

LATE TESTIMONY

**SENATE COMMITTEE ON
JUDICIARY AND LABOR
TESTIMONY IN SUPPORT OF GM 506
(WRITTEN TESTIMONY ONLY)
Wednesday, February 22, 2017**

9:30 am

Conference Room 016

**Dear Chair Gil Keith-Agaran, Vice Chair Rhoads & Senate Judiciary & Labor
Committee members:**

I strongly and respectfully urge this committee to confirm Derrick H.M. Chan to the position of Associate Judge of the State of Hawaii Intermediate Court of Appeals. While I am the current Chair of the State of Council of Revenues and former state tax director, I write this recommendation in my personal capacity.

I have appeared before Judge Chan a number of times and also attended a presentation given by him and his staff in a couple hour presentation to the Hawaii estate planning community.

I have found Judge Chan to be fair, smart, practical, deliberate, very diligent, and even tempered. He fairly and patiently allows parties the opportunity to be heard and a fair opportunity to present their cases. He is also street smart and “cuts to the chase.” Importantly, I have observed Judge Chan to exhibit integrity and high character. I further observed Judge Chan to be accessible to the estate planning community and to be open-minded when he carefully considered the community’s suggestions and comments.

Based upon the above, I strongly and unequivocally urge this committee to confirm Judge Chan to the State of Hawaii Intermediate Court of Appeals. Thank you.

Testimony of Susan L. Arnett
to the Senate Committee on Judiciary & Labor

February 22, 2017

RE: GM 506. NOMINATION OF DERRICK H.M. CHAN AS ASSOCIATE
JUDGE TO THE INTERMEDIATE COURT OF APPEALS, STATE OF
HAWAII

Senator Keith-Agaran and Members of the Committee:

I write in strong support of the nomination of Derrick H.M. Chan as an Associate Judge on the Intermediate Court of Appeals.

I have known Derrick as both a colleague and good friend for close to 30 years. He became a senior trial attorney in the State Office of the Public Defender before leaving to various other positions, including as a Deputy Prosecuting Attorney on Kauai before coming to the First Circuit Court bench. As a Deputy Public Defender, he handled serious cases with skill and dedication.

Derrick has served as both a trial judge and as an Administrative Judge, overseeing first the Criminal Circuit Court and eventually, the Civil and Criminal Courts. Derrick combined a keen mind and professional demeanor with a sincere caring for those who came before him as a trial judge. In his Administrative duties, his measured approach to dealing with conflicting points of view has been essential over the years as he manages the interests of the judiciary, individual judges and the various consumers of the judicial system, including lawyers and the parties they represent.

I believe he will be excellent as a member of the Intermediate Court. My belief is in no way influenced by the excellent fence he helped build at my mother's house in Kaneohe or the drain he helped engineer and create to stop the flooding of her lanai. In addition to these construction skills, he is a musician and long-time appreciator of Hawaiian music. It is truly a pleasure to recommend such a fine person for the appellate bench.

Thank you for the opportunity to comment on this nomination.

LATE TESTIMONY

TRISHA Y. NAKAMURA, ESQ.
PO Box 61619
Honolulu, HI 96839

February 20, 2017

To: The Honorable Gilbert S.C. Keith-Agaran, Chair
The Honorable Karl Rhoads, Vice Chair
Honorable Members, Committee on Judiciary and Labor
Re: Hearing: February 22, 2017 at 9:30 a.m.; Rm 016
GM 506; **STRONG SUPPORT** for DERRICK H.H. CHAN,
Gubernatorial Nominee to the ICA

I ask that you confirm Judge Derrick H.M. Chan to serve on the Intermediate Court of Appeals (“ICA”). Judge Chan will serve our State with the utmost care and diligence, giving great thought and consideration to the issues that affect people, government, and the place we call home.

I first came to know Judge Chan in 2007 when I served as one of his law clerks while he was served as the Criminal Administrative Judge. He was humble and down-to-earth both in court and in chambers. He ran his courtroom efficiently and decisively. He treated everyone respectfully. And he continues to be a willing mentor to his law clerks.

