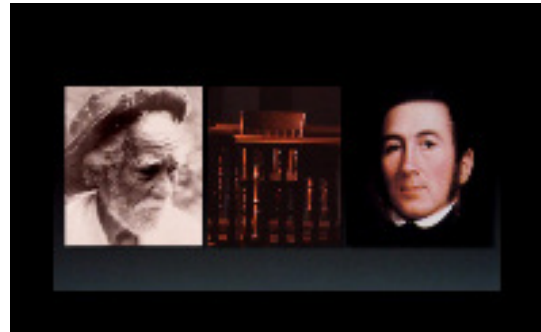


When Fear Reigned tells the true story of four children living in Hawai‘i during martial law and the fragile nature of democracy in times of national crisis. Following Japan's attack on Pearl Harbor, fear of invasion, further attacks, and sabotage, prompted quick governmental decisions. On December 7, 1941 at 4:30 p.m., the Territorial Governor signed a proclamation declaring Martial Law. For the next three years, military rule replaced Hawaii's civilian government. Daily life changed drastically as the military reorganized the territory and enacted a number of new laws called General Orders. Civilian courts were replaced by military courts.



Law of the Land illustrates the change from traditional, shared land-use rights to the western concept of private property ownership.

Kānāwai shows changing attitudes towards water use in the 19th century by examining the surface water case of Peck v. Bailey. In a landmark decision, the Kingdom of Hawaii's Supreme Court dramatically redefined water rights in Hawai‘i.



Oni v. Meek introduces students to one of the Kingdom's most important Supreme Court decisions involving land rights and prepares them for a mock trial our 1913 Courtroom.

Animal Trials introduces younger elementary students to late 19th century trials involving animals. The unruly behavior of animals, especially in an increasingly urbanized Honolulu, resulted in a number of court cases.

Broken Scales is the story of a man's nightmare in which one of the cornerstones of democracy - judicial independence, has crumbled.

The Center also offers two films for use in the classroom: **Kaulike** documents the development of a western judicial system in Hawai‘i and provides an overview of the current court system. **Trial of a Queen** focuses on the issues surrounding the armed overthrow of the Hawaiian monarchy, the counter-rebellion, and subsequent trial of Queen Lili‘uokalani.

Research and Publications

Judges & Lawyers Database

Legal research on the courts in Hawaii during the Monarchy period culminated in an analysis of over 20,000 cases in the State Archives. As an outgrowth of this research, a database of 19th century judges and lawyers of the Monarchy period has been produced. New information is incorporated as it becomes available.

Hawaiian-English Legal Dictionary

The Center, in partnership with the William S. Richardson School of Law, is working on compiling and vetting more than 4000 words for an upcoming legal dictionary. The dictionary project is an off shoot of the translation of court documents undertaken by the Center many years ago. When completed, the dictionary will be available in print and digital formats.

Education Programs

The Judiciary History Center offers schools, colleges, and the general public a number of law-related educational activities and resources. Law-Related Education (LRE) has evolved from the assumption that individuals who understand the reasons for laws and the institutions that support them are more likely to act responsibly in society. Students exposed to LRE are better able to predict consequences of breaking the law. They may also be more capable of resolving disputes independent of the court system.

University of Hawai‘i, William S. Richardson School of Law

Every year, incoming first year law students visit the Center during their orientation. Students have the opportunity to tour the Center, the Law Library, and meet the Chief Justice.

Learning Activities at the Center

During the 2015-2016 fiscal year, the Center welcomed over 16,400 students and their teachers to its education programs. Many students interacted with judges who spoke with them during their tours or at their schools as part the Center's Judiciary Speakers Bureau. Educational tours supplement school curriculum and provide an exciting alternative learning environment for students and teachers. A variety of school tour formats have been developed to complement the Department of Education's benchmarks for grades two through twelve, the National Common Core Standards, and the College, Career, and Civic Life (C3) Framework. Students enjoy a selection of short films, guided tours of the Center's exhibits, Circuit Court visits, and scripted mock trials in the Center's restored 1913 Courtroom. Post-visit materials compliment the Center's learning activities back in the classroom.



International Students from Global Village visit the Center and conduct a mock trial.

The following schools and organizations visited during the 2015–2016 fiscal year:

Elementary Schools

Ali‘iōlani School
Aliamanu Elementary
August Ahrens Elementary
De Silva Elementary
Fern Elementary
Gustav Webling Elementary
Haha‘ione Elementary
Hanalani Schools
Hau‘ula Elementary
Holomua Elementary
Holy Nativity School
Honaunau School
Hongwanji Mission School
Honowai Elementary
Island Pacific Academy
Ka Waihona o Ka Na‘auao
Kāhala Elementary
Kainalu Elementary
Kalihi Uka Elementary
Kamiloiki Elementary
Kapālama Elementary
Keone‘ula Elementary
Kokohead Elementary
Lanakila Baptist Elementary
Lanikai School
Le Jardin Academy
Liholiho Elementary
Lunalilo Elementary
Maemae Elementary
Makalapa Elementary
Makiki Homeschoolers
Mānana Elementary
Mauka Lani Elementary
Mililani Mauka Elementary
Mililani Waena Elementary
Mokapu Elementary
Myron B. Thompson Academy
Navy Hale Keiki School
Nimitz Elementary
Pearl City Highlands Elementary
Pearl Ridge Elementary
Pukalani Elementary
Sacred Hearts School

St. Patrick School
Shafter Elementary
Waialua Elementary
Waikele Elementary
Waimalu Elementary
Wilson Elementary

Middle & Intermediate Schools

Classical Conversations
‘Iolani School
Kalākaua Middle
Kamehameha Schools - Kapālama
Kapolei Middle
LTW Academy
Maryknoll School
Mililani Middle
Moanalua Middle School
Nānākuli Intermediate
Our Lutheran School
St. Elizabeth School
St. Theresa School
Waipahu Intermediate School
Washington Middle School

High Schools

‘Aiea High
Campbell High
Castle High
Farrington High
Friendship Christian Schools
Hanalani Schools
Hawai‘i Baptist Academy
Hawai‘i Technology Academy
Homeschool Youth and Parents
‘Iolani School
Ka ‘Umeke Kā‘eo
Kamehameha Schools - Kapālama
Mid Pac Institute
Mililani High
Moanalua High
Nānākuli High
New Hope Homeschool Group
Oahu Military Homeschoolers
Connection
Pacific Buddhist Academy
Punahou School
Pueo Program (Punahou School)

St. Andrew's Priory
Wai‘anae High
Waipahu High

Adult, Post-Secondary, and Special Groups

15 Craigsides Retirement Residence
Abilities Unlimited
Boy Scouts of America
BYU Hawaii
Clay Chapman Iwamura Pulice & Nervell
Close Up Foundation
Global Village
Hālawa Senior Group
Hawai‘i Council for the Humanities
Hawai‘i English Language Program
Hawai‘i Job Corps
Hawai‘i Pacific University
Hawai‘i Palms English School
Intercultural Communication College
‘Iolani Palace Docents
JAIMS
Jill Chinen
Kahalu‘u Methodist
Kamehameha Schools - Midkiff
Learning Center
Kagoshima Prefectural College
Kanto Gakuin University School of Law
Kapi‘olani Community College
Leeward Community College
McKinley Adult School
National Guard Youth Challenge Academy
One Kalakaua Senior Living
Pacific Islands Institute
Senior Walk
UH Office of Multicultural Student Services
UH Outreach College NICE
US Attorney's Office
US Navy - Region Legal Service Office
Waikīkī Community Center
William S. Richardson Law School

Curricula

The Trial of Nathaniel Bacon

A mock-trial activity created to meet Hawaii's Social Studies Benchmarks for fifth grade students visiting the History Center. Focusing on the conflicts that arose between the Native Americans and the Colonists, the curriculum also examines conflict amongst the Colonists, themselves, and the Crown.

Authority & Power Without Authority, Rules and Laws

The Center has two tour activities to address the DOE's 3rd grade Social Studies Benchmarks. *Authority and Power* examines the legitimacy of power. Students learn to differentiate between power backed by might and power backed by right. In *Rules and Laws*, students compare the origins, purposes, and consequences of rules and laws. The two activities combine to create a powerful learning experience in the museum setting. Students gain a clear picture of legitimate authority and legislative intent.

Oni v. Meek

A mock-trial activity that reenacts a landmark court case from the Monarchy Period. Students argue this historic case in the Center's restored 1913 courtroom, while learning about a courtroom's layout and the roles of courtroom personnel. A jury of students renders a verdict, and the activity concludes with a discussion about the case's actual verdict.

Trial of a Queen: 1895 Military Tribunal

A curriculum guide that examines the 1895 military trial of Queen Lili'uokalani on charges of misprision of treason. While role playing characters of various political backgrounds, students discover events leading up to the Queen's trial, and gain both a legal and human perspective of the judicial process.

Animal Cases

A collection of scripted court cases based on transcripts from the District Courts of the Hawaiian Kingdom that introduces elementary students to the judicial process. Cases involving theft of a chicken, runaway pigs, and reckless horseback riding encourage student jurors to consider evidence, issues of choice and consequence, and social responsibility.

Martial Law in Hawai'i

Within hours of the bombing of Pearl Harbor on December 7, 1941, daily life in Hawai'i drastically changed. The Center's curriculum for high school and college students helps them understand the significance of military laws in a democratic society. Students learn about the military government, suspension of habeas corpus, general orders, provost courts, and efforts to reestablish civilian control through legal challenges to martial law. Students are able to conduct a mock trial of the noteworthy Duncan v. Kahanamoku case.

Hawai'i State Courts

Which courts have jurisdiction over which cases? How many jurors must agree to determine the verdict in a civil trial? Students learn the answers and more during this presentation about the State Courts in Hawai'i. After a brief look at the three branches of government and their responsibilities, we take a closer look at the State's Judicial Branch.

Bicycle Theft and Hot Wheels

Intended to complement the lesson on Hawaii's State Courts, Bicycle Theft and Hot Wheels are mock trial activities designed to give students a courtroom experience in a real courtroom setting.

Speakers Bureau & Judges in the Classroom

The Center coordinates the Judiciary Speakers Bureau, arranging for judges to speak at schools and community group settings, and providing curriculum materials as needed.

Teacher Workshops and Student Programs

Courts in the Community

Under the leadership of Chief Justice Recktenwald, Courts in the Community offers public and private high school students an opportunity to better understand the function of the Judicial Branch of government and observe an actual oral argument. To prepare, volunteer attorneys and Students for Public Outreach and Civic Education (SPOCE) at the William S. Richardson School of Law work with participating high school students to familiarize them with the case. The students participate in a moot court activity before attending a Supreme Court hearing and meeting with the attorneys and the justices immediately following the argument. This past year the Hawai'i State Supreme Court convened at Wai'anae High School (December 2015) with a 350 students from five schools in attendance.

We the People: The Citizen and the Constitution High School Competition

In a simulated congressional hearing competition held at the First Circuit Court of Hawai'i, 'Iolani School, Kealakehe High, and Mililani High School vied for the chance to represent Hawai'i at the National Finals in Washington, D.C. This year, 'Iolani School was victorious. They represented our state at the national finals, and enjoyed exploring our nation's capitol and meeting civic-minded students from around the country.

Courting Controversy: Homelessness in Hawai'i

Public outcry about homelessness in Hawai'i has reached a crescendo. In July 2015, the Center conducted a teacher workshop to examine homelessness and public policy. The two-day workshop looked at the history, scope, and public policy debate surrounding the issue. Strategies for evaluating public policy were modeled for

use in the classroom.

Presenters included Derek Kauano'e, Governance Manager at the Office of Hawaiian Affairs; Janet Kelly, Senior Attorney at the Hawai'i Legal Aid Society; and Dr. Sarah Yuan, Associate Specialist at the Center on the Family at the University of Hawai'i, Mānoa.

Federal Trials and Compelling Issues: Aliens, Citizens, Equal Protection, and Due Process

On October 6-7, 2015, the Center partnered with the United States District Court in Hawai'i and the Hawai'i State Department of Education to conduct a two-day professional development workshop on the federal court system. The workshop explored evolving American societal values and the importance of the rule of law in a democracy, focusing on three trials that made their way through the federal courts. Historical context and legal analysis of the cases were provided by scholars and federal judges. Teachers gained insight on issues including citizenship, immigration, and the equal protection clause of the 14 amendment. In addition to the cases studied, participants also reviewed the *Deferred Action for Childhood Arrivals* and *Deferred Action for Parents of Americans and Lawful Permanent Residents* programs. The workshop was open to both public and private high school Social Studies teachers.

The U. S. Constitution: A Floor, Not a Ceiling

In November 2015, the Center conducted a one-day introductory workshop on the Constitution of the United States and the concept of Federalism for middle and high school Social Studies teachers. Justice Simeon Acoba, retired Associate Justice of the Hawaii State Supreme Court, and Melody MacKenzie, Professor of Law and Director of Ka Huli Ao Center for Excellence in Native Hawaiian Law at the William S. Richardson School of Law, discussed federalism in contemporary politics. In order to make the content more relevant in the classroom, we looked at the topic through

the lens of the College Career and Civic Life (C3) Framework and the Question Formulation Technique. The workshop addressed tensions that exist today between national unity and state sovereignty, the idea that the United States Constitution should be considered the floor, not the ceiling when considering citizens' rights, and how local reactions to national public policy affect the rights afforded to Hawaii's citizens as enumerated in the Hawai'i State Constitution.

Civil and Human Rights Workshop

In December 2015, the Center, working with the Hawai'i State Department of Education, held a workshop to explore the notion that civil rights and human rights have always been intertwined. Panelists Karen Korematsu, the Executive Director and Co-Founder of the Fred T. Korematsu Institute for Civil Rights and Education, and, Eric K. Yamamoto, an internationally-recognized law professor who served as legal team counsel to Fred Korematsu in reopening his World War II Japanese-American internment case, talked about their experiences in the world of civil and human rights. Additionally, Cynthia Tai, who worked at the Office of the Prosecutor-International Criminal Court in The Hague from 2007-2013, Gregory Jackson, an international advisor on human rights, the military, and security sector reform, and, Omer Ismail, a political refugee and current policy advisor on crisis management and conflict resolution in Africa, with a particular emphasis on Sudan, discussed how the rule of law is applied in the international arena, including the International Criminal Court, and explored different models of transitional justice.

The James Madison Legacy Project

Based on the acclaimed *We the People: The Citizen and the Constitution* curriculum and funded by a United States Department of Education SEED grant, this three-year cohort series of professional development workshops is proving to be challenging and rewarding. The workshops are designed for middle and high

school Social Studies teachers, with preference given to teachers in schools with significant concentrations of high-needs students. Cohort 1 workshops took place during the Spring of 2016.

Civil Liberties and the Constitution

In celebration of Civil Liberties and the Constitution Day, the Hawaii State Bar Association Civic Education Committee and the King Kamehameha V Judiciary History Center conducted an evening program to recognize the winners of the Civic Education Committee's High School Essay Contest. During the presentation, Co-Founder of the Patsy Takemoto Mink Legislative Fellowship Program and Hawaii State Representative Della Au Belatti provided insight into the life of Congresswoman Mink, who broke gender barriers and set the ground work for women's equality in education. Author and retired judge Leslie Ann Hayashi spoke about the significance of the Magna Carta to introduce a temporary exhibition in the rotunda of Ali'iōlani Hale.

Law-Related Education in Hawaii

The Center, working with the Hawai'i State Bar Association Civic Education Committee, and the Hawai'i State Department of Education, offered a unique learning opportunity for public and private high school social studies teachers in Civics, Government, and U.S. History. Teachers received an immersive experience designed to showcase successful law related education teaching methodology. Workshop instructors, Melinda Cooperman, J.D., LL.M., Associate Director of the Marshall-Brennan Constitutional Literacy Project, and Efrain Marimon, M.S. Ed., J.D., LL.M., Instructor of Education at Pennsylvania State University, modeled a number of different lessons and techniques for teachers, addressing contemporary and controversial issues related specifically to Hawai'i, and worked with teachers to craft lessons that are substantively legal in nature, experiential, and tied to Hawai'i State Department of Education standards and the C3 Framework.

Public Programs

Alaka'i: Traditional and Modern Leadership

What were the qualities of a good leader in traditional Hawai'i? What qualities do we look for in leaders today? What are the qualities needed to lead Hawai'i into the future? In July, Malcolm Naea Chun shared his research on the role of ali'i in traditional Hawaiian culture and how the qualities inherent in a good chief should play a role in Hawai'i as we move forward. Brendan Burns, the grandson of the late Governor John Burns, discussed the leadership attributes associated with his grandfather, a man from humble beginnings who went on to become one of the most celebrated leaders in modern Hawai'i.

Doing Legal History

In August, historian and researcher, Anita Manning, shared her years of knowledge and experience in where to go, who to see, and what you can find in examining legal and other historical documents. In her presentation, Doing Legal History, Anita's wealth of knowledge on the ins-and-outs of research helped make the hunt for information easier, less frustrating, and more fruitful for those who attended.

International Criminal Law Forums

Human rights violations occur on a daily basis all over the world. How are these injustices addressed? What legal institutions are used to hold perpetrators accountable and what are their limitations? In December, in recognition of International Human Rights Day, the Center convened a panel examining international criminal law and the various forums used to address atrocities and hold individuals responsible for the crimes they commit. Cynthia Tai, who worked at the Office of the Prosecutor-International Criminal Court in The Hague from 2007-2013, Gregory Jackson, an international advisor on human rights, the military, and security sector reform, and, Omer Ismail, a political refugee and current policy advisor on crisis management and conflict resolution in Africa, with a particular

emphasis on Sudan, discussed how the rule of law is applied in the international arena, including the International Criminal Court, and explored different models of transitional justice.

Hawaii's First African-American Lawyer

Even though African-Americans have been part of the Hawaiian cultural landscape for over two centuries, not many people know of their contribution to Hawaii's rich history. What brought them here? How were they received? In February of 2016, the Judiciary History Center, in partnership with the African-American Diversity Cultural Center Hawai'i, presented a program to broaden the awareness of the contributions of African-Americans to Hawaiian society over the last two centuries.

In celebration of African-American contributions to Hawaii's legal history, Dr. Albert Broussard, professor in the Department of History at Texas A&M University, shared the story of Thomas McCants Stewart, Hawaii's first African-American attorney. Dr. Broussard recounted Stewart's journey from South Carolina to such places as New York, London, Liberia, and Hawai'i. During his life, Stewart worked as a teacher, pastor, attorney, and Supreme Court Justice. A friend of Frederick Douglass, Booker T. Washington, and W.E.B. Du Bois, Thomas McCants Stewart lived a phenomenal life as an African-American in post-Reconstruction America and Territorial Hawai'i.



Visitor Attendance 2015-2016

Visitors	41,668
School Programs	<u>16,900</u>
TOTAL	58,568

Financial Statement 2015-2016

Personnel	\$237,884
Equipment	\$3,285
Expenses/Supplies	<u>\$11,159</u>
TOTAL	\$252,328



Executive Board

General administrative responsibilities for the Judiciary History Center rest with a five-member executive board appointed by the Chief Justice.



Troy Andrade is an Associate at McCorrison Miller Mukai MacKinnon LLP. He graduated from Pacific Lutheran University with a dual degree in Economics and Political Science, and received his law degree from the University of Hawai'i William S. Richardson School of Law. While in law school, Mr. Andrade served as managing editor for the University of Hawai'i Law Review, worked as a research assistant to Professor Eric K. Yamamoto, and authored an award-winning article. Prior to joining McCorrison Miller Mukai MacKinnon LLP in 2013, Mr. Andrade clerked for Chief Justice Mark E. Recktenwald of the Hawai'i Supreme Court. Mr. Andrade is admitted to practice before all of the courts in the State of Hawai'i as well as the United States District Court for the District of Hawai'i.



Marjorie Bronster graduated from Brown University and Columbia University Law School, where she was a Harlan Fiske Stone Scholar. She is the founding partner of Bronster Hoshibata and works on a broad variety of litigation and counseling matters. Prior to work at her law firm, Ms. Bronster was the Attorney General for the State of Hawai'i where she successfully led a years-long investigation into abuses by the trustees of the Kamehameha Schools/Bishop Estate charitable trust. She also won a multi-billion dollar Master Settlement Agreement from tobacco companies on behalf of the State of Hawai'i.



Dr. Brandy Nālani McDougall received her Ph.D. in English from the University of Hawai'i at Mānoa where she specialized in Contemporary Kanaka Maoli Literature. She is an Assistant Professor of Indigenous Studies in the American Studies Department at the University of Hawai'i, Mānoa. Her research interests include Native Literatures, Pacific Studies, Indigenous Critical Theory, Neocolonial/Postcolonial/Colonial Studies, American Imperialism in the Pacific, Native American/First Nations Studies, American Cultural/Ethnic studies, Decolonizing Methodologies, and Indigenous Rights/Sovereignty Movements.



Associate Justice Sabrina McKenna received her B.A. in Japanese in 1978 from the University of Hawai'i at Mānoa, and her J.D. in 1982 from the William S. Richardson School of Law. Justice McKenna practiced at Goodsill Anderson Quinn & Stifel until 1987, then became in-house counsel to Otaka, Inc., a Japan-based international business organization, until 1990. From 1991 to 1993, she was an Assistant Professor at WSRS. She became a state District Court judge in late 1993, then a First Circuit Court judge in 1995, eventually serving as Senior Judge of the Family Court of the First Circuit.



