

Honolulu, Hawaii

APR 11 2017

RE: JUD. COM. NO. 6

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred Judiciary Communication No. 6, submitting for study and consideration the appointment of:

DISTRICT COURT OF THE FIRST CIRCUIT

J.C. No. 6 DAROLYN LENDIO HEIM,
for a term to expire in 6 years,

begs leave to report as follows:

Your Committee has reviewed the resume and statements submitted by the appointee and finds Darolyn Lendio Heim to possess the requisite qualifications to be considered for appointment to the District Court of the First Circuit.

Testimony in support of the appointment of Ms. Lendio Heim was submitted by Judge Leslie Kobayashi, United States District Court, District of Hawaii; Retired Associate Justice Robert G. Klein, Supreme Court of the State of Hawaii; Retired Associate Justice Simeon Acoba, Supreme Court of the State of Hawaii; Judge David A. Perkins, 36th District Court of the State of Michigan; Filipino-American Advocacy Network; Hawaii Filipino Lawyers Association; Hawaii Friends of Civil Rights; and seventy individuals. Comments regarding the appointee were submitted by the Hawaii State Bar Association Board of Directors.

Ms. Lendio Heim graduated magna cum laude and received her A.B. in Journalism and Political Science from the University of Southern California. During her undergraduate studies, she was a member of Phi Beta Kappa, Phi Kappa Phi, and Mortar Board, and was

named an Outstanding Senior. She later obtained her Doctorate of Jurisprudence from Boalt Hall School of Law at the University of California Berkeley. Ms. Lendio Heim is currently a Partner at McCorriston Miller Mukai MacKinnon LLP, where she focuses her practice in the areas of civil and commercial litigation, government and administrative law, employment law, land use, contracts, insurance law, insurance defense, insurance bad faith law, government relations, and higher education law.

Ms. Lendio Heim previously served as the Vice President for Legal Affairs and University General Counsel for the University of Hawaii System, which is a cabinet level position that directly reports to the University of Hawaii Board of Regents. In this capacity, she held supervisory authority over all legal matters in the University of Hawaii System. During her tenure at the University of Hawaii, she also served as the Interim Executive Administrator and Secretary of the University of Hawaii Board of Regents. She also previously served as Director of the Department of the Corporation Counsel of the City and County of Honolulu, an Associate for Goodsill Anderson Quinn & Stifel, and Extern for Associate Justice Yoshimi Hayashi of the Hawaii State Supreme Court.

Ms. Lendio Heim has extensive service in the legal community, including the Judicial Council, Permanent Committee on Rules of Civil Procedure and Circuit Courts, Arbitrator Mentoring Program of the Court Annexed Arbitration Program, Hawaii Filipino Lawyers, and Hawaii Women Lawyers. She has also been previously involved with the Honolulu Charter Commission, Honolulu Board of Water Supply, Honolulu Police Commission, Hawaii State Bar Association, American Bar Association, and Commission on Judicial Conduct. She has also served as a guest speaker or lecturer on numerous occasions to speak on various legal topics and is the published author of *Bad Faith Litigation in Hawaii* (National Business Institute 1993).

Testimony in support of Ms. Lendio Heim indicates that she is an experienced litigator whose caseload included complex cases and issues, which have provided her with experience in understanding complex factual patterns and the application of the appropriate legal principles and law to appropriately resolve such issues and cases. Testifiers comment on her dedication to law, high degree of integrity, and willingness to share her insights on trial strategies and complex legal issues.



Of particular note, testifiers in support of Ms. Lendio Heim praise her contributions to the Filipino community and indicate that Filipinos, especially women, continue to be underrepresented in the legal profession and on the bench. Ms. Lendio Heim's service on the bench will more accurately reflect the diversity of Hawaii.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the appointee, has found the appointee to be qualified for the position to which appointed and recommends that the Senate consent to the appointment.

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



GILBERT S.C. KEITH-AGARAN, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL
Consent

Gov. Msg./Jud. Com. No.:* JC 6	Committee Referral: JDL	Date: 4/5/17		
<input type="checkbox"/> The Committee is reconsidering its decision				
The Recommendation is:				
<input checked="" type="checkbox"/> Consent 2347 <input type="checkbox"/> Not Consent 2349				
Members	Aye	Aye (WR)	Nay	Excused
KEITH-AGARAN, Gilbert S.C. (C)	✓			
RHOADS, Karl (VC)	✓			
GABBARD, Mike				✓
KIM, Donna Mercado	✓			
THIELEN, Laura H.	✓			
TOTAL	4	0	0	1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Karl Rhoads</i>				
Distribution: Original Yellow Pink Goldenrod				
File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one Message/Communication per Record of Votes