Judge Chan has an appreciation of the law in addition to its impact on people. He has played numerous roles as an attorney and judge. In addition, Judge Chan is efficient, thorough, and focused on finding solutions in complex and challenging situations. Having sat as the Criminal Administrative Judge as well as the Chief Judge of the First Circuit, Judge Chan has been able to not only serve on the bench, but play important roles in the administration of the Courts. Simply put, Judge Chan is not afraid to work hard and make difficult decisions. Such characteristics will be invaluable to the work of the ICA.

The ICA will benefit from Judge Chan’s varied experiences as an attorney and judge in family, civil, criminal, and probate courts. While the Circuit Court will lose a key leader, our State will gain from Judge Chan’s knowledge of the law, diligent work ethic, and smart application of the law to real-life situations.

I urge you to confirm Judge Derrick H.M. Chan to serve on the Intermediate Court of Appeals.

For your time and the opportunity to provide written comment, mahalo.



LATE TESTIMONY

HAWAII REGIONAL COUNCIL OF CARPENTERS

February 22, 2017
Senate Committee on Judiciary and Labor
GM 506

Re: Submitting for consideration and confirmation to the Intermediate Court Of Appeals as Associate Judge, Governatorial Nominee, DERRICK H.M. CHAN, for a term of 10 years.

Dear Chair Keith-Agaran, Vice-Chair Rhoades and Members of the Committee:

The Hawaii Regional Council of Carpenters strongly supports the confirmation of Derrick H.M. Chan, for Associate Judge for the Intermediate Court of Appeals.

Judge Chan would be an excellent pick to serve on the Intermediate Court of Appeals. When he worked with the Hawaii Carpenters Union as its in-house attorney, he was diligent, organized, and demonstrated good character and compassion for our members of whom he assisted with legal work.

Speaking to Judge Chan's character, one only needs to look at his recent accolade of Jurist of the Year (2016). Chosen from a list of nominees put forth by members of Hawaii's legal community, it is an honor to be selected by one's peers. When presenting the award to Judge Chan in 2016, Chief Justice Mark Recktenwald said of Chan: "He has often been described as a voice of reason and compassion. These are the characteristics that have made him an exemplary leader."

Judge Chan has served honorably for the past 17 years on the First Circuit Court where his credentials, experience, and wisdom have prepared him well to serve as Associate Judge for the Intermediate Court of Appeals. We strongly encourage the confirmation of Judge Chan. Thank you for your consideration.

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LATE TESTIMONY



KAMEHAMEHA SCHOOLS®

Senate Committee on Judiciary and Labor

Time: 9:30 a.m.

Date: February 22, 2017

Where: State Capitol Conference Room 016

TESTIMONY

The Trustees of the Estate of Bernice Pauahi Bishop
dba Kamehameha Schools

To: Chair Keith-Agaran, Vice Chair Rhoads, and Members of the Senate Committee

RE: **GM 506** Submitting for Consideration and Confirmation to the Intermediate Court of Appeals as Associate Judge, Gubernatorial Nominee, DERRICK H.M. CHAN, for a term of 10 years.

As Trustees of the Estate of Bernice Pauahi Bishop dba Kamehameha Schools, we submit this testimony to express our strong support in favor of the appointment of the Honorable Derrick H. M. Chan to serve as an Associate Justice on the Intermediate Court of Appeals.

Judge Chan has served as the Probate Court Judge for the State of Hawaii, First Circuit Court, since 2010. In that capacity, he has considered various petitions involving Kamehameha Schools. Judge Chan has always been prepared for hearings, has given due consideration to various points of view, and has treated the parties with respect and impartiality. We believe that Judge Chan has the background, demeanor, broad legal knowledge, intellect, and diligence that will make him an excellent appellate judge.

Kamehameha Schools has made tremendous progress under Judge Chan's oversight, including the appointment of three new trustees, reappointment of two trustees, adoption of an ambitious strategic plan and recruitment and hiring of a new Chief Executive Officer. Judge Chan has also been prudent during unique circumstances when his insight and action were needed.

For these reasons, we support Governor Ige's nomination of Judge Chan to the Intermediate Court of Appeals and ask that his appointment be confirmed.

Thank you for your consideration.

The Trustees of the Estate of Bernice Pauahi Bishop
dba Kamehameha Schools

CORBETT AARON KAMOHAIKIOKALANI KALAMA, Chair
MICAH A. KANE
ROBERT K.W.H. NOBRIGA
LANCE KEAWE WILHELM