Thao T. Tran joined Kobayashi, Sugita & Goda in 2008 as an associate practicing in the areas of Labor and Employment Law. She received her Juris Doctor degree from Northeastern University School of Law in Boston and her Bachelor of Arts degree in Classical Studies, *summa cum laude*, from the University of Massachusetts at Amherst. Prior to joining the firm, Ms. Tran served as a law clerk for Hawai'i's Honorable Chief Justice Ronald T.Y. Moon.

Friends of the Judiciary History Center

In 1983, Chief Justice Herman Lum appointed the first **Friends of the Judiciary History Center** board as an advisory group to support the Judiciary's development of the Judiciary History Center. In 1984, the Friends of the Judiciary Center of Hawai'i qualified as a tax exempt organization. The Friends help support a wide range of exciting educational programs which teach about law and the judicial system.

Board of Directors

Sunny Lee, President
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Troy Andrade	Puakea Nogelmeier
Arnold Hori	Avis Poai
Ruth Horie	Victoria Szymczak
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Paul Nahoia Lucas	Roberta Woods
Dore Minatodani	

Personnel

Matt Mattice, Executive Director
Keahe Davis, Education Specialist
Toni Han Palermo, Program Specialist*
David Cypriano, Education Assistant

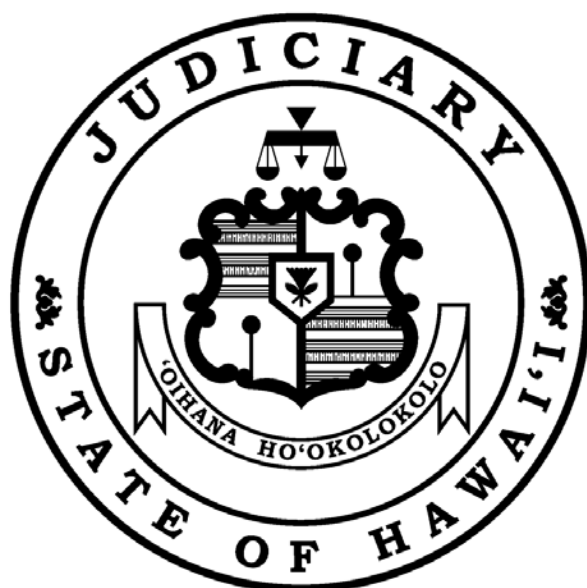


The staff of the Center celebrate Toni's retirement.

*Toni Han Palermo retired on June 30. We are sorry to see her go and thank her for her years of service to the Judiciary.

**REPORTS TO THE TWENTY-NINTH LEGISLATURE
2017 REGULAR SESSION**

**SUBMITTED BY
THE OFFICE OF THE ADMINISTRATIVE DIRECTOR OF THE COURTS
THE JUDICIARY, STATE OF HAWAII**



DECEMBER 2016

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THE JUDICIARY, STATE OF HAWAII

DECEMBER 2016

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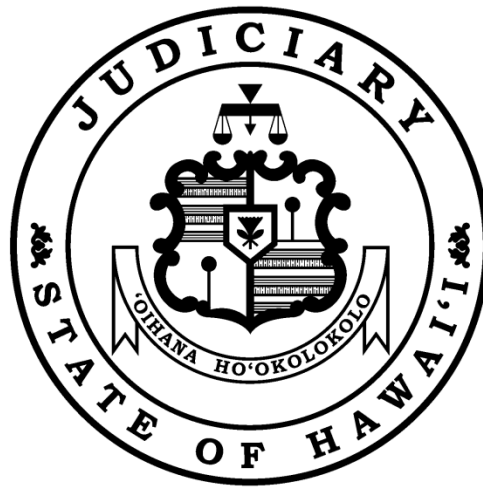
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**ANNUAL REPORT TO THE TWENTY-NINTH LEGISLATURE
2017 REGULAR SESSTION**

ON

**ACT 232, SESSION LAWS OF HAWAI'I 1994
HRS § 601-3.6**

A Report on the Spouse and Child Abuse Special Account



Prepared by:

**Circuit Court, First Circuit
The Judiciary, State of Hawai'i**

December 2016

**ANNUAL REPORT TO THE TWENTY-NINTH LEGISLATURE
2017 REGULAR SESSION**

ON

**ACT 232, SESSION LAWS OF HAWAI'I 1994
HRS § 607-3.6**

A Report on the Spouse and Child Abuse Special Account

This report is respectfully prepared pursuant to Act 232, Session Laws of Hawai'i 1994, Hawai'i Revised Statutes (HRS) § 601-3.6, which requests an annual report on the Spouse and Child Abuse Special Account.

The Spouse and Child Abuse Special Account, placed in the Judiciary, was created by the Legislature, State of Hawai'i, in 1994 for "staff programs, and grants or purchase of service, consistent with chapters 42F and 103F, that support or provide spouse or child abuse intervention or prevention as authorized by law. These proceeds shall be used for new or existing programs and shall not supplant any other funds previously allocated to these programs."

The Judiciary's Special Account is financed through a portion of the monies collected by the Department of Health from the issuance of birth, death, and marriage certificates. In addition, any fines collected pursuant to HRS § 586-11 (Violation for an Order of Protection) and contributions from state tax refunds are deposited into the Judiciary's Special Account.

PROGRAMS AND ACTIVITIES FUNDED THROUGH THE SPOUSE AND CHILD ABUSE SPECIAL ACCOUNT

Monies from the Judiciary's Special Account continues to provide funding for a broad range of programs, projects and activities statewide, which addresses interventions in domestic violence and the prevention of child abuse and neglect. The process of determining which services, programs and activities received funding involved internal planning and collaboration within the Judiciary, as well as coordination with private and public stakeholders in the community.

The following programs, projects and activities were funded by the Judiciary's Special Account in Fiscal Year 2016:

PURCHASE OF SERVICE PROGRAMS:

The following nonprofit organizations named below received funding to provide or supplement their contracted services with the Judiciary:

- Child and Family Service/Turning Point for Families (Hawai'i Island)
Funding was used to restore some of the core domestic violence services which had been significantly reduced due to budget cuts. The specific services funded included the following:
 - Victim support counseling
 - Assistance in preparation of temporary restraining orders
 - Advocacy for victims

A total of 1,279 unduplicated clients received services. These services involved 1,123 clients who requested assistance in filing for temporary restraining orders and advocacy services to 1,749 (duplicated) clients.

- Child and Family Service/Developing Options to Violence (O'ahu)
The Developing Options to Violence program provided specialized domestic violence intervention services to adolescents on the island of O'ahu. These adolescents were adjudicated in Family Court for the abuse of a household or family member, or a related domestic violence charge. Efforts also involved outreach to engage family members of the juveniles in services.
- Domestic Violence Action Center (O'ahu)
The following advocacy services for victims of domestic violence were provided by the Domestic Violence Action Center:
 - Advocacy and support services for victims filing temporary restraining order
 - Civil legal services
 - Hotline services (information and referrals)
 - Case management
- Island of Hawai'i YMCA
Supervised child visitation and exchange services were provided for families involved in domestic violence and/or high conflict cases by the Family Visitation Center. Services were provided to approximately 80 families from the island of Hawai'i. Referrals were made by the Family Court in the Third Circuit for parents with temporary restraining orders, or (permanent) orders of protection. Services were limited to East Hawai'i, although there is also a demand for services throughout the entire island, including rural areas.
- Parents and Children Together/Family Peace Center
Funding was provided to the Family Peace Center on Oahu to supplement essential domestic violence services. The specific services provided included:
 - Victim advocacy and support groups
 - Counseling and/or case management for adult victims
 - Counseling for children exposed to violence
 - Counseling for adolescents and other family members referred to the court for family abuse
 - Batterers intervention program services
 - Information and referrals

- Parents and Children Together/Family Visitation Center
Supervised child visitation and exchange services were provided to court referred families on the islands of O‘ahu and Kaua‘i. On O‘ahu, Parents and Children Together (PACT) provided services to all referrals despite exhaustion of funds before the end of the fiscal year. This has been a recurring trend for the PACT Family Visitation Center on O‘ahu. The majority of referrals involved temporary restraining orders and orders of protection, however, other referrals involved divorce, child custody and paternity cases.

The PACT Family Visitation Center in Kapa‘a, the newest visitation center in the state, is minimally staffed. During FY 16 the Center provided services to 21 families.

- YWCA of Kaua‘i/Domestic Violence Intervention Alternatives to Violence Juvenile Program
Funding of this program allowed the provision of services to 10 juveniles referred from the Family Court. The program also worked with family members and the juvenile’s probation officers, when needed.

Many of the juveniles in treatment have displayed increased understanding and empathy of others, increase in self-awareness, development of interpersonal skills and academic improvement.

FEDERAL GRANT PROJECTS

Matching funds from the Judiciary’s Special Account were used for the federally funded Judiciary grant projects listed below:

- State Access and Visitation Program Grant
This formula grant is awarded to the Judiciary annually by the U.S. Department of Health and Human Services, Office of Child Support Enforcement, to provide supervised child visitation and exchange services in a safe setting. The Federal grant funds and matching funds from the Special Account were used to provide these services on the islands of O‘ahu and Hawai‘i. Priority was given to those cases involved in domestic violence, or other high conflict situations. Although the grant, in the amount of \$100,000 required a 10% match (equivalent to \$11,000), \$56,000 in matching funds from the Special Account were allocated to these services, in response to the high volume of services requested at both sites. The two non-profit agencies receiving purchase of service contracts were Parents and Children Together/Family Visitation Center on Oahu and the Island of Hawaii YMCA in East Hawai‘i.
- STOP Violence Against Women Act Grant/Conducting a Safety Assessment
Matching funds from the Special Account were used to complete a Community Safety Assessment (CSA) in the City and County of Honolulu. The CSA is a

problem solving process to assist communities who are interested in determining gaps in various systems which can be identified, and recommendations made to improve the safety of domestic violence victims and their families.

The CSA has been used in many jurisdictions and is recognized as a best practice in domestic violence. Although the concept was introduced over ten years ago there were no resources and capacities for any group to use this tool in Hawai'i. Besides the Judiciary, others engaged in the current CSA project includes the Department of the Attorney General, Department of Human Services, Honolulu Police Department, the Hawai'i State Coalition Against Domestic Violence, the Domestic Violence Action Center, and others.

The focus of the Honolulu CSA is to determine "How does our temporary restraining order/order of protection application and issuance process allow us to keep victims safe, and thereby, hold offenders accountable?"

A multi-disciplinary Assessment Team was involved in activities and tasks which reviewed policies and procedures of the systems involved, conducted focus groups and interviews, and observed court hearings and programs. To ensure accuracy of findings, it was necessary to redraft the CSA report several times during the period from February to June 2016. The final report was expected to be finished around July or August of 2016.

- Stop Violence Against Women Grant/Examining Batterers Intervention Programs

\$15,513 in special account funds was designated to provide the match to this federal grant. In April 2016, a statewide, multi-disciplinary conference featuring national experts in domestic violence was sponsored by the Judiciary, First Circuit Court. Among those in attendance at this one day training were judges, probation and parole officers, police, prosecutors, public defenders, representatives from the Department of Public Safety, Department of Human Services, Department of Health, U.S. Probation, the military, domestic violence service providers and advocates, and others.

The conference focused on the following: evolution and current status of batterers intervention programs; current research, best practices in programs and controversies; best practices for judges and criminal justice personnel; working with batterers within Hawaii's diverse cultural context; and the role of batterers intervention programs within the coordinated community response to domestic violence.

In addition to providing this conference, a one day workshop was also held exclusively for organizations providing services to domestic violence perpetrators. This was attended by programs contracted by the Judiciary to provide these specialized services, as well as all of the military programs on O'ahu. The

workshop provided an opportunity to determine and discuss what curricula, as well as practices, were currently employed.

- Stop Violence Against Women Grant/Trauma and Domestic Violence

Two national speakers, Joan Maier, J.D., and Joyanna Silberg, Ph.D. were retained to provide training at the September 2015 Family Court Symposium held at the Ronald T.Y. Moon Kapolei Court for all Family Court judges and administrators statewide.

This training focused on child custody and visitation when there is domestic violence and covered such areas as the role of adult and child abuse allegations in custody litigation, prioritizing the safe of children and victims, batterers in court, safety during post-separation, and the psychological effects of reunification plans.

TRAININGS, MEETINGS, OTHER EXPENSES

Monies from the Special Account were used for the following:

- \$10,000 was used to supplement a contract with a private therapist to work with clients in the Girls Court of the Family Court on O'ahu. This specialized court is designed to work with female juveniles referred to the juvenile justice system. Since the inception of this court, the majority, if not all, of the girls referred have evidenced trauma issues relevant to child, sexual, and/or domestic violence in various forms. The Girls Court on O'ahu which was established as one of the first of its kind has been recognized as a national model for other courts throughout the nation.
- Family Court Symposium (September 2015)
Monies from the special account were also used to cover additional costs for the Symposium, including air and ground transportation, lodging/parking, and airport parking for the neighbor island attendees, and supplies.
- Hawai'i State Coalition Against Domestic Violence Annual Conference (September 2015)
\$5,000 was allocated to co-sponsor this annual statewide domestic violence conference.
- Purchase of hard copies of the Spousal Abuse Risk Assessment (SARA) to be used by probation officers in all circuits. The SARA is a validated domestic violence risk assessment used with domestic violence offenders. While it is usually applied electronically, new officers who have not been certified must initially use hard copies of the assessment.

- Three judges from the Family Courts on the islands of Hawai'i, Maui and O'ahu attended a national training, "Enhancing Judicial Skills in Domestic Violence", which was held in October 2015 and April 16, 2016 in Florida and Arizona, respectively. This training has been established exclusively for judges and has been the leading venue for judges hearing civil and/or criminal domestic violence cases.

The Judiciary has found that sending judges to this specialized four day institute in the past has proven to be extremely beneficial in providing knowledge, developing skills, and ultimately promoting the safety of victims and children.

- "Officer Safety Training: Natural Response Control Tactics" was held on Oahu for 30 selected adult probation officers throughout the state. The five session training was provided in recognition of the high risk situations which officers may be placed in, both in the office and the community. Officers were taught how to employ control tactics in a manner that will minimize the risk of injury to both the staff member and the aggressor. Those receiving the training were tasked to teach other staff members of their respective sections the information provided.

Special account funds supported this training by providing supplies and light snacks.

- Maintenance of an electronic database containing assessment scores of domestic violence offenders on probation in the state was provided by \$3,600 from the account.
- Subscriptions to professional journals on domestic violence were purchased.

SPECIAL FUND ASSESSMENT(ACT 34, SLH 1964)

The Special Fund Assessment fee for FY 2016 was \$24,672, an increase of \$2,817 from the previous fiscal year.

SUMMARY

The Judiciary's Spouse and Child Abuse Special Account continues to enable the Judiciary to develop, implement and maintain a proactive stance in achieving the mission of HRS § 601-3.6, to support and provide spouse or child abuse intervention or prevention in the State of Hawai'i. One of the major strengths in the establishment of the Special Account has been the discretion given to the Judiciary, which has encouraged and

allowed funding for a comprehensive range of services and activities, which would have not been possible otherwise. As a result, services for victims of domestic violence have been maintained and appropriate and effective intervention services for victims, children, and offenders remain available.

The opportunity for training of judges and Judiciary staff on a wide range of important and inter-connected issues relating to domestic violence and child abuse and neglect continues to be possible and addresses an on-going need.

The Judiciary remains committed to the responsible use of monies from the Special Account to promote the safety and well-being of domestic violence and child abuse and neglect victims and family members, the accountability of offenders, and to taking a strong and committed stance on these important issues.

**THE JUDICIARY
SPOUSE AND CHILD ABUSE SPECIAL ACCOUNT
EXPENDITURES FOR FISCAL YEAR 2015-2016**

3001	EDUCATIONAL SUPPLIES	\$98.00
3203	PRINTED FORMS	\$284.50
3209	OTHER STATIONERY AND OFFICE SUPPLIES	\$94.00
3301	FOOD SUPPLIES	\$17,695.93
3502	SUBSCRIPTIONS	\$771.85
4102	CAR MILEAGE	\$13.00
4201	TRANSPORTATION, INTRA-STATE - EMPLOYEES	\$1,236.04
4202	TRANSPORTATION, INTRA-STATE - OTHERS	\$611.49
4301	SUBSIST ALLOWANCE, INTRA-STATE - EMP	\$677.04
4302	SUBSIST ALLOWANCE, INTRA-STATE - OTHERS	\$154.15
4401	TRANSPORT, OUT-OF-STATE - EMPLOYEES	\$4,037.19
4402	TRANSPORTATION, OUT-OF-STATE - OTHERS	\$1,481.52
4501	SUBSIST ALLOW, OUT OF STATE	\$3,815.03
4502	SUBSIST ALLOW, OUT-OF-STATE - OTHERS	\$1,472.43
4601	HIRE OF PASSENGER CARS - EMPLOYEES	\$528.68
4602	HIRE OF PASSENGER CARS - OTHERS	\$291.89
4801	OTHER TRAVEL	\$0.00
5503	OTHER RENTAL OF LAND, BUILDING OR SPACE	\$100.00
5603	OTHER RENTAL OF EQUIPMENT	\$1,000.00
6609	PURCHASE OF SERVICES CONTRACTS	\$492,734.09
6619	OTHER PUBLIC SUPPORT AND ASSISTANCE	\$53.00
7198	OTHER SERVICES ON FEE BASIS	\$12,701.00
7204	SPECIAL FUND ASSESSMENT (ACT 34, SLH 1964)	\$24,672.07
7215	OTHER MISCELLANEOUS CURR EXPENDITURES	\$222.50

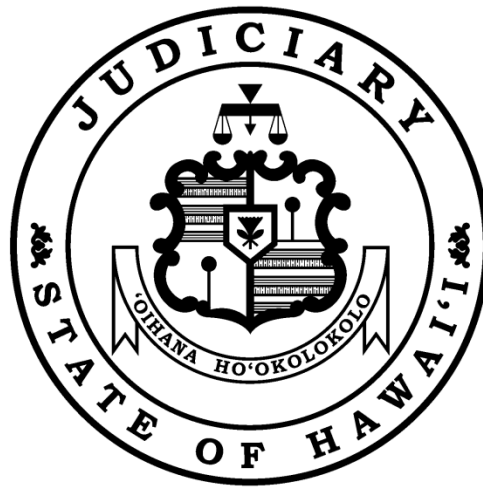
	TOTAL OTHER CURRENT EXPENSES	\$564,745.40
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**ANNUAL REPORT TO THE TWENTY-NINTH LEGISLATURE
2017 REGULAR SESSION**

ON

**ACT 274, SESSION LAWS OF HAWAI'I 1997
HRS §607-5.6**

A Report on the Parent Education Special Fund



Prepared by:

**Family Court, First Circuit
The Judiciary, State of Hawai'i**

December 2016

**ANNUAL REPORT TO THE TWENTY-NINTH LEGISLATURE
2017 REGULAR SESSION**

ON

**ACT 274, SESSION LAWS OF HAWAI'I 1997
HRS § 607-5.6**

A Report on the Parent Education Special Fund

The Parent Education Special Fund

Act 274, Session Laws of Hawai'i 1997, requires the Judiciary to submit a report on the Parent Education Fund.

The Parent Education Special Fund was established by the 1997 Legislature, State of Hawai'i, through Act 274. In 2003, HRS § 607-5.6 was amended to increase the Fund's surcharge to \$50 for family court matrimonial cases and to add the surcharge to paternity actions.

The Purpose of the Fund

Parents attending the Kids First parent education programs in Hawai'i are encouraged to refocus on their children's needs and learn how continued fighting will negatively impact the children. Parents are given parenting guides as well as island-specific printed material with information on resources for counseling, domestic violence, parenting classes, and anger management classes. They watch the award winning Purple Family movie and other video, and are encouraged to mediate rather than litigate their custody conflicts. The program assists children ages 6 – 17 cope with their parents' separation. Children learn that they are not the cause of their parents' divorce, that parents do not divorce their children, and that their family is not the only one going through a separation. Through mock trials teens learn about the court system. They are given resource materials and encouraged to seek counseling. A website was created for 24/7 information www.KidsFirstHawaii.com.

Current Programs

Each Circuit has a parent education program for separating and divorcing parents and their minor children (ages 6 – 17).

Judicial Circuit FY16	Adults Attending	Children Attending	FY16 Total
First (O'ahu)	2,868	1,721	4,589
Second (Maui)	405	243	648
Third (Hilo)	171	110	281
Third (Kona)	163	91	254
Fifth (Kaua'i)	236	127	363
Total:	3,843	2,292	6,135

Never-married parties contesting custody or visitation are also included in the Kids First program to teach them parallel parenting skills. On O’ahu in FY16, 3,782 new marital actions (divorce) were filed; half included families with minor children. Additionally, 1,073 paternity (unmarried parents) petitions, and 16 civil union divorces were filed.

Approximately 44% of O’ahu’s paternity cases involve contested custody or visitation issues. The remaining cases are filed by the Child Support Enforcement Agency seeking child support reimbursement. The O’ahu program alternates the program weekly between the Honolulu First Circuit Court and Ronald T.Y. Moon Kapolei Court.

The percentage of divorce filings in each Circuit mirrors each island’s population. The vast majority of the state’s cases are on O’ahu where 74% of the divorces and 64% of the paternity cases are filed. During FY16, the O’ahu Kids First divorce program assisted 4,589 individuals (2,868 adults and 1,721 children).

The paternity calendar consisting of unmarried families with children continues to expand. Currently in Hawai’i, over 41% of children are born to unmarried parents; this is comparable to the national average. In Hawai’i, 51% of mothers under age 30 are unmarried. Of the 1,070 paternity cases filed on O’ahu, 44% were private (non-CSEA cases). These cases involve child custody or visitation disputes.

Statewide, 99 parent education sessions were held serving a total of 6,135 people. Statewide revenue was \$121,375 which includes an interest amount of \$1,525. Total expenses were \$140,304.

On O’ahu, approximately 13% of families attending have active restraining orders and one-third of all divorces are filed by military personnel.

All parents are told:

- Children will thrive if they live in safe homes and are loved by both parents.
- Family violence is never appropriate and is extremely harmful to children.
- The court takes into account the safety of victims and children in making custody and visitation decisions.

Judicial Circuit	Census Population	Population % of state	Divorces # Filed	Divorce %	Paternity # Filed	Paternity %
FY16						
First (O’ahu)	963,607	70	3,782	74	1,073	64
Second (Maui)	156,674	11	532	10	170	10
Third (Hilo)	186,738	14	305	6	254	15
Third (Kona)	Incl. in Hilo	Incl. in Hilo	286	6	109	7
Fifth (Kaua’i)	67,701	5	212	4	64	4
Total:	1,374,720	100%	5,117	100	1,670	100

The Parent Education Special Fund began collecting filing fee surcharges and donations on July 1, 1997. The attached financial report reflects the eighteenth year of collections. The Parent Education continues to support all five of the Judiciary’s parent education program.

**THE JUDICIARY
PARENT EDUCATION SPECIAL FUND
AS OF 6/30/16**

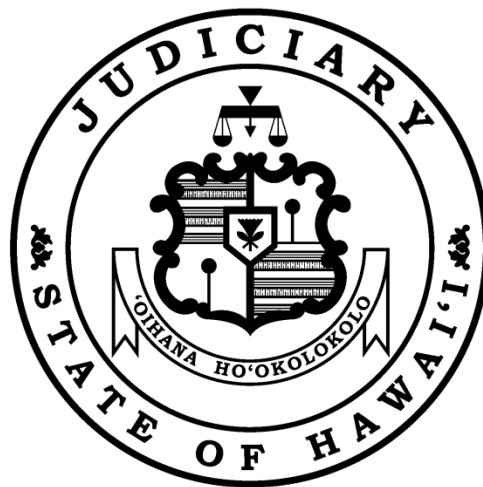
CODE	DESCRIPTION	FIRST CIRCUIT	SECOND CIRCUIT	THIRD CIRCUIT	FIFTH CIRCUIT	TOTAL
0288	REVENUES INTEREST	1,525				1,525
0763	SURCHARGE	92,050	11,900	11,600	4,300	119,850
	TOTAL REVENUES	93,575	11,900	11,600	4,300	121,375
	<u>OTHER CURRENT EXPENSES & ENCUMBRANCES</u>					
2902	SECURITY SERVICES	12,293	2,825		2,816	17,934
3204	DUPLICATING SUPPLIES	1,211				1,211
3206	DATA PROCESSING SUPPLIES	769				769
3209	OTHER STATIONERY AND OFFICE SUPPLIES	552				552
3301	FOOD SUPPLIES	6,107			1,125	7,232
3701	POSTAGE	291				291
3901	PRINTING AND BINDING	647				647
4101	CAR MILEAGE - EMPLOYEES	90				90
4102	CAR MILEAGE - OTHERS	844				844
4401	TRANS OUT OF STATE - EMPLOYEES	2,068				2,068
4501	SUBSISTENCE OUT OF STATE - EMPLOYEES	2,877				2,877
4601	HIRE OF PASSENGER CARS - EMPLOYEES	125				125
5503	OTHER RENTALS (PARKING PASS)	100				100
6619	OTHER PUBLIC SUPPORT & ASSISTENCE	2,655				2,655
7131	INTERPRETER FEES	1,989				1,989
7198	OTHER SERVICES ON FEE BASIS	50,076	15,000	23,438	4,700	93,214
7204	SPECIAL FUND ASSESSMENT (ACT 34, SLH 1964)	6,187				6,187
7205	TRAINING COSTS AND REGISTRATION FEES	1,320				1,320
7215	OTHER MISC CURRENT EXP	200				200
	TOTAL OTHER CURRENT EXPENSES	90,400	17,825	23,438	8,641	140,304

**ANNUAL REPORT TO THE TWENTY-NINTH LEGISLATURE
2017 REGULAR SESSION**

ON

**ACT 162, SESSION LAWS OF HAWAI'I 2002
HRS § 577-7.5**

A Report on Parental Preferences in Government Contracts



Prepared by:

**Financial Services Department
Office of the Administrative Director of the Courts
The Judiciary, State of Hawai'i**

December 2016

**ANNUAL REPORT TO THE TWENTY-NINTH LEGISLATURE
2017 REGULAR SESSION**

ON

**ACT 162, SESSION LAWS OF HAWAI'I 2002
HRS § 577-7.5**

A Report on Parental Preferences in Government Contracts

Act 162, Session Laws of Hawai'i 2002, HRS § 577-7.5, provides that Judiciary contracts, programs, and services shall not favor one parent over the other in terms of child rearing and that the Judiciary will provide an annual report to the Legislature on the implementation of this section.

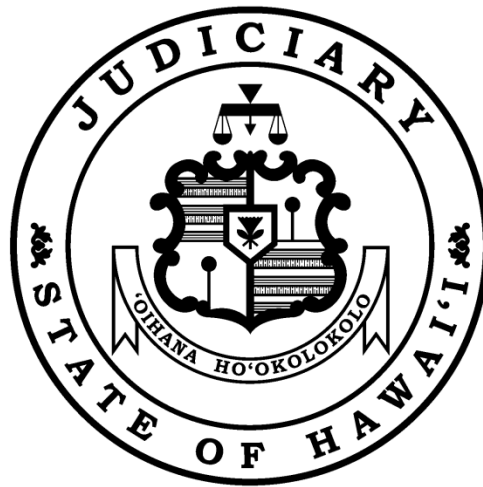
The Judiciary respectfully reports that its program administrators, program specialists and contracting officers are continuing to monitor all contracts to ensure compliance with this act. In addition to using standard contract boilerplates, the Judiciary staff attorney assures compliance with all applicable laws by reviewing these contracts prior to finalization. No policies and procedures in the contracting of individuals or groups providing contractual services to the Judiciary have ever reflected in the past, nor will they ever reflect in the future, any parental preference.

**ANNUAL REPORT TO THE TWENTY-NINTH LEGISLATURE
2017 REGULAR SESSION**

ON

**ACT 40, SESSION LAWS OF HAWAI'I 2004
HRS §601-21**

**A Report on Statewide Substance Abuse Treatment
Monitoring Program**



Prepared by:

**Adult Client Services Branch, First Circuit
The Judiciary, State of Hawai'i**

December 2016

**ANNUAL REPORT TO THE TWENTY-NINTH LEGISLATURE
2017 REGULAR SESSION**

ON

**ACT 40, SESSION LAWS OF HAWAI'I 2004
HRS § 601-21**

**A Report on Statewide Substance Abuse Treatment
Monitoring Program**

Hawai'i Revised Statutes § 601-21 requires the Judiciary: (a) to collect data in accordance with HRS § 321-192.5 from any circuit court, adult probation, and any provider of substance abuse treatment that provides substance abuse treatment to persons served through public funds administered by the judiciary; and (b) to include in the contract with any treatment provider all criteria established by the department of health pursuant to HRS § 321-192.5 to determine whether the treatment provider is achieving success in treating individuals with substance abuse.

The Judiciary's efforts to comply with the above-referenced statute are outlined below.

- The Judiciary continues to include language in its Requests for Proposals and existing contracts with substance abuse treatment providers to hold programs accountable for complying with Department of Health (DOH) criteria to determine success in treating individuals with substance abuse.
- The Judiciary received available data taken from the Web Infrastructure for Treatment Services (WITS) information system. Reports from WITS are attached. It is noted that some of the Judiciary's contracted providers were not Alcohol and Drug Abuse Division (ADAD) providers, thus numbers were taken for these programs from Caseload Explorer (CE), the Judiciary statewide Adult Client Services Branch (ACSB) case and management information system for probation. These statistics must be considered preliminary as ACSB still needs to ensure that all program data is entered in a timely manner.

It is noted that the data provided by ADAD is based on information provided by treatment providers. Some of this information does not match that contained in CE, and WITS administrators are currently taking steps to clarify data fields to ensure that data is accurate. ACSB must also increase data entry accuracy for probationers by insuring that there is consistency in the way data is entered and interpreted.

The Department of Health ADAD/WITS reported data in the tables shown below. The tables do not provide all the data requested by Act 40. However, the reports indicate that efforts are being made to collect information. The Judiciary desires to make enhancements to CE to more fully provide required reports, but the lack of funding has hampered work in

this area. ACSB statewide, however, is willing to work with ADAD to more effectively pursue compliance with the reporting requirements of HRS § 601-21.

The following FY 16 statewide probation data was also obtained from CE:

- 430 unduplicated adults entered 438 programs with 474 admits in FY 16. The higher number of admits reflect clients being admitted to treatment more than once during the year.
- 4,557 offenders were active in treatment during the same year
- Of the 4,557 offenders, 3,521 were males, 1,014 were females, and 22 were unspecified.
- Treatment services include assessments, education, motivational enhancement, outpatient, intensive outpatient, day and residential care, with continuing care following core treatment. Special needs, including those for pregnant and parenting women and individuals with co-occurring (mental health and substance abuse) disorders have been addressed by treatment programs.
- Through the efforts of the Interagency Council on Intermediate Sanctions, programs have been evaluated using the Correctional Program Checklist (CPC) to determine how much in alignment programs are with the application of effective practices in working with offenders. Most programs are beginning to look at their programming and are working toward adopting and adapting to these principles.
- The CPC assessment team continues to be active in supporting the vendors as they begin to implement some of these practices, by providing opportunities for greater interaction between programs and the criminal justice system through training. Probation officers are consistently transmitting Level of Services Inventory-Revised data which provide vendors with the risk (to recidivate) classification of referred offenders to address dosage and treatment placement.
- Clients from Neighbor Islands had to travel to O'ahu, Maui or the Big Island for residential type placements, reflecting the need for higher levels of substance abuse treatment on all islands:

Neighbor Island Referrals for Residential Treatment				
Treatment Providers Referred To	Big Island 3rd CC	Kauai 5th CC	Maui 2nd CC	Subtotal
<u>Oahu</u>				
Habilitat	6	1		7
Hina Mauka	17	1		18
Hoomau Ke Ola	12	1		13
Kahi Mohala				
Poailani	11	1		12
Salvation Army ATS	17			17
Salvation Army Adult Rehab Center	1	1		2
Sand Island Treatment Cntr	15	1		16
Veterans Administration	1			1
Total Referred to Oahu				69
<u>Big Island</u>				
BISAC	64			64
Bridge House	4			4
Teen Challenge	4			4
Total Referred to Big Island				72
<u>Maui</u>				
Aloha House	6		1	7
Total Referred to Maui				7
Total NI Referrals				148

Table 1.1 Number of Judiciary Referrals by Island

This report counts the number of referrals made by the Judiciary to providers. Services for these referrals may not have been paid for by the Judiciary. Counts are unduplicated within a provider agency and in the Total column and rows.

Fiscal Year	Age Group	Provider Agency	Island (# of Clients)							
			Hawaii	Kauai	Lanai	Maui	Molokai	Oahu	Total	
2016	Adult	Action with Aloha, LLC						30	30	
		Alcoholic Rehabilitation Services of Hawaii, Inc						837	837	
		Aloha House, Inc.			8	379			387	
		Big Island Substance Abuse Council	416						416	
		Bridge House, Inc	54						54	
		CARE Hawaii, Inc.	168	14		140		531	853	
		Hale Ho'okupa'a					29		29	
		Ho'omau Ke Ola						107	107	
		IHS, The Institute for Human Services, Inc.						12	12	
		Institute for Family Enrichment LLC						1	1	
		Ka Hale Pomaika'i					14		14	
		Kline-Welsh Behavioral Foundation						193	193	
		Kokua Support Services						16	16	
		Ku Aloha Ola Mau	35						35	
		Malama Na Makua A Keiki				83			83	
		Mental Health Kokua						43	43	
		Po'ailani, Inc						14	14	
		Salvation Army-ATS						650	650	
		Salvation Army-FTS						28	28	
		The Queen's Medical Center						68	68	
	Waianae Coast Comprehensive Health Center						240	240		
	Women In Need			4			3	7		
	Young Men's Christian Association of Honolulu						1	1		
	AGE GROUP TOTAL			673	18	8	602	43	2,774	4,118
	Children	Alcoholic Rehabilitation Services of Hawaii, Inc						8	8	
		Big Island Substance Abuse Council	24						24	
		Bobby Benson Center						2	2	
		CARE Hawaii, Inc.						139	139	
		Hale Ho'okupa'a					2		2	
Malama Na Makua A Keiki					3			3		
Maui Youth and Family Services, Inc					2			2		
Salvation Army-FTS							6	6		
Young Men's Christian Association of Honolulu							2	2		

		AGE GROUP TOTAL	24			5	2	157	188
		FISCAL YEAR TOTAL	697	18	8	607	45	2,931	4,306

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Table 1.2 Number of Judiciary Referred Clients Admitted by Island, Agency, and Gender

This report counts all clients that the providers have indicated were referred to them by the Judiciary and admitted into a treatment regime. Service rendered to Judiciary referred clients may not have been paid for by the Judiciary.

Fiscal Year	Island	Age Group	Provider Agency	Client Gender (# of Clients)			
				Female	Male	Total	
2016	Hawaii	Adult	Big Island Substance Abuse Council	81	335	416	
			Bridge House, Inc	15	39	54	
			CARE Hawaii, Inc.	30	138	168	
			Ku Aloha Ola Mau	17	18	35	
		AGE GROUP TOTAL	143	530	673		
		Children	Big Island Substance Abuse Council	18	6	24	
			AGE GROUP TOTAL	18	6	24	
	ISLAND TOTAL				161	536	697
	Kauai	Adult	CARE Hawaii, Inc.	7	7	14	
			Women In Need		4	4	
			AGE GROUP TOTAL	7	11	18	
		ISLAND TOTAL				7	11
	Lanai	Adult	Aloha House, Inc.		8	8	
			AGE GROUP TOTAL		8	8	
		ISLAND TOTAL					8
	Maui	Adult	Aloha House, Inc.	89	290	379	
			CARE Hawaii, Inc.	24	116	140	
			Malama Na Makua A Keiki	83		83	
			AGE GROUP TOTAL	196	406	602	
		Children	Malama Na Makua A Keiki	3		3	
			Maui Youth and Family Services, Inc		2	2	
			AGE GROUP TOTAL	3	2	5	
	ISLAND TOTAL				199	408	607
	Molokai	Adult	Hale Ho'okupa'a	4	25	29	
			Ka Hale Pomaika'i	7	7	14	
			AGE GROUP TOTAL	11	32	43	
		Children	Hale Ho'okupa'a		2	2	
			AGE GROUP TOTAL		2	2	
	ISLAND TOTAL				11	34	45
	Oahu	Adult	Action with Aloha, LLC	4	26	30	
			Alcoholic Rehabilitation Services of Hawaii, Inc	199	638	837	
			CARE Hawaii, Inc.	118	413	531	
			Ho'omau Ke Ola	53	54	107	
			IHS, The Institute for Human Services, Inc.	3	9	12	
			Institute for Family Enrichment LLC	1		1	
			Kline-Welsh Behavioral Foundation	39	154	193	
			Kokua Support Services	6	10	16	
			Mental Health Kokua	6	37	43	
			Po'ailani, Inc	3	11	14	
			Salvation Army-ATS	80	570	650	
			Salvation Army-FTS	28		28	
			The Queen's Medical Center	25	43	68	

		Waianae Coast Comprehensive Health Center	53	187	240
		Women In Need	2	1	3
		Young Men's Christian Association of Honolulu		1	1
		AGE GROUP TOTAL	620	2,154	2,774
	Children	Alcoholic Rehabilitation Services of Hawaii, Inc	1	7	8
		Bobby Benson Center	1	1	2
		CARE Hawaii, Inc.	41	98	139
		Salvation Army-FTS		6	6
		Young Men's Christian Association of Honolulu	2		2
		AGE GROUP TOTAL	45	112	157
		ISLAND TOTAL	665	2,266	2,931
		FISCAL YEAR TOTAL	1,043	3,263	4,306

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Table 1.3 Number of Clients Admitted by Gender and Agency

Fiscal Year	Island	Client Gender	Age Group	Provider Agency	Referred By (# of Admissions)						
					Adult Probation	Family Drug Court	Hawaii Drug Court	Veterans Treatment Court	Total		
2016	Oahu	Female	Adult	Action with Aloha, LLC	1				1		
				CARE Hawaii, Inc.	9				9		
				Hina Mauka	24	1			25		
				Ho'omau Ke Ola	7	5	1		13		
				Kline-Welsh Behavioral Foundation	2		1		3		
				Kokua Support Services	6				6		
				Salvation Army-ATS	4		1		5		
				Salvation Army-FTS	5	15			20		
				The Queen's Medical Center	4				4		
				Waianae Coast Comprehensive Health Center	48	3			51		
			AGE GROUP TOTAL	109	23	3		135			
			Children	Salvation Army-FTS	2	3			5		
		AGE GROUP TOTAL		2	3			5			
		GENDER TOTAL					111	26	3		140
		Male	Adult	Action with Aloha, LLC	17				17		
				CARE Hawaii, Inc.	53				53		
				Hina Mauka	94	1	2		97		
				Ho'omau Ke Ola	12	2	1		15		
				Kline-Welsh Behavioral Foundation	15		5	5	25		
				Kokua Support Services	8				8		
				Salvation Army-ATS	65		2		67		
				The Queen's Medical Center	12				12		
				Waianae Coast Comprehensive Health Center	179	2			181		
				Women In Need	1				1		
			AGE GROUP TOTAL	452	4	10	5	471			
			Children	Salvation Army-FTS	2	2			4		
				AGE GROUP TOTAL	2	2			4		
GENDER TOTAL					454	6	10	5	475		
ISLAND TOTAL					565	32	13	5	615		
FISCAL YEAR TOTAL					565	32	13	5	615		

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Table 2.1 Number of Clients Admitted by Agency and Court Type

Fiscal Year	Island	Age Group	Provider Agency	Referred By (# of Admissions)				Total
				Adult Probation	Family Drug Court	Hawaii Drug Court	Veterans Treatment Court	
2016	Oahu	Adult	Action with Aloha, LLC	18				18
			CARE Hawaii, Inc.	62				62
			Hina Mauka	118	2	2		122
			Ho'omau Ke Ola	19	7	2		28
			Kline-Welsh Behavioral Foundation	17		6	5	28
			Kokua Support Services	14				14
			Salvation Army-ATS	69		3		72
			Salvation Army-FTS	5	15			20
			The Queen's Medical Center	16				16
			Waianae Coast Comprehensive Health Center	227	5			232
			Women In Need	1				1
		AGE GROUP TOTAL	561	27	13	5	606	
		Children	Salvation Army-FTS	4	5			9
			AGE GROUP TOTAL	4	5			9
ISLAND TOTAL			565	32	13	5	615	
FISCAL YEAR TOTAL			565	32	13	5	615	

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Table 2.2 Number of Clients Admitted by Island, Agency and Gender

Fiscal Year	Island	Age Group	Provider Agency	Client Gender (# of Admissions)		
				Female	Male	Total
2016	Oahu	Adult	Action with Aloha, LLC	1	17	18
			CARE Hawaii, Inc.	9	53	62
			Hina Mauka	25	97	122
			Ho'omau Ke Ola	13	15	28
			Kline-Welsh Behavioral Foundation	3	26	29
			Kokua Support Services	6	8	14
			Salvation Army-ATS	5	67	72
			Salvation Army-FTS	20		20
			The Queen's Medical Center	4	12	16
			Waianae Coast Comprehensive Health Center	51	181	232
			Women In Need		1	1
		AGE GROUP TOTAL	135	472	607	
		Children	Salvation Army-FTS	5	4	9
		AGE GROUP TOTAL	5	4	9	
ISLAND TOTAL			140	476	616	
FISCAL YEAR TOTAL			140	476	616	

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Table 3.1 Number of Clients Admitted by Island, Agency and Race

This report counts clients who have had one or more program enrollments during the fiscal year. If a client has multiple program enrollments during the fiscal year, they are counted only once.

Island	Age Group	Provider Agency	Race (# of Clients)									Total	
			Alaskan Native	American Indian	Asian	Black	Native Hawaiian	Other	Pacific Islander	Unknown	White		
Oahu	Adult	Action with Aloha, LLC			6		4	1	3		4	18	
		Alcoholic Rehabilitation Services of Hawaii, Inc	1	1	26	5	61	2	11	2	13	122	
		CARE Hawaii, Inc.			14	2	22	2	10	1	11	62	
		Ho'omau Ke Ola			7		19		2			28	
		Kline-Welsh Behavioral Foundation		1	6		12	5	1		4	29	
		Kokua Support Services			5	1	1		4	2	1	14	
		Salvation Army-ATS			12	1	36	2	15		6	72	
		Salvation Army-FTS		1	2		13		2		2	20	
		The Queen's Medical Center			7		6				3	16	
		Waianae Coast Comprehensive Health Center		2	51	16	90	8	21	1	43	232	
	Women In Need							1			1		
			AGE GROUP TOTAL	1	5	135	25	262	20	68	6	87	607
	Children	Salvation Army-FTS			1		3	2	1		2	9	
AGE GROUP TOTAL				1		3	2	1		2	9		
		ISLAND TOTAL	1	5	136	25	265	22	69	6	89	616	
		FISCAL YEAR TOTAL	1	5	136	25	265	22	69	6	89	616	

Table 3.2 Number of Clients Admitted by Island, Ethnicity, Agency, and Court Type

Fiscal Year	Island	Ethnicity	Age Group	Provider Agency	Court Type (# of Admissions)				
					Adult Probation	Family Drug Court	Hawaii Drug Court	Veterans Treatment Court	Total
2016	Oahu	Aleutian/Eskimo	Adult	Hina Mauka	1				1
				AGE GROUP TOTAL	1				1
			ETHNICITY TOTAL	1				1	
		American Indian	Adult	Hina Mauka	1				1
				Kline-Welsh Behavioral Foundation				1	1
				Salvation Army-FTS		1			1
				Waianae Coast Comprehensive Health Center	2				2
				AGE GROUP TOTAL	3	1		1	5
			ETHNICITY TOTAL	3	1		1	5	
		Black/African American	Adult	CARE Hawaii, Inc.	2				2
				Hina Mauka	5				5
				Kokua Support Services	1				1
				Salvation Army-ATS	1				1
				Waianae Coast Comprehensive Health Center	15				15
			AGE GROUP TOTAL					24	
		ETHNICITY TOTAL					24		
		Caucasian	Adult	Action with Aloha, LLC	3				3
				CARE Hawaii, Inc.	9				9
				Hina Mauka	13				13
				Kline-Welsh Behavioral Foundation	2			2	4
				Kokua Support Services	1				1
				Salvation Army-ATS	6				6
				Salvation Army-FTS		1			1
				The Queen's Medical Center	3				3
				Waianae Coast Comprehensive Health Center	37	1			38
			AGE GROUP TOTAL					78	
			Children	Salvation Army-FTS		2			2
				AGE GROUP TOTAL					2
			ETHNICITY TOTAL					80	
		Chinese	Adult	CARE Hawaii, Inc.	2				2
				Hina Mauka	1				1

			The Queen's Medical Center	1				1
			Waianae Coast Comprehensive Health Center	5				5
			AGE GROUP TOTAL					9
			ETHNICITY TOTAL					9
	Chuukese	Adult	Action with Aloha, LLC	1				1
			CARE Hawaii, Inc.	5				5
			Kokua Support Services	1				1
			Salvation Army-ATS	2				2
			Waianae Coast Comprehensive Health Center	3				3
			Women In Need	1				1
			AGE GROUP TOTAL					13
			ETHNICITY TOTAL				13	
	Filipino	Adult	Action with Aloha, LLC	3				3
			CARE Hawaii, Inc.	5				5
			Hina Mauka	15				15
			Ho'omau Ke Ola	2	1	1		4
			Kline-Welsh Behavioral Foundation	1				1
			Kokua Support Services	2				2
			Salvation Army-ATS	7				7
			Salvation Army-FTS	1	1			2
			The Queen's Medical Center	3				3
			Waianae Coast Comprehensive Health Center	21				21
			AGE GROUP TOTAL					62
			Children	Salvation Army-FTS		1		1
			AGE GROUP TOTAL				1	
		ETHNICITY TOTAL				63		
	Guamanian	Adult	Kline-Welsh Behavioral Foundation			1	1	
			AGE GROUP TOTAL				1	
		ETHNICITY TOTAL					1	
	Hawaiian	Adult	CARE Hawaii, Inc.	1			1	
			Hina Mauka	5				5
			Ho'omau Ke Ola	1				1
			Kline-Welsh Behavioral Foundation	1				1
			Salvation Army-ATS	3				3
			Waianae Coast Comprehensive Health Center	6				6
			AGE GROUP TOTAL					17
		ETHNICITY TOTAL				17		
	Japanese	Adult	Action with Aloha, LLC	3			3	

			CARE Hawaii, Inc.	3				3
			Hina Mauka	6		1		7
			Ho'omau Ke Ola	1				1
			Kline-Welsh Behavioral Foundation	1			1	2
			Kokua Support Services	2				2
			Salvation Army-ATS	3				3
			The Queen's Medical Center	1				1
			Waianae Coast Comprehensive Health Center	16				16
			AGE GROUP TOTAL					38
			ETHNICITY TOTAL					38
	Korean	Adult	CARE Hawaii, Inc.	1				1
			Hina Mauka	2				2
			Ho'omau Ke Ola	1				1
			Kline-Welsh Behavioral Foundation	1				1
			The Queen's Medical Center	1				1
			Waianae Coast Comprehensive Health Center	5				5
			AGE GROUP TOTAL					11
			ETHNICITY TOTAL				11	
	Marshallese	Adult	Hina Mauka	1				1
			AGE GROUP TOTAL					1
			ETHNICITY TOTAL					1
	Micronesian	Adult	CARE Hawaii, Inc.	1				1
			Waianae Coast Comprehensive Health Center	1				1
			AGE GROUP TOTAL					2
			ETHNICITY TOTAL					2
	Mixed - Not Hawaiian	Adult	CARE Hawaii, Inc.	2				2
			Hina Mauka	1				1
			Kline-Welsh Behavioral Foundation	4		1		5
			Salvation Army-ATS	2				2
			AGE GROUP TOTAL					10
		Children	Salvation Army-FTS	2				2
			AGE GROUP TOTAL					2
			ETHNICITY TOTAL					12
	Mixed - Part Hawaiian	Adult	Action with Aloha, LLC	4				4
			CARE Hawaii, Inc.	21				21
			Hina Mauka	54	1	1		56
			Ho'omau Ke Ola	12	5	1		18
			Kline-Welsh Behavioral Foundation	7		2	2	11

			Kokua Support Services	1			1
			Salvation Army-ATS	31		2	33
			Salvation Army-FTS	3	10		13
			The Queen's Medical Center	6			6
			Waianae Coast Comprehensive Health Center	81	3		84
			AGE GROUP TOTAL				246
	Children		Salvation Army-FTS	1	2		3
			AGE GROUP TOTAL				3
			ETHNICITY TOTAL				249
Okinawan	Adult		CARE Hawaii, Inc.	1			1
			The Queen's Medical Center	1			1
			Waianae Coast Comprehensive Health Center	1			1
			AGE GROUP TOTAL				3
		ETHNICITY TOTAL				3	
Other	Adult		Action with Aloha, LLC	1			1
			Hina Mauka	1			1
			Waianae Coast Comprehensive Health Center	8			8
			AGE GROUP TOTAL				10
		ETHNICITY TOTAL				10	
Other Asian	Adult		Hina Mauka	1			1
			Ho'omau Ke Ola	1			1
			Kline-Welsh Behavioral Foundation			2	2
			Kokua Support Services	1			1
			Salvation Army-ATS	1			1
			AGE GROUP TOTAL				6
		ETHNICITY TOTAL				6	
Other Pacific Islander	Adult		Hina Mauka	2			2
			Kokua Support Services	3			3
			Salvation Army-FTS	1			1
			AGE GROUP TOTAL				6
		ETHNICITY TOTAL				6	
Pohnpian	Adult		Action with Aloha, LLC	1			1
			Salvation Army-ATS	1			1
			AGE GROUP TOTAL				2
		ETHNICITY TOTAL				2	
Portuguese	Adult		Action with Aloha, LLC	1			1
			CARE Hawaii, Inc.	2			2
			Salvation Army-FTS		1		1
			Waianae Coast Comprehensive Health Center	5			5

			AGE GROUP TOTAL					9
			ETHNICITY TOTAL					9
	Samoan	Adult	Action with Aloha, LLC	1				1
			CARE Hawaii, Inc.	4				4
			Hina Mauka	6				6
			Ho'omau Ke Ola	1	1			2
			Salvation Army-ATS	11				11
			Salvation Army-FTS		1			1
			Waianae Coast Comprehensive Health Center	13				13
		AGE GROUP TOTAL					37	
		Children	Salvation Army-FTS	1				1
			AGE GROUP TOTAL					1
			ETHNICITY TOTAL				38	
	Tongan	Adult	Hina Mauka	1	1			2
			Salvation Army-ATS	1				1
			Waianae Coast Comprehensive Health Center	3	1			4
		AGE GROUP TOTAL					6	
			ETHNICITY TOTAL				6	
	Unknown	Adult	CARE Hawaii, Inc.	1				1
			Hina Mauka	2				2
			Kokua Support Services	2				2
			Waianae Coast Comprehensive Health Center	2				2
		AGE GROUP TOTAL					7	
			ETHNICITY TOTAL				6	
	Vietnamese	Adult	CARE Hawaii, Inc.	2				2
			Salvation Army-ATS			1		1
			Waianae Coast Comprehensive Health Center	3				3
		AGE GROUP TOTAL					6	
			ETHNICITY TOTAL				6	
	ISLAND TOTAL							616
	FISCAL YEAR TOTAL							616
	REPORT TOTAL							616

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Table 4 Number of Clients Admitted by Island, Employment Status, Agency and Court Type

Fiscal Year	Island	Age Group	Employment Status	Provider Agency	Court Type (# of Admissions)				
					Adult Probation	Family Drug Court	Hawaii Drug Court	Veterans Treatment Court	Total
2016	Oahu	Adult	Disabled	Action with Aloha, LLC	2				2
				Hina Mauka	5		1		6
				Salvation Army-ATS	1				1
				The Queen's Medical Center	9				9
				EMPLOYMENT STATUS TOTAL	17		1		18
			Full-Time	Action with Aloha, LLC	4				4
				CARE Hawaii, Inc.	8				8
				Hina Mauka	6				6
				Ho'omau Ke Ola	1				1
				Salvation Army-ATS	4				4
				The Queen's Medical Center	1				1
				EMPLOYMENT STATUS TOTAL	24				24
			Homemaker	Salvation Army-FTS	2	1			3
				Waianae Coast Comprehensive Health Center	1				1
				EMPLOYMENT STATUS TOTAL	3	1			4
			Inmate	Action with Aloha, LLC	1				1
				Hina Mauka	41		1		42
				Ho'omau Ke Ola	9	1	2		12
				Kline-Welsh Behavioral Foundation	15		6	2	23
				Salvation Army-ATS	25		2		27
				Salvation Army-FTS	3				3
				EMPLOYMENT STATUS TOTAL	93	1	11	2	107
			Not in Labor Force	CARE Hawaii, Inc.	3				3
				Hina Mauka	41	1	1		43
				Ho'omau Ke Ola	8	7			15
				Kline-Welsh Behavioral Foundation	2			3	5
				Kokua Support Services	1				1
				Salvation Army-ATS	34		1		35
Salvation Army-FTS		15				15			
The Queen's Medical Center	1					1			
Waianae Coast Comprehensive Health Center	23	5				28			

			EMPLOYMENT STATUS TOTAL	112	26	2	3	143
		Part-Time	CARE Hawaii, Inc.	8				8
			Salvation Army-ATS	2				2
			Salvation Army-FTS		1			1
			The Queen's Medical Center	1				1
			Waianae Coast Comprehensive Health Center	1	1			2
			EMPLOYMENT STATUS TOTAL	12	2			14
		Retired	Action with Aloha, LLC	1				1
			Kline-Welsh Behavioral Foundation				1	1
			EMPLOYMENT STATUS TOTAL	1			1	2
		Unemployed	Action with Aloha, LLC	9				9
			CARE Hawaii, Inc.	22				22
			Hina Mauka	12	1			13
			Ho'omau Ke Ola	2				2
			Kokua Support Services	1				1
			Salvation Army-ATS	6				6
			The Queen's Medical Center	4				4
			Waianae Coast Comprehensive Health Center	2				2
			Women In Need	1				1
			EMPLOYMENT STATUS TOTAL	59	1			60
			Unknown	Action with Aloha, LLC	1			
		CARE Hawaii, Inc.		26				26
		Hina Mauka		18		1		19
		Kokua Support Services		13				13
		Salvation Army-ATS		5				5
		Waianae Coast Comprehensive Health Center		206				206
		EMPLOYMENT STATUS TOTAL		269		1		270
		AGE GROUP TOTAL		561	27	13	6	607
	Children	Unknown	Salvation Army-FTS	4	5			9
			EMPLOYMENT STATUS TOTAL	4	5			9
		AGE GROUP TOTAL		4	5			9
	ISLAND TOTAL			565	32	13	6	616
	FISCAL YEAR TOTAL			565	32	13	6	616

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Table 5 Number of Clients Admitted by Island, Primary Substance, Agency, and Court Type

Fiscal Year	Island	Age Group	Primary Substance	Provider Agency	Court Type (# of Admissions)				
					Adult Probation	Family Drug Court	Hawaii Drug Court	Veterans Treatment Court	Total
2016	Oahu	Adult	Alcohol	Action with Aloha, LLC	7				7
				Alcoholic Rehabilitation Services of Hawaii, Inc	8				8
				CARE Hawaii, Inc.	5				5
				Ho'omau Ke Ola	3	1			4
				Kline-Welsh Behavioral Foundation	2			1	3
				Salvation Army-ATS	7				7
				Salvation Army-FTS		2			2
				The Queen's Medical Center	3				3
				Waianae Coast Comprehensive Health Center	4				4
				Women In Need	1				1
				PRIMARY SUBSTANCE TOTAL	40	3		1	44
			Cocaine/Crack	Action with Aloha, LLC	1				1
				Alcoholic Rehabilitation Services of Hawaii, Inc	5				5
				CARE Hawaii, Inc.	5				5
				Ho'omau Ke Ola	1				1
				Waianae Coast Comprehensive Health Center	1				1
				PRIMARY SUBSTANCE TOTAL	13				13
			Heroin	Action with Aloha, LLC	1				1
				Alcoholic Rehabilitation Services of Hawaii, Inc	4				4
				CARE Hawaii, Inc.	1				1
				Kline-Welsh Behavioral Foundation			1	1	2
				Salvation Army-ATS	2				2
				The Queen's Medical Center	2				2
				PRIMARY SUBSTANCE TOTAL	10		1	1	12
			Marijuana/Hashish/THC	Alcoholic Rehabilitation Services of Hawaii, Inc	11				11
				CARE Hawaii, Inc.	4				4
				Ho'omau Ke Ola	4				4
				Kline-Welsh Behavioral Foundation				1	1
				Kokua Support Services	1				1
				Salvation Army-ATS	3				3
				Salvation Army-FTS		2			2
				The Queen's Medical Center	1				1

			PRIMARY SUBSTANCE TOTAL	24	2		1	27
	Methamphetamine	Action with Aloha, LLC		6				6
		Alcoholic Rehabilitation Services of Hawaii, Inc		76	2	2		80
		CARE Hawaii, Inc.		16				16
		Ho'omau Ke Ola		11	7	2		20
		Kline-Welsh Behavioral Foundation		14		5	3	22
		Kokua Support Services		1				1
		Salvation Army-ATS		53		3		56
		Salvation Army-FTS		5	11			16
		The Queen's Medical Center		8				8
		Waianae Coast Comprehensive Health Center		23	4			27
			PRIMARY SUBSTANCE TOTAL	210	22	12	3	247
	None	Action with Aloha, LLC		1				1
		Alcoholic Rehabilitation Services of Hawaii, Inc		18		1		19
		CARE Hawaii, Inc.		23				23
		Kokua Support Services		13				13
		Salvation Army-ATS		5				5
		Waianae Coast Comprehensive Health Center		205				205
			PRIMARY SUBSTANCE TOTAL	265		1		266
	Other	Waianae Coast Comprehensive Health Center			1			1
		PRIMARY SUBSTANCE TOTAL			1			1
	Other Amphetamines	CARE Hawaii, Inc.		14				14
		PRIMARY SUBSTANCE TOTAL		14				14
	Other Opiates and Synthetics	Kline-Welsh Behavioral Foundation		1				1
		Salvation Army-ATS		2				2
		The Queen's Medical Center		2				2
		PRIMARY SUBSTANCE TOTAL		5				5
	Other Stimulants	Action with Aloha, LLC		2				2
		PRIMARY SUBSTANCE TOTAL		2				2
		AGE GROUP TOTAL	561	27	13	6	607	
Children	None	Salvation Army		4	5			9
		PRIMARY SUBSTANCE TOTAL		4	5			9
		AGE GROUP TOTAL	4	5			9	
		ISLAND TOTAL	565	32	13	6	616	
		FISCAL YEAR TOTAL	565	32	13	6	616	

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Table 6.1 Number of Client Admissions by Island, Agency, and Level of Care

Fiscal Year	Island	Age Group	Provider Agency	Level of Care (# of Admissions)							Total
				00 Assessment Only	01 Residential	02 Day Treatment	03 Intensive Outpatient	04 Outpatient	05 Continuing Care	06 Therapeutic Lving	
2015	Oahu	Adult	CARE Hawaii, Inc.	1			60	7	21		80
			Hina Mauka	2	66		38		12		105
			Ho'omau Ke Ola		19		8	8			28
			Salvation Army-ATS		11	15	29	25	17		48
			Salvation Army-FTS		16		9	4		7	21
			The Queen's Medical Center				2	16			18
			Waianae Coast Comprehensive Health Center	242			25	1			266
		AGE GROUP TOTAL	245	111	15	170	61	50	7	555	
		Children	Salvation Army-FTS		12					7	16
			AGE GROUP TOTAL		12					7	16
		ISLAND TOTAL				245	123	15	170	61	50
FISCAL YEAR TOTAL				245	123	15	170	61	50	14	571

Table 6.2 Number of Clients Served by Island, Agency, and Level of Care

This report counts the number of clients whose service was paid by the Judiciary in the fiscal year. If a client has multiple Judiciary paid services, the client is counted only once. Services can be for program enrollments in prior years.

Fiscal Year	Island	Age Group	Provider Agency	Level of Care (# of Clients Served)									
				00 Assessment Only	01 Residential	02 Day Treatment	03 Intensive Outpatient	04 Outpatient	05 Continuing Care	06 Therapeutic Living	Total		
2015	Oahu	Adult	Alcoholic Rehabilitation Services of Hawaii, Inc	2	74		40		12		111		
			CARE Hawaii, Inc.	1			79	6	25		90		
			Ho'omau Ke Ola		21		8	9			30		
			Salvation Army-ATS		23	16	35	25	18		58		
			Salvation Army-FTS		18		9	4		9	21		
			The Queen's Medical Center				2	16			17		
			Waianae Coast Comprehensive Health Center	242			33	1			273		
			AGE GROUP TOTAL	245	135	16	206	61	55	9	589		
		Children	Salvation Army-FTS		15					9	17		
			AGE GROUP TOTAL		15					9	17		
			ISLAND TOTAL	245	150	16	206	61	55	18	606		
		FISCAL YEAR TOTAL				245	150	16	206	61	55	18	606

Table 6.3 Number of Clients Served by Island, Agency, and Court Type

Fiscal Year	Island	Age Group	Provider Agency	Services Paid By (# of Clients Served)				
				Adult Probation	Family Drug Court	Hawaii Drug Court	Veterans Treatment Court	Total
2015	Oahu	Adult	Alcoholic Rehabilitation Services of Hawaii, Inc	88	5	18	1	111
			CARE Hawaii, Inc.	89			2	90
			Ho'omau Ke Ola	22	8			30
			Salvation Army-ATS	55	1	2		58
			Salvation Army-FTS	6	15			21
			The Queen's Medical Center	17				17
			Waianae Coast Comprehensive Health Center	270	3			273
		AGE GROUP TOTAL	537	31	20	3	589	
		Children	Salvation Army-FTS	3	14			17
			AGE GROUP TOTAL	3	14			17
		ISLAND TOTAL			540	45	20	3
FISCAL YEAR TOTAL			540	45	20	3	606	

Table 7 Number of Judiciary Client Discharges by Discharge Type

Discharges are only applicable when clients complete treatment regimen which may include residential, day treatment, intensive outpatient, and outpatient services. Clients with Assessment ONLY services are not counted in this report.

Fiscal Year	Island	Age Group	Provider Agency	Discharge Type (# of Discharges)									Total	
				Client Discharged for Medical Reasons	Client Left Before Completing Treatment	Client Left Before Completing Treatment-Elopement (from Residential Program)	Completed Treatment. No Substance Use	Completed Treatment. Some Substance Use	Incarcerated	Program Decision to Discharge Client for Non-Compliance with Program Rules	Referred to Outside Agency for Continued Services	Transfer to Another Program Within Agency for Continued Services		
2016	Oahu	Adult	Action with Aloha, LLC		3					2		1		6
			Alcoholic Rehabilitation Services of Hawaii, Inc	4	14	7	42	6	11	48	4	3	139	
			CARE Hawaii, Inc.	1			6	1	2	21	2	8	41	
			Ho'omau Ke Ola		5		9	2		13	3	1	33	
			Salvation Army-ATS	1	8	5	29	9	2	7	4	1	66	
			Salvation Army-FTS				9	1		1	1		12	
			The Queen's Medical Center	1	3		9		1	3		2	19	
			Waianae Coast Comprehensive Health Center		2		3		1		2		8	
			Women In Need							1			1	
		AGE GROUP TOTAL	7	45	12	114	19	19	95	19	15	345		
		Children	Salvation Army-FTS				5			1			6	
			AGE GROUP TOTAL				5			1			6	
		ISLAND TOTAL			7	45	12	119	19	19	96	19	15	351
FISCAL YEAR TOTAL			7	45	12	119	19	19	96	19	15	351		

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Table 8.1 Number of 6-Month Follow-Up Due by Island, Agency and Fiscal Year

Island	Provider Agency	Fiscal Year (# of Clients)					Total
		2012	2013	2014	2015	2016	
Oahu	Action with Aloha, LLC					2	2
	Alcoholic Rehabilitation Services of Hawaii, Inc	15	82	76	110	120	403
	CARE Hawaii, Inc.	1	1	1	36	38	77
	Ho'omau Ke Ola		11	21	19	30	81
	Kline-Welsch Behavioral Foundation					6	6
	Salvation Army-ATS	4	28	40	47	65	184
	Salvation Army-FTS	4	14	12	27	20	77
	The Queen's Medical Center	2	6	10	12	18	48
	Waianae Coast Comprehensive Health Center			1	6	10	17
	Women in Need					1	1
	ISLAND TOTAL		26	142	161	257	310
REPORT TOTAL		26	142	161	257	310	896

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Table 8.2 Number of 6-Month Follow-Ups Completed by Island, Agency and Follow-Up Status

Fiscal Year	Island	Provider Agency	Followup Type (# of Clients)				Total
			Completed Follow-Up	Unable to Follow-Up-Incarcerated	Unable to Follow-Up-Moved, No Forwarding Address	Unable to Follow-Up-No Response	
2016	Oahu	CARE Hawaii, Inc.			1		32
		Ho'omau Ke Ola	14	1	4	1	16
		Salvation Army-ATS	39	1	4	12	56
		Salvation Army-FTS	11	1	1	3	16
		ISLAND TOTAL	64	3	6	16	89
	FISCAL YEAR TOTAL	64	3	6	16	89	

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Table 8.3 Number of Clients Arrested After Discharge by Island, Agency and Follow-Up Status

Fiscal Year	Island	Provider Agency	Followup Status (# of Clients)			Total
			Completed Follow-Up	Unable to Follow-Up-Incarcerated	Unable to Follow-Up-No Response	
21016	Oahu	Ho'omau Ke Ola	1	1	2	4
		ISLAND TOTAL	1	1	2	4
	FISCAL YEAR TOTAL	1	1	2	4	

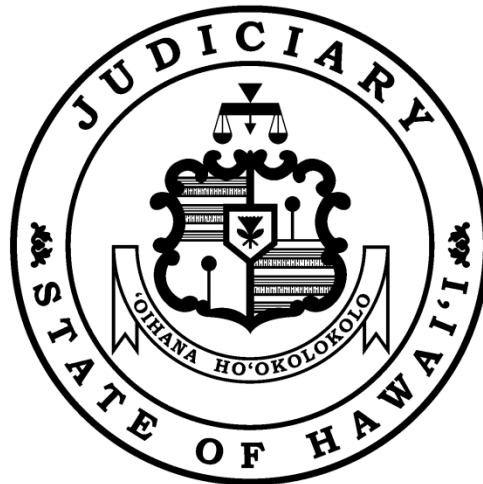
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**ANNUAL REPORT TO THE TWENTY-NINTH LEGISLATURE
2017 REGULAR SESSION**

ON

**ACT 103, SESSION LAWS OF HAWAI'I 2013
HRS § 571-46.4**

**A Report on the Number of Complaints Against
Court-Appointed Child Custody Evaluators**



Prepared by:

**Family Court
The Judiciary, State of Hawai'i**

December 2017

**ANNUAL REPORT TO THE TWENTY-NINTH LEGISLATURE
2017 REGULAR SESSION**

ON

**ACT 103, SESSION LAWS OF HAWAI'I 2013
HRS § 571-46.4**

**A Report on the Number of Complaints Against
Court-Appointed Child Custody Evaluators**

This report is respectfully submitted pursuant to Act 103, Session Laws of Hawai'i 2013, HRS § 571-46.4, which requires the Judiciary to submit an annual report regarding the number of complaints against court-appointed child custody evaluators that are processed through the referral process.

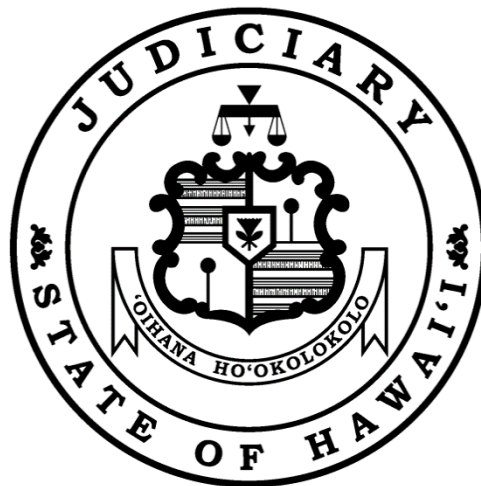
The Judiciary did not receive any Notice of Intent to File a Complaint Against a Private Child Custody Evaluator during the fiscal year ending June 30, 2016.

**ANNUAL REPORT TO THE TWENTY-NINTH LEGISLATURE
2017 REGULAR SESSION**

ON

**ACT 138, SESSION LAWS OF HAWAI'I 2015
Part III, Section 7**

A Report on FY 2016 Purchase of Service Contracts



Prepared by:

**Judiciary Budget Office
Policy and Planning Department
The Judiciary, State of Hawai'i**

December 2016

**ANNUAL REPORT TO THE TWENTY-NINTH LEGISLATURE
2017 REGULAR SESSION**

ON

ACT 138, SESSION LAWS OF HAWAI'I 2016

PART III, SECTION 7

A Report on FY 2016 Purchase of Service Contracts

This report is respectfully submitted pursuant to Act 138, Session Laws of Hawai'i 2015, which requires the Judiciary to submit a report listing the purchase of service contracts entered into in FY 2016; the purpose of the contracts; the contract award amounts; expenditures and encumbrances under the contracts; and program measures achieved by the contractors.

The Judiciary						
Purchase of Service Contract Report for 2017 Legislature						
GENERAL FUNDS:						
POS Contract Amount						
Contract Number	Service	Provider	Program	FY '16 Projected	FY '16 Actual	FY '16 Actual No. of Clients Served
J12036	Mediation and related dispute resolution services	Mediation Centers of Hawaii	Admin	413,000	413,000	7,760
J12110	Child sexual abuse treatment program	Catholic Charities Hawaii	Admin	142,000	142,000	66
J16224	Civil Legal Services	Legal Aid Society of Hawaii	Admin	400,000	400,000	5,468
J16254	Civil Legal Services	Volunteer Legal Services Hawaii	Admin	200,000	150,000	1,418
Total Administration				1,155,000	1,105,000	
J08087 / J16097	Adult substance abuse treatment services	Klein-Welsh dba Sand Island Treatment Center	First Circuit (CC)	125,000	100,800	23
J08088/ J12131/ J16084	Adult substance abuse treatment services	CARE Hawaii, Inc.	First Circuit (CC)	200,000	199,328	68
J08100/ J12096/ J16083	Adult substance abuse treatment services	Alcoholic Rehabilitation Services of Hawaii, dba Hina Mauka	First Circuit (CC and FC - ACS)	300,000	243,821	130
J08101/ J12095/ J16057	Adult substance abuse treatment services	Salvation Army - Addiction Treatment Services	First Circuit (CC and FC - ACS)	350,000	378,995	68
J08129/ J12098/ J16056	Adult substance abuse treatment services	Salvation Army - Family Treatment Services	First Circuit (CC and FC - ACS)	120,000	95,752	11
J08130/ J12111/ J16093	Adult substance abuse treatment services	Waianae District Comprehensive Health & Hospital Board/Waianae Coast Comprehensive Health Center	First Circuit (CC and FC - ACS)	100,000	53,076	242
J08131/ J12173/ J16118	Adult substance abuse treatment services	Queen's Medical Center - Day Treatment Services	First Circuit (CC)	50,000	42,480	20
J08139/ J12099/ J16080	Adult substance abuse treatment services	Hoomau Ke Ola	First Circuit (CC and FC - ACS)	139,060	189,103	29

The Judiciary						
Purchase of Service Contract Report for 2017 Legislature						
GENERAL FUNDS:						
POS Contract Amount						
Contract Number	Service	Provider	Program	FY '16 Projected	FY '16 Actual	FY '16 Actual No. of Clients Served
J08183/J12053/J16092	Treatment of adult sex offenders	Giovannoni, Joseph, Inc.	First Circuit (CC)	68,940	77,908	30
J08185/J12174/J16095	Treatment of adult sex offenders	Catholic Charities of the Diocese of Honolulu	First Circuit (CC)	43,200	59,310	10
J16091	Adult substance abuse treatment services	Action With Aloha	First Circuit (CC)	100,000	25,320	17
J16098	Adult substance abuse treatment services	Kokua Support Services	First Circuit (CC)	65,000	5,845	14
J16165	Adult substance abuse treatment services	Women In Need	First Circuit (CC)	65,000	195	1
J07144/J12115/J16145	Prosocial Activity	Matt Levi Corporation	First Circuit (FC)	24,502	24,502	11
J08067/J12114/J16169	Anger management classes	Community Assistance Center	First Circuit (FC)	19,400	16,200	45
J08080/J12093/J16194	Emergency shelter services	Hale Kipa, Inc.	First Circuit (FC)	55,200	55,200	19
J08081/J12058/J16144	Juvenile substance abuse treatment services	YMCA of Honolulu	First Circuit (FC)	260,543	86,848	14
J08082/J12060/J16100	Emergency shelter	Central Oahu Youth Services Association, Inc.	First Circuit (FC)	41,400	41,400	17
J08083/J12128/J16208	Juvenile client and family services	Child and Family Service	First Circuit (FC)	491,870	491,870	342
J08095/J12066/J16177	Medical services	UCERA	First Circuit (FC)	80,604	80,604	734
J08096/J12094/J16195	Independent living programs	Hale Kipa, Inc.	First Circuit (FC)	52,925	34,655	4
J08102/J12052/J16151	In-Community Service-Alternative Education Program	Palama Settlement	First Circuit (FC)	187,679	187,679	191
J08103/J12109/J16180	In-Community Service-Outdoor Experience	Marimed Foundation for Island Health Care Training	First Circuit (FC)	49,172	49,172	4

The Judiciary						
Purchase of Service Contract Report for 2017 Legislature						
GENERAL FUNDS:						
POS Contract Amount						
Contract Number	Service	Provider	Program	FY '16 Projected	FY '16 Actual	FY '16 Actual No. of Clients Served
J08111/ J12055/ J16164	Juvenile sex offender assessment and treatment services	Catholic Charities Hawaii	First Circuit (FC)	98,000	90,000	29
J08112/ J12056/ J16178	In-community services	Coalition for a Drug Free Hawaii	First Circuit (FC)	176,553	176,553	67
J08134/ J12137/ J16173	Juvenile client and family services	Parents and Children Together	First Circuit (FC)	350,568	350,568	584
J08162/ J12113/ J16147	Juvenile substance abuse treatment services - outpatient treatment	CARE Hawaii, Inc.	First Circuit (FC)	173,916	173,916	87
J08163/ J12136/ J16174	Juvenile client and family services	Parents and Children Together	First Circuit (FC)	811,975	811,975	797
J08164/ J12129/ J16175	Juvenile client and family services	Domestic Violence Action Center	First Circuit (FC)	1,374,534	1,374,534	4,153
J11131 / J16176	On call Nursing Services	Nursefinders of Hawaii	First Circuit	75,000	26,784	7,154
J08243 / J12061/ J16179	Mental Health Services	Margeret Cadiz	First Circuit (FC)	70,000	20,510	26
J09079 / J13127 / J16172	Mental Health Assessment for Juveniles	Barbara Rogers	First Circuit (FC)	24,975	15,200	24
J16101	Community-Based Program	Boys and Girls Club of Hawaii	First Circuit (FC)	10,000	10,000	1
J16166	Substance Abuse Treatment for Youth	Hina Mauka - Teen Care	First Circuit (FC)	50,000	50,000	10
J16148	Community-Based Program	Kupu	First Circuit (FC)	45,000	45,000	9
J16170	Substance Abuse Treatment for Youth	Marimed Foundation - Kailana	First Circuit (FC)	182,639	182,639	6
J16171	Emergency Foster Homes & Concomitant Services	Waianae Coast CMHC - Hale Na'au Pono	First Circuit (FC)	15,000	5,720	3
J16282 / J16276	Mental Health Services for Girls Court	Jan-Macy Moya	First Circuit (FC)	34,998	34,998	47

The Judiciary						
Purchase of Service Contract Report for 2017 Legislature						
GENERAL FUNDS:						
POS Contract Amount						
Contract Number	Service	Provider	Program	FY '16 Projected	FY '16 Actual	FY '16 Actual No. of Clients Served
J16144 / J16272	Juvenile substance abuse treatment services	YMCA of Honolulu	First Circuit (FC)	84,875	56,583	28
J16144 / J16268	Juvenile substance abuse treatment services	YMCA of Honolulu	First Circuit (FC)	175,668	117,112	282
J16053	Mediation services	Mediation Centers of Hawaii, Inc.	First Circuit (FC)	13,000	13,000	43
Total First Circuit				6,756,196	6,095,154	
J08016, J12073, J16065	Shelter services	Maui Youth and Family Services	Second Circuit	5,000	3,645	2
J08036 J12086 J16146	Juvenile sex offender treatment services	MLN Counseling	Second Circuit	45,000	35,200	2
J08039, J12127, J16045	Domestic violence intervention services - Victim support	Women Helping Women	Second Circuit	62,065	89,815	579
J08041, J12118, J16066	Substance abuse services - Family Court Drug Court	Aloha House, Inc.	Second Circuit	100,000	65,634	clients 12 Family Systems 109
J08043, J12075, J16064	Substance abuse services - Family Court Drug Court	Maui Youth and Family Services	Second Circuit	10,000	0	0
J08044, J10027, J12081, J16063	Residential services	Maui Youth and Family Services	Second Circuit	5,000	0	0
J08045, J12079, J16062	Juvenile substance abuse treatment services	Maui Youth and Family Services	Second Circuit	45,000	7,773	55
J08046, J10028, J12069, J16068	Adult substance abuse treatment services	Aloha House, Inc.	Second Circuit	50,000	2,945	31
J08077, J10029, J12177, J16069	Substance abuse treatment services - Maui Drug Court	Aloha House, Inc.	Second Circuit	603,000	603,000	181
J08137, J12165, J16082	Domestic violence intervention services	Parents and Children Together	Second Circuit	241,000	267,093	501
J08142, J12126, J16049	In-community services	Parents and Children Together	Second Circuit	16,000	8,600	49

The Judiciary						
Purchase of Service Contract Report for 2017 Legislature						
GENERAL FUNDS:						
POS Contract Amount						
Contract Number	Service	Provider	Program	FY '16 Projected	FY '16 Actual	FY '16 Actual No. of Clients Served
J12133	Adult substance abuse treatment services	The First Step	Second Circuit	1,000	0	0
J14165 J16067	Sex offender treatment program - Adult Client Services	Aloha House, Inc.	Second Circuit	50,000	55,910	18
J16142	Adult Substance Abuse Assessment	Behavioral Health Hawaii	Second Circuit	3,000	1,725	18
J16050	Adult Substance Abuse Treatment Services -Family Court Drug Court	Malama Family Recovery Center	Second Circuit	50,000	39,405	3
J16051	Adult Substance Abuse Treatment Services - Adult Client Services	Malama Family Recovery Center	Second Circuit	50,000	0	0
J16187	Adult Substance Abuse Treatment Services	Sand Island Treatment Center	Second Circuit	5,400	0	0
J16161	Substance Abuse Assessment - Family Court Drug Court	Ohana Restoration Center	Second Circuit	2,400	800	2
J16020 J16029	Domestic violence intervention services	Molokai Community Service Council, Molokai Alternative to Violence	Second Circuit	49,900	58,025	38
J16026	In-community services	Molokai Community Service Council, Molokai Alternative to Violence	Second Circuit	5,000	840	1
J16158	Substance Abuse Treatment Services - Adult Client Services	Hale Ho'okupa'a	Second Circuit	13,231	13,231	35
J16156	Substance Abuse Treatment Services - Juvenile Client and Family Services	Hale Ho'okupa'a	Second Circuit	13,231	13,231	2
J16157	Substance Abuse Treatment Services - Family Court Drug Court	Hale Ho'okupa'a	Second Circuit	6,000	6,000	0
J16168	Substance Abuse Treatment Services- Maui Drug Court	Hale Ho'okupa'a	Second Circuit	50,000	50,000	7

The Judiciary						
Purchase of Service Contract Report for 2017 Legislature						
GENERAL FUNDS:						
POS Contract Amount						
Contract Number	Service	Provider	Program	FY '16 Projected	FY '16 Actual	FY '16 Actual No. of Clients Served
J16198	Substance Abuse Assessment - Juvenile Client and Family Services & Family Court Drug Court	First Step	Second Circuit	6,000	160	2
J16004	Juvenile Substance Abuse Services - UA/Drug Testing	Alere Toxicology - Statewide contract	Second Circuit	8,000	2,166	28
J12001 J16005	Adult Substance Abuse Services - UA/Drug Testing-confirmation	Norchem - Statewide Contract	Second Circuit	10,000	7,303	232
J16293	Juvenile Substance Abuse Assessment	Behavioral Health Hawaii	Second Circuit	6,000	285	3
J16161	Substance Abuse Assessment-Family Court Drug Court	Akahai Counseling Services	Second Circuit	6,000	0	0
J16225	Juvenile Substance Abuse Services - UA/Drug Testing	Diagnostic Lab Services-Statewide	Second Circuit	6,000	4,514	45
J17075	Juvenile Substance Abuse Services - UA/Drug Testing	Aloha House, Inc. for Lanai	Second Circuit	6,000	0	0
Total Second Circuit				1,515,996	1,337,300	
J16046	Adult domestic violence treatment services	ACCESS Capabilities, Inc.	Third Circuit	20,000	5,000	19 adult offenders
J16048	Adult Substance Abuse treatment service	ACCESS Capabilities, Inc.	Third Circuit	25,000	25,000	17 IOP/OP clients served
J16047	Juvenile Substance Abuse Treatment Service	ACCESS Capabilities, Inc.	Third Circuit	3,000	3,000	5 IOP/OP clients served
J13054, J16011	Mental health assessments at Detention Home	Wingert, John L., Ph.D.	Third Circuit	12,500	3,125	5 assessments
J12161	Shelter and residential services	Salvation Army - Family Intervention Services	Third Circuit	258,440	258,440	59 short term; 2 long term
J16027	Adult substance abuse treatment services	Big Island Substance Abuse Council	Third Circuit	186,000	186,000	37 clients total; 16 TLP; 64 IOP/OP
J12120	Juvenile Substance Abuse - Big Island Drug Court	Big Island Substance Abuse Council	Third Circuit	5,000	0	5 IOP/OP clients served

The Judiciary						
Purchase of Service Contract Report for 2017 Legislature						
GENERAL FUNDS:						
POS Contract Amount						
Contract Number	Service	Provider	Program	FY '16 Projected	FY '16 Actual	FY '16 Actual No. of Clients Served
J16024	Adult domestic violence treatment services	Lokahi Treatment Center	Third Circuit	20,000	20,000	237 adult offenders
J12124, J16019	Adult client substance abuse treatment services	Lokahi Treatment Center	Third Circuit	25,000	25,000	15 IOP/OP clients served;
J16032	Sex offender treatment services	Catholic Charities Hawaii	Third Circuit	95,000	95,000	6 juveniles served
J16090	In-Community Services - Teen Court	YWCA of Hawaii Island	Third Circuit	185,729	185,729	119 juveniles served
J16031	Sex offender treatment services	Community Assistance Program	Third Circuit	148,000	147,975	25 clients; 2 groups weekly
J16020	Emergency shelter service and residential group home	Salvation Army - Family Intervention Services	Third Circuit	35,000	32,450	6 clients served; short term
J16081	Adult domestic violence treatment services	Child and Family Service	Third Circuit	470,499	470,499	105 adult offenders; 1123 TRO assist; 1749 victim advocacy
J16025	Substance abuse treatment for adult drug court program	CARE Hawaii, Inc.	Third Circuit	13,000	0	1 OP client served
J16096	Substance abuse treatment services for adults with alcohol/drug problems	McKenna, Gerald J., MD	Third Circuit	12,000	645	2 IOP/OP clients served
Total Third Circuit				1,514,168	1,457,863	
J12108/ J16119	Emergency shelter	Hale Opio Kauai, Inc.	Fifth Circuit	3,900	0	0
J12105/ J16123	Outpatient Treatment Program - Kauai Teen Court	Hale Opio Kauai, Inc.	Fifth Circuit	12,000	12,000	111
J12103/ J16121	Family Conferencing Outpatient Program	Hale Opio Kauai, Inc.	Fifth Circuit	1,760	0	0
J12104/ J16122	Victim impact classes outpatient treatment program	Hale Opio Kauai, Inc.	Fifth Circuit	6,180	1,845	6
J12158/ J16117	Sex offender treatment program	YWCA of Kauai	Fifth Circuit	70,525	72,091	23
J12157/ J16116	Domestic violence intervention services	YWCA of Kauai	Fifth Circuit	158,657	158,657	607

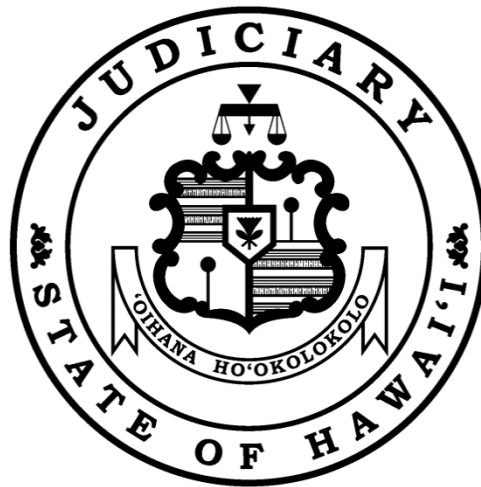
The Judiciary						
Purchase of Service Contract Report for 2017 Legislature						
GENERAL FUNDS:						
POS Contract Amount						
Contract Number	Service	Provider	Program	FY '16 Projected	FY '16 Actual	FY '16 Actual No. of Clients Served
J12102/J16115	Juvenile sex offender outpatient treatment program	YWCA of Kauai	Fifth Circuit	62,000	62,000	13
J12101/J16113	Juvenile domestic/alternative to violence outpatient treatment program	YWCA of Kauai	Fifth Circuit	26,060	26,060	5
J12134/J16087	Adult substance abuse treatment services	McKenna, Gerald J., MD	Fifth Circuit	4,750	230	14
J14013/J15038	Emergency housing program	Love the Journey, Inc.	Fifth Circuit	8,000	1,093	12
J14012/J15037	Emergency housing program	Women In Need	Fifth Circuit	8,000	1,110	11
J16114	Anger management	YWCA of Kauai	Fifth Circuit	28,000	28,000	10
J12106/J16120	Residential services	Hale Opio Kauai, Inc.	Fifth Circuit	54,750	0	0
J16086	Adult substance abuse treatment services	CARE Hawaii, Inc.	Fifth Circuit	4,750	0	0
J16099	Adult substance abuse treatment services	Ho'omau Ke Ola	Fifth Circuit	4,750	5,460	7
J16186	Adult substance abuse treatment services	Klein-Welsh dba Sand Island Treatment Center	Fifth Circuit	4,750	0	10
J16094	Adult substance abuse treatment services	Women In Need	Fifth Circuit	4,750	0	10
Total Fifth Circuit				463,582	368,546	
Totals Judiciary General Funds				11,404,942	10,363,863	

**ANNUAL REPORT TO THE TWENTY-NINTH LEGISLATURE
2017 REGULAR SESSION**

ON

**ACT 166, SESSION LAWS OF HAWAI'I 2016
Section 2**

A Report on FY 2016 Non-General Funds



Prepared by:

**Financial Services Department
The Judiciary, State of Hawai'i**

December 2016

**ANNUAL REPORT TO THE TWENTY-NINTH LEGISLATURE
2017 REGULAR SESSION**

ON

**ACT 166, SESSION LAWS OF HAWAI'I 2016
HAWAI'I REVISED STATUTES § 601-___ AND § 37-52.5(b)**

NON-GENERAL FUND INFORMATION

This report is respectfully submitted pursuant to Section 2 of Act 166, Session Laws of Hawai'i 2016, which requires the Judiciary to submit a report for each non-general fund account, which shall include but not be limited to (1) the name of the fund and cite to the law authorizing the fund; (2) the intended purpose of the fund; (3) the current program activities which the fund supports; (4) the balance of the fund at the beginning of the current fiscal year; (5) the total amount of expenditures and other outlays from the fund account for the previous fiscal year; (6) the total amount of revenue deposited to the account for the previous fiscal year; (7) a detailed listing of all transfers from the fund; (8) the amount of moneys encumbered in the account as of the beginning of the fiscal year; (9) the amount of the funds in the account which are required for the purposes of bond conveyance or other related bond obligations; (10) the amount of moneys in the account derived from bond proceeds; and (11) the amount of moneys of the fund held in certificates of deposit, escrow accounts, or other instruments.

The attached report does not include items (9), (10), and (11) listed in Act 166 as they are *not applicable* to accounts reported by the Judiciary.

NON-GENERAL FUND INFORMATION
HRS SECTION 37-47

NAME OF FUND (1) PURPOSE (2)	LAW AUTHORIZING FUND (1)	CURRENT PROGRAM ACTIVITY WHICH FUND SUPPORTS (3)	BEG BALANCE (2017) (4)	PRIOR YEAR EXPENDITURES (2016) (5)	PRIOR YEAR REVENUE (2016) (6)	TRANSFER FROM FUNDS (2016) (7)	BEG UNENCUMBERED BALANCE (2017) (8)
<u>Probation Services Special Fund (S-327)</u> The proceeds of the account shall be used to monitor, enforce, and collect fees, fines, restitution and other monetary obligations owed by defendants.	706-649, HRS	Probation Services	713,159.00	417,387.24	398,572.44	11,049.00	8,886.84
<u>Parent Education Special Fund (S-325)</u> Programs supported by the fund are intended to educate parents on the impact their separation will have on their children and to help separating parties avoid future litigious disputes. All divorcing parents and their children attend programs on each island.	607-5.6, HRS	Statewide Judiciary-Kid's First Program	238,242.87	120,290.77	121,374.56	0.00	20,013.40
<u>Spouse and Child Abuse Special Account (S-340)</u> The proceeds of the account shall be used for staff programs, and grants or purchases of service that support or provide spouse or child abuse intervention or prevention activities.	601-3.6, HRS	Statewide Judiciary-Family Courts	463,730.00	525,036.52	416,087.23	0.00	39,708.88
<u>Driver Education Training Fund (S-320)</u> To coordinate and administer a comprehensive traffic safety education and training program as a preventative and rehabilitative effort for both adult and juvenile traffic offenders.	286G-2, HRS	Statewide Judiciary-Driver Education Training	2,027,208.26	2,278,980.58	2,472,642.02	69,720.00	118,340.29
<u>Indigent Legal Assistance Fund (S-322)</u> To provide civil legal services for indigents.	Act 121/98 Act 131/01	Indigent parties involved in civil litigation	362,987.00	1,440,059.12	1,329,089.47	0.00	0.00
<u>Judiciary Computer System Special Fund (S-315)</u> For consulting and other related fees and expenses in selection, implementation, programming, and subsequent upgrades for a statewide computer system; and for purchase of hardware/software related to the system.	Act 203/96 , Act 299/99 Act 216/03, Act 230/04 Act 231/04	Judiciary Information Management System Users	2,762,778.00	5,239,566.51	5,641,412.13	0.00	685,750.89
<u>Supreme Court Law Library Revolving Fund (S-350)</u> To replace or repair lost, damaged, stolen, unreturned, or outdated books, serials, periodicals, and other library materials, or to support and improve library services.	601-3.5, HRS	Statewide Judiciary-Law Library Services	12,115.00	5,850.04	8,436.58	0.00	613.03

NON-GENERAL FUND INFORMATION
HRS SECTION 37-47

NAME OF FUND (1) PURPOSE (2)	LAW AUTHORIZING FUND (1)	CURRENT PROGRAM ACTIVITY WHICH FUND SUPPORTS (3)	BEG BALANCE (2017) (4)	PRIOR YEAR EXPENDITURES (2016) (5)	PRIOR YEAR REVENUE (2016) (6)	TRANSFER FROM FUNDS (2016) (7)	BEG UNENCUMBERED BALANCE (2017) (8)
<u>Court Interpreting Services Revolving Fund (S-352)</u> To support Court Interpreting Services program's educational services and activities relating to training, screening, testing, and certification of court interpreters.	607-1.5, HRS	Statewide Judiciary-Court Interpreter Services	49,472.66	6,687.80	7,551.68	0.00	0.00
<u>Detention Home Donation Fund (T-902)</u> Trust fund established to support the detention services for detained juveniles. Revenues consist of donations.	N/A	Detention Home Operations	15,656.20	171.67	0.00	0.00	0.00
<u>Foreclosure Assistance Program (T-960)</u> Trust fund established for salaries of five temporary, exempt, professional legal staff positions to assist circuit court judges in processing foreclosure cases. Revenues come from an administrative trust account from the Department of the Attorney's General's Foreclosure Assistance Program, created pursuant to a federal court consent judgment.	April 2012, Federal Consent Judgment between State of Hawaii and Bank of America, JP Morgan Chase, Wells Fargo, Citigroup, and Ally/GMAC	Statewide Judiciary-Foreclosure Assistance	264,804.25	292,292.10	236,117.00	0.00	11,507.50
<u>Juvenile Detention Alternative Initiative (T-962)</u> This fund supported the Juvenile Detention Alternatives Initiative (JDAI) designed to address the efficiency and effectiveness of juvenile detention without sacrificing community safety.	N/A	Juvenile Detention	3,749.50	11,205.93	18.63	0.00	500.00
<u>Juvenile Detention Alternatives Initiative III (T-954)</u> When the Annie E. Casey Foundation (AECF) launched JDAI as a pilot project in the early 1990s, overreliance on detention was widespread and growing nationwide. Using a model rooted in eight core strategies, JDAI proved effective in helping participating jurisdictions safely reduce their detention populations. This grant was awarded to the Hawaii State Judiciary to support replication of the JDAI and coordinate the implementation of the JDAI's eight core strategies in Hawaii.	N/A	Juvenile Detention	1,993.04	0.00	0.00	0.00	0.00

NON-GENERAL FUND INFORMATION
HRS SECTION 37-47

NAME OF FUND (1) PURPOSE (2)	LAW AUTHORIZING FUND (1)	CURRENT PROGRAM ACTIVITY WHICH FUND SUPPORTS (3)	BEG BALANCE (2017) (4)	PRIOR YEAR EXPENDITURES (2016) (5)	PRIOR YEAR REVENUE (2016) (6)	TRANSFER FROM FUNDS (2016) (7)	BEG UNENCUMBERED BALANCE (2017) (8)
<p>Juvenile Detention Alternatives Initiative IV (T-959) When the AECF launched JDAI as a pilot project in the early 1990s, overreliance on detention was widespread and growing nationwide. Using a model rooted in eight core strategies, JDAI proved effective in helping participating jurisdictions safely reduce their detention populations. This grant was awarded to the Hawaii State Judiciary to support replication of the JDAI and coordinate the implementation of the JDAI's eight core strategies in Hawaii.</p>	N/A	Juvenile Detention	0.00	1,453.14	0.00	0.00	0.00
<p>Rental Trust Fund Court ordered deposits are held in individual case subsidiary ledgers in the Trust Accounting System for landlord - tenant disputes over rent and will be disbursed per court ordered judgments.</p>	666-21, HRS	N/A	1,625,120.94	392,984.01	1,480,090.34	0.00	0.00
<p>Family Court, 1st Circuit-Restitution FD (T-905) This fund was established to account for donations to the Family Courts Juvenile Monetary Restitution Program.</p>	N/A	Juvenile Client Services Branch, Intake and Probation Section, First Circuit	45,986.62	0.00	0.00	0.00	0.00
<p>Supreme Court Law Library Donation Fund (T-903) Trust fund established to account for donations to the Supreme Court Law Library. The fund is used to purchase library materials.</p>	N/A	Supreme Court Law Library customers	0.00	581.45	0.00	0.00	0.00
<p>Temporary Deposits - Payroll Clearing (T-918) Account established to temporarily hold reimbursements (i.e., overpayments), pending transfer to the State of Hawaii.</p>	N/A	State of Hawaii	6,130.85	0.00	1,404.19	0.00	0.00
<p>Workload Study & Workflow Assessments of Court Operations Staff (First Circuit) (T-965) This grant provided for a court operations staff workload and workflow assessment study for the First Circuit Court.</p>	<p>State Justice Authorization Act of 1984 (42 U.S.C. 10701 et seq.)</p> <p>State Justice Reauthorization Act of 2004 (P.L. 108-372)</p>	First Circuit Court	0.00	11,405.00	11,405.00	0.00	0.00

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<u>Mental Health Training (T-966)</u> To support costs associated with the Mental Health Training Curriculum for Juvenile Justice (MHTC-JJ) Train the Trainer session; the MHTC-JJ practice session, and the MHTC-JJ site trainings.	N/A	Family Court, First Circuit	1,506.25	3,493.75	5,000.00	0.00	0.00
<u>Juvenile Detention Alternative Initiative VI (T-967)</u> When the AECF launched JDAI as a pilot project in the early 1990s, overreliance on detention was widespread and growing nationwide. Using a model rooted in eight core strategies, JDAI proved effective in helping participating jurisdictions safely reduce their detention populations. This grant was awarded to the Hawaii State Judiciary to support replication of the JDAI and coordinate the implementation of the JDAI's eight core strategies in Hawaii.	N/A	Statewide Judiciary-Family Courts	25,000.00	0.00	25,000.00	0.00	0.00
<u>Juvenile Detention Alternatives Initiative (T-980)</u> When the AECF launched JDAI as a pilot project in the early 1990s, overreliance on detention was widespread and growing nationwide. Using a model rooted in eight core strategies, JDAI proved effective in helping participating jurisdictions safely reduce their detention populations. This grant was awarded to the Hawaii State Judiciary to support replication of the JDAI and coordinate the implementation of the JDAI's eight core strategies in Hawaii.	N/A	Statewide Judiciary-Family Courts	0.00	929.07	0.00	0.00	0.00
<u>National Criminal History Improvement Program (NCHIP) Project III (S-240)</u> This federal grant has been in existence since 1995, and more recently, under the enactment of the Crime Identification Technology Act (CITA) of 1998, funds have been set aside under NCHIP to continue the states' efforts to improve their criminal history system.	Public Law 105-251, the Crime Identification Technology Act of 1998 (codified at 42 U.S.C. 14601 et seq.); 42 U.S.C. 3732.	Judiciary Statewide, All Courts	1.89	24,999.34	24,999.34	0.00	0.00

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<p><u>Ka Maka O Ka Ihe (S-242)</u> The Judiciary will utilize the Drug Court Implementation award to implement a Veterans Treatment Court that will serve felony and misdemeanor veteran offenders. The grant will provide participants with services and treatment planning assistance for their identified individualized needs in a timely manner, as well as enable the veterans in learning immediate accountability through assisting them with developing the skills necessary to live productive and responsible lives.</p>	<p>42 U.S.C. 3797u; and an act appropriating funds for the Department of Justice in the current fiscal year.</p>	<p>Circuit Court, First Circuit</p>	<p>266.75</p>	<p>61,987.01</p>	<p>61,987.02</p>	<p>0.00</p>	<p>0.00</p>
<p><u>Reporting Center (S-245)</u> This grant provides an alternative to secured detention for youth who are on status with the courts and at risk of being placed in the Juvenile Detention Facility.</p>	<p>Title II, Part B Formula Grant Program, Sections 221-223, and 42 U.S.C. Sections 5631-5633 of the Juvenile Justice and Delinquency Prevention Act of 2002.</p>	<p>Family Court, First Circuit</p>	<p>5,000.00</p>	<p>70,000.00</p>	<p>65,000.00</p>	<p>0.00</p>	<p>0.00</p>

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<p><u>Maui/Molokai Drug Court Program (S-248)</u> The goal of drug courts is to engage individuals in substance abuse treatment, successfully intervene in the addiction, and end the cycle of recidivism. The goal of the Maui/Molokai Drug Court is to improve outcomes for alcohol and other drug addicted individuals in the courts through justice system collaboration, thereby: 1. Enhancing public safety; 2. Ensuring participant accountability; and 3. Reducing overall long-term costs to society. Successful drug court initiatives also improve the quality of life for addicted offenders, their families, and communities.</p>	<p>Subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 U.S.C. 3751-3759). Consolidated Appropriations Act, 2008, Public Law 110-161. Public Law 109-162, Title XI, Department of Justice Reauthorization, Subtitle B, Improving the Department of Justice's Grant Programs, Chapter 1, Assisting Law Enforcement and Criminal Justice Agencies, Section 1111. Merger of Byrne Grant Program and Local Law Enforcement Block Grant Program. And, an act appropriating funds for the Department of Justice in the current fiscal year.</p>	<p>Maui/Molokai Drug Court</p>	<p>0.95</p>	<p>15,828.65</p>	<p>15,829.40</p>	<p>0.00</p>	<p>0.00</p>

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<p><u>Providing Language Access in the Courts (S-249)</u> Strengthen the Judiciary's provision of language access services for criminal defendants and witness with limited English proficiency (LEP).</p>	<p>Subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 U.S.C. 3751-3759). Consolidated Appropriations Act, 2008, Public Law 110-161. Public Law 109-162, Title XI, Department of Justice Reauthorization, Subtitle B, Improving the Department of Justice's Grant Programs, Chapter 1, Assisting Law Enforcement and Criminal Justice Agencies, Section 1111. Merger of Byrne Grant Program and Local Law Enforcement Block Grant Program. And, an act appropriating funds for the Department of Justice in the current fiscal year.</p>	<p>Office of the Administrative Director of the Courts</p>	<p>0.00</p>	<p>58,094.07</p>	<p>58,093.71</p>	<p>0.00</p>	<p>0.00</p>
<p><u>Girls Court Program II (S-251)</u> Girls Court will provide on-site professional mental health services to juvenile girls in the program.</p>	<p>Public Health Service Act, Subpart 1 and III, Title XIX, Part B.</p>	<p>Family Court, First Circuit</p>	<p>0.00</p>	<p>2,496.00</p>	<p>998.40</p>	<p>0.00</p>	<p>0.00</p>

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<p><u>Trauma and Domestic Violence (S-253)</u> This grant will help increase the knowledge and understanding of Family Court judges and designated administrative staff throughout the State of Hawaii on the effects of trauma to victims of domestic abuse and/or intimate partner sexual assault.</p>	<p>Omnibus Crime Control and Safe Streets Act of 1968, Public Law 90-351, as added by the Violence Against Women Act of 1994, Public Law 103-322, 42 U.S.C. 3796gg-5 et seq., as amended by Violence Against Women Reauthorization Act of 2013; P.L. No. 113-4., as amended by Violence Against Women and Department of Justice Reauthorization Act of 2005; P.L. No. 109-162, as amended by Violence Against Women Act of 2000; P.L. No. 106-386.</p>	<p>Family Court, First Circuit</p>	<p>0.00</p>	<p>7,221.00</p>	<p>7,221.00</p>	<p>0.00</p>	<p>0.00</p>
<p><u>He Lei Keiki, Unforgettable Wreath of Our Children (S-254)</u> The grant is to help the Family Drug Court (FDC) to focus on reunifying children ages zero to three, that have been abused or neglected, with their families in a safe and nurturing home.</p>	<p>Children's Health Act of 2000, Section 520 A-J, 581,582, Public Law 106-310; Public Health Service Act, Title V, Section 509; 516, 42 U.S.C 290bb.</p>	<p>Family Court, First Circuit</p>	<p>0.00</p>	<p>63,768.70</p>	<p>63,768.70</p>	<p>0.00</p>	<p>0.00</p>

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<p><u>Court Improvement Training Program VIII (S-256)</u> The Court Improvement Program (CIP) Training grant is intended to increase child welfare expertise within the legal community and facilitate cross-training opportunities among agencies, courts, and other key stakeholders.</p>	<p>Social Security Act, Title IV-B, Part 2, Section 438</p>	<p>Family Court, First Circuit</p>	<p>306.15</p>	<p>0.00</p>	<p>0.00</p>	<p>0.00</p>	<p>0.00</p>
<p><u>Conducting A Safety Assessment (S-261)</u> To promote safety for victims of domestic violence in the City and County of Honolulu.</p>	<p>Omnibus Crime Control and Safe Streets Act of 1968, Public Law 90-351, as added by the Violence Against Women Act of 1994, Public Law 103-322, 42 U.S.C. 3796gg et seq., as amended by Violence Against Women Reauthorization Act of 2013; P.L. No. 113-4., as amended by Violence Against Women and Department of Justice Reauthorization Act of 2005; P.L. No. 109-162, as amended by Violence Against Women Act of 2000; P.L. No. 106-386.</p>	<p>Family Court, First Circuit</p>	<p>0.00</p>	<p>7,424.00</p>	<p>7,424.00</p>	<p>0.00</p>	<p>0.00</p>

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<p><u>Court Improvement Basic Program XX (S-262)</u> The CIP Basic grant enables state courts to conduct assessments of the role, responsibilities and effectiveness of state courts in carrying out state laws relating to child welfare proceedings. It also allows state courts to make improvements to provide for the safety, well-being, and permanence of children in foster care and assist in the implementation of Program Improvement Plans (PIPs) as a result of the Child and Family Services and Title IV-E Foster Care Eligibility Reviews.</p>	Social Security Act, Title IV-B, Part 2, Section 438	Judiciary Statewide, Family Court	0.00	28,762.24	28,762.24	0.00	0.00
<p><u>Court Improvement Training Program IX (S-263)</u> This grant provides the ability to increase child welfare expertise within the legal community and facilitate cross-training opportunities among agencies, tribes, courts, and other key stakeholders.</p>	Social Security Act, Title IV-B, Part 2, Section 438	Judiciary Statewide, Family Court	0.00	78,615.86	78,615.86	0.00	0.00
<p><u>Court Improvement Data Sharing Program VIII (S-264)</u> This grant provides support to state court data collection and analysis and promotes data sharing between state courts, child welfare agencies, and tribes.</p>	Social Security Act, Title IV-B, Part 2, Section 438	Judiciary Statewide, Family Court	0.00	17,500.00	17,500.00	0.00	0.00
<p><u>Mental Health Assessment III (S-265)</u> This grant provides mental health assessment services, including psychosexual assessments if appropriate, for the population of youth who are not otherwise eligible for mental health assessment services from any other state agency or private insurance plan.</p>	Public Health Service Act, Subpart 1 and III, Title XIX, Part B.	Family Court, First Circuit	0.00	1,875.00	1,875.00	0.00	0.00

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<p><u>Big Island Veteran's Treatment Center (S-267)</u> Grant funds will be used to build and maximize the capacity of a single jurisdiction drug court to: ensure that all offenders are identified and assessed for risk and need; ensure all substance abusing offenders receive targeted research-based and data-driven services; and enhance the provision of ancillary services that prevent recidivism such as individualized treatment, vocational and educational services and community reintegration services to achieve long-term recovery.</p>	<p>42 U.S.C. 3797u(a) (BJA-Drug Courts)</p>	<p>Veteran's Treatment Center, Third Circuit</p>	<p>69.36</p>	<p>104,999.15</p>	<p>112,181.45</p>	<p>0.00</p>	<p>7,112.94</p>

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<p><u>Modification to The HI JUD INFO System (S-268)</u> Grant Funds are used to modify Case Management System to facilitate the systems' capability to share complete and accurate case record information with the HCJDC. (Hawaii Criminal Justice Data Center).</p>	<p>Subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 U.S.C. 3751-3759). Consolidated Appropriations Act, 2008, Public Law 110-161. Public Law 109-162, Title XI, Department of Justice Reauthorization, Subtitle B, Improving the Department of Justice's Grant Programs, Chapter 1, Assisting Law Enforcement and Criminal Justice Agencies, Section 1111. Merger of Byrne Grant Program and Local Law Enforcement Block Grant Program. And, an act appropriating funds for the Department of Justice in the current fiscal year.</p>	<p>Office of the Administrative Director of the Courts</p>	<p>0.00</p>	<p>35,966.63</p>	<p>0.00</p>	<p>0.00</p>	<p>0.00</p>

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<p><u>Courthouse Security Surveillance System (S-269)</u> Design phase of the Ali'iolani Hale and Kapu'iwa Building Camera Surveillance System. Development of design of the camera and recording system based on pre-design assessment; preparation of construction documents for bidding and construction, including technical drawings, specifications, and commissioning documents; completion/update of site topographic survey data and any other submissions from the pre-design assessment.</p>	<p>Homeland Security Act of 2002, Public Law 107-296; Department of Homeland Security Appropriations Act of 2016, Public Law 114-4.</p>	<p>Intermediate Court of Appeals</p>	<p>0.00</p>	<p>136,134.83</p>	<p>136,134.83</p>	<p>0.00</p>	<p>0.00</p>
<p><u>Quality Assurance Indicators Hawaii (S-270)</u> Grant funds are used to expand the State's capacity to analyze statistical data on its adult criminal offender population through the expansion of the Judiciary Information Management System via the addition of quality assurance indicators and automated statistical reports.</p>	<p>Omnibus Crime Control and Safe Streets Act of 1968, as amended; 42 U.S.C. 3732.</p>	<p>Circuit Court, First Circuit</p>	<p>0.00</p>	<p>33,300.00</p>	<p>33,300.00</p>	<p>0.00</p>	<p>0.00</p>
<p><u>Driving While Impaired (DWI) Court Program IV (S-271)</u> The purpose of the DWI Court grants have been to establish, implement and operate a DWI Court Program in Honolulu. DWI Courts were created nationwide to address the repeat drunk driving offender who are overrepresented in fatal crashes. The DWI Court Program provides offenders with comprehensive court-supervised treatment opportunities and resources to successfully complete rehabilitation with the goal to reduce individual recidivism rates, societal financial burdens, and protect our community.</p>	<p>Moving Ahead for Progress in the 21st Century (P.L. 112-141), Title I- Motor Vehicle and Highway Safety Improvement Act of 2012, Section 31105 , 23 U.S.C 402.</p>	<p>District Court, First Circuit</p>	<p>0.00</p>	<p>162,053.88</p>	<p>162,053.88</p>	<p>0.00</p>	<p>0.00</p>
<p><u>Judiciary Child Passenger Violator Class (S-273)</u> This grant will support the development of a standardized curriculum for the Judiciary's four-hour court mandated child passenger safety course. The curriculum will be student-centered which will include hands-on learning utilizing demonstration seats and training dolls simulating various infant ages and sizes.</p>	<p>Fixing America's Surface Transportation Act (FAST Act). 23 U.S.C. 104</p>	<p>District Court, First Circuit</p>	<p>0.00</p>	<p>19,209.78</p>	<p>19,209.78</p>	<p>0.00</p>	<p>0.00</p>

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<p><u>Access and Visitation XVIII (S-274)</u> The Access and Visitation Grant is a formula grant, administered through the U.S. Department of Health and Human Services, which provides funding to the states and territories to establish and administer programs which support and facilitate non-custodial parents' access to and visitation with their children. This grant has been awarded to the First Circuit Family Court since 1997. Funds have been used to provide supervised child visitation and safe exchanges to families with a history of domestic violence on the islands of Hawaii and Oahu.</p>	<p>Social Security Act, Title IV, Part D, Section 469B, Public Law 104-193.</p>	<p>Family Court, First Circuit</p>	<p>0.00</p>	<p>10,306.90</p>	<p>4,607.20</p>	<p>0.00</p>	<p>0.00</p>
<p><u>He Lei Keiki - Wreath of Our Children (S-275)</u> The FDC established a Zero to Three track to focus on families with children in the zero to three age range and their siblings. While the FDC will work to expedite and provide appropriate services for parents, this track will also focus on ensuring that these very young children get the services and interactions that they need to provide them with the skills to be successful regardless of whether they are reunified or adopted. The project goals are: 1-Enhance access to appropriate services for children who are abused or neglected to ensure long term success for the children, and 2-Develop and provide training to family centered teams to address the needs of the children during reunification, and include providers, court staff, parents and foster parents in that effort.</p>	<p>Children's Health Act of 2000, Section 520 A-J, 581,582, Public Law 106-310; Public Health Service Act, Title V, Section 509; 516, 42 U.S.C 290bb.</p>	<p>Hawaii Zero To Three Program</p>	<p>0.00</p>	<p>191,568.78</p>	<p>198,516.74</p>	<p>0.00</p>	<p>6,947.96</p>

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<p><u>Court Improvement Basic Program XXI (S-276)</u> The CIP Basic grant enables state courts to conduct assessments of the role, responsibilities and effectiveness of state courts in carrying out state laws relating to child welfare proceedings. It also allows state courts to make improvements to provide for the safety, well-being, and permanence of children in foster care and assist in the implementation of PIPs as a result of the Child and Family Services and Title IV-E Foster Care Eligibility Reviews.</p>	Social Security Act, Title IV-B, Part 2, Section 438.	Statewide Judiciary, Family Court	0.00	53,561.98	53,561.98	0.00	0.00
<p><u>Court Improvement Training Program X (S-277)</u> This grant provides the ability to increase child welfare expertise within the legal community and facilitate cross-training opportunities among agencies, tribes, courts, and other key stakeholders.</p>	Social Security Act, Title IV-B, Part 2, Section 438	Statewide Judiciary, Family Court	0.00	17,747.52	17,747.52	0.00	0.00
<p><u>Court Improvement Data Sharing Program IX (S-278)</u> This grant provides support to state court data collection and analysis and promotes data sharing between state courts, child welfare agencies, and tribes.</p>	Social Security Act, Title IV-B, Part 2, Section 438	Statewide Judiciary, Family Court	0.94	34,372.88	34,680.88	0.00	307.06
<p><u>Judicial Education - Impaired Driving II (S-279)</u> Training for district court judges with jurisdiction to preside over traffic matters and who require information about legal issues and court procedures that may encourage increased compliance with existing traffic laws.</p>	Moving Ahead for Progress in the 21st Century (P.L. 112-141), Title I- Motor Vehicle and Highway Safety Improvement Act of 2012, Section 31105, Public Law 112-141.	Office of the Administrative Director of the Courts	0.00	17,687.76	17,687.76	0.00	0.00

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<p><u>Driving While Impaired (DWI) Court, First Circuit V (S-280)</u> To establish DWI Court pilot project in the District Court of the First Circuit.</p>	<p>Moving Ahead for Progress in the 21st Century (P.L. 112-141), Title I- Motor Vehicle and Highway Safety Improvement Act of 2012, Section 31105, Public Law 112-141.</p>	<p>District Court, First Circuit</p>	<p>0.00</p>	<p>90,625.92</p>	<p>93,190.12</p>	<p>0.00</p>	<p>2,564.20</p>
<p><u>Officer Training & Proficiency Measurements for Hawaii's Offender Management Information System (S-281)</u> Expand the State's capacity to analyze statistical data on its evidence based practices (EBPs) in the community supervision of criminal offenders, through the expansion of the Judiciary Information Management System via the addition of data collection, analysis, and reporting capabilities for assessing probation and parole officers' training and proficiency levels with respect to EBPs.</p>	<p>Omnibus Crime Control and Safe Streets Act of 1968, as amended; 42 U.S.C. 3732.</p>	<p>Circuit Court, First Circuit</p>	<p>11,400.00</p>	<p>13,500.00</p>	<p>24,900.00</p>	<p>0.00</p>	<p>0.00</p>

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NAME OF FUND (1) PURPOSE (2)	LAW AUTHORIZING FUND (1)	CURRENT PROGRAM ACTIVITY WHICH FUND SUPPORTS (3)	BEG BALANCE (2017) (4)	PRIOR YEAR EXPENDITURES (2016) (5)	PRIOR YEAR REVENUE (2016) (6)	TRANSFER FROM FUNDS (2016) (7)	BEG UNENCUMBERED BALANCE (2017) (8)
<p><u>Effective Intervention for Batterers (S-282)</u> To promote victim safety by increasing offending accountability, and to improve the response of the criminal justice system for Chuukese offenders in domestic violence cases.</p>	<p>Omnibus Crime Control and Safe Streets Act of 1968, Public Law 90-351, as added by the Violence Against Women Act of 1994, Public Law 103-322, 42 U.S.C. 3796gg-5 et seq., as amended by Violence Against Women Reauthorization Act of 2013; P.L. No. 113-4., as amended by Violence Against Women and Department of Justice Reauthorization Act of 2005; P.L. No. 109-162, as amended by Violence Against Women Act of 2000; P.L. No. 106-386.</p>	<p>Family Court, First Circuit</p>	<p>4,473.00</p>	<p>32,227.00</p>	<p>36,700.00</p>	<p>0.00</p>	<p>0.00</p>
<p><u>State Access and Visitation Program XIX (S-283)</u> The Access and Visitation Grant is a formula grant, administered through the U.S. Department of Health and Human Services, which provides funding to the states and territories to establish and administer programs which support and facilitate non-custodial parents' access to and visitation with their children. This grant has been awarded to the First Circuit Family Court since 1997. Funds have been used to provide supervised child visitation and safe exchanges to families with a history of domestic violence on the islands of Hawaii and Oahu.</p>	<p>Social Security Act, Title IV, Part D, Section 469B, Public Law 104-193.</p>	<p>Family Court, First Circuit</p>	<p>0.00</p>	<p>55,800.00</p>	<p>55,800.00</p>	<p>0.00</p>	<p>0.00</p>

NON-GENERAL FUND INFORMATION
HRS SECTION 37-47

NAME OF FUND (1) PURPOSE (2)	LAW AUTHORIZING FUND (1)	CURRENT PROGRAM ACTIVITY WHICH FUND SUPPORTS (3)	BEG BALANCE (2017) (4)	PRIOR YEAR EXPENDITURES (2016) (5)	PRIOR YEAR REVENUE (2016) (6)	TRANSFER FROM FUNDS (2016) (7)	BEG UNENCUMBERED BALANCE (2017) (8)
<p>Language Access in the Courts Enhancement (LACE) (S-284) To facilitate the provision of language access services that provide meaningful access to the courts for LEP defendants and witnesses. This project will focus on improving the Judiciary's ability to facilitate access to justice for Hawaii's immigrant and LEP criminal justice populations.</p>	<p>Subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 U.S.C. 3751-3759). Consolidated Appropriations Act, 2008, Public Law 110-161. Public Law 109-162, Title XI, Department of Justice Reauthorization, Subtitle B, Improving the Department of Justice's Grant Programs, Chapter 1, Assisting Law Enforcement and Criminal Justice Agencies, Section 1111. Merger of Byrne Grant Program and Local Law Enforcement Block Grant Program. And, an act appropriating funds for the Department of Justice in the current fiscal year.</p>	<p>Office of Equality & Access to the Courts</p>	<p>0.00</p>	<p>0.00</p>	<p>0.00</p>	<p>0.00</p>	<p>0.00</p>

NON-GENERAL FUND INFORMATION
HRS SECTION 37-47

NAME OF FUND (1) PURPOSE (2)	LAW AUTHORIZING FUND (1)	CURRENT PROGRAM ACTIVITY WHICH FUND SUPPORTS (3)	BEG BALANCE (2017) (4)	PRIOR YEAR EXPENDITURES (2016) (5)	PRIOR YEAR REVENUE (2016) (6)	TRANSFER FROM FUNDS (2016) (7)	BEG UNENCUMBERED BALANCE (2017) (8)
<p><u>Safety During Visitation (S-288)</u> NEW To promote victim safety during supervised child visitation and safe exchanges. The First Circuit Court will plan and convene a workshop for the Judiciary contracted providers of supervised child visitation and safe exchange services in the State. The Judiciary also will develop training for the Family Court Symposium on supervised child visitation and safe exchange issues, concerns, and best practices.</p>	<p>Omnibus Crime Control and Safe Streets Act of 1968, Public Law 90-351, as added by the Violence Against Women Act of 1994, Public Law 103-322, 42 U.S.C. 3796gg et seq., as amended by Violence Against Women Reauthorization Act of 2013; P.L. No. 113-4., as amended by Violence Against Women and Department of Justice Reauthorization Act of 2005; P.L. No. 109-162, as amended by Violence Against Women Act of 2000; P.L. No. 106-386.</p>	<p>Family Court, First Circuit</p>	<p>0.00</p>	<p>0.00</p>	<p>0.00</p>	<p>0.00</p>	<p>0.00</p>
<p><u>Courthouse Security Surveillance System II (S-289)</u> NEW Increase courthouse security and ensure the safety of court staff, judicial officers, court users, and the general public at Ali'iolani Hale and Kapuaiwa Building. Construction (Phase I) for the ICA includes abatement of hazardous materials, and installation of concealed communication horizontal network cabling system, interior and exterior I.P. network surveillance digital cameras (20-25 total), a dedicated server, miscellaneous hardware, and software devices.</p>	<p>Homeland Security Act of 2002, Public Law 107-296; Department of Homeland Security Appropriations Act of 2016, Public Law 114-4.</p>	<p>Intermediate Court of Appeals</p>	<p>0.00</p>	<p>0.00</p>	<p>0.00</p>	<p>0.00</p>	<p>0.00</p>

NON-GENERAL FUND INFORMATION
HRS SECTION 37-47

NAME OF FUND (1) PURPOSE (2)	LAW AUTHORIZING FUND (1)	CURRENT PROGRAM ACTIVITY WHICH FUND SUPPORTS (3)	BEG BALANCE (2017) (4)	PRIOR YEAR EXPENDITURES (2016) (5)	PRIOR YEAR REVENUE (2016) (6)	TRANSFER FROM FUNDS (2016) (7)	BEG UNENCUMBERED BALANCE (2017) (8)
Driving While Impaired Court Program (S-290) NEW The purpose of the DWI Court grants has been to establish, implement and operate a DWI Court Program in Honolulu. DWI Courts were created nationwide to address the repeat drunk driving offender who are overrepresented in fatal crashes. The DWI Court Program provides offenders with comprehensive court-supervised treatment opportunities and resources to successfully complete rehabilitation with the goal to reduce individual recidivism rates, societal financial burdens, and protect our community.	Highway Safety Act of 1998 as amended, 23 U.S.C 164.	District Court, First Circuit	0.00	0.00	0.00	0.00	0.00
Judiciary Electronic Citation Traffic Record (S-221) NEW To modify the system workflow of the Judiciary's Traffic Violations Bureau in the First and Second Circuits to receive electronic citations during the State's pilot projects, thereby reducing paper transport delays and increasing accuracy of data entry.		District Court, First and Second Circuits	0.00	0.00	0.00	0.00	0.00

Notes:

- 1) Bond Conveyance Obligations, Bond Proceeds, and CD's and Other Inv are not applicable for the Judiciary.

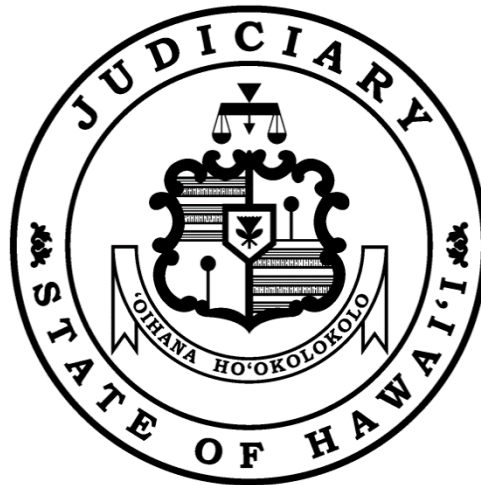
NEW-ACCOUNT ESTABLISHED, PENDING RECEIPT OF FUNDS

**ANNUAL REPORT TO THE TWENTY-NINTH LEGISLATURE
2017 REGULAR SESSION**

ON

**ACT 233, SESSION LAWS OF HAWAI'I 2015
Section 3**

**A Report on FY 2016 Repair and Maintenance
In Judiciary-owned Facilities**



Prepared by:

**Capital Improvement Projects Office
Planning and Policy Department
The Judiciary, State of Hawai'i**

December 2016

**ANNUAL REPORT TO THE TWENTY-NINTH LEGISLATURE
2017 REGULAR SESSION**

ON

**ACT 233, SESSION LAWS OF HAWAI'I 2016
HAWAI'I REVISED STATUTES § 601-2(a)**

**A Report on FY 2016 Repair and Maintenance
In Judiciary-owned Facilities**

The attached report is respectfully submitted pursuant to Section 3 of Act 233, Session Laws of Hawai'i 2016, which requires the Chief Justice to submit an annual reports of routine repair and maintenance for Judiciary-owned buildings, facilities, and other improvements that substantially comply with Hawai'i Revised Statutes, Chapter 37.

Pursuant to Chapter 37, the annual report shall cover the fiscal year that commences following the submittal of the report and break down the funds and positions deemed necessary for routine repair and maintenance by means of financing and cost element. The annual report shall also include a comparison for each of the prior two fiscal years of the: (1) routine repair and maintenance funds and positions deemed necessary by the state executive agency, as identified in the relevant prior reports; (2) actual appropriations and positions authorized for routine repair and maintenance; and (3) actual expenditures and positions filled for the routine repair and maintenance.

**FY 15 and FY 16 ROUTINE REPAIR AND MAINTENANCE REPORT
THE JUDICIARY: Administration**

Prog ID/Org	Island	State Owned Bldg/Facility/Other	Cost Element (A, B, C)	Type of Facility	MOF	Budgeted FY 15		Actual FY 15		Variance FY 15				Budgeted FY 16		Actual FY 16		Variance FY 16				Comments
						FTE	Amount	FTE	Amount	FTE	Amount	% FTE	% Amount	FTE	Amount	FTE	Amount	FTE	Amount	% FTE	% Amount	
JUD 601	Oahu	Ali'iolani Hale	B Other Current Exp	O	A	0.00	34,662	0.00	35,475	0.00	813	0.00%	2.35%	0.00	26,475	0.00	24,329	0.00	-2,146	0.00%	-8.11%	No Facilities Staff Assigned this Org; Serviced by First Circuit Personnel; Admin does not budget by building; instead, all budget for this Org attributed to Ali'iolani Hale
JUD 601	Oahu	Ali'iolani Hale	C Equipment	O	A		81		2,375		2,294	0.00%	2832.10%	0.00	0	0.00	32,295	0.00	32,295	0.00%	#DIV/0!	
JUD 601	Oahu	Kapuaiwa Building	B Other Current Exp	O	A	0.00	0	0.00	2,401	0.00	2,401	0.00%	#DIV/0!	0.00	0	0.00	226,481	0.00	226,481	0.00%	#DIV/0!	No Facilities Staff Assigned this Org; Serviced by First Circuit Personnel; \$181,255 reimbursed by DAGS Risk Mgmt in FY16 for flood damage in basement of Kapuaiwa resulting in net expense of \$45,226;
JUD 601	Oahu	Kapuaiwa Building	C Equipment	O	A	0.00	0		0		0	0.00%	#DIV/0!	0.00	0	0.00	1,913	0.00	1,913	0.00%	#DIV/0!	\$1,913 reimbursed by DAGS Risk Mgmt resulting in net expense of \$0
JUD 601	Oahu	Kauikeaouli Hale	B Other Current Exp	O	A	0.00	0	0.00	15,078	0.00	15,078	0.00%	#DIV/0!	0.00	0	0.00	2,094	0.00	2,094	0.00%	#DIV/0!	No Facilities Staff Assigned this Org; Serviced by First Circuit Personnel; adjustment of \$4500 in FY15 resulted in net expense of \$10,578

TOTAL:

0.00	34,743	0.00	55,329	0.00	20,586
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0.00	26,475	0.00	287,112	0.00	260,637
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Type of Facility Key
O = Office
E = Educational Facility
M = Medical Facility
X = Other

By MOF

General	A	0.00	34,743	0.00	55,329	0.00	20,586	0.00	26,475	0.00	287,112	0.00	260,637
Special	B	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
General Obligation Bonds	C	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
Reimbursable GO Bonds	D	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
Revenue Bonds	E	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
Federal Funds	N	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
Other Federal Funds	P	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
Private	R	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
County	S	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
Trust	T	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0

**FY 15 and FY 16 ROUTINE REPAIR AND MAINTENANCE REPORT
THE JUDICIARY: Administration**

Prog ID/Org	Island	State Owned Bldg/Facility/Other	Cost Element (A, B, C)	Type of Facility	MOF	Budgeted FY 15		Actual FY 15		Variance FY 15				Budgeted FY 16		Actual FY 16		Variance FY 16				Comments
						FTE	Amount	FTE	Amount	FTE	Amount	% FTE	% Amount	FTE	Amount	FTE	Amount	FTE	Amount	% FTE	% Amount	
				Inter-departmental Transfer	U	0.00	0	0.00	0	0.00	0			0.00	0	0.00	0	0.00	0	0.00	0	
				Revolving	W	0.00	0	0.00	0	0.00	0			0.00	0	0.00	0	0.00	0	0.00	0	
				Other	X	0.00	0	0.00	0	0.00	0			0.00	0	0.00	0	0.00	0	0.00	0	

**FY 15 and FY 16 ROUTINE REPAIR AND MAINTENANCE REPORT
THE JUDICIARY: Courts of Appeals**

Prog ID/Org	Island	State Owned Bldg/Facility/Other	Cost Element (A, B, C)	Type of Facility	MOF	Budgeted FY 15		Actual FY 15		Variance FY 15				Budgeted FY 16		Actual FY 16		Variance FY 16				Comments
						FTE	Amount	FTE	Amount	FTE	Amount	% FTE	% Amount	FTE	Amount	FTE	Amount	FTE	Amount	% FTE	% Amount	
JUD101 / COA	Oahu	Aliiolani Hale	B Other Curren	O	A	0.00	20,000	0.00	127,783	0.00	107,783	#DIV/0!	538.92%	0.00	24,050	0.00	23,296	0.00	-754	#DIV/0!	-3.14%	FY15-\$69,432 DAGS Risk Mgmt reimb for flood damage repairs
JUD101 / COA	Oahu	Aliiolani Hale	C Equipment	O	A	0.00	0	0.00	11,550	0.00	11,550	#DIV/0!	#DIV/0!	0.00	0	0.00	0	0.00	0	#DIV/0!	#DIV/0!	
JUD101 / COA	Oahu	Kapuaiwa Building	B Other Curren	O	A	0.00	13,500	0.00	1,009	0.00	-12,491	#DIV/0!	-92.53%	0.00	101,000	0.00	72,745	0.00	-28,255	#DIV/0!	-27.98%	

TOTAL:

0.00	33,500	0.00	140,342	0.00	106,842
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0.00	125,050	0.00	96,041	0.00	-29,009
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Type of Facility Key
O = Office
E = Educational Facility
M = Medical Facility
X = Other

By MOF

MOF	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
General A	0.00	33,500	0.00	140,342	0.00	106,842	0.00	125,050
Special B	0.00	0	0.00	0	0.00	0	0.00	0
Obligation C	0.00	0	0.00	0	0.00	0	0.00	0
GO Bonds D	0.00	0	0.00	0	0.00	0	0.00	0
Bonds E	0.00	0	0.00	0	0.00	0	0.00	0
Federal Funds N	0.00	0	0.00	0	0.00	0	0.00	0
Funds P	0.00	0	0.00	0	0.00	0	0.00	0
Private R	0.00	0	0.00	0	0.00	0	0.00	0
County S	0.00	0	0.00	0	0.00	0	0.00	0
Trust T	0.00	0	0.00	0	0.00	0	0.00	0
departmental U	0.00	0	0.00	0	0.00	0	0.00	0
Revolving W	0.00	0	0.00	0	0.00	0	0.00	0
Other X	0.00	0	0.00	0	0.00	0	0.00	0

**FY 15 and FY 16 ROUTINE REPAIR AND MAINTENANCE REPORT
DEPARTMENT OF JUDICIARY: First Circuit**

Prog ID/Org	Island	State Owned Bldg/Facility/Other	Cost Element (A, B, C)	Type of Facility	MOF	Budgeted FY 15		Actual FY 15		Variance FY 15				Budgeted FY 16		Actual FY 16		Variance FY 16				Comments
						FTE	Amount	FTE	Amount	FTE	Amount	% FTE	% Amount	FTE	Amount	FTE	Amount	FTE	Amount	% FTE	% Amount	
JUD 310	Oahu	Kaahumanu Hale	A Personal Services	O	A	75.00	2,721,394	73.00	2,732,155	-2.00	10,761	-2.67%	0.40%	75.00	2,787,342	75.00	2,889,200	0.00	101,858	0.00%	3.65%	First Circuit's Circuit Court Fiscal Office pays for Facilities' management personal services which covers the following buildings: Kaahumanu Hale; Kauikeaouli Hale; Abner Paki Hale; RonaldMoon Jud Complex; Juvenile Detention Facility; Kapuaiwa; and Aliiolani Hale. Actual amounts include overtime.
JUD 310	Oahu	Kaahumanu Hale	B Other Current Exp	O	A	0.00	299,960	0.00	680,761	0.00	380,801	#DIV/0!	126.95%	0.00	299,960		380,644	0.00	80,684	#DIV/0!	26.90%	There are some building service agreements for which the First Circuit's Circuit Court Fiscal Office pays for that covers all Judiciary properties on Oahu, including Aliiolani Hale (Supreme Court) and Kapuaiwa buildings. These all encompassing contracts include air conditioning maintenance, and contracted janitorial and landscaping services. These types of contracts make it difficult to allocate specific amounts from the total contract amount to specific buildings.
JUD 310	Oahu	Kaahumanu Hale	C Equipment	O	A	0.00	0	0.00	17,408	0.00	17,408	#DIV/0!	#DIV/0!	0.00	0	0.00	161,879	0.00	161,879	#DIV/0!	#DIV/0!	
JUD 310	Oahu	Kauikeaouli Hale	A Personal Services	O	A					0.00	0	#DIV/0!	#DIV/0!					0.00	0	#DIV/0!	#DIV/0!	See comments on Kaahumanu Hale
JUD 310	Oahu	Kauikeaouli Hale	B Other Current Exp	O	A	0.00	92,950	0.00	78,107	0.00	-14,843	#DIV/0!	-15.97%	0.00	89,680	0.00	52,790	0.00	-36,890	#DIV/0!	-41.14%	District Court's Fiscal Office pays and budgets for Kauikeaouli Hale; Ewa-Pearl City and Abner Paki Hale buildings.
JUD 310	Oahu	Kauikeaouli Hale	C Equipment	O	A	0.00	0	0.00	1,604	0.00	1,604	#DIV/0!	#DIV/0!	0.00	0	0.00	0	0.00	0	#DIV/0!	#DIV/0!	
JUD 310	Oahu	Abner Paki Hale	A Personal Services	O	A					0.00	0	#DIV/0!	#DIV/0!					0.00	0	#DIV/0!	#DIV/0!	See comments on Kaahumanu Hale
JUD 310	Oahu	Abner Paki Hale	B Other Current Exp	O	A	0.00	0	0.00	33,414	0.00	33,414	#DIV/0!	#DIV/0!	0.00	0	0.00	143,067	0.00	143,067	#DIV/0!	#DIV/0!	See comments on Kauikeaouli Hale
JUD 310	Oahu	Abner Paki Hale	C Equipment	O	A	0.00	0	0.00	1,082	0.00	1,082	#DIV/0!	#DIV/0!	0.00	0	0.00	0	0.00	0	#DIV/0!	#DIV/0!	
JUD 310	Oahu	Ewa-Pearl City Court	A Personal Services	O	A			0.00	0	0.00	0	#DIV/0!	#DIV/0!	0.00	0	0.00	0	0.00	0	#DIV/0!	#DIV/0!	See comments on Kaahumanu Hale
JUD 310	Oahu	Ewa-Pearl City Court	B Other	O	A	0.00	0	0.00	29,196	0.00	29,196	#DIV/0!	#DIV/0!	0.00	0	0.00	5,549	0.00	5,549	#DIV/0!	#DIV/0!	See comments on Kauikeaouli Hale
JUD 310	Oahu	Ewa-Pearl City Court	C Equipment	O	A	0.00	0	0.00	0	0.00	0	#DIV/0!	#DIV/0!	0.00	0	0.00	0	0.00	0	#DIV/0!	#DIV/0!	

**FY 15 and FY 16 ROUTINE REPAIR AND MAINTENANCE REPORT
DEPARTMENT OF JUDICIARY: First Circuit**

Prog ID/Org	Island	State Owned Bldg/Facility/Other	Cost Element (A, B, C)	Type of Facility	MOF	Budgeted FY 15		Actual FY 15		Variance FY 15				Budgeted FY 16		Actual FY 16		Variance FY 16				Comments
						FTE	Amount	FTE	Amount	FTE	Amount	% FTE	% Amount	FTE	Amount	FTE	Amount	FTE	Amount	% FTE	% Amount	
JUD 310	Oahu	Ronald T.Y. Moon Judiciary Complex	A Personal Services	O	A					0.00	0	#DIV/0!	#DIV/0!					0.00	0	#DIV/0!	#DIV/0!	See comments on Kaahumanu Hale
JUD 310	Oahu	Ronald T.Y. Moon Judiciary Complex	B Other Current Exp	O	A	0.00	352,176	0.00	185,167	0.00	-167,009	#DIV/0!	-47.42%	0.00	352,176	0.00	161,569	0.00	-190,607	#DIV/0!	-54.12%	Family Court's Fiscal Office pays and budgets for Ronald Moon Jud Complex; Juvenile Detention Facility; Hale Maluhia; and Home Hilinai buildings.
JUD 310	Oahu	Ronald T.Y. Moon	C Equipment	O	A	0.00	0	0.00	7,503	0.00	7,503	#DIV/0!	#DIV/0!	0.00	0	0.00	0	0.00	0	#DIV/0!	#DIV/0!	
JUD 310	Oahu	Juvenile Detention Facility	A Personal Services	O	A					0.00	0	#DIV/0!	#DIV/0!					0.00	0	#DIV/0!	#DIV/0!	See comments on Kaahumanu Hale
JUD 310	Oahu	Juvenile Detention Facility	B Other Current Exp	O	A	0.00	0	0.00	7,289	0.00	7,289	#DIV/0!	#DIV/0!	0.00	0	0.00	15,144	0.00	15,144	#DIV/0!	#DIV/0!	See comments on Ronald Moon Jud Complex
JUD 310	Oahu	Juvenile Detention	C Equipment	O	A	0.00	0	0.00	0	0.00	0	#DIV/0!	#DIV/0!	0.00	0	0.00	0	0.00	0	#DIV/0!	#DIV/0!	
JUD 310	Oahu	Hale Maluhia	A Personal Services	O	A					0.00	0	#DIV/0!	#DIV/0!					0.00	0	#DIV/0!	#DIV/0!	See comments on Kaahumanu Hale
JUD 310	Oahu	Hale Maluhia	B Other Current Exp	O	A	0.00	0	0.00	3,511	0.00	3,511	#DIV/0!	#DIV/0!	0.00	0	0.00	2,304	0.00	2,304	#DIV/0!	#DIV/0!	See comments on Ronald Moon Jud Complex
JUD 310	Oahu	Hale Maluhia	C Equipment	O	A	0.00	0	0.00	1,720	0.00	1,720	#DIV/0!	#DIV/0!	0.00	0	0.00	0	0.00	0	#DIV/0!	#DIV/0!	
JUD 310	Oahu	Home Hilinai	A Personal Services	O	A					0.00	0	#DIV/0!	#DIV/0!					0.00	0	#DIV/0!	#DIV/0!	See comments on Kaahumanu Hale
JUD 310	Oahu	Home Hilinai	B Other Current Exp	O	A	0.00	0	0.00	848	0.00	848	#DIV/0!	#DIV/0!	0.00	0	0.00	639	0.00	639	#DIV/0!	#DIV/0!	See comments on Ronald Moon Jud Complex
JUD 310	Oahu	Home Hilinai	C Equipment	O	A	0.00	0	0.00	0	0.00	0	#DIV/0!	#DIV/0!	0.00	0	0.00	1,424	0.00	1,424	#DIV/0!	#DIV/0!	

TOTAL:	75.00	3,466,480	73.00	3,779,765	-2.00	313,285	75.00	3,529,158	75.00	3,814,209	0.00	285,051
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Type of Facility Key
O = Office
E = Educational Facility
M = Medical Facility
X = Other

By MOF		FY 15		FY 15		FY 15		FY 16		FY 16		FY 16	
MOF	MOF	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
General	A	75.00	3,466,480	73.00	3,779,765	-2.00	313,285	75.00	3,529,158	75.00	3,814,209	0.00	285,051
Special	B	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
Obligation	C	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
GO Bonds	D	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
Bonds	E	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
Funds	N	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
Funds	P	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
Private	R	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
County	S	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
Trust	T	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
departmental	U	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
Revolving	W	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
Other	X	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0

**FY 15 and FY 16 ROUTINE REPAIR AND MAINTENANCE REPORT
THE JUDICIARY: Second Circuit**

Prog ID/Org	Island	State Owned Bldg/Facility/Other	Cost Element (A, B, C)	Type of Facility	MOF	Budgeted FY 15		Actual FY 15		Variance FY 15				Budgeted FY 16		Actual FY 16		Variance FY 16				Comments
						FTE	Amount	FTE	Amount	FTE	Amount	% FTE	% Amount	FTE	Amount	FTE	Amount	FTE	Amount	% FTE	% Amount	
JUD320	Maui	Hoapili Hale	A Personal Svcs	O	A	7.00	274,038	7.00	250,262	0.00	-23,776	0.00%	-8.68%	7.00	271,694	7.00	267,972	0.00	-3,722	0.00%	-1.37%	(1) Facilities Manager I, (1) Building Maintenance Worker I, (1) Groundskeeper I, (3) Janitors II, (1) Janitor III; Also perform work at Lahaina DC
JUD320	Maui	Hoapili Hale	B Other Current Exp	O	A	0.00	172,221	0.00	153,211	0.00	-19,010	#DIV/0!	-11.04%	0.00	147,717	0.00	116,554	0.00	-31,163	#DIV/0!	-21.10%	
JUD320	Maui	Hoapili Hale	C Equipment	O	A	0.00	0	0.00	0	0.00	0	#DIV/0!	#DIV/0!	0.00	0	0.00	774	0.00	774	#DIV/0!	#DIV/0!	
JUD320	Maui	Lahaina District Court	B Other Current Exp	O	A	0.00	70,812	0.00	63,288	0.00	-7,524	#DIV/0!	-10.63%	0.00	65,811	0.00	64,650	0.00	-1,161	#DIV/0!	-1.76%	
JUD320	Molokai	Molokai District Court	B Other Current Exp	O	A	0.00	5,100	0.00	5,100	0.00	0	#DIV/0!	0.00%	0.00	6,000	0.00	6,000	0.00	0	#DIV/0!	0.00%	

TOTAL:
By MOF

7.00	522,171	7.00	471,861	0.00	-50,310
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7.00	491,222	7.00	455,950	0.00	-35,272
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Type of Facility Key
O = Office
E = Educational Facility
M = Medical Facility
X = Other

MOF	General	Special	Obligation	GO Bonds	Bonds	Federal Funds	Funds	Private	County	Trust	departmental	Revolving	Other
A	7.00	522,171	7.00	471,861	0.00	-50,310	7.00	491,222	7.00	455,950	0.00	-35,272	
B	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	
C	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	
D	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	
E	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	
N	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	
P	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	
R	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	
S	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	
T	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	
U	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	
W	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	
X	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	

**FY 15 and FY 16 ROUTINE REPAIR AND MAINTENANCE REPORT
THE JUDICIARY: Third Circuit**

Prog ID/Org	Island	State Owned Bldg/Facility/Other	Cost Element (A, B, C)	Type of Facility	MOF	Budgeted FY 15		Actual FY 15		Variance FY 15				Budgeted FY 16		Actual FY 16		Variance FY 16				Comments
						FTE	Amount	FTE	Amount	FTE	Amount	% FTE	% Amount	FTE	Amount	FTE	Amount	FTE	Amount	% FTE	% Amount	
JUD330/009	Hawaii	Hilo Judiciary Complex	A Personal Svcs	O	A	12.00	451,551	12.00	448,543	0.00	-3,008	0.00%	-0.67%	12.00	473,275	12.00	438,759	0.00	-34,516	0.00%	-7.29%	FTE=Authorized positions
JUD330/009	Hawaii	Hilo Judiciary Complex	B Other Current Exp	O	A	0.00	164,328	0.00	203,221	0.00	38,893	#DIV/0!	23.67%	0.00	203,295	0.00	220,346	0.00	17,051	#DIV/0!	8.39%	Obj Sym 5802 thru 5806
JUD330/009	Hawaii	Hilo Judiciary Complex	C Equipment	O	A	0.00	0	0.00	8,500	0.00	8,500	#DIV/0!	#DIV/0!	0.00	0	0.00	0	0.00	0	#DIV/0!	#DIV/0!	Equipment purchases

TOTAL:

12.00	615,879	12.00	660,264	0.00	44,385
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12.00	676,570	12.00	659,104	0.00	-17,466
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Type of Facility Key
 O = Office
 E = Educational Facility
 M = Medical Facility
 X = Other

By MOF

MOF	Type	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
General	A	12.00	615,879	12.00	660,264	0.00	44,385	12.00	676,570
Special	B	0.00	0	0.00	0	0.00	0	0.00	0
Obligation	C	0.00	0	0.00	0	0.00	0	0.00	0
e GO Bonds	D	0.00	0	0.00	0	0.00	0	0.00	0
Bonds	E	0.00	0	0.00	0	0.00	0	0.00	0
Funds	N	0.00	0	0.00	0	0.00	0	0.00	0
Federal	P	0.00	0	0.00	0	0.00	0	0.00	0
Private	R	0.00	0	0.00	0	0.00	0	0.00	0
County	S	0.00	0	0.00	0	0.00	0	0.00	0
Trust	T	0.00	0	0.00	0	0.00	0	0.00	0
departmental	U	0.00	0	0.00	0	0.00	0	0.00	0
Revolving	W	0.00	0	0.00	0	0.00	0	0.00	0
Other	X	0.00	0	0.00	0	0.00	0	0.00	0

**FY 15 and FY 16 ROUTINE REPAIR AND MAINTENANCE REPORT
THE JUDICIARY: Fifth Circuit**

Prog ID/Org	Island	State Owned Bldg/Facility/Other	Cost Element (A, B, C)	Type of Facility	MOF	Budgeted FY 15		Actual FY 15		Variance FY 15				Budgeted FY 16		Actual FY 16		Variance FY 16				Comments
						FTE	Amount	FTE	Amount	FTE	Amount	% FTE	% Amount	FTE	Amount	FTE	Amount	FTE	Amount	% FTE	% Amount	
JUD 010	Kauai	Pu'uhonua Kaulike	A-Personal Svc	O	A	10.00	374,928	10.00	333,939	0.00	-40,989	0.00%	-10.93%	10.00	394,608	10.00	382,675	0.00	-11,933	0.00%	-3.02%	(1) Facilities Manager, (1) Building Maintenance, (2) Groundskeepers I, (1) Janitor III & (5) Janitor II
JUD 010	Kauai	Pu'uhonua Kaulike	B-Other Current Exp	O	A		110,100		117,835	0.00	7,735	#DIV/0!	7.03%		126,614		179,008	0.00	52,394	#DIV/0!	41.38%	A/C repair & maint
JUD 010	Kauai	Pu'uhonua Kaulike	B-Other Current Exp	O	A		36,000		38,885	0.00	2,885	#DIV/0!	8.01%		38,400		37,645	0.00	-755	#DIV/0!	-1.97%	Elevator repair & maint
JUD 010	Kauai	Pu'uhonua Kaulike	B-Other Current Exp	O	A		53,940		43,600	0.00	-10,340	#DIV/0!	-19.17%		53,262		18,653	0.00	-34,609	#DIV/0!	-64.98%	Alarm/Security repair & maint
JUD 010	Kauai	Pu'uhonua Kaulike	B-Other Current Exp	O	A		3,120		790	0.00	-2,330	#DIV/0!	-74.68%		800		11,139	0.00	10,339	#DIV/0!	1292.38%	Building repair & maint
JUD 010	Kauai	Pu'uhonua Kaulike	C-Equipment	O	A		9,130		11,951	0.00	2,821	#DIV/0!	30.90%		12,000		13,235	0.00	1,235	#DIV/0!	10.29%	Obj #5820 Other Repairs & Maintenance

TOTAL:

10.00	587,218	10.00	547,000	0.00	-40,218
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10.00	625,684	10.00	642,355	0.00	16,671
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Type of Facility Key
O = Office
E = Educational Facility
M = Medical Facility
X = Other

By MOF

MOF	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
General A	10.00	587,218	10.00	547,000	0.00	-40,218	10.00	625,684
Special B	0.00	0	0.00	0	0.00	0	0.00	0
Obligation Bonds C	0.00	0	0.00	0	0.00	0	0.00	0
Reimbursable GO Bonds D	0.00	0	0.00	0	0.00	0	0.00	0
Bonds E	0.00	0	0.00	0	0.00	0	0.00	0
Funds N	0.00	0	0.00	0	0.00	0	0.00	0
Federal P	0.00	0	0.00	0	0.00	0	0.00	0
Private R	0.00	0	0.00	0	0.00	0	0.00	0
County S	0.00	0	0.00	0	0.00	0	0.00	0
Trust T	0.00	0	0.00	0	0.00	0	0.00	0
departmental Transfer U	0.00	0	0.00	0	0.00	0	0.00	0
Revolving W	0.00	0	0.00	0	0.00	0	0.00	0
Other X	0.00	0	0.00	0	0.00	0	0.00